

**THE LEGISLATIVE COUNCIL COMMITTEE ON GOVERNMENT
ADMINISTRATION MET IN COMMITTEE ROOM 2, PARLIAMENT HOUSE,
HOBART ON MONDAY 16 APRIL 2012.**

INQUIRY INTO PRISON OVERTIME

Mr ROBERT WILLIAMS, DEPUTY SECRETARY, DIRECTOR OF CORRECTIVE SERVICES, **Mr GREG PARTRIDGE**, DIRECTOR OF PRISONS, AND **Mr BRIAN EDWARDS**, OBE, DIRECTOR OF CHANGE MANAGEMENT, DEPARTMENT OF JUSTICE, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR (Mr Dean) - Welcome. This is a public hearing and so any member of the public is entitled to be present. The Press will be present at some stage throughout the process.

There are certain privileges that apply to these committees, of course. You have a protection whilst you are here and in this environment but once you leave the environment that changes, of course, outside. You have that protection here, that privilege here in providing any evidence.

If at any stage there is any evidence that you would like to give to us in camera then the committee could consider that as well

Having said that, it is being recorded on *Hansard*, of course. If we need further time then we may have to extend an invitation to you to come back at another time but we will do our best to move ahead as quickly as we possibly can.

I think you have read what the inquiry is about and the terms of reference and you would have a copy of that document so you will know and understand clearly where we are at and what we are doing.

Having said that, what I would do at this stage is to open it up and provide an opportunity to you or whomever, if you wanted to make a short statement to us, or any position you want to put forward to us and I would ask that you keep that reasonably short - four to five minutes or thereabouts or shorter - and then I will open up the questions around the table for comment.

Mr WILLIAMS - Thank you for the opportunity to come and talk to you about the prison, specifically prison overtime. It has been an issue that has been on the radar for some time. The prison budget overall is an issue for us to manage. We have got Mr Brian Edwards here who has recently started as the Director of Change Management in the prison system. Mr Edwards brings a wealth of change management in corrections from the United Kingdom, and in fact in other countries as well, to Tasmania to help us deal with some of the underlying issues that have troubled the prison over recent years.

One of the things I wanted to put as a context for you is that, while I still consider that prison overtime is an issue for us to keep working on, there are a number of other reasons why the prison budget is difficult to manage.

We run basically a small township with all the services 365 days a year, 24 hours a day. People eat, live, shop, learn, undertake programs. We do not have the luxury of stopping providing those services while the people in our care are prisoners of the State.

We have certain obligations to make sure that they are cared for with respect and decency in accordance with human rights, and we also have a responsibility to the community to provide rehabilitation services so that when the majority of people who go in come out, they have got a better opportunity of living pro-social lives in the community.

We are, the same as any town or city, subject to things like increasing power prices, consumables, food, prisoner numbers, sometimes critical events take place. All of these things put upward pressures on a prison budget so I wanted to say in the context of overtime being an issue that it is not the only cost pressure that is placed on the prison system but it is one where we think we can make some purchase and move forward to defray our costs.

Overtime is driven by a number of factors in a 24-hour-a-day operation. We have a certain number of correctional staff who need to be on post for safety reasons each day. To give you an example, in medium security, two supervisors and seven staff need to be on deck to fully operate the area safely and to provide the services that we need. If one of those staff members is absent, for whatever reason, whether it be a workplace injury, whether it be because they are sick - or maybe some other thing has happened like hospital transports being needed and we need to take someone to hospital - we need to fill that position in order for the safety of the work force to be maintained. So if one of the seven staff is not there we need to fill that position in order to keep the place safely operating. As far as I can tell we run at average staffing levels around the country. There are areas that have much higher staffing levels, and there are some that have marginally lower levels, so we are sort of in the middle, and certainly based on our profile of criminals we are, I think, about right in terms of where we have our minimum staffing levels for safety and security.

Being a small jurisdiction we have very little flexibility in a whole range of areas, so we have problems housing people who need protection. If we were in a larger jurisdiction we would simply move them to another jail if they had a problem with another prisoner. In Tasmania it is pretty limited because we only have one main jail, and if you are in maximum security we could put you in the Hobart Reception Prison, but that is about it. You can't go to Hayes or Launceston or the minimum security prison. So all of these sorts of issues, including the standard wage increases, put pressure on the prison budget. Also in the last couple of years we have had some critical events. As you know, we had a Maximum Security failure which required us to move prisoners out. So when we have a critical event, whether it is prisoner unrest or an injury caused to a staff member or prisoner, an escape attempt, we have to deploy more resources in to deal with those events. We have to then backfill into the positions to deal with the normal operations of the prison. If we don't fill one of those seven positions in Medium Security, we have to lock the facility down. Now, that happens in all prisons around the world on a regular

basis. However, it is something we try to avoid, because the impact on the inmates is that it actually creates a greater danger if we have to lock them down, because they become restless if they have been locked down for 48 hours in their cell and have not been able to get out, and it causes problems. So we need to backfill those positions.

Also in terms of staff safety we are really conscious of the fact that we need to maintain an appropriate level. We have had a reasonably high rate of injuries through a number of incidents over the last couple of years. These drive our workers compensation claims up. When someone is off on workers compensation it is the same as sick leave: We need to fill their position. So on a daily basis at, say, the Risdon Prison Complex, which is maximum/medium security, we have 50 people on deck. I suppose what would be useful - and I think we have used this information previously - is the percentage of what causes and what drives overtime.

Mrs TAYLOR - Gentlemen, I hear everything you're saying, but as I understand it - and you might like to address that as you go through rather than having to do it all again - one of the reasons that we have asked for this inquiry may be the reasons for overtime, but more that there is a blow-out. It came up again this year because you asked for \$2 million extra, and that is consistently historical. So I suppose part of the reason for the inquiry is: do you regularly just underestimate how much you are going to need for overtime because, year after year, halfway through the year you have to come and ask us for more money for overtime?

CHAIR - I appreciate the comment at this stage, but I think I would prefer just to hold on that because there are issues that have arisen already that I think most of us would want to question on. So if I could just ask you, Robert, to round off as quickly as you can on this part of it so that we can have an opportunity to ask our questions and put our issues.

Mr WILLIAMS - I think it comes back to Mrs Taylor's question, which is what drives overtime and that leads to what sort of response we need to put in place to deal with it. Sick leave - this is a year-to-date figure - contributes about 33 per cent to our overtime needs, workers compensation about 24 per cent and vacancies, for a number of reasons but largely because we don't have enough staff on our books, is around 24 per cent and then the rest is a conglomerate of various things like taking people to hospital. If someone is sick we need to send two officers off to do security functions in the hospital. Those are smaller drivers, but those three are the main ones. I will stop now and let you go in the direction you obviously want to, but I have some actions and some activities that we are undertaking in relation to those three big drivers because that's how we're going to deal with overtime.

What I wanted to say also is that the increased cost in prison budgets is due not just to overtime; it is due to a range of those other factors such as critical incidents where we have to move a whole lot of inmates and it cost a lot of money.

CHAIR - Robert, thank you very much for that and I need to be fair to you people, if you want to remove your jackets, certainly feel free to do so if you will be more comfortable. I had a question along a similar line, but I'll go straight to Ms Taylor and you can now pursue your matter that you wanted to.

Mrs TAYLOR - I'm sorry, it was just that I was thinking in the response you were giving that in a sense we were asking a slightly different question. At least part of it is not about where is the overtime spent or why do you need overtime, because obviously we are not disagreeing with what you say, but it is just that if the same thing happens year after year then either you're not getting enough in the following budget or something else that you're thinking you're going to be able to cut down on and then you actually can't. Maybe there's some endemic reason why your overtime keeps blowing out.

Mr WILLIAMS - It does go back to the root cause: worker's compensation, sick leave and vacancies. In previous years I don't think we've had a good enough response to managing absence. We commissioned a report by KPMG last year because that was obvious to us and we have a response to that now. I think it would be disingenuous for me to suggest that in fact we need more money before we've done everything we can do to try to deal with those underlying causes. For example, workers compensation is a big driver of overtime, people off with injuries. Increasingly it's been stress-related injury in the workplace, sometimes we have nasty physical assaults, but prisons are pretty stressful places as well, the same as being a police officer, you deal with the same people by and large, it's stressful and some of them are violent.

We have had for eight months this last year the most senior workplace standards inspector working inside the prison to help us put in place better workplace health and safety practices because the health of our staff is one of the driving causes of overtime. Whether it's a workplace injury that they claim compensation for or whether it is a sick leave situation, we have to understand the drivers of that so that we can act on them. A safer workplace for us would actually reduce the cost of our overtime and we can't blame staff for that; we have to accept responsibility as an organisation for putting in place those practices. As an example, we didn't have any workplace health and safety representatives throughout the various parts of the prison until the last four months. We now have those in place and we have a whole range of strategies to deal with workplace injury that perhaps we weren't as good at dealing with as we should have been.

While we've been spending more than the allocation, Mrs Taylor, it is the case that there have been some underlying issues that haven't been dealt with properly in the past and that we are now flushing out. The Palmer report was one of the ways we did that. We had a report by Ted Leeson, who is a senior workplace health and safety inspector. These things are costing us money as well to implement. A safer workplace just doesn't happen - we have to train people and put structures and things in place. Staff are our number one asset in running our business and we haven't done as well as we should have in looking after them in the past.

Ms RATTRAY - Does the site lend itself to being a safe work environment? Is the design of the facility good enough to have people working in it?

Mr WILLIAMS - You might note that we've got \$20 million in the forward Estimates to do what's known as prison infrastructure redevelopment phase D. Some of the current infrastructure in maximum and medium security at Risdon Prison Complex is not as effective as it could be in providing infrastructure to run a prison properly.

Ms RATTRAY - Poor design?

Mr WILLIAMS - Not poor design. The prison is not complete yet, so while the accommodation was built in Maximum Security, for example, there is no facility for exercise. There isn't an industry facility. That's what the Government has provided the money for us to do. So, in actual fact, without some of those things, the prisoners can get bored. We struggle to provide activities for some of them, especially in the higher security classifications. This \$20 million over the next few years is not to address a design fault; it is to address the lack of facilities that was envisaged in the original concept for the whole prison.

CHAIR - During your briefing, you raised the issue that other increasing costs are also putting pressure on your budget. The position is, and the question is around overtime, that there is a certain amount of money in your budget for overtime. It's the overtime that is worked over and above what's been provided for that's the real issue here and, in the appropriation bill that has just been before us, of course, there was \$2 million there for overtime alone, nothing else; all for overtime. So, the question from that is, how are you able to continually go over and above your budget amounts for overtime, sick leave and all of that, constantly year in, year out? I know you have raised some issues here and given reasons as to why it is occurring but are you underestimating your budgeted amounts each time or what has gone wrong with it? The \$2 million, not just for overtime but for extra overtime, is the issue.

Mr WILLIAMS - I think we recognise that our overtime is higher than it should be. Part of the outcome - we commissioned the KPMG report, the Workplace Standards report. The minister brought in Mr Nick Palmer to do a report. All of those things have helped focus on what the underlying causes are and we need to deal with those. Some of them are cultural, some are to do with the way the place is managed. There is no one factor but that is why we have brought Mr Edwards, from England, to give us a proper change program to deal with the underlying causes because I wouldn't like to say that we've done everything we can to fix this until we've done everything we can and we are not there at this stage. We've got more work to do.

I think the Palmer report was a turning point and Ms Rattray's comment about the infrastructure is really serious. I mean, Mr Palmer recognised that the infrastructure failings were a problem for us and we had to deal with those. We also have to deal with the culture. The infrastructure is not the only issue. The cultural issues - we have to manage absences more strategically, tighter. That's what the KPMG report gave us.

I would say, at this particular point in time we are undertaking a major change program within the prison, aimed at dealing with the issues that you're raising.

CHAIR - That brings me to the very next question. I think it was in 2007-2008 when this was first raised within the Parliament's Estimates process. I think you were there at the time when it was raised by the member for Rosevears and myself, that is, the inordinate amount of overtime that was being worked and it was being put to your organisation then that you needed to make changes and make them quickly. In actual fact, it was later put, in those Estimates processes, that the system was being rorted. The word 'rorted' was being used. That, I think, was generally being accepted by the prison service so following from that is: what happened? What changes were made from 2007, and that's when the KPMG report goes back and there they were specifically looking at figures

from 2007, 2008 and 2009; what changes have you made within the service since that time to get on top of this? Have you made any at all other than call for these reports?

Mr WILLIAMS - We have commissioned Mr Edwards to come in to run a major change program. We have had the senior consultant from Workplace Health and Safety in the prison making significant changes to what was probably a flawed workplace health and safety approach. We have employed an HR consultant inside the prison service who wasn't there before. We've dealt with some difficult issues in terms of industrial relations. The records of the Industrial Commission show that the department has been in the commission on quite a number of occasions to try to deal with how we move the service forward and deal with some of those issues that you've raised. We've been doing a great deal of training with our managers in how to manage these issues, how to manage absence management. We've implemented a new absence management policy. We've implemented an overtime policy. But before all these things can be achieved properly we need to have some lasting change, which is about having a proper change management process, so that we don't just fix it short term.

CHAIR - Can I just ask you a question on the absence management policy, when did you address that and what does it now say?

Mr WILLIAMS - The policy has been revised a couple of times, I think it was about 2010 when we introduced it. Basically what it does is it provides a structured approach to dealing with absences. You raised the issue of rotting, I certainly wouldn't go so far as to call it that, but I think there has been some -

CHAIR - KPMG were pretty close to calling it rotting, weren't they?

Mr WILLIAMS - There's been some manipulation by some staff.

Mr MULDER - Inappropriate culture.

CHAIR - Inappropriate culture, whatever.

Mr WILLIAMS - What we've done in implementing this policy is provide a structured way to deal with it and provide natural justice. Obviously some people who are sick don't come to work for various reasons and most often it's because they're sick, but sometimes it's because they have childcare issues or someone is sick in their family. There's a range of things. Sometimes it can be because they're being bullied at the workplace and I'm not talking about the prison as such, I'm talking about corporately, there are a range of reasons why people use sick leave and don't come to work. Sometimes it's because they're scared of what's going to happen to them when they come to work and the prison certainly has a number of people, after some of the critical incidents we've had, who have been very stressed about some aspect of the workplace. We've had a number of officers who have been seriously injured in Medium Security in 2009 and Maximum Security last year.

The policy drives a series of conversations between the individual and the manager until we get to the stage where we invoke the public service provisions of being able to question the medical certificate of the individual, or the capacity of the individual to come to work or not.

CHAIR - Just on that, a certificate is required for one day of sick leave?

Mr WILLIAMS - I think there's five days free a year and then the rest must be certificated. If we've had a series of conversations and someone's pattern of behaviour looks like perhaps there's something wrong, maybe they're taking all Mondays or all Fridays off, we can then go forward and challenge their capacity to come to work with an independent medical assessment.

CHAIR - Has that happened?

Mr PARTRIDGE - We have two - a couple of them.

CHAIR - I'm happy for Greg to answer. We'll direct our questions to you and then you -

Mr WILLIAMS - Sure.

Mr PARTRIDGE - So far we've had two independent medical assessments in relation to absences from the workplace as a direct result of the pattern of absence.

Mr FINCH - I hope I'm not cutting across other members' line of questioning of Mr Williams, but if I could draw on Mr Edwards now, please, Robert. Mr Edwards, I'm just wondering if you could give us some of your observations in respect of your experience, the reason you've come here as director of change management and the things that you've witnessed to date with your observations here at Risdon, as to whether there is anything different here that might be occurring to what you've experienced in the past in prison systems.

Mr EDWARDS - Yes, certainly. I come from a background of 42 years in the prison service or in prisons around the world, looking at change and looking at the difficulties you've got in managing the particular population. I think Tasmania has a very difficult problem because of the island situation, the State, and the fact that you have a fairly small population and a population of prisoners with a vast variation of crime. When you get that mix in, it just reinforces the report that Mr Williams has given you. The fact is you cannot leave posts vacant; you're on the constant watch all the time to make sure that you can maintain order within the prison service. I think it's very important that the prisons, the TPS, looks at trying to do work with prisoners to cut the costs of future court cases and, of course, trying to protect the future victims. I think it's very important that a lot of intense work is done within the wire, so to speak, if you don't mind me using that terminology.

Since I've been here, it's been exactly as Mr Williams has said. What have worked very hard on the staff attendance systems. The director is looking to robustly manage that through new staff attendance systems and a new staffing model. On the question of staff attendance, I think you have to look at the underlying difficulties within the environment that I've very quickly described to you. My belief is that if you're working within that environment, then we have to bring the teams in closer. So we're looking at a new staffing model that brings the staff closer to the manager. So, instead of being one of 252 staff, you become one of 12 and you get a closer supervision, closer management and you can get the closer ability to work on case management throughout.

Mr FINCH - Are you seeing something comparable here to something you've experienced before? Is this the sort of thing that has gone on or goes on in prison systems elsewhere, in respect of overtime?

Mr EDWARDS - Very much so. Other countries don't use the term 'overtime'. They use the term 'non-effective time'. Actually the budget should be covering non-effective time, which I think might go towards your question.

Non-effective time is very important within a prison environment. You can call it overtime if you like because of the village, the township, that you have within the wire. It's not as if you can suddenly leave the village and expect the occupants to behave. You always have to be supervising, you always have to be looking, so each time we get a position that is vacant, we must fill it for the safety of the prisoner and for the safety of the staff and also so that we can maintain our constant supervision and our constant work on a one to one with each prisoner. The vision of this place should be to provide a safe working place and, most of all, to provide a safer community, and that is looking at the future victim. I think that's what the TPS is trying and striving to get on with. In order to do that, we must fill vacancies that occur, day by day.

Mr FINCH - Mr Edwards, do you have a sense that you are able to assist the prison service here in respect of this issue that we're dealing with and that we have dealt with over a long period of time? Do you have suggestions or are you making observations that you feel you can change the circumstance that we're questioning?

Mr EDWARDS - Well, already the people that you see before you now, as a team - we are now just eight weeks into the situation and already we've got delivery in a performance plan in final draft, we have a specialist team selected for a safer custody program and everything I'm giving you now is working towards providing a positive regime and a positive outlook for staff which, in the end, will lead to a better attendance and a better absenteeism result. We have a transitional program designed for prisoners.

We are working on Tamar. We have now selected the staff for Tamar. The staff have been through a training program. The staff are now getting involved in looking at what they have to do in Tamar and are putting together the delivery plan with us. The unions are fully supportive of this, so we now have everyone working in a very positive manner in just eight weeks that the team has been together, and I think all of that will add to a very positive approach to difficulties that you might have had in the past. We are looking at new workplace policies. We've defined leadership on how managers should lead these smaller teams. We do have a common vision now throughout the establishment, throughout the TPS. Industries review is taking place. I think it is very important that the TPS and Tasmania look at what we are doing for the future victims, and I am not quite sure we are there yet. I think we need a lot more programs, a lot more education. There are prisoners who still can't read or write, and then we expect them to come back into the community and not commit crime again, and I think Tasmania has a responsibility to look at that. We do have staff who are helping education now, as uniformed staff assisting basic education, but I still don't think that is good enough. We are having a very positive effect on driving towards decency in the diversity of the population that we have in there, and the management under Greg is very strong on

pushing forward on that decency model. I think that decency model also lends itself to a positive outcome.

Mr FINCH - A bit more on that. What do you mean by decency? The way you treat prisoners and vice versa?

Mr EDWARDS - No, the way we treat each other. For instance, staff now will not allow prisoners to swear and curse frequently. There is an acceptance sometimes that when you get within a circle there will be a sort of language, and the staff are not accepting that now. Staff don't swear at prisoners and prisoners should not swear at staff. That is the sort of decency level what we would expect in the community, and that is what the staff are trying to deliver with the numbers of staff that we have. They are saying if you don't normally talk like this in the community you don't talk like this in prison, and I think that is very commendable to the TPS and I think that is very commendable to Tasmania that staff are standing up and toeing the mark on decency. We are trying to push towards what standards are expected within the community and they are the standards we would expect within the wire. Does that answer the question?

Mr WILLIAMS - On the decency issue, over the last two years we have helped a number of our staff move on from the TPS who we considered were not contributing constructively to the future. Some of those people did the wrong thing. Some of them had the wrong attitude. So the change management process has been going for at least a couple of years. As we have dealt with moving people out, we now are doing full testing and assessment of people coming into the system so that we make sure that the good people we have left in the system are complemented with equally good people and we do not put the wrong people in there. We have had the wrong people in the service in the past. I think we have got those people to realise they might need a new career, and we want to make sure that the new people coming in are the best quality people to run a prison service with decency. As I said, these people will come out. On one hand there are a number of people who are not coming out, and if we don't treat them with respect while they are in there, help them read and write and get jobs when they come out, they are going to live in the house next door to us, and if they need to be better than when they went in. That is the driving agenda for the TPS, to make a safer community.

Mr MULDER - I found some of your opening remarks or your submission quite interesting. I got the overall feel that you thought we were doing well, but then when the acid was put onto you as to whether it is just a question of insufficient funds you then backtracked and said there were things you could be doing better. But just before I get into some of the detail of that, can you just go through those figures you gave us as to the type of leave that is causing this overtime problem? I think you had sick leave, workers compensation and a variety of others.

Mr WILLIAMS - In saying we're doing well, if I can just come back on your comment, I think we're doing well to move forward to address the issues. I think we've got a lot more work to do and I don't think we've done -

Mr MULDER - I'll come back to that in a minute.

Ms RATTRAY - Mr Chairman, is it possible to get a copy of the pie chart for the committee at some stage?

CHAIR - Is that not available on the reports that we have?

Mr WILLIAMS - It's an updated one of the report -

CHAIR - An updated one, yes, thank you, if it can be tabled.

Mr WILLIAMS - I've only got one copy. I'll read it out for you in a moment - there is a copy.

CHAIR - Thank you very much.

Mr WILLIAMS - Sick and carer's leave is 33 per cent; workers compensation is 24 per cent; post not covered is 24 per cent -

CHAIR - What was that? 'Post is not covered?'

Mr WILLIAMS - That's basically a range of different things including vacancies that we don't have people to fill.

CHAIR - What was that percentage again, sorry?

Mr WILLIAMS - 24 per cent. Then there is a range of other miscellaneous ones such as hospital escorts, security operations, if it's been identified there might -

Mr MULDER - You have summed them up as a variety.

Mr WILLIAMS - Sure.

Mr MULDER - Of course, the first point that jumps out of that was that the KPMG report had actually 40 per cent as personal leave replacement. Is that what you were talking about as sick and carer's leave?

Mr WILLIAMS - Yes, that's right.

Mr MULDER - So you're saying that in the 12 months since the KPMG report of July 2010, so two years since then, that's come down 7 per cent?

Mr WILLIAMS - That's correct.

Mr MULDER - What do you attribute that to? What wins have you been scoring, which relates to the Chair's question about what has been the effect of this, which I don't think we had an answer to?

CHAIR - No, not really.

Mr WILLIAMS - As I said, we implemented an absence management policy. We did take on a number of cases where historically management has not perhaps played its full role in managing the service and we've taken those issues on in the Industrial Commission. In a number of those we've been successful. One of the other things I think we've done -

we had a very difficult situation last year in February when we stood some staff down because we said they weren't doing what we wanted them to do as management. That was I think a line in the sand for us because I think it was a shock to the staff that we were prepared to go that far and that we felt that strongly about what we were doing. Since that time we've been able to rebuild a much stronger and much more constructive relationship with both the staff directly, but also with both unions that operate within the prison service. I think we've been able to change the culture. From a management perspective, we've been able to demonstrate more consultation with the staff and in response we've had a number of good agreements with unions where we've agreed to dispute resolution processes that are more sophisticated than perhaps where we were before that time in February last year.

As we worked through that, as we've implemented an absence management strategy, we've also implemented changes in recruitment. To give you a sense of the recruitment numbers over the period: in February 2011 we took on five; in May 2011 we took on three. We reformed the process to get more people in and in November we graduated eight people and this month we've got 10 people and we are about to run another course. The 10 who came out in April - we had 17 staff - and so we've done a whole range of things to address the workplace health and safety with Mr Leeson.

Mr MULDER - We accept that and a lot of the stuff is May 2011 as you say. In the midyear Budget status you came back for \$2 million more in overtime; so have your wins in one area resulted in losses in another? Or, what's going on here when with the global allocation you still can't live within it?

Mr WILLIAMS - We've still got more work to do in terms of the workplace injuries haven't dropped. We've only just finished the process of putting in place the workplace health and safety representatives. They've been through an election process through the Electoral Commission. The outcome of some of things are medium to long term. Culture change takes years. I expect to see a drop in absence management in the coming year.

Mr MULDER - Can I just pick up on that? It takes years, so is it a fact that your Minister doesn't recognise this and by saying that we're going to now give you the extra \$2 million you needed this year and next year a little less and less to give you time to transition this or is he putting you in a position where every year you're going to have to come cap in hand until this long term culture change comes into place? Are you getting the appropriate level of support from the Government for your program?

Mr WILLIAMS - I think you'd have to ask the minister about what the minister thinks. Certainly, I feel like I'm getting very strong support from the Minister in terms of the culture change programs that we've put in place now. He's fully supportive -

Mr MULDER - Perhaps it's the Treasurer I should be addressing this question to.

Mr WILLIAMS - I can't answer for the Government on that; I'm sorry.

Mr MULDER - It seems to me that, with what you're saying, you do thoroughly expect that next year, come this time, we will once again be looking for a supplementary appropriation bill to the prison service because your work will not be complete.

Mr WILLIAMS - I don't think our work will be fully complete for a number of years. Mr Edwards is here for two years but I think in our conversations he fully understands he needs to leave us with a fully running change process that will probably run for several years.

Mr MULDER - What it says to me is that you've got a program; you've got a project; you need to get long term funding for the period to do that and, although you aren't in a position to make any comments about the minister or the Treasurer in that regard, I think that one of the things that I'm getting out of this is that the prison service is underfunded to make the transition to the new environment that we want to get to. Is that a valid comment?

Mr WILLIAMS - What I would say is we've got a good program in place to make inroads into reducing the level of sick leave and workers compensation.

Mr MULDER - The question, though, is do you think that program is appropriately funded. Do you think the prison service is funded to run the prisons and to implement this program going forward in full recognition that it's not a 12-month solution?

Mr WILLIAMS - I think we have to do our best to bring the budget back in terms of running the prison budget. Beyond that, we've got no other goal expect to try and bring the way we run the prison back within the envelope that we're provided with. It's the same as every other agency having to live within its budget.

Mr MULDER - All right. I'd like to drill down now into what was 40 per cent for personal leave replacement, which you've said relates to sick leave, carers leave and those sorts of absences. I note that Mr Partridge has told us that there have been at least two cases of intervention now where the personal pattern has suggested the need for additional medical examination or medical documentation to support - medical review, I think was the term used. Can I just get some feel for, considering that it's still the highest, that it doesn't include workers compensation, it doesn't include extreme events or hospitals or anything like that - this is purely people not turning up for the shift that they're supposed to turn up on - can you give me an idea of how much of that is short-term and what sort of notice you're getting of those unable to front up for the shift?

Mr PARTRIDGE - The vast majority of it is short-term. It's within 24 hours of the shift commencing. It's very unpredictable. We can't plan for someone to be off sick in advance, not knowing whether they're going to call in for their vacancy or not, so we have to fill those posts regardless, as both Mr Edwards and Mr Williams indicated. I need to manage and maintain a small town that has a significant security operation around it.

Mr MULDER - Yes.

Mr PARTRIDGE - So, all those positions and most of them are short-term. There are a minority that I know in advance and they link back into that workers compensation.

Mr MULDER - But there would be a minority that constitute a greater proportion of the problem of the short-term workforce.

Mr PARTRIDGE - Yes, the vast majority are short-term.

Mr MULDER - We won't call it a problem since it's an industrial entitlement.

CHAIR - How many are on workers comp at the present time, right now?

Mr PARTRIDGE - At the moment, about 14 per cent.

CHAIR - Fourteen per cent?

Mr PARTRIDGE - Sorry, on workers compensation?

CHAIR - On workers compensation.

Mr PARTRIDGE - Sorry, it is probably about 10 per cent.

CHAIR - Ten on workers comp, as we speak today.

Mr MULDER - So with sick leave; can you give us a description of the pattern and how it works?

Mr PARTRIDGE - Someone might be rostered on to work a three-day shift. They'll ring up on the Monday if their shift is going to start on the Tuesday and say, 'I'm off sick; I've got the flu and I won't be able to report for duty tomorrow'. So they are then marked as absent for the Tuesday. They then ring up late on the Monday and say 'I'm still absent. I still have the flu. I won't be able to report for my shift on Wednesday'. It is that sort of pattern.

Mr MULDER - So how much of this then is related to minimum staffing levels, your requirement to have a minimum staffing level on the floor, or within the wire?

Mr PARTRIDGE - The facility has a certain number of posts that have to be staffed every single day regardless of what is going on, so for instance a general duties officer who is operating in the Medium precinct, he or she may call up sick and not be able to take their post. That post has to be filled to open up the facility, so it has to have someone in it for that function to perform.

Mr MULDER - Okay, so you have these minimum securities, then you are rostered to those minimum securities, which of course I think makes you extremely vulnerable because you do not have the surplus staff to fill gaps. Has there ever been any thought given to when that happens, particularly for short term, of starting to maybe fill it from outside that rostered area? I know KPMG raised some things, but it is not unknown from the environment the Chair and I come from that when those sorts of critical positions are not filled then management steps into the role for short term, which means, I think, the result is that one person on short-term sick leave does not become a reward for someone else in overtime.

Mr PARTRIDGE - Yes, that does occur. For example, today there was an area within Maximum Security at RPC that could not be unlocked. We had exhausted all of our staff

who were on days off and who were willing to work overtime. Today that area was eventually unlocked by a medical escort finishing early and that staff being returned to the facility to unlock that part of the area. On other occasions correctional supervisors - we need to be very careful because correctional supervisors and correctional managers are there to manage the workplace, and I cannot afford to take them off their primary duties to perform the duties of a base-grade custodial officer, but where I can it does occur.

Mr MULDER - I just think the fact you have only identified two people in 12 months for something that constitutes 40 per cent of your problem, it seems to me that -

Mr PARTRIDGE - That is two people where it was clearly identified that there was an issue in terms of their absence management and that they clearly were not effectively working towards a solution. That does not mean to say that there are not others that we have sat down and had a conversation with. But they are the two where we have said, 'I think you've got an issue here and perhaps there would be a better career for you elsewhere.'

Mr WILLIAMS - One of the things Mr Edwards mentioned was what we are doing with the Tamar Unit, which has been a problem for us for some time, and that is a complete reformation of that unit which will encompass some of the infrastructure changes that we have going on over the next three years. There is no doubt that some of the staff have felt uncomfortable coming to work in that unit because of the way it has been configured physically, the way it has been managed over time. We changed it last year and we are going to now completely strip that unit of its old operating systems and start again. Our view is that once we have new models in that unit - and we have now called for volunteers to staff that unit - we will reduce the level of absenteeism around that particular unit because it is going to be managed in a different way, and staff are going to feel more confident about a safe workplace.

Mr MULDER - So when you do these things, do you actually set yourself performance targets in relation to 'we're going to make this change and it will have that impact' and then measure yourself against whether it is actually having that impact?

Mr WILLIAMS - I think we can see that we have changed the driver of overtime between the KPMG report and now. One of the processes we are going through at the moment with Brian is we are going to develop a suite of performance targets, and those targets at the beginning of the change process will probably be more activity-based rather than just outcome-based, with a view to becoming an outcome target further down the track. So we start to gather things together and sick leave and workers compensation is going to be clearly one of the areas that we need to target. We are targeting the recruitment. We are hoping to put 20 people on in the next course and they are interviewing them today. As we tackle each of those three major drivers we are hoping to bring the overtime costs down.

Mr MULDER - What I would like to see, though, and I think the committee's concern relates to this continual pattern of coming back every year in, year out for supplementary funding and one of the things that I think this committee would get some assurance out because every year we are given 'we are working on this and now we have actually employed someone to come and help us work on this and we have made a little progress'. Perhaps if you gave us some idea about each one of these programs and what you think

the outcomes would be, it would give us a yardstick or a mile post, if you like, against which to measure your performance going forward. It seems to me that the committee, without disrespect to what it is being told now and I haven't been party to previous committees, that we are hearing roughly the same things that they have heard in the past and we are not going to call you liars and say that you can't do what you couldn't do before but what we would like to get is some assurance that there is a program which is designed to achieve an outcome and that outcome, albeit over time, is something we can measure your performance against so that we are not sitting here in 12 months' time saying exactly the same things that we have said today because you don't have clear, trackable objectives that you are prepared to share with members of this committee.

Mr WILLIAMS - I think that is one of the key bits of work that we have done. One of the things that we established last year was a Corrections Reform Committee and one of the pieces of work that that committee has tasked the Prison Service and Community Corrections to do is to come up with a set of key performance indicators because we haven't had those drivers. We have Breaking the Cycle as a strategic plan and one of the key things that Brian is trying to put in place is a line of sight from the strategic plan, which is the commitment, through to what it means to be a frontline officer and part of that is about rehabilitation - how do you get into the head of a person working in Maximum Security when the job is not just about locking people up but it is about reducing the recidivism rate and the connection between what they do in there and what the person will be like on the outside? Clearly, we are going to start to set ourselves and our managers targets around workers compensation and sick leave. They have not been set yet.

What I take some comfort in is that the sick leave percentage as a driver of overtime has changed and I think that is due to a whole range of activities we have undertaken. I really think the hard work is about to start in terms of tackling this in the culture change program.

Mr MULDER - When are we likely to see the key performance indicators or project milestones or whatever jargon you want to put around it, when can we see what you are aiming at so that we can measure your progress against it?

Mr WILLIAMS - I don't think we have set a timetable at this stage for when we are going to have those developed but there is a huge amount of work going into getting this culture change up and running and that is one of the things that has been designated as an outcome of the program.

Mr MULDER - We now have an expert in change management who must be able to tell you which bits of the culture needs to be changed and I am sure that has been going on, how it is to change and when we will see the effects of that change?

Mr EDWARDS - We have got to get the structure and we have to get the systems in place now and we have to get people used to working that way. Once we are into that and once we have moved to the team approach, as you know, there is the closer ability to actually start setting targets and managers will have absentee targets, they will have delivery targets, they will have performance targets and they will have to produce for the director. I think at this stage it is more important that we actually put that foundation in and

actually decide when we can get those targets in. What we have to do to start with is get the people used to working to very tight targets.

We could say on 14 May when we move into Tamar, Tamar will be having targets to deliver but to actually present those to you on 14 May would be a little bit irresponsible from our point of view because we have got to actually start getting people used to working within that environment and we have started that already. We have started directing and leading, quite robustly, on what will be delivered and I think once we get through that phase of that cultural change of delivering targets that will be the time that we would come back to say -

Mr MULDER - Those are specific-performance targets which depend always on the program. I agree that there are two levels of targets here. One is aspirational targets which if you did not have, you would not bother starting the progress at all. The other, of course, are those specific milestones as you get into the various phases of your project or the bits and pieces where you say we are going to change this and hopefully to achieve that. Perhaps if we could at least get a program of your aspirational targets.

The first one, of course, is to get the prison service's overtime back into square. That is a global aspirational target, which I am sure you would have no trouble telling us is your aim.

Mr WILLIAMS - It certainly is.

Mr MULDER - What we would like to know, as a result of that, is how many years would that take and in what years do you expect what results and whether this is a stretched target or an aspirational target now, but each year there gets a greater definition of the actual lower level targets. I think this committee is probably looking for some assurance that we are not just getting the same old, same old in terms of prison reform.

CHAIR - I will ask members to look at questions so that we can get that information from the people here.

Mr MULDER - That was a question. The answer is, I am not going to get it.

CHAIR - I have heard nothing here today that convinces me that you have put anything in place right now that should reduce overtime and/or sick leave. One thing we heard from Greg was that you have taken to task two people only. I would suggest that would make only an insignificant difference. I have heard nothing other than that these reports are being done and you are looking at all these issues. Can you identify to me, to this committee, one direct action that you have taken within the prison service in the last two to three years that will reduce overtime, sick leave and the other leave we have been talking about?

Mr WILLIAMS - Yes. I think I have mentioned that we had Ted Leeson from Workplace Standards Tasmania work with us over the last eight months to put in place appropriate workplace health and safety mechanisms. One of the big drivers is workers compensation and workplace injury and we did not have effective mechanisms for dealing with that. We have also put in place a staff officer, and that is about one month to six weeks -

Mr EDWARDS - Yes.

Mr WILLIAMS - to deal with return to work. The issue is not just preventing the workplace injury. If we can reduce the period of time people are out on workers compensation, we reduce the overtime level. We introduced the sick leave.

CHAIR - My next question from that is, at this stage have you seen a downturn in the amount of overtime and sick leave that has been taken through taking these actions you have just told us about?

Mr WILLIAMS - I do not think we have seen it yet but I would be fairly confident we will see this calendar year will be a significant change from the last calendar year.

Mr GAFFNEY - I do not share the same opinion. I have heard some things that you have been trying to introduce into the system such as changed management in human resources. Palmer highlighted in 2010 that there was a lot of stress around the acting positions for a five to six-month period and that had a flow-on effect for higher than normal sick leave and absentee rates. This disputation has been accompanied by higher than normal sick leave and absentee rates when they had the industrial issue in 2010. I was very pleased to hear that you had mentioned, Mr Williams, that you have been providing a greater of scrutiny of people coming into the service and moving the key offenders out. I think the KPMG report mentioned 10 key offenders whose profile you needed to look at. So the people who are coming in are going to be better qualified. I noticed that you have talked about better training for those people to improve morale

My question is, what policies and practices in the system do you have now to improve the morale and show career advancement within the organisation? The other one relates to where you have put on 3.3. In the KPMG report it says:

'Include any reward systems for staff who consistently have higher attendance records, however noting that the financial rewards are not currently catered for under the State employment related legislation'.

There was nothing corresponding to that in a recommendation. It sort of just seemed to sit there because of the legislation. I would have thought that with your 10 best operators that never had a sick leave day, you'd find out what their make-up was, their profile, and what you could do to reward them, and that might then create a more positive environment. So my question is, how do you manage that to get people to want to go to work in such a stressful environment?

Mr WILLIAMS - I think it is really interesting. People do not tend to come to work just for the money. They tend to come to work for a whole range of other reasons. My estimation is that the highest percentage of our staff want to come there and do a good job. They are prison officers because they like the work and they want to be in that challenging environment. With sick leave you will always have some people right on the outside of the bell curve, and some of those people will be people who are doing the wrong thing, typically young men taking Mondays and Fridays off. Then you are going to have your people who have cancer and some really chronic sort of illnesses. But the real shift in sick leave is under the bell curve, so it is the people who do not stand out as

being either really good or really bad. In order to save the most money we need to push the average down, and we can only do that by what you have suggested, supporting people to come to work. They need to know that we have dealt with the people who are doing the wrong thing, because you could generate a laissez faire approach: 'If it doesn't matter if Brian doesn't come, then why should I?' So we have dealt with a number of those people, and some of those people have left the service. What we are now doing is a cultural change, because we need to shift the bell curve, we need to shift the average down a notch, because that is where the big savings in terms of overtime is. In terms of bringing people in, our training program is 11 weeks now, which is a significant training program, full-time. They then have some on-the-job work placement. We psych test people coming into the service. We have an assessment day where people come in to meet the managers and talk to them and we work out whether people are saying inappropriate things. We screen them. We put the chokehold too tightly on that; as I mentioned, we were having recruitment courses of three and five so we have had to release that a little bit because we had gone too far. We need people in quickly, so we have had eight and 10. Hopefully we will have 20 in the next course.

Mr GAFFNEY - Just on that, when you said it has now gone out to 11 weeks, what was it in 2007 or 2008? What has been the change to that approach and when was that instigated?

Mr WILLIAMS - It has always been that long. In fact it was a week longer, but we took a week out because we wanted to get them on the job faster, and part of that was just on-the-job placement. So we have removed that so that we get them onto the job being paid in the roster faster. The difference came in the assessment process, and we tended to screen out people who had characteristics we didn't want, instead of looking for what we did want, and that changes the dynamics of who you get into the place. Just recently we have had training for our managers in how to have difficult conversations, because we are expecting to have a harder conversation with people who are, say, recalcitrant sick-leave users. If they don't do it carefully we run the risk of making things worse, so if I sit down and have a conversation with someone about why they are not coming to work and they tell me they have been bullied, I need to handle that in a different way. They are not going to tell me that unless I handle it properly. They are just going to keep being sick, and then there will be a workers compensation claim. So we are trying to support first the managers to be able to have those skills to deal with these difficult cases.

Also, as I said, we have moved some people out of the service over the last two years. That is to send a message of support to the managers that if they take on these difficult cases we will proceed with them where it is appropriate, and to send a message to the staff that that sort of behaviour is not acceptable. Some of this is starting to come together, I think, in better relationships with the unions, which is very important for us. It's a tough workplace and unions have a role. Direct staff consultation has changed and so we're trying to provide that more supportive environment and, as Brian said, taking it down from basically the system now where you ring up that you are sick, and you are one in 252 people, taking it down to a smaller team so that your manager actually knows who was off sick. If you are a manager of 100 people and someone is off sick overnight while you are not there, you do not have much of a role in it. If you bring it down to a group of people this big, you know when someone is not there, you can make the phone call and you can more accurately manage the absence because we have not been set up to do that. So there are significant changes there in a structural sense that we think will also

drive sick leave, and also workers compensation, down because the workplace injury is just unacceptable from a whole range of perspectives.

Mr FINCH - I just want to touch on the subject of the situation in the prison. I have not been there and I do not know whether the Chair is intending that we actually pay a visit to the prison to have a look.

CHAIR - I've been there a few times.

Mr MULDER - Involuntarily?

Laughter.

Mr FINCH - Just looking at the situation of stress and the pressure within the environment and with the prisoners, if they have time on their hands all they are doing is scheming up ways to create mischief or pressure around their situation. Is there enough going on in the prisons to occupy their time? I think we often hear about how they make number plates and do all those sorts of things and you are talking about the education programs that are going on. Do you have enough going on in the prison to occupy the prisoners gainfully, so that they are not looking to create mischief, thus taking the pressure off the officers more?

Mr WILLIAMS - In the past I think the answer is definitely no, we haven't. Ms Rattray asked the question about the infrastructure, there was no industry built for Maximum Security, there are no recreation facilities, none of that stuff was built in that first phase, so this next phase is critically important to increase that level of activity. One of the things we have done over the last year is we have developed a strategic education plan with the Education department. We have increased the level of education being delivered in the prison by a significant amount. As we said, a lot of these people cannot read and write to a functional level of being employed, they might be able to read a kid's book, but not functionally in the workplace.

In terms of employment we've changed our policy over the last couple of years in terms of getting people out to do work in the community. This is about re-engaging. I was up at the Scout camp, The Lea, a couple of weeks ago. We've had a gang of prisoners up there working on an adventure course and building things, flying foxes and things up at the The Lea, maintaining the facilities. The Scout movement is extremely pleased with what we've done with that. We've also got them out on the Bellerive Bluff taking away non-native vegetation and weeds, etcetera. There's another gang who is going out to Risdon Vale to take away the willows off the side of the creek, they built a stone bridge over it and they're building a walking track.

It creates not only connection between the prisoners who will come out into the community with the community, but gives the community a sense that those people are worth helping, so we've increased the level of activity quite significantly. We need to do more, especially in Maximum and Medium Security where we don't let people out on leave to go on work gangs. We haven't got an industry in Maximum Security. As you might be aware, we've got a significant laundry in Minimum Security, a tailor's shop, a woodwork shop in Minimum Security, a significant commercial kitchen, so there is a lot of work. But as you get up into the higher security classifications it diminishes and those

people are the people who probably need it more. Part of our strategy, in terms of the infrastructure, is to make sure we focus on providing that sort of level of engagement for those people in Maximum and Medium Security.

CHAIR - Robert, we're fast running out of time. I think you've gone into that in some detail now and we are quite happy with where we are there, so we'll go to Adriana. If we can keep our questions and our comments a little shorter, please.

Mrs TAYLOR - Thank you, Chair. I am a bit like Mike, I am very heartened by what you are saying and by the plans you have got in place. I understand certainly that at least two of the members of our committee have had a lot of experience and are a little more sceptical probably than I am in that I have not had the experience that they have in saying 'we have heard all this before but we have not actually seen a lot of results'.

It seems to me that you have got things in place or you are getting things in place. Time is a bit of the essence and I suppose the community at large will not have confidence that you are doing it until you actually start to show some results.

I was a little taken aback though when you said earlier on - or you appeared to be saying - that you have not had a strategic plan with specific targets. Do you not do, for instance, annual performance reviews with your staff, have you not done them with your management staff at least and set KPIs for them? That is fairly normal business practice. We are not talking about something extraordinary here.

Mr WILLIAMS - We have not had a set of KPIs that has been strictly adhered to and we have not had our performance discussions around those obviously because they have not been there. That has been identified as one of the things that we need to implement.

Mrs TAYLOR - So you have not done that yet either? You are saying you are wanting to.

Mr WILLIAMS - That is part of an action item that we have through our corporate governance.

Mrs TAYLOR - Time?

Mr EDWARDS - Wednesday.

Mrs TAYLOR - This Wednesday?

Mr EDWARDS - We are briefing the managers.

Mrs TAYLOR - Excellent.

Mr EDWARDS - On where we are going and how we need it to go and that is happening Wednesday.

Mrs TAYLOR - Setting the plan or briefing them is one thing and then having time and actually setting a date and saying, 'From this day on you will... and we will check you at ...', when. I suppose that is what I am asking for. Are confident that you are going to be able to carry this stuff through?

Mr EDWARDS - Yes and that is where I differ slightly from opinions about that TPS does not seem to show anything to move forward. We are meeting with every manager on Wednesday. We meet them individually. Greg and I have met each individual senior management team, we have met them individually, we are mentoring them through change.

The managers are being met as a group on Wednesday and then we are taking them forward individually and the package that they will be having will be appraisals, KPT delivery, KPI delivery, everything else will be moving forward. That we can give a date on and that we can give a direction on. I think it would be unfair then to ask when will we see change.

They are going through an immense change program now, getting directed. We will be discussing with them, well not discussing - they will be getting led and they will be getting told what they will do on workers compensation; they will be told what the key drivers are for staff motivation and I think the key for us as a TPS is to move to the teams, get peer support which will reduce sick absence and absenteeism. It will also increase team effort to deliver the plans.

All of that is there as evidence before you that has happened and it will be happening but I can tell you Wednesday for managers so far but it has happened since the start of the change program. We are actually closing Tamar and implementing a new one, as Mr Williams said, on May 14. There are new teams going in there. The teams are going in there with a team approach. They have a clear direction to deliver behavioural modification to those units; they have a clear approach on how they are going to deliver that.

The unions have fully engaged in that program. The unions have given us ideas. They have given us solutions and we are actually, before the end of April, meeting with the unions on the first joint consultation meeting.

I think those are all dates that you could take on with confidence that things are going on and they are going on quite robustly. We have a new environment; we have got new workplace policies in place now, this week. We have got defined leadership. When we say to a manager, 'You will be leading this team, these are your objectives, these are your targets and this is the way to go.' We have got that.

We have had the education review - that is going on. We have an industries review but one of the things that as a team that we are not happy with is people saying to us 'We will review that'. 'No, you will look at that and then we will tell you what you are going to do with it' or we will say to them, 'A review is one thing, we need recommendations, action and time'. So that is the way that we're driving. Sorry, am I going too quickly?

CHAIR - I would ask you to shorten it right up because we're getting a bit away from the track as well.

Mr MULDER - The answer was 'yes' to the question and we'd like yours to be as succinct.

Mrs TAYLOR - Can I just finish the question then? So you are confident that we're not going to sit here in 12 months' time and if we asked you to come back in 12 months' time that you would be giving us the same answers as you are giving us today?

Mr WILLIAMS - Yes.

Ms RATTRAY - I just want to follow up from Mr Williams particularly and then ask Mr Edwards if he would make a comment, even though he has only been in the role for eight weeks. You indicated that some of the challenges for staffing and the like in the Y facility are that there are different levels of inmates - is that the terminology of inmates?

Mr WILLIAMS - The classifications.

Ms RATTRAY - Classifications. So therefore I've got a question, Mr Edwards. Would it be better off to have two separate facilities where you can separate and not have that mix? It's been suggested at different times that we need in Tasmania two facilities. The reason why I thought that it was probably a good question to ask, Mr Williams, was particularly when you talked about those programs of engaging the inmates in external activities. It's pretty hard to get anyone to do anything in the north when they're all in the south. So I'm thinking that perhaps Mr Edwards might make a comment. Does he see that another facility in a different part of the State might be useful for negating some of those issues around the classifications?

CHAIR - I would ask that you keep it very, very short because it's a little bit outside our terms of reference.

Ms RATTRAY - But it comes back to the reasons for why people don't want to go to work.

Mr EDWARDS - Honestly, I couldn't comment on it.

CHAIR - No, it's a Government policy matter, as Mr Edwards is saying, and he is unable to comment on it. I appreciate the question.

Ms RATTRAY - It's a pretty good point to think about.

CHAIR - Just a question I wanted to ask. The comment made by KPMG about the 'use-it-or-lose-it' culture at the prison is giving cause for a lot of the overtime that's being worked. What is it the amount of sick leave that they are entitled to? Over a period of six years I think they are entitled to, is it 25 days over a certain period of time, each person? What issues is that causing within the system and is there a better way of managing that? Has it changed and what are you doing on that part of it?

Mr WILLIAMS - That's a broader question than I can answer because that belongs to the public sector.

CHAIR - But is that creating and causing some of the overtime that we're seeing? KPMG is saying that it is in their opinion on what they've done?

Mr WILLIAMS - That would have to be a question for the broader public service through the Public Sector Management Office. Our people's leave entitlements link in to the

broader public sector approach and I think questions could be directed to the Public Sector Management Office.

CHAIR - It was just that in the comment that KPMG made they finish up with saying, 'However, the other risk with this is that staff have a mentality of 'use it or lose it;' in other words they are ensuring that they eat up any of the sick leave that they are entitled to, whether they are sick or not. Is it how you interpret that?

Mr WILLIAMS - I've been involved in large organisations before and while some of the leave entitlement stuff can be a lever, at the end of the day the culture of the place is what changes sick leave usage. I think that the culture approach is probably the most important because people will find their way around almost every rule unless you take away their entitlements. If you've made their workplace a place they don't want to be in, they won't be there and they'll take advantage. So we've got to make our workplace the workplace that they want to be in; that's what will actually draw them back in and reduce sick leave. A safe workplace will reduce sick leave.

Mr FINCH - Focusing in on the circumstances, we have heard the words 'rotting the system' being used, I just want to ask a question about the remuneration that comes to these officers. I get a sense of the frustration that they must feel working in an incomplete facility; I can't understand how that would come about that staff use a facility that's not even complete and the frustration the officers must feel about that. Now you're asking a lot of them in respect of change and there's a lot more to come in the future; you're asking about a higher quality person to be employed and to come into the system and are they being paid enough? Is there enough remuneration for these workers? Have you focused in on the fact that they might be considering that they are underpaid in respect of the responsibilities that they have?

Mr WILLIAMS - My understanding is that our people sit nationally about in the middle. My discussions with staff and with unions indicate that the pay isn't a particular problem. Obviously, everyone wants to get paid a reasonable wage. I think the people in the Tasmanian prison service actually get a pretty good outcome; so that's never been raised as an issue. I have not heard that in the three years I've been here. It's never been raised as an issue for them. Safe workplace, good management, respect between each other; they are the sorts of things they're looking for. In terms of pay, I don't think that's a driver at all for the Tasmanian prison service. It's never been raised with me as an issue.

Mr MULDER - Several times today, we've sort of seen you come up to the fence or the wire - I won't apologise for the euphemisms - in terms of potential policy constraints, particularly legislation and the latter question related more to industrial relations. Are those constraints on the change management project or, as you come up against them, are you looking at the potential to perhaps change those constraints?

Mr WILLIAMS - I think there probably is - if we get the climate for change right, I think there's the opportunity to perhaps negotiate different agreements with the unions. I think that some of those areas to do with, say, rostering - I don't want to get into the technical stuff in the time we have but - things to do with how we roster people. You mentioned minimum safe staffing levels; things like that. There are probably some areas where we could have useful conversations with unions to change some of those parameters which, in a more antagonistic environment, we've had no chance of even having a conversation

about. So there is a coming together, I think, between staff and management, closer and closer, that we can actually change things a bit more radically than we thought. When an air of mistrust is around, in an industrial situation, you've got no chance. So, we've got to put ourselves out there as open to making change and so do the staff. We're getting close to that.

Mr MULDER - What I'm sensing is that you want to change the culture and hopefully these benefits will flow from it. Isn't it a fact though, and perhaps your Change Manager is the best person to respond to this, that change comes from multiple directions; it's not just one thing? Sure, the fundamental change has to occur in the culture but there are incentives and disincentives for getting or not getting to where you need to be and I'm asking you about whether it's possible to change the framework within which these negotiations and discussions occur to achieve a win-win solution. I'm still not quite getting the feeling that all cards are on the table. I'm getting the feeling that all cards might be on the table if we have the courage to move.

Mr WILLIAMS - No, I think you're absolutely right. We're prepared to countenance even major shifts in the way we operate. What I was trying to say, perhaps too coyly, was management has to accept a significant responsibility for opening itself up to new ways of doing things and generating the trust environment for it to change. At the moment, in the past few years, we've been in different corners and it hasn't been possible- so we're moving there.

In terms of sick leave, I'm sure there are ways you can restructure things. It's not for me to do because it belongs to the broader government employment office but I think the real thing is that staff and management get back on the same page and we put everything on the table.

Mr MULDER - To nail it down, yes, those things belong to the broader government employment office but you're in a position to actually make recommendations and implement and to do or make some of those changes. That's why I keep asking you about - I keep getting the perception that you see these things as constraints rather than opportunities.

Mr WILLIAMS - No. What I'm saying is, I don't see the external environment as being particularly constraining to us. I think we've got most of the constraints within our control inside the environment in the relationship with the unions and the relationship with staff. Most of what goes on in terms of constraints for us is in the Correctional Officers Agreement. I think we've got that within our grasp to negotiate differently with the unions and I think we're heading towards that sort of space. I think mainly its internal things that we can influence.

CHAIR - I want to go back to the 2010 KPMG report and just look at a couple of the figures there. It refers to the sick leave that was taken and it averages out at 118.79 hours per FTE per annum. That's the figure taken from this report. If you take an eight-hour day - and it's not quite an eight-hour day - it works out to be about 15 days for each and every employee within the prison service. Then if you look at the amount of overtime per FTE per annum, it's 212.25 hours, which calculates to be about 26 days or thereabouts on an eight-hour day. Together it's an extremely high figure. If you compare that with the police service, which is also a 24/7 service, the overtime and sick leave - I did have the

figures very clear at the last Estimates process - it was about a third of that, from memory. My question from that is: does that relate to say 60 per cent only of your staff, or would it relate to the whole 100 per cent of the staff of the prison service? Are they included in that or is it a small nucleus of employees that fit into those categories?

Mr WILLIAMS - The figures are quoted across the whole range of staff.

CHAIR - Within the prison service?

Mr WILLIAMS - Within the prison service. I haven't looked at it in detail for a while, but there is certainly a small cohort of people who are very high overtime users and there's certainly a cohort of very high sick leave users. They don't always correlate to the same people.

Mr MULDER - Are they the same people, that's the question, isn't it?

Ms RATTRAY - Is there a pattern?

Mr WILLIAMS - Certainly with some individuals there are patterns of sick leave usage, which makes you question what's going on.

CHAIR - They are the ones that are being addressed, as Mr Partridge has said.

Mr PARTRIDGE - Yes.

Mr WILLIAMS - But it's not always the same people. Certainly in cases I've looked at the people who are doing the high overtime aren't people taking sick leave. They're obviously getting the opportunity -

Ms RATTRAY - So is there a pattern with that, the opportunities?

Mr WILLIAMS - You can't track it like that as far as I can see. What I did do with a number of these high profile cases was look at them to see whether there was a chronic illness behind it and then was the pattern of leave referenced to their rostered days on and off, or typically a Monday, Friday type of use and there were some people who had that, but it's a small minority. The real shift comes when you move a whole lot of people down, but you have to take on those people who might be seen as doing the wrong thing first before the others will move in.

Ms RATTRAY - Can we have the current up-to-date overtime figures? I think Greg has a sheet and I just happened to notice it, Mr Chairman, and I was wondering if he might share it with the committee.

Laughter.

CHAIR - Good observation from the member for Apsley.

Ms RATTRAY - It's the one with all the numbers on it, it was that one. Thank you. I'm just interested for the committee's further reference.

CHAIR - Thank you very much for that. My other question is from that same KPMG report and you have discussed it and raised it, but I just want to make it very clear again by way of a question where they say that a lot of this problem is probably because of the culture and attitude of senior management within the organisation. In other words, that they've been accepting of this behaviour over a long period of time and they've never really queried it. A comment here is:

'This issue appears to be culturally embedded as acceptance by staff, which has been contributed to by historical practice, isolated acceptance by management over time and a lack of confidence in being protected under the available whistleblower legislation avenues.'

Do you wish to make a comment on that? Is that an issue? Is that an issue you would accept from your senior management?

Mr PARTRIDGE - The comments there refer predominantly, in my conversations with Mick Palmer, around these five days of uncertificated leave that people are able to take without a medical certificate. Part of the process that we have certainly been sitting down and going through is that, yes, you may be entitled to five individual days of uncertificated leave but if you take one day off on a Tuesday and then come to work on the Wednesday and then you have a whole week off, then you take two days instead of just the one, then they can be those two days of leave. So it gets back to talking about this sitting down with that someone and saying that 'here is a pattern and it certainly indicates that there's something going on here so would you like to talk to me about that?'

CHAIR - I understand, not quite -

Mr WILLIAMS - Perhaps I can come onto a different angle. I think the answer to your question is yes, we accept that what that report said was true in the past. I'm thinking that, culturally, for probably many decades, the prison systems culture and the way it operates has been the same and that's exactly why we've got a change manager in because it's not only the culture of staff, it's the culture of the whole organisation which includes how managers manage, how managers accept accountability for the outcomes. What Brian's been talking about is, we need to give our managers more defiant accountability by putting them in charge of smaller patches with a clearer definition and, as we said, getting to the stage where there are KPIs for each team about things like sick leave, how fast people get to work after an injury and that sort of thing.

CHAIR - There was a comment on the lack of confidence in being protected under the availability of the whistleblowing legislation; is that creating issues for you as well? It was in that report. In other words, your staff don't have the confidence in which to be able to report issues and bring issues forward with some protection.

Mr WILLIAMS - Well, certainly in the years that I've been in the prison, there's been no problem with people coming forward in a broader sense. I think perhaps over time, there's been a lack of trust between frontline staff and management, and that may be the genesis of that sort of comment but we have certainly taken a different approach to try to deal with that.

CHAIR - Robert, thank you very much for that. We are running out of time and we have another meeting we've got to go to as well. Does anyone have one further question they wanted to ask?

Mr FINCH - I don't want to hold people up but just something that was exercising my mind was in respect of where you have staff who, if people do take that emergency sick leave and, in a lot of organisations, staff step in and take on that role; is there some opportunity within the prison system to expand those sorts of people who may have duties that allow them to be more readily available to help in those situations or would they, in fact, then incur the overtime anyway?

Mr PARTRIDGE - Yes, there is - part of the change that Brian and I have been working on with staff is to ensure that we have a number of, I suppose to use a basic term, spares in our roster. So if someone does go sick, rather than the post having to be filled on overtime, there is actually a spare capacity in the roster to do that at very short notice.

CHAIR - Thank you. Having said that, it's time to thank all three of you very much; Robert for being here, and not only the way in which you've answered that question in a candid manner, but you've answered the questions that the manager brought forward. We appreciate it very much. It was our opportunity to welcome Greg to the new role because I think it's the first time Greg has been to one of our committees, isn't it?

Mr PARTRIDGE - Yes, it is, although I've been to Budget Estimates on a number of occasions.

Ms RATTRAY - He's been to Estimates.

CHAIR - Oh yes, and Brian as well. Good to see you here, everyone.

Mr MULDER - Before we close, Chair, obviously we are going to have some deliberations over this -

CHAIR - Absolutely.

Mr MULDER - so I'm wondering, rather than thank them for their attendance and dismissing them, whether you could leave open the door so that should we require or request further information, there is an opportunity at a later time to reconvene.

CHAIR - That was going to be my next statement. Once we talk about this, it may well be that we would like you to come back if there are further issues we have and/or that we are able to make some other contact with you through our secretary to get that further information that we're looking for. So, if we can leave that open, at this present time.

Robert, you wanted to make a comment.

Mr WILLIAMS - You mentioned, Mr Finch, that you haven't been into the new prison. If you would like to arrange a visit, we would be very happy to take you in because I think sometimes it helps to actually feel and see the environment.

Ms RATTRAY - But just not on Wednesday; you're too busy, aren't you Brian?

Mr EDWARDS - You're welcome Wednesday.

Laughter.

CHAIR - Thank you for that; I would think that the committee may well take you up on that.
We'll talk about it as a committee but might want to do that.

Thank you very much, I close the meeting.

THE WITNESSES WITHDREW.