# UNITED WORKERS' UNION

# Legislative Council Government Administration Committee 'B'

Submission
Inquiry into Tasmanian Adult Imprisonment and
Youth Detention Matters



28 April 2023

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#### **About the United Workers' Union**

The United Workers' Union (UWU) is a powerful new union with 150,000 workers across the country from more than 45 industries and all walks of life, standing together to make a difference. Our work reaches millions of people every single day of their lives — we feed you, educate you, provide care for you, keep your communities safe and get you the goods you need. Without us, everything stops. UWU represents a wide range of workers across Australia, with our coverage varying across states. In Tasmania, we represent Correctional Officers in the Tasmanian Prison Service.

#### Introduction

The Tasmanian Prison Service (TPS) is responsible for providing care and custody, at various levels of security, for prisoners and people remanded in custody in Tasmania. The TPS operates the Hobart Reception Prison (HRP), Launceston Reception Prison (LRP), Risdon Prison Complex (RPC), the Ron Barwick Minimum Security Prison (RBMSP) and the Mary Hutchinson Women's Prison (MHWP). UWU has members employed as correctional officers at various levels across the TPS sites in Tasmania.

This submission details the experiences of UWU members as correctional officers within the TPS and highlights some of the systemic issues within the sector.

The functioning of the TPS has already been the subject of several reports by government bodies and regulators over the years, which have all recommended that substantive reform is needed to overhaul the sector. Unfortunately, many systemic and long-term problems, such as chronic staff shortages, increasing pressure on prison resources, over-reliance on overtime and high levels of workplace injury and illness have remained unaddressed or have worsened in recent times.

Additional funding and resources from the Tasmanian government is urgently needed to improve the governance and human resources capability of the TPS and to improve its staffing and workforce capacity to adequately respond to the changing demands of the prison environment. Correctional officers also require adequate and ongoing training to adequately equip them to deal with the unique workplace environment they work within, including the occupational risks they face on the job every day at work. Correctional officers deserve to work in a safe and secure environment and to be acknowledged and supported for the important work they do as first responders in protecting society and rehabilitating offenders.

This submission aims to address these concerns within the framework of the Terms of Reference established by the Inquiry into Tasmanian Adult Imprisonment and Youth Detention Matters.

#### **Summary of recommendations**

#### UWU calls on the Committee to support the implementation of the following recommendations:

- 1. Allocate additional funding to the Tasmanian Prison System to ensure the recruitment and retention of correctional staff that will address chronic understaffing
- 2. Employ additional correctional officers on a permanent basis to address chronic understaffing within the Tasmanian prison sector
- 3. After consultation, an agreement should be formalised reflecting the minimum number of staff needed to safely operate each facility, accounting for normal operating unlock hours, lockdowns and nightshift
- **4.** Staff need to be informed by management of staff shortages in their unit when they are rostered to work
- 5. There needs to be an improvement of recruitment and oversight processes to ensure that recruitment selection is transparent, fair and meritocratic
- **6.** As part of improving recruitment and retention practices, funding should be allocated for pay increases as part of agreement negotiations to assist in attracting correctional staff
- 7. Implement recommendations 2-3 of the Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report
- 8. Implement recommendation 4 of the Tasmanian Auditor-General in its Performance Audit of the Tasmanian Prison Service in 2019
- **9.** Allocate funding and resources to ensure the appointment of a well-resourced human resources function within the TPS, including the appointment of designated HR personnel
- 10. Prioritise the review and updating of standard operating policies, standing orders, operating manuals, and policies after consultation with staff and unions, to ensure they are current, fit for practice and consistently applied across the TPS
- **11.** Implement a holistic approach to handling staff members that may be experiencing a range of complex psychological conditions
- 12. Implement recommendations 6-10 and 32 and 36 of the Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report
- 13. Implement recommendations 1-3, and 5 of the Tasmanian Auditor-General in its performance audit of the Tasmanian prison system in November 2019
- **14.** Strengthen the governance processes of the work health and safety committee ensuring it has proper oversight of risk management and control procedures
- **15.** Risk management strategies need to be developed in consultation with staff and unions to ensure that all risks are appropriately identified, assessed and managed
- **16.** Risk assessment and prevention strategies within the TPS need to be updated to include a strong work health and safety component and ensure officer and prisoner safety

- **17.** There needs to be accountability and oversight of risks identified by staff that have not been actioned by management and followed up with a risk management plan
- 18. Implement recommendations 26-27 and 46-49 of the Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report
- 19. Broaden the definition of 'serious injury or illness' in the work health and safety legislation
- **20.** Improve training and development of managers and other staff who regularly deal with staff applying for workers compensation
- **21.** Develop and provide information resources for correctional staff to understand the workers compensation claim and return to work process
- **22.** Implement welfare checks and referrals to appropriate support services for those accessing workers compensation, where appropriate
- 23. Implement recommendations 11, 13-14 of the Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report
- **24.** Increase the amount of time that prisoners are engaged in programs and therapeutic activity to improve rehabilitation efforts and ensure that prisoners are provided with meaningful employment
- **25.** Correctional officers must be recognised as first responders and be afforded the same access and opportunities to mental health and wellbeing resources as police, fire, ambulance and other first responders in Tasmania
- **26.** There needs to be tailored psychological or crisis support and debriefing services after an incident occurs
- 27. Correctional staff require access to independent mental health professionals with no perceived conflict of interest. If necessary, additional funding should be allocated to increase and improve the mental health and wellbeing supports within the TPS
- 28. Appropriate resources be made available to the families and friends of TPS correctional staff within the Wellbeing Hub
- 29. Implement recommendations 41-42 of the Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report
- **30.** A properly funded and resourced Training Unit be established within the TPS to train and develop the skillsets of Correctional Officers and ensure that mandatory, advanced and refresher training occurs on a regular basis
- 31. Ensure that all staff receive adequate mental health training and know how to identify symptoms of complex psychological conditions, such as PTSD or depression
- **32.** Offer streamlined pathways for experienced correctional officers to undertake trainer and assessor training and to provide other advanced training
- **33.** Implement recommendations 33-35 of the Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report

#### Staffing, resourcing and workforce concerns

#### Increase in prisoner population

Tasmania's prisoner population has been on the rise and staffing levels have not been increased by the TPS in order to meet the associated demand for correctional services.<sup>1</sup> In the December quarter of 2022, there were 643 prisoners in custody in Tasmania, an increase of 3% since the previous quarter and a significant increase from 520 prisoners in 2008.<sup>2</sup> As at 25 April 2023, the prison population is in excess of 740, an increase of 115% in just 4 months and rising.

The average daily number of the prisoner population in Tasmania has also steadily increased from 510 in the 2011-12 period to 640 in the 2020-21 period.<sup>3</sup> However, the prison capacity of the centres operated by TPS has not increased to meet an increasing prisoner population. Tasmania last reported a prison design capacity utilisation rate of only 53.7% for the 2020-21 period.<sup>4</sup> The current prison design capacity does not meet the demand for prison accommodation and does not allow for spare capacity. An increase in Tasmania's prison population places significant strain on the infrastructure and resources of the TPS facilities and limits the capacity of correctional staff to respond to the changing demands of the prison environment.

#### Workforce resourcing

In contrast to most jurisdictions, the corrections workforce in Tasmania has declined by an average of 2.2% over the 2009-2018 period.<sup>5</sup> There also exists corrections industry skill shortages, in particular corrections officers have been reported by industry stakeholders as being in short supply with the most frequent reasons cited as poor wages and unattractive job conditions.<sup>6</sup> Skill shortages will only be exacerbated with a large portion of the corrections workforce retiring within the coming years.<sup>7</sup> As the Office of the Custodial Inspector described it, the effect of the staff shortages is 'two-fold'; firstly, the TPS is not able to meet the demands of prisoner numbers due to understaffing and secondly, therapeutics and programs also experience difficulties accessing prisoners due to the frequency of lockdowns.<sup>8</sup> These effects limit any attempts at rehabilitation, which frustrate both prisoners and correctional officers.

Further, workforce decisions made by the TPS are not based on long-term recruitment needs or critical analysis of employee engagement surveys<sup>9</sup> and weaknesses in workforce modelling have

<sup>&</sup>lt;sup>1</sup> Office of the Custodial Inspector Tasmania, Resources and Systems Inspection Report: Inspection of Adult Custodial Services in Tasmania (2019), p. 15.

<sup>&</sup>lt;sup>2</sup> ABS Data, Corrective Services, Australia, December Quarter 2022 (Latest release); Also See ABS Data, Corrective Services, Australia, March quarter 2008.

<sup>&</sup>lt;sup>3</sup> Productivity Commission (2022), Report on Government Services 2022: Corrective Services. Chapter 8, 'corrective services dataset'.

<sup>4</sup> Ibid.

<sup>&</sup>lt;sup>5</sup> Australian Industry Standards Industry Reference Committee, *Corrections Skills Forecast* (2019), pg 22 citing Australian Bureau Statistics (2017) 6291.0.55.003 - Labour Force, Australia, Detailed. Australian Government <a href="https://www.australianindustrystandards.org.au/wp-content/uploads/2020/08/CSC-SF-FULL-2019.pdf">https://www.australianindustrystandards.org.au/wp-content/uploads/2020/08/CSC-SF-FULL-2019.pdf</a>.

<sup>&</sup>lt;sup>6</sup> Australian Industry Standards Industry Reference Committee, Corrections Skills Forecast (2019),

<sup>&</sup>lt;a href="https://www.australianindustrustandards.org.au/wp-content/uploads/2020/08/CSC-SF-FULL-2019.pdf">https://www.australianindustrustandards.org.au/wp-content/uploads/2020/08/CSC-SF-FULL-2019.pdf</a>, p 29.

<sup>&</sup>lt;sup>7</sup> Ibid, p 24.

<sup>&</sup>lt;sup>8</sup> Office of the Custodial Inspector Tasmania (n[1]), p. 15.

<sup>&</sup>lt;sup>9</sup> Ibid.

meant that there are struggles to keep up with an increasing prison population and an increase in requiring additional appropriation funding each year to cover cost over runs.<sup>10</sup>

The Tasmanian Auditor-General in its last performance audit of the Tasmanian prison system in November 2019,<sup>11</sup> made the following relevant recommendations of TPS' staffing and workforce planning processes:

- Recommendation 4: Develop and implement improved workforce planning processes that:
  - ensure a more accurate approach to staff resourcing
  - o inform recruitment, retention and succession planning
  - inform training requirements
  - deliver effective and efficient rostering
  - reduce overtime
  - reduce absenteeism.

In relation to recommendation 4, UWU acknowledges that the Department has made efforts to improve its workforce planning processes at the TPS. There were efforts in 2020 to employ around 140 new correctional officers and more recent efforts to employ additional correctional officers in the last 12 months. <sup>12</sup> However, changes to rosters in 2019 and 2020 designed to address staff shortages have not resolved the problem as staffing shortages have still worsened, not improved, since the rosters commenced. <sup>13</sup>

#### Staffing concerns

Whilst the Department has been on a recruitment drive based on quantity not quality, the TPS has seen a large number of these new recruits having already left the TPS or on Workers Compensation. This with a larger number of older officers being on workers compensation or leaving the service, has seen the TPS struggle to increase officers available daily to meet roster requirements. The TPS is not recruiting at the speed needed to maintain staffing levels after separations, retirements and periods of workers compensation. We are seeing more lockdowns and increased staff shortages that have been seen in TPS history.

There are also issues with attracting prospective correctional officers. In 2022, the TPS budgeted for approximately 100 additional recruits but only ended up employing around 8 officers. Attracting the right number and calibre of staff is also a challenge with the amount of time required to train new staff, leading to delays between commencement and effective integration in to the TPS.<sup>14</sup> There needs to be an improvement to flexible work conditions to attract the right staff and to retain existing officers who need the additional flexibility. High rates of staff turnover within the

<sup>&</sup>lt;sup>10</sup> Office of the Custodial Inspector Tasmania (n[1]), p. 9.

<sup>&</sup>lt;sup>11</sup> Tasmanian Audit Office, Auditor-General's Independent Assurance Report (No.3 of 2019-20), *Tasmanian Prison Service: use of resources*.

<sup>&</sup>lt;sup>12</sup> Department of Justice (18 November 2019), *Management Response to the Performance Audit: Tasmanian Prison Service: use of resources* <a href="https://www.audit.tas.gov.au/wp-content/uploads/DoJ-Response-Tasmania-Prison-Service-use-of-resources.pdf">https://www.audit.tas.gov.au/wp-content/uploads/DoJ-Response-Tasmania-Prison-Service-use-of-resources.pdf</a>>.

<sup>&</sup>lt;sup>13</sup> Office of the Custodial Inspector Tasmania (n[1]), p. 36.

<sup>&</sup>lt;sup>14</sup> Tasmanian Audit Office (n[11]), p.3.

corrections industry pose further challenges to the effective functioning of the TPS.<sup>15</sup> A perceived lack of career pathways for corrections officers also affects the overall rate of retention.<sup>16</sup>

These difficulties in recruiting additional correctional officers and failures to factor in sufficient shift coverage for absences has meant that roster and staffing estimations have historically been underestimated.<sup>17</sup> These factors limit the ability of TPS to achieve the right staffing levels to effectively run its service.

UWU also has concerns that overcrowding will place further strain on correctional officers, who are already experiencing chronic understaffing, over-reliance on overtime, high turnover of staff and skill shortages in the sector more broadly. Without substantive reform and funding to the sector, existing measures are a band-aid solution to the systemic problems the Tasmanian prison sector is facing.

The Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report, made the following relevant recommendations of the TPS:

- <u>Recommendation 2:</u> Considers developing an exit interview template and a process for HR senior management personnel to conduct exit interviews, prior to an employee separating from TPS.
- Recommendation 3: Undertakes a comprehensive staffing analysis to determine staffing needs based on current prisoner numbers and consideration of future growth.

UWU is not aware of any of the practices above recommended by the Office of the Custodial Inspector being undertaken by the TPS since their publication. UWU also notes that recommendation 4 of the Office of the Custodial Inspector's Report, recommended introducing a casual contingent workforce to cover shift vacancies. UWU is opposed to the introduction of a casual contingent workforce. The implementation of a casual workforce alone will not address systemic and chronic understaffing in the sector. UWU also submits that the sector needs to be cautious of overly relying on a casual workforce to address chronic workplace shortages, which may lead to drastic increases in casualisation more broadly as has occurred in other jurisdictions. A strong and stable corrections workforce with attractive workplace conditions is needed to address chronic understaffing in the sector.

The effect of not having the right staffing levels has adversely impacted not only the cost of the service but on staff welfare and wellbeing.<sup>19</sup> Chronic staffing shortages within the TPS mean that it is a regular occurrence for not all correctional officer shifts to be filled despite an over-reliance on overtime and recalls.<sup>20</sup> To address the issue of unfilled rosters and to ensure the safety of the prison, the use of overtime has been increasing, which is costly and negatively affects the welfare of staff.<sup>21</sup> The TPS has previously acknowledged that long-term staff shortages and absences

<sup>&</sup>lt;sup>15</sup> Australian Industry Standards Industry Reference Committee (n[6]), p 24.

<sup>16</sup> Ibid.

<sup>&</sup>lt;sup>17</sup> Tasmanian Audit Office (n[11]), p. 19.

<sup>&</sup>lt;sup>18</sup> Australian Industry Standards Industry Reference Committee (n[6]), p. 25.

<sup>&</sup>lt;sup>19</sup> Office of the Custodial Inspector Tasmania (n[1]), p. 19.

<sup>&</sup>lt;sup>20</sup> Ibid, p. 17.

<sup>&</sup>lt;sup>21</sup> Ibid, p. 19.

partly reflects pressure on existing staff to cover shortages by working longer hours and additional shifts.<sup>22</sup> Despite the use of overtime, it is still common for there not to be enough staff rostered on to run the service effectively. This can lead to an increase in the frequency and duration of prison lockdowns, requiring inmates to remain in their cells for longer periods of time.<sup>23</sup>

Correctional staff have reported the following issues to UWU:

- Despite recent efforts to employ additional correctional staff over the last 12 months, rosters still cannot be filled. The system is regularly between 10 to 20 short staffed per day;
- Staff are continually being asked to unlock despite being short-staffed;
- Management are not adequately informing staff of staff shortages. For example, staff are not always informed of staff shortages in morning meetings so there needs to be mandatory reporting by management to staff;
- There needs to be increased transparency around staffing and an agreed minimum number
  of staff to ensure that the facility can be operated safely, accounting for the differences
  between normal operating unlock hours, lockdowns and nightshift. All staff need to know
  what operations are safe with the level of staff available;
- There is a broad consensus that there should be a return to a 12-hour shift roster;
- Leave cannot get approved, not because of insufficient leave balances, but because management cite staff shortages. Instead, officers end up not bothering with the regular leave application process in favour of just calling in sick on the day;
- There are issues in ensuring that there are senior staff in each unit. No unit should be fully staffed by probationary officers (especially maximum disciplinary units);
- There is a sense from staff that decisions in relation to acting and career development opportunities are not always fair and there is a 'jobs for mates' ethos;
- Length of time in the job and previous work history needs to be taken into account with Acting and Substantive Supervisors / Superintendent vacancies;
- Experienced officers with years of experience are repeatedly denied promotions despite mentorship of junior staff by experienced staff being sorely needed;
- Postings to new work locations should be undertaken via a meritocratic process in which an expression of interest can be deployed against a criterion if there is a vacancy

#### RECOMMENDATIONS

- 1. Allocate additional funding to the Tasmanian Prison System to ensure the recruitment and retention of correctional staff that will address chronic understaffing
- 2. Employ additional correctional officers on a permanent basis to address chronic understaffing within the Tasmanian prison sector
- 3. After consultation, an agreement should be formalised reflecting the minimum number of staff needed to safely operate each facility, accounting for normal operating unlock hours, lockdowns and nightshift
- 4. Staff need to be informed by management of staff shortages in their unit when they are rostered to work
- 5. There needs to be an improvement of recruitment and oversight processes to ensure that

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<sup>&</sup>lt;sup>22</sup> Tasmanian Audit Office (n[11]), p.23.

<sup>&</sup>lt;sup>23</sup> Ibid, p.3.

- recruitment selection is transparent, fair and meritocratic
- 6. As part of improving recruitment and retention practices, funding should be allocated for pay increases as part of agreement negotiations to assist in attracting correctional staff
- 7. Implement recommendations 2-3 of the Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report
- 8. Implement recommendation 4 of the Tasmanian Auditor-General in its Performance Audit of the Tasmanian Prison Service in 2019

#### **Governance and Human Resources**

To achieve the genuine and substantive reform to the TPS that is needed, there will need to be additional funding and resources allocated to the TPS. Proper resourcing and strong governance can help ensure that improvements are implemented effectively.<sup>24</sup> Outdated rostering and staffing models and practices negatively impact on workforce planning and financial management.

The Tasmanian Auditor-General in its last performance audit of the Tasmanian prison system, has found that TPS "has not been running an efficient service and this has possibly had an adverse effect on CO and NCO wellbeing. The TPS does not have a strong approach to modelling of future inmate numbers and associated staffing to ensure it has sufficient resources to run its prisons safely and securely". The audit also stated that insufficient financial and operational information and workforce and roster planning have contributed to budget shortfalls and hampered effective decision-making. Additional contributed to budget shortfalls and hampered effective decision-making.

The Tasmanian Auditor-General in its last performance audit of the Tasmanian prison system in November 2019, made the following relevant recommendations of TPS' governance and capability:

- <u>Recommendation 1:</u> Implement appropriate governance arrangements to strengthen and oversee continued implementation of the improvement program to ensure improvements are strategically planned, communicated, integrated and delivered in a timely way.
- Recommendation 2: Review capability and capacity to be able to undertake the improvement program ensuring it is appropriately resourced.
- <u>Recommendation 3:</u> Improve resource and financial modelling that is more predictive and forward looking to more accurately reflect demand and therefore resourcing requirements, which should lead to more informed decision-making.
- Recommendation 5: Improve the performance management framework to ensure reliable and comprehensive information to monitor and understand performance and enhance decision-making. In particular, develop dashboard reporting of financial Key Performance Indicators (KPIs) at the executive management level and consider benchmarking performance with other prison services.

<sup>&</sup>lt;sup>24</sup> Tasmanian Audit Office (n[11]), p.4.

<sup>&</sup>lt;sup>25</sup> Ibid, p.3.

<sup>26</sup> Ibid.

Despite commitments made by the Department of Justice in its management response to the Performance Audit to undertake reviews and improvements,<sup>27</sup> UWU has not yet seen marked improvements made to the working conditions of staff on the ground.

The Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report, made the following relevant recommendations of the TPS:

- Recommendation 6: Introduces strategies for reducing sicknesses and absences
- Recommendation 7: Reviews its fatigue policy and put in place processes to ensure that it is adhered to in order to ensure sustainable employee health and wellbeing
- <u>Recommendation 8:</u> Provides operations supervisors with access to TimeFiler in order to perform checks on hours worked to ensure that the fatigue policy is not being breached when additional shifts are allocated to correctional staff.
- Recommendation 9: Undertakes a review of the rostering function and consider
  - o decentralisation of rostering, returning the function to individual prisons
  - options to ensure effective resource coverage for the complex 24-hour, 7 day week shift environment in which TPS operates
- <u>Recommendation 10</u>: Commissions a full audit by an external consultant of the human resources structure, roles, functions and interaction/collaboration across the TPS
- <u>Recommendation 32:</u> Implements a simplified performance management framework (customised for TPS) which encourages participation in a meaningful discussion between supervisor and employee
- Recommendation 36: Ensures clear written procedures to support correctional supervisors are developed, maintained and stored in an easily accessible location

UWU notes that while recommendation 8 has been implemented, it is not being adhered to due to a large amount of non-substantive supervisors in the role. In a similar vein in relation to recommendation 9, UWU has observed that decentralisation of rostering has only been half completed due to large amount of non-substantive supervisors with low prison experience in the roles.

UWU members recently reported that there are still significant issues with the human resources function of the TPS, including:

- The TPS lacks a proper HR department in the prison itself that knows how to manage staff as per policy and procedure. Giving a Superintendent this duty is not sufficient and seems to cause a number of issues;
- Staff consider the performance process a joke;
- The performance management framework is applied on an inconsistent and ad hoc basis, with some employees not engaging in the process;
- Staff report feeling that there is no procedural fairness and disciplinary action or performance management can feel arbitrary;
- There have been issues in recruiting human resources professionals to fill the role on a permanent basis;

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<sup>&</sup>lt;sup>27</sup> Department of Justice (n[12).

- Where HR personnel are able to be retained, they do not have adequate or appropriate training to be able to fulfil the requirements of the role;
- Disciplinary meetings or investigations have been reported as occurring without warning or representation, which has caused considerable distress;
- Recruitment processes are a sham. They don't apply a proper transparent process and are open to corruption and nepotism;
- Training is rarely approved or provided even if it is part of a performance development plan;
- The feedback process for people who have not been successful in a job application needs
  to be standardised, documented and not the first time that an employee is receiving this
  feedback. This comes down to the people delivering the feedback not being specifically
  trained in such processes; i.e. giving someone feedback saying their job performance isn't
  up to scratch, however they have not had this addressed before applying for the role;
- There does not seem to be any strategic planning, so the general staff do not know what direction the management want the prison to go in over the next five to ten years.
   Therefore the staff do not know what direction to work toward;
- Standard operating policies, standing orders, operating manuals, and policies and procedures are out of date or inaccurate/inconsistent with subsequent directions from management or more recent custom and practice. For example, an officer transferred from another unit may face backlash in the new unit for following standard procedures as the new unit does not follow them;
- There is no clear standard around the number of officers required to use force to safely secure prisoners and ensure the safety of staff. There should be a set of standards around the use of force;
- There are memorandums or directions being given by particular managers, which can later be retracted or disappear. It can be very difficult to know what the expected policies or procedures are on a day-to-day basis, particularly if an officer is transferred to a different unit;
- Some policies are not fit for purpose or are drafted without thought to the realities of the
  job in practice.

Substantive reform is urgently needed given the rising prison population in Tasmania, in addition to new prison facilities and upgrades at the Southern Remand Centre and the Risdon Prison Complex. These factors will place additional strain on the existing human and financial resources of TPS.

Inconsistent enforcement of policies, coupled with poor advertisement of policies and subsequent amendment to policies have also led to an absence of clear management guidelines and unfair disciplinary outcomes for members. UWU has assisted TPS members in circumstances where they were not aware of amendments to a workplace policy or even where management interpretation or implementation of a policy had changed overnight, and members were disciplined for purported non-compliance with the policy.

The Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report found that the TPS had no strategy for reducing sickness and absences and that the system allowed

correctional officers to become financially reliant on working overtime.<sup>28</sup> These findings were despite the existence of both a Management of Attendance Policy and Fatigue Policy. Staff were found to be unaware of and had not received instructions to follow the Management of Attendance Policy, which had been initially issued in 2012 and the Fatigue Policy had been 'relaxed' in practice so that staff were unclear what would be considered 'acceptable fatigue' after consecutive shifts. 29

There is also a lack of understanding and training about how complex psychological conditions, such as adjustment disorder or PTSD symptoms, may present in the workplace. For example, some officers suffering from PTSD may feel on edge and be more prone to an emotional outburst if exposed to particular situations. Some correctional officers displaying these symptoms have faced disciplinary action from management. The lack of appropriate and qualified management staff in the TPS, in addition to a lack of training, has only exacerbated this issue. A holistic approach to handling staff members that may be experiencing a range of complex psychological conditions needs to be at the core of how management interact with staff.

#### RECOMMENDATIONS

- 9. Allocate funding and resources to ensure the appointment of a well-resourced human resources function within the TPS, including the appointment of designated and qualified HR personnel
- 10. Prioritise the review and updating of standard operating policies, standing orders, operating manuals, and policies on consultation with staff and unions, to ensure they are current, fit for practice and consistently applied across the TPS
- 11. Implement a holistic approach to handling staff members that may be experiencing a range of complex psychological conditions
- 12. Implement recommendations 6-10 and 32 and 36 of the Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report
- 13. Implement recommendations 1-3, and 5 of the Tasmanian Auditor-General in its performance audit of the Tasmanian prison system in November 2019

#### Workplace health and safety

Workplace hazards and risk management

Prisons and correctional facilities pose unique workplace risks and stressors to correctional officers and other staff employed by the TPS. Appropriate systems and supports are required to ensure that correctional staff do not face unnecessary workplace hazards. If workplace hazards are encountered, appropriate supports should be accessible and tailored to the needs of staff.

The TPS has a primary duty of care to correctional officers employed within their service to ensure their health and safety while they are at work.<sup>30</sup> This includes ensuring, as far as reasonably practicable, that the work environment is without risks to health and safety, there is provision and maintenance of safe systems of work and the provision of any information, training, instruction or

<sup>&</sup>lt;sup>28</sup> Office of the Custodial Inspector Tasmania (n[1]), p. 17.

<sup>&</sup>lt;sup>30</sup> Work Health and Safety Act 2012 (Tas), s 19.

supervision that is necessary to protect all person for risks to their health and safety arising from work.<sup>31</sup> The TPS also has obligations in relation to consulting its workforce on work health and safety issues through the election of health and safety representatives and the meeting of a health and safety committee.

The Work Health and Safety Committee within the TPS is currently not fulfilling the requirements under the *Work Health and Safety Act 2012* (Tas). The Committee does not meet at least every 3 months and is not viewed by employees as a mechanism whereby meaningful change can be achieved. Rather, the Committee is used as a place for management to make proposals and the agenda is not decided by employee health and safety representatives.

High-Risk Assessment Plans (HRAP) need to include greater employee consultation and need to include workplace health and safety at their core. Unfortunately, incidents of officer injury still occur despite assessment plans being in place. Risk assessment and prevention strategies within the TPS need to be updated to include a strong work health and safety component and need to ensure officer and prisoner safety.

Through a recent internal survey of its members, UWU can report that a large majority of its members in the TPS do not consider their workplace health and safety is taken seriously by their employer. Many feel that their safety is not a priority to management and have to justify prioritising safety and security in the workplace. Responses cited the increased levels of assaults occurring against staff and lack of adequate facilities to care for staff that have been assaulted by prisoners for e.g. lack of rooms to treat injured staff on site. There was also a common belief that those in management developing workplace policies and procedures lacked the relevant experience and 'on the ground' knowledge to adequately understand how serious the risks of the job were and the consequences this could have more broadly on staff safety and wellbeing.

There is a consensus that the TPS needs to change its approach to how it assesses risks to health and safety and how it considers its obligations under the work health and safety legislation. This is in order to sufficiently recognise some of the inherent dangers involved in the work of correctional officers. When correctional staff do flag a hazard notice or raise a workplace health and safety, many have reported that the report is closed without speaking to the person that raised the issue. There is also no consultation more broadly on how hazards are managed. Some even reported being ostracised in the workplace after putting in a work health and safety report.

Correctional officers regularly handle various workplace settings that place them under stress. Correctional officers require the appropriate tools to identify and handle such stress before they become a mental health issue. Correctional staff require the necessary skills to manage their emotions and wellbeing and to recognise signs of mental health distress in their colleagues. An over-reliance on overtime and recalls is systemic to the corrections sector in Tasmania and poses serious risks to the health and safety of correctional staff who are regularly working consecutive shifts and overtime to plug the staffing gaps in the system. The significant use of overtime contributes to the amount of long and short-term absence taken, leading to further staff shortages. The over-use of these practices has the cyclical effect of causing staff burnout and subsequent

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<sup>31</sup> lbid, s 19(3).

staff absences, which only worsen chronic under-staffing issues and incidences of workers compensation claims.

UWU members also report that bullying and inappropriate workplace behaviours are common across TPS sites. These findings have been confirmed by a Report by the Office of the Custodial Inspector of Tasmania which identified that correctional and non-correctional staff made a 'substantial' number of bullying and inappropriate workplace behaviour complaints.<sup>32</sup> Many staff also indicated that they felt unsupported by management in coming forward formally with such allegations due to fears relating to repercussion, reprisal and inaction.<sup>33</sup>

The Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report, made the following relevant recommendations of the TPS:

- <u>Recommendation 26</u>: Develops procedures to ensure employees lodging an accident, incident or hazard report are:
  - consulted verbally after lodging a report
  - o communicated with throughout the investigative process
  - provided with advice about the remedial action to be taken prior to the incident being closed
- Recommendation 27: Develops and maintains a register for recording notifiable incidents
- Recommendation 46: Reviews the policies and procedures relating to work related grievances and takes action to improve the culture associated with reporting of work related grievances and takes action to improve the culture associated with reporting of work related grievances so that employees are (and feel) supported in raising workplace issues.
- Recommendation 47: Updates the procedural documents relating to anti-bullying as a priority
- Recommendation 48: Implements anti-bullying strategic in all custodial centres, covering both staff and prisoners, tailored to the specific prison environment.
- Recommendation 49: Ensures that statistics of bullying incidents are collected and maintained and appropriately reported on to prison management on a regular basis.

#### RECOMMENDATIONS

- 14. Strengthen the governance processes of the work health and safety committee ensuring it has proper oversight of risk management and control procedures
- 15. Risk management strategies need to be developed in consultation with staff and unions to ensure that all risks are appropriately identified, assessed and managed
- 16. Risk assessment and prevention strategies within the TPS need to be updated to include a strong work health and safety component and ensure officer and prisoner safety
- 17. There needs to be accountability and oversight of risks identified by staff that have not been actioned by management and followed up with a risk management plan
- 18. Implement recommendations 26-27 and 46-49 of the Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report

<sup>&</sup>lt;sup>32</sup> Office of the Custodial Inspector Tasmania (n[1]), p. 41.

<sup>33</sup> Ibid, p. 4.

#### Notifiable incidents

There is also a duty on the TPS under work health and safety legislation to notify the regulator immediately after becoming aware that a notifiable incident has occurred.<sup>34</sup> The TPS is also liable for financial penalties in the event of non-compliance.<sup>35</sup> A 'notifiable incident' means the death of a person, a serious injury or illness of a person or a dangerous incident.<sup>36</sup> The definition of a 'serious injury or illness' is defined in section 36 of the *Work Health and Safety Act 2012* (Tasmania) and provides as follows:

### 36. What is a serious injury or illness In this Part serious injury or illness of a person means an injury or illness requiring the person to have — (a) immediate treatment as an in-patient in a hospital; or (b) immediate treatment for -(i) the amputation of any part of his or her body; or (ii) a serious head injury; or (iii) a serious eye injury; or (iv) a serious burn; or (v) the separation of his or her skin from an underlying tissue (such as degloving or scalping); or (vi) a spinal injury; or (vii) the loss of a bodily function; or (viii) serious lacerations; or (c) medical treatment within 48 hours of exposure to a substance – and includes any other injury or illness prescribed by the regulations but does not include an injury or illness of a prescribed kind.

It is the view of UWU that the current definition of 'serious injury or illness' is limited in its scope and is restricted by the exhaustive criteria in subsection (b). For example, immediate treatment as 'an in-patient at a hospital' is dependent on the individual hospital's criteria for admitting inpatients. This may vary according to each hospital. For example, if a person received treatment in an emergency department, they may still be considered an outpatient. Further, some injuries or illnesses may require an overnight stay or further treatment, while others may not require further

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<sup>&</sup>lt;sup>34</sup> Work Health and Safety Act 2012 (Tas), s 38.

<sup>35</sup> Ibid, s 38(1).

<sup>&</sup>lt;sup>36</sup> Ibid, s 35.

treatment. The list of injuries and illnesses in subsection 36(b) is also an exhaustive list. The Regulations also provide for prescribed infections and zoonoses to be included.<sup>37</sup>

If the definition of serious injury or illness was broadened to include other injuries requiring immediate treatment that were either not limited to an 'inpatient' or otherwise limited by subsection 36(b), this would more accurately capture the scope of injuries and illnesses occurring on the more extreme end of the spectrum. For example, immediate treatment for an injury or illness requiring surgery or other treatment would appropriately cover the field. It would also compel the TPS to take these injuries or illnesses seriously if they were subject to potential penalties for failing to notify the regulator when such incidences occurred.

#### RECOMMENDATIONS

19. Broaden the definition of 'serious injury or illness' in the work health and safety legislation

#### Workers compensation

Workers compensation payments are payable to a worker who suffers an injury or disease arising out of or in the course of the worker's employment. Workers compensation premiums are particularly high within the corrections sector due to the high number of workers compensation payouts. Workers compensation premiums in the 2017-2018 period made up \$4.3 million, or roughly 30% of non-salary related operating costs in the TPS.<sup>38</sup> Workers compensation claims and sick leave days have also increased in recent years, increasing by 71% between 2013-14 - 2017-18 across all TPS staff.<sup>39</sup>

As at 12 September 2019, there were 89 active claims and 153 finalised with the most common injuries being muscular stress related (30%) or psychological in nature (28%) with 13% related to assaults by prisoners.<sup>40</sup> Prisoner on officer assault rates have increased by at least 46% in the 2020-21 period since 2019-20 and have remained relatively high compared to other jurisdictions.<sup>41</sup>

The Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report, made the following relevant recommendations of the TPS:

- Recommendation 11: Engages an external consultant to conduct a full audit of the existing workers compensation policy, systems and processes. The Audit should include a review of return to work arrangements, modified duties and current claims.
- Recommendation 13: Reviews processes and implements measures to ensure active case management of workers compensation claims, with emphasis on improved communication with staff
- Recommendation 14: Reviews processes and implements measures to ensure active management of employees on return to work programs, with a focus on identifying

<sup>40</sup> Office of the Custodial Inspector Tasmania (n[1]), p. 21.

<sup>&</sup>lt;sup>37</sup> Work Health and Safety Regulations 2022 (Tas), r. 699.

<sup>&</sup>lt;sup>38</sup> Tasmanian Audit Office (n[11]), p.17.

<sup>39</sup> Ibid, p.25.

<sup>&</sup>lt;sup>41</sup> Productivity Commission, *Report on Government Services 2022*: Corrective Services. Chapter 8, 'corrective services dataset', <a href="https://www.pc.gov.au/ongoing/report-on-government-services/2022/justice/corrective-services#downloads">https://www.pc.gov.au/ongoing/report-on-government-services/2022/justice/corrective-services#downloads</a>.

opportunities for modified duties and roles to get staff back to work as soon as possible after medical clearance.

UWU have also received feedback from members that the process of lodging a workers compensation claim can be a stressful process. Members have reported that the return to work process and navigating the workers compensation space has sometimes caused more anxiety than the actual illness or injury. The staff assigned to handle workers compensation cases are reported as having inadequate training and do not adequately assist staff to understand the process. The process has also been described as long and drawn out. At least two members have reported that the process of lodging an application for workers compensation made them contemplate suicide as they felt ignored and not involved in the process.

Members have also reported concerns that lodging an application for workers compensation may negatively affect their career development and opportunities. Members have reported reprisal action by managers where work health and safety concerns have been raised and pressure from management to return to positions either too early or when they have not fully recovered.

Substantial growth in sick leave and workers compensation leave is indicative of larger systemic problems within TPS for which existing management strategies have been ineffective. While TPS maintains it has taken action to build staff resilience and improve rosters, 42 UWU members report that workplace injuries or illnesses are still occurring at an alarming rate and that rates of overtime and workplace stress are still a major problem. For example, where personal leave balances are insufficient to cover periods of workplace illness or injury, some members feel they have no other option other than to lodge a claim for workers compensation. Insufficient personal leave afforded to staff only exacerbates this problem when personal leave cannot be utilised for mental health days following a critical incident or other workplace illness or injury. As one member described, "working a job that is incredibly draining on your mental and physical health makes it hard to balance personal days when you're only entitled to 20 a year".

#### RECOMMENDATIONS

- 20. Improve training and development of managers and other staff who regularly deal with staff applying for workers compensation
- 21. Develop and provide information resources for correctional staff to understand the workers compensation claim and return to work process
- 22. Implement welfare checks and referrals to appropriate support services for those accessing workers compensation, where appropriate
- 23. Implement recommendations 11, 13-14 of the Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report

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<sup>&</sup>lt;sup>42</sup> Tasmanian Audit Office (n[11]), p.25.

#### **Workplace supports**

Recognition as 'first responders'

Correctional officers are officers of the state and perform an essential public service. They are trained professionals working with the people that society wants to be protected from. Correctional officers are responsible for ensuring the safety and security of the facilities the TPS operates. Correctional officers are the first people on the scene to any critical incident or emergency that occurs in the TPS. Correctional officers are first on the scene to deaths, assaults, medical emergencies, fires and all other critical situations requiring immediate response. As a result, correctional officers are often exposed to emergency situations and potentially traumatic incidents on a frequent basis, as many other first responders, such as police, firefighters and ambulance officers are too.

Correctional officers place themselves at risk every day at work due to the environment they operate in. However, community attitudes towards correctional staff don't reflect this. Misconceptions exist in relation to correctional services work due to media reporting of lockdowns and lack of knowledge about the role that correctional officers perform. Unfortunately, because correctional officers perform their work behind closed doors and the public don't see their uniform on the street, it can be difficult to change perceptions about work in the correctional services industry.

Correctional officers also want to feel that their work makes a difference. Repeat offending and over-crowding make the jobs of correctional officers more difficult. Officers want to see that prisoners are rehabilitated and do not re-offend.

Correctional officers observe prisoners day in and day out and are placed in a unique position to comment on what measures have been or might be effective in rehabilitation efforts. Serious concerns have been identified with long periods of inactivity and lack of employment and other programs and therapeutic time afforded to prisoners. Correctional officers would like to see prisoners gainfully employed and on the path towards rehabilitation. Unfortunately, they are rarely asked for their insight on how current efforts at rehabilitation are having an impact on the ground.

The industry won't change until correctional officers are recognised and valued for the important work they do and are treated as frontline workers. Correctional officers must be recognised as first responders and be afforded the same access and opportunities to mental health and wellbeing resources as police, fire, ambulance and other front-line responders in Tasmania.

#### RECOMMENDATIONS

- 24. Increase the amount of time that prisoners are engaged in programs and therapeutic activity to improve rehabilitation efforts and ensure that prisoners are provided with meaningful employment
- 25. Correctional officers must be recognised as first responders and be afforded the same access and opportunities to mental health and wellbeing resources as police, fire, ambulance and other first responders in Tasmania

#### Supports and resources

The correctional services industry is amongst the most challenging of frontline environments with unique organisational stressors. The rate of workers compensation claims relating to psychological health represent a large portion of claims made and includes conditions such as adjustment disorder and PTSD. Tasmania is also the first jurisdiction in Australia to introduce presumptive PTSD legislation that a PTSD diagnosis is work-related.<sup>43</sup> While this development is a welcome move in the right direction, there are still not enough specialised services in Tasmania to treat PTSD in order to properly effect this change. Workers requiring treatment for PTSD are seeing a small number of psychiatric professionals or they are being flown to Victoria to the Heidelberg repatriation centre. There are reports that WorkCover will not cover costs upfront and will not pay for support people to travel with patients.

To ensure the safety and wellbeing of correctional staff, all staff should have access to the appropriate workplace supports and resources and provide for correctional staff to safely debrief and decompress following incidents.

The TPS has a 'Wellbeing Hub' on the staff intranet page. The TPS offers counselling through the Employee Assistance Program (EAP) as well as mentoring through the TPS peer support program called MATES. However, over 80% of members recently surveyed by UWU indicated that they have not accessed the Wellbeing Hub. Some feedback indicated that the Hub should be easier to access and available on the front page of the Intranet. Low engagement with the Wellbeing Hub is also fuelled by wider employee dissatisfaction with the supports available, lack of education about available services and concerns about confidentiality.

Contrary to common assumptions about male dominated workplaces, many correctional officers will talk about their mental health openly, but only with trusted colleagues and professionals. Officers monitor each other's wellbeing and check in on those identified at risk of self harm. In house services, such as the Wellbeing Hub are avoided as officers do not trust them to be confidential and fear being treated differently by management.

The Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report, made the following relevant recommendations of the TPS:

- <u>Recommendation 41:</u> Reviews and evaluates the effectiveness of the MATES program and, if it is to continue to operate, ensures that staff that are mates receive appropriate training and upskilling;
- Recommendation 42: Engages a clinical psychologist or other appropriately skilled health professional to attend onsite after a critical incident so that staff have the option to immediately talk to a mental health expert following a serious incident

<sup>&</sup>lt;sup>43</sup> Workers Rehabilitation and Compensation Amendment (Presumption as to Cause of Disease) Act 2019 (Tas).

UWU members are concerned that the level of support currently available is insufficient and have stated:

- Staff welfare is viewed as a 'tick the box' exercise with no genuine consideration given to the needs of correctional officers;
- The existing framework is a generic 'one size fits all' approach, which may not work for everyone. Correctional officers can be quite different in the way that they process correctional work, and what they take home;
- Concerns with confidentiality have been raised with both the EAP and MATES;
- Mentors selected as part of the MATES program do not have the required training or skillset to assist with complex trauma, such as PTSD;
- Mentors should be appropriately experienced and have relevant 'on the ground' knowledge;
- There was a general consensus that greater support was needed from independent external parties outside of the TPS;
- Many members reported dissatisfaction with the supports available by TPS and instead were using external supports such as wellbeing apps, third-party counsellors or trusted persons;
- There has been a big shift in recent years in staff feeling more comfortable to address and acknowledge mental wellbeing. However, there is still stigma surrounding mental health which can act as a cultural barrier in seeking help;
- If staff are injured at work, there is minimal, if any follow-up from the workplace. Similar reports have also been received following incidents;
- Lack of immediate psychological or crisis support and debriefing services after an incident occurs. Members have reported that immediate psychological support is offered to prisoners but members report that officers do not receive the same level of support;
- There is no tailored crisis support offered to officers to deal with common issues, such as PTSD;
- There is also a lack training given to staff about how to deal with staff members that may be reporting symptoms of PTSD;
- Improved support for correctional officers who have experienced a workplace injury or who are going through a workers compensation claim process;
- One member reported being on a return-to-work plan for a considerable period of time and had not once been approached about what supports could be offered to assist in returning to work full-time work if they wished.

UWU members also expressed strong support for additional workplace benefits that may assist with staff wellbeing, including a rest and recline policy for officers on night shift and a health and wellbeing allowance. These measures would also have the added benefit of addressing current issues with fatigue management and workplace stress.

There are a number of services and supports available to other front-line workers, such as police, fire and emergency management services. The SHIELD program is the Australian Federal Police (AFP) health and wellbeing model that was launched in July 2021. AFP staff in Western Australia have access to a "dedicated team of clinicians who understand the unique nature of the AFP's work, with members now able to arrange an in-person or online health consultation with a GP,

Registered Nurse, Psychologist or Exercise Physiologist. Plans are also afoot to add a Physiotherapist, Health and Fitness Advisor, and Social Worker to the WA team, which also currently includes Welfare Officers, a Rehabilitation Case Manager, and Work Health and Safety Advisor."

On 31 July 2018, the Tasmanian Premier announced the commencement of a Wellbeing program with \$6 million funding. However, this only included police, fire and emergency management services, in addition to Ambulance Tasmania. On 3 September 2021, the Tasmanian Premier announced the launch of the Department of Police Fire and Emergency Management's Mental Health and Wellbeing Strategy, with an additional \$1.5 million in the 2021-22 Tasmanian Budget to provide for additional services, such as psychologists and counselling, and the Health and Wellbeing Program. MyPulse was established as a collection of free and confidential health and wellbeing resources and services offered exclusively to Ambulance Tasmania and the Department of Police, Fire and Emergency Management. MyPulse provides online and face-to-face health sessions and families and friends of emergency services employees and volunteers can also access a publicly available version of MyPulse for information and resources that help them support the health and wellbeing emergency service workers.

The breadth and depth of services offered by MyPulse is in contrast to the wellbeing supports available to correctional officers within the TPS. This is despite the fact that correctional officers also have high rates of workplace injury, with correctional officers having higher rates of injury and subsequent incapacitation than police officers in Tasmania.

The TPS Wellbeing Hub is not accessible to the families and friends of correctional officers. There are also perceived conflicts of interest with the professionals available via the Wellbeing Hub. There are concerns that mental health professionals that were previously providing support to prisoners that have existing relationships with TPS management, are being employed within the Wellbeing Hub to provide services to correctional staff. This has raised concerns that the professionals connected to staff via the Wellbeing Hub are not truly independent from the TPS. Correctional officers need an independent counselling service that they feel confident and comfortable in accessing and access to mental health professionals that understand the challenges and demands on correctional officers.

If some of the positive aspects of MyPulse and Shield, such as access to independent health professionals and extending services to friends and family, are implemented within the TPS, this will improve staff welfare and wellbeing, staff absences and may be able to reduce workplace injury or illness. If this is not able to be done without the current funding arrangements, additional funding is needed to address this gap in the system.

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<sup>&</sup>lt;sup>44</sup> Australian Federal Police, News and Media (Platypus), 'Shield Leading the Way Health and Wellbeing' < https://www.afp.gov.au/news-media/platypus/shield-leading-way-health-and-wellbeing>.

<sup>&</sup>lt;sup>45</sup> Premier of Tasmania (31 July 2018), Media Release, Supporting our first responders < https://www.premier.tas.gov.au/releases/supporting\_our\_first\_responders>.

<sup>&</sup>lt;sup>46</sup> Premier of Tasmania (3 September 2021), Media Release: Supporting the mental health of our first responders < https://www.premier.tas.gov.au/site\_resources\_2015/additional\_releases/supporting\_the\_mental\_health\_of\_our\_first\_r esponders>.

The existing Wellbeing Hub on offer to staff within the TPS requires substantive reform to urgently address the lack of adequate mental health resources and supports on offer to correctional staff within the TPS.

#### RECOMMENDATIONS

- 26. There needs to be tailored psychological or crisis support and debriefing services after an incident occurs
- 27. Correctional staff require access to independent mental health professionals with no perceived conflict of interest. If necessary, additional funding should be allocated to increase and improve the mental health and wellbeing supports within the TPS
- 28. Appropriate resources be made available to the families and friends of TPS correctional staff within the Wellbeing Hub
- 29. Implement recommendations 41-42 of the Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report

#### **Training**

Correctional staff require regular and appropriate training to ensure they are properly equipped to perform their duties in a rapidly changing environment. In order to be qualified as correctional officers, applicants must have completed prerequisite entry level training and complete further induction training once employed by the TPS. Initial induction training performed when correctional officers initially commence in their roles is usually comprehensive. Correctional officers must complete advanced qualifications to be eligible to apply for career advancement at the Supervisor level (for example, Certificate III in Correctional Practice (Custodial Specialisation) or Certificate IV in Correctional Practice. There are also Diplomas and Advanced Diplomas for Correctional Administration or Correctional Management).

Although corrections staff receive some limited training on how to deal with stressful situations, staff rarely receive formal or accredited training related to looking after their own mental health and building resilience to handle stressful situations over prolonged periods.<sup>47</sup>

UWU members report ongoing issues with access to refresher training, advanced training and career development, such as:

- Issues being able to access refresher training and advanced training for senior staff members, including supervisors and superintendents;
- The TPS can barely keep up with implementing the mandatory training of correctional officers;
- Training is frequently cancelled and advanced training has not been run since 2020. This is despite negotiations with UWU to implement a supervisor training program;
- There is a backlog of approximately 100 people requiring advanced correctional officer training;
- Issues with access to ongoing development and training and with the currency of training.
   There is not enough training past the mandatory training (for e.g. CPR, use of gas and

<sup>&</sup>lt;sup>47</sup>Australian Industry Standards, Corrections Industry Outlook 2021, p. 7

 $<sup>&</sup>lt; https://www.australian industry standards.org. au/wp-content/uploads/2021/06/20210609\_CSC\_IO.pdf>.$ 

restraint) and many correctional officers have not received training since their initial induction and may go some time without further training;

- There is no consistency in training which is dangerous and harmful especially when officers start the job;
- Lack of refresher training on DSO's and SOP's for all staff on a yearly basis;
- Current training does not include adequate training on handling juveniles;
- Lack of experience and knowledge with existing trainers many dedicated trainers have only a few years' experience;
- Not enough advanced training programs are being run. There is not enough appropriate
  training for senior staff, such as supervisors to assist them in the role. This is an issue given
  the numbers of staff in acting supervisor positions;
- Training opportunities identified during performance plans are not approved by management;
- Lack of leadership courses or streamlined advancement pathways for potential leaders

The Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report, made the following relevant recommendations of the TPS:

- <u>Recommendation 33:</u> Ensures that all supervisors are trained in the Performance Development Plan (PDP) and effective conversations training to assist with how to manage difficult situations and employee underperformance
- Recommendation 34: Ensures all managers and staff with direct reports undertake essential supervisor training
- <u>Recommendation 35</u>: Considers developing a tiered Leadership Development Plan (frontline management training) to be completed by all correctional supervisors.

A lack of access to ongoing training and experienced trainers worsens the skills and developmental gaps of the workforce and increases workplace risks. However, implementing an established training unit within the TPS designed to offer consistent and ongoing training at CO, advanced CO levels and management levels taught by suitably qualified and experienced trainers will improve the broader capability of the workforce and broaden staff skillsets. One way to attract suitably experienced trainers could be to identify suitable candidates and offer streamlined pathways for experienced correctional officers to undertake a Certificate IV in Training and Assessment. This could help ensure that the broader workforce can benefit from the experience and knowledge of more experienced correctional officers.

#### RECOMMENDATIONS

- 30. A properly funded and resourced Training Unit be established within the TPS to train and develop the skillsets of Correctional Officers and ensure that mandatory, advanced and refresher training occurs on a regular basis
- 31. Ensure that all staff receive adequate mental health training and know how to identify symptoms of complex psychological conditions, such as PTSD or depression
- 32. Offer streamlined pathways for experienced correctional officers to undertake trainer and assessor training and to provide other advanced training
- 33. Implement recommendations 33-35 of the Office of the Custodial Inspector in its 2019 Resources and Systems Inspection Report

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Correctional Supervisor

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Date:

28/04/2023

Signature: