

INQUIRY INTO THE PRIVATISATION OF PRISONS AND PRISON – RELATED SERVICES

Supporting documents from Cessnock Prison Officers
Vocational Branch Union Archives

1. Letter of recognition.
2. POV B relationship with Commissioner.
3. Cessnock POV B Initiatives [Reform].
4. POV B record on overtime.
5. Management breaches of Operational Agreement.
6. POV B support of Industries.
7. Department's own Industrial Relations Deficiencies.



Department of Corrective Services



*PSA
PSAC
CS*

Mr John Cahill
General Secretary
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Our Reference:

Your Reference:

Dear John,

I am writing to inform you of my concern regarding the future of the Mid North Coast and Dillwynia Correctional Centre agreement.

In this regard, I am seeking your approval for Mr Tony Howen and Mr Brian McCann to continue to sit on the Mid North Coast and Dillwynia Local Board of Management.

I require stability in this process as well as ensuring that the Public Service Association is represented in a positive and constructive way.

Both these officers are completely familiar with the critical conditions of the agreement for these two unique correctional centres.

Your earliest advice regarding this matter would be appreciated.

Yours sincerely

Ron Woodham
RON WOODHAM
Commissioner
18 April 2005



Department of Corrective Services



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ALDAVILLA NSW 2440

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Our Reference:

Your Reference:

To: Tony Howen

From: Bruce Mercer
General Manager
Mid North Coast Correctional Centre

Subject: Recognition for outstanding results achieved at the
Mid North Coast Correctional Centre (MNCCC)

Date: 28th July 2005

Dear Tony

On behalf of the Board of Management, MNCCC please accept this certificate in recognition of your contribution to the outstanding results achieved at the MNCCC in the first year of operation.

Yours sincerely

Bruce Mercer
SUPERINTENDENT

TO: THE COMMISSIONER FOR CORRECTIVE SERVICES.
FROM: P.O.V.B. NORTHERN REGION DELEGATES.
SUBJECT: VOTE OF SUPPORT.
DATE: 30TH APRIL 2002.

Dear Mr Woodham

At the P.O.V.B. Northern Region delegates meeting of 29th April 2002 a motion of support for the Commissioner was moved, seconded and passed unanimously. We did this in light of your achievements and the valuable contribution you make to the safety and welfare of our members.

Although we know you as a tough negotiator, as befits one with responsibilities to a number of parties with sometimes conflicting interests, we also recognize the role you have played in the huge improvement in Industrial Relations in this Department.

We also acknowledge the benefit to our members of your compassionate approach to their welfare; from the general positive boost given by the Staff Family Days to the many instances where you have helped individuals through their difficult circumstances.

Even the relationship between P.O.V.B. and C.O.V.B., a decade ago best described as 'trench warfare', appears to have changed almost beyond recognition. We believe you have done much to change the culture of middle management, allowing those who wish to work with and respect their sub-ordinates to thrive, whilst holding those who would like to think the protective legislation of the last twenty years didn't exist in check.

Lastly, your ascension through the ranks to Commissioner is a source of pride for Prison Officers who have always had to endure leaders who, even with the best will in the world, could never truly understand them.

We therefore hold that attempts to undermine your position by individuals with an axe to grind and ready access to the clowns in the media circus are not in the best interests of us or our members. We thus commit our support to ensuring you get a fair go.

PETER WILLIAMS

P. Williams

for NORTHERN REGION P.O.V.B. DELEGATES.

Proactive debriefing of Custodial staff at Cessnock C.C

Background:

Cessnock has had a problem of Officers committing Suicide for a number of years.

This issue and advice sought on this matter at the highest level dates back almost 5 yrs.

Advice at that time was not to highlight the issue as copy cats are a risk.

Reluctantly we accepted the advice, however nothing seems to have changed.

Prison Officers its been recognised need to have their coping skills enhanced to deal with the stress that the occupation places on the individual.

POVB Position

The Cessnock POVB acknowledges that the efforts on behalf of the department to rehabilitate officers has been outstanding and the staff here have no criticism of the departments efforts.

It is recognised that the Peer support at this centre is up there as the best in the system.

The POVB / PSA believes that the issue is unique to Cessnock an is not intending to treat the matter as a precedent.

Cessnock is unique in that it has the oldest length of service of officers, average length of serve is around 17 yrs. This length of service has exposed staff here to situations over a long period of time that impacts on there heath and wellbeing.

Staff that have been asked if they have sought assistance have stated there reluctance to talk about there issues.

Staff that are experiencing difficulties are nearly always the last to recognise

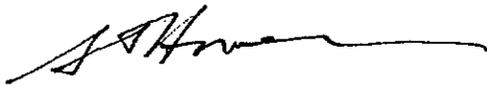
a problem, this is also recognised by the Dept as it's the reason for forced and automatic rotation out of Crisis Units.

Outcome sought by the Cessnock POVB

That a proactive strategy is put in place to help staff who might benefit from an opportunity to discuss issues.

That all staff are called up on a monthly basis, to have an opportunity to discuss issues if they so desire.

The reason for this is to try and change the culture that this is an indication that one is not up to the job. Also to try to get staff, particularly males, comfortable talking to professionals that may be able to assist staff.

A handwritten signature in black ink, appearing to be 'J. J. ...', written in a cursive style.

Aerosol Chemical Munitions

Background.

As a result of serious incidents which have occurred within various centres, issues have been raised in relation to the immediate availability of chemical munitions to centre staff as a tool in assisting with the response to these situations.

The current procedures for the security and accountability of all weapons and chemical munitions remains the charter and responsibility of the centre armourer who will issue equipment to those who have been authorised to receive it.

The P.O.V.B have submitted a proposed protocol for the issue of chemical munitions to trained staff identified on a daily basis within the centres who may be required to respond to situations that occur.

Whilst this may appear to be an effective option, it does raise a range of other issues which need to be considered.

Chemical munitions has proven to be a very effective tool when required in the management of incidents. It is acknowledged that there are incidents which may require the immediate availability of chemical munitions to assist with the management of these incidents and that there is a need to develop procedures to ensure that chemical munitions can be made available to staff more effectively than the current procedures allow.

Aim.

To ensure the immediate availability of chemical munitions to trained staff during the response to incidents within the centres.

Procedure.

To ensure the proper security and immediate availability of aerosol chemical munitions, this procedure will encompass the following:-

1. Strategic placement and securement of aerosol chemical munition within the centre/s.
2. Authorised access and responsibility for accountability
3. Procedure for the issue of chemical munitions
4. Follow up procedures after issue of chemical munitions.

1. Strategic placement and securement of Aerosol munitions.

AREAS

The centre management must identify an area within the correctional centre in which the aerosol chemical munitions may be secured. In identifying these areas, the following must be considered:

- Location central to all areas within the centre
- Location to be limited to staff access only (Appropriate security)
- Within an area which is manned on a permanent basis (Where possible)
- Easily accessible by response staff

The aerosol munitions must be secured in a secure safe (Metal cabinets and filing drawers must not be used). Key control and access to the safe must be determined by the centre management who must ensure the following:-

- Immediate access to the chemical munitions can be achieved at any time required.
- Accountability procedure for all access to the safe
- Correct procedures for issue of chemical munitions to be adhered to.
- Accountability procedure for chemical munitions.

2. Authorised access and responsibility for accountability.

The issue of chemical munitions from the safe must be conducted in accordance with the regulations governing the issue and use of chemical munitions within the centres.

The Officer in Charge of the location in which the aerosol munitions is to be secured will be responsible for ensuring authorised access and issue of the chemical munitions from this location and the continued accountability and maintenance for the same.

3. Issue of Chemical Munitions.

The issue of chemical munitions for the purpose of being used as an instrument of restraint must be authorised by the Governor or Officer in Charge of the centre in accordance with legislative requirements.

The issue and use of chemical munitions must only be authorised to staff who are qualified chemical munitions operators. (A list of all staff qualified in the use of chemical munitions within the centre must be made available for reference at this location)

A log must be maintained ensuring that all relevant details are recorded for the issue and return of all chemical munitions.

4. Follow up procedure after issue of chemical munitions.

Following the issue of chemical munitions from this location, the issuing officer will be responsible for the following:-

- Accountability for all munitions issued at completion of the incident.
- Recording of all relevant information for issue and return of munitions
- Inspection of all munitions for serviceability
- Collation of all relevant reports re: issue and use of chemical munitions.
- Replacement of spent munitions where necessary
- Securement and operational readiness of munitions at this location.

Summary.

All centres must ensure that their respective emergency response plans clearly indicate the areas to be nominated for the issue of chemical munitions.

The objective of this procedure is to ensure that available resources can be accessed and made available immediately for responses to incidents within the centres. Therefore, it is imperative that the centres emergency response plans are developed to ensure the most effective means for the deployment of staff for the issue and/or delivery of chemical munitions to the required location/s.

Whilst this procedure has been developed for the securement and issue of aerosol chemical munitions, similar procedures may be implemented for other equipment which may further enhance the response capability and safety of staff within the centres.

CESSNOCK P.O.V.B.

AS A RESULT OF NEGOTIATIONS WITH ASSISTANT COMMISSIONER MR RON WOODHAM, THE FOLLOWING COMPROMISE WAS REACHED:-

* FROM THE 29-12-95 OUR STAFFING PROFILE WILL BE 99 AND A1 OVERTIME WILL BE ACCRUED BASED ON THAT FIGURE.

AS THIS IS THE ONLY MAJOR BENEFIT TO THE P.O.V.B. FROM THE RE-NEGOTIATED OPERATIONAL AGREEMENT AND THE CURRENT OPERATIONAL AGREEMENT REMAINS IN FORCE, THE SUB-BRANCH EXECUTIVE, WHILST ENCOURAGING ALL PARTIES TO SIGN THE NEW AGREEMENT, NO LONGER SEES ANY URGENCY JUSTIFYING INDUSTRIAL ACTION.

THEREFORE IN LINE WITH MOTION ONE OF 4-12-95 AND BELIEVING THAT "SATISFACTION" HAS BEEN RECEIVED ON THIS ISSUE I INTEND TO CANCEL THE STOP WORK MEETING CALLED FOR 22-12-95.

MEMBERS RETAIN THE RIGHT, HOWEVER, BY MEANS OF SEVEN SIGNATURES TO FORCE SAID STOP WORK MEETING TO PROCEED. BUT I WOULD REMIND ALL P.O.V.B. MEMBERS THAT INDUSTRIAL ACTION AT THIS POINT MAY DAMAGE OUR CREDIBILITY WITH THE COMMISSION, AND JEOPARDIZE WHAT HAS BEEN GAINED.

FOOTNOTE:-

THE MAITLAND ESCORT ISSUE HAS APPARENTLY BEEN SOLVED, WITH MAITLAND P.O.V.B. MEMBERS NOW DOUBLE MANNING THE ESCORT. THE MAITLAND VICE-CHAIRMAN ADRIAN STACK HAS EXPRESSED GRATITUDE TO THE CESSNOCK P.O.V.B. MEMBERS FOR THEIR SUPPORT IN THIS ISSUE.

PETER WILLIAMS
CHAIRMAN,
CESSNOCK P.O.V.B.

P. Williams

20. 12. 95

**Meeting to discuss Chemical agents – OC sprays
25 August 2004**

Present: Brian Kelly, Commander, Security & Investigations
Dave Tawhara, Superintendent, Security & Investigations
Deirdre Hunter, Director, Workforce Relations
Georgina Penning, A/Industrial Officer
John Campbell, Chairman, POVB
Tony Howen, Vice Chairman, POVB
Peter Williams, POVB representative

Apologies: John Klok, Assistant Commissioner, Security and Operational Programs

This meeting was organised to discuss the use of chemical agents after the issue was raised at the POVB Management Committee meeting held on 22 July 2004. A twenty one day timeframe was set within which a meeting was to be held, however, due to difficulties in getting the relevant people together the timeframe was extended slightly.

The POVB expressed concern that the issue had been unresolved for a long period of time. They stated that they would like to develop a safe system for chemical agent usage so that staff have another option available to them when necessary rather than just the use of physical force. The aim of the Protocol Document (distributed before the meeting) was that chemical agents could be used to "break up" the initial situation i.e. as an aid. It was suggested that this might in some situations prevent the use of excessive force.

Commander S&I stated that he had no argument with the basic principles regarding the use of chemical agents however the issue needs to be well researched before any definite decisions are made. In this regard S&I will be sending three people (and two others) to an International Police Conference regarding less lethal force options on 1st, 2nd & 3rd of November. The portion of the Conference that will be attended specifically deals with the use of chemical agents and other instruments of restraint.

The POVB highlighted the need to speed up the process in resolving this issue.

Commander S&I stated that he had discussed the use of chemical agents already with the Commissioner and he understands the frustration of the POVB over the length of time it has taken to reach a conclusion on this matter. He stressed the need to present a logical, well documented and researched recommendation to the Commissioner. This document will need to identify the type(s) of chemical to be used and the delivery system. Commander S&I also mentioned that there would be a major training issue involved with any implementation of such an option.

Commander S&I confirmed that a recommendation should be able to be made to the Commissioner in early November. He stressed that the final decision will rest with the Commissioner and nothing should be assumed at this point.

Action:

to contact STU to start working on a training package and delivery issues. Also consideration to be given to different circumstances in which the use of chemical agents may be warranted, for example, CCs with/without IAT's and CC escorts.

Meeting to be organised for week commencing 8th November 2004 to further discuss.

To: All Parties to the Cessnock Operational Agreement . . .
From: Cessnock POVB Sub Branch Executive
Subject: Interim Variation to Operational Agreement
Date: 31 May, 2001

The result of the Sub-Branch Secret Ballot on the Interim Variation to the Operational Agreement as negotiated by all parties at Cessnock was as follows:

-	Voted to accept	-	112
-	Voted not to accept	-	3
-	Invalid	-	1

On this basis the Sub-Branch Executive accepts the agreed changes.

P. Williams

P. Williams
Chair
Cessnock POVB
31 May, 2001

TRIAL PROTOCOL

CESSNOCK CORRECTIONAL CENTRE

INMATE WORKING DAY STAFFING PROTOCOL

(SATURDAYS, SUNDAYS, PUBLIC HOLIDAYS AS PER
OPERATIONAL AGREEMENT)

The following protocol will be adopted on a 3 month trial basis if accepted by ballot of POVB members. At the end of the trial period, a further ballot will be conducted on whether to incorporate the new protocol into the Operational Agreement. If the protocol is rejected by POVB members at either ballot, the existing protocols for dealing with staff shortages outlined in the Operational Agreement will be adhered to. Consultation with the POVB will be ongoing during the 3 month trial.

1. The overtime allocation will operate from the "D" Watch onwards. All posts on "D", "C" and "B" Watch will be filled whenever overtime usage is in the "black" (surplus). In the event that overtime usage is in the "red" (debit) from the previous day, Activities (3) Post may be used as a Service Post. All other "D", "C" and "B" Posts will be filled.
2. All remaining overtime will be used to fill vacancies on the "A" Watch.
3. One Search/Escort position (Search/Escort 3) and one COVB Post will remain as service posts, as currently defined in the Operational Agreement. The use of these service posts will not impact on the normal running of the Centre.
4. Lock-down protocols will apply for subsequent vacancies on the "A" Watch. These will be spread around Minimum, Maximum and Crisis Unit to reduce the impact on inmate behaviour of too frequent lock-downs in any one area.
5. **The lock-down protocol for the Minimum Security Section will be:**

Short 1 Essential Post (i.e. Wing Prison Officer)(6.00 am)

AM lock-down, let-go after 12.00 md.

- Non-working and not required for work inmate remain locked in cells in 1,2 and 3 Wings.
- One Search/Escort position to assist in wing affected to maintain profile of 2 Officers for let-go, showering, breakfast of required workers and inmate in programmes. Once this is completed, Search/Escort will revert to normal duties.
- Working inmates to Methadone Clinic in morning, others to Methadone Clinic in afternoon.

- All Overseers and Programmes Personnel are responsible for providing accurate lists containing MIN, name and cell number of inmates required the following morning.
- Wing Staff will be responsible for letting identified inmates go, but in the event of inaccurate information, Overseers or Programmes personnel must attend wing in person to access any additional inmates.
- Where the profile in any wing falls to one Officer, no more than 5 inmates (sweepers) will be out of cells in the wing. Where further inmate movement is required (GP Building, Clinic etc.) a second Officer (Search/Escort or Wing PO from another wing) will be sourced.

Short 2 Essential Posts (Wing PO - 6.00 am)

- Remaining Search/Escort to affected wing. All other protocols as above.

NB No Officer working alone in a Wing will be required to let-go more than the agreed 5 inmates (sweepers). If inmates are required and Search/Escort 1 and 2 and remaining Wing offsider are not available, Executive Officers will assist as needed.

Inmates in Programmes will be secured in the Activities Building. Access to fresh air/smoking breaks will be provided in the designated outdoor compound adjoining the auditorium.

Additional "A" Watch vacancies on the minimum side will be filled by use of Overseer service posts as defined in the Operational Agreement. The rotational protocol for the stripping of Overseers will be adhered to. Community Projects Officer will be included in the rotation.

Where an Overseer is stripped, the inmate worker profile will be reduced in the affected workshop. Workers not required will remain locked in cells until general let-go after 12.00 md. It will be necessary to draw up a priority workers list to anticipate possible post stripping. These will be clearly identified in the previous night's lists.

Overseers are requested to give maximum notice of intended absences to prevent unnecessary let-go or workers who are not required.

The lock-down for Crisis Unit will be:

1. Essential Post stripped: inmates remain in cells

- Manual 10 minute Obs
- Fed in cells - breakfast and lunch
- Methadone users escorted to Clinic
- All inmates will be seen by Nurse
- Escorted to Doctor, Psychologist, Legal Aid, Parole, Psychiatrist and Nurse
- Showered and exercised

2. Essential Posts stripped

- Operates as per "C" and "B" Watch
- Minimum staffing for Unit - 2 Officers

The lock-down protocol for Maximum Security will be :

1 or 2 Essential Posts stripped:

- 2 Textiles Overseers and 1 Overseer let go 4 Wing textile workers at 7.00 am. To work by 8.00 am.
- In the event of one Textile Overseer being absent, the remaining Overseer works with a specified number of suitably classified inmates (C-1 and C-2) on the proviso that any programmes are conducted within the confines of 11 and 4 Wings respectively.
- After 8.00 am, 4 Wing inmates let-go with available staff (normal routine)
- PM - 11 Wing inmates let-go to normal routine.
- In AM - 2 Officers remain in 4 Wing
- Available staff to 11 Wing. Maximum of 4 inmate at a time to medical parade.
- Maximum 5 sweepers out in 11 Wing in AM
- Staff, as available, to assist with Reception Screening/Classification of inmates.
- Whilst inmates are out of cells, a minimum staff profile of 5 will be maintained in the Maximum area. Whilst inmates are confined to cells and Textiles is operational., a minimum staff profile of 2 will be maintained in 11/4 Wing, in order to provide back-up if necessary to Textiles Overseers.

General Protocols

Where an Area (Minimum, Maximum or Crisis Unit) is in lock-down mode, Case Management will cease (with the exception of new reception screening and initial classifications).

Case Management Team meetings are to continue.

Executive Officers to ensure staff access to meal breaks at appropriate times.

Executive Officers will be called upon to assist in areas of genuine need during lock-downs.

Reception Room Officer may be required to take discharges to transport point in Cessnock.

Prior to any full lock-down (AM & PM) of Centre, Manager Industries will identify a Business Unit(s) for closure. Overseer will then carry out custodial duties.

MEETING HELD 12/02/2002 RE RESTRICTED MOVEMENT PROTOCOLS

PRESENT: Regional Commander McLean
Governor Provost
Deputy Governor Cameron
George Hunt, Manager Industries
Tony Howen
Peter Williams
Dave Ellam
Kevin Baker

APOLOGIES: Dave Harrower

Regional Commander McLean opened the meeting and welcomed all present.

Minutes from the previous meeting were accepted.

Everyone has read the POVB response.

We need to see where you want to go, I want to go and Management wants to go.

Basically, we are in support of the trial, we have taken on all of the concerns, the needs of the Department and our concerns re Officers safety. That is how we came up with our protocol.

We are hearing you have a problem with us locking down some inmates when there are two Officers sitting in the wings. Chart distributed re what Officers are on the ground during the day.

At 6.00 am Cessnock Correctional Centre has an inmate profile of 335 in the minimum security with only 13 custodial staff available to perform let-go.

Activities 3 position can be stripped when overtime is exhausted.

Profile 335 inmates to let-go. If there is a vacancy on the "A" Watch Search/Escort 3 would be utilised to fill that vacancy.

At that point we are down to 12 Officers - 335 inmates and we are still fully functional.

Next page - if there is another vacancy we strip the CM Officer. CM goes in and assists as required. Still inmate profile of 335 and down to 11 Officers and the Centre is still fully functional.

Next Page - Stage 3. If there is another vacancy in the wing, we take Search/Escort 2 and only let inmate workers out of cells. List supplied from George who is required to work.

Two Officers in the Wing and 1 Officer on the ground to process discharges.

8.00 am - sweepers start cleaning wings etc and staff let inmates on programmes out of cells to attend Activities at 9.00 am.

Stage 4 - if there is another vacancy in a wing, Search/Escort 1 is located to the position and we only have the AM on the ground. After 9.00 am mail has to go to the front office, escorts, inmates to get out prior to 8.00 am. However when all inmates are at work and involved in programmes, Search/Escort 1 and 2 can return to normal duties, escorts etc.

By keeping inmates in wings and sweepers out only, this frees up Officers to do other duties.

Search/Escort will be removed during the course of the day due to the nature of their job, i.e. escorts. Etc. This is why we are saying we won't let non-workers out because there are too many inmates and too few staff on the ground.

This will give the Roster Clerk time to contact staff and Centre should be fully operational at 12.00 md.

The Overseers get the benefit of being able to perform in Business Units which will be able to operate. Less stressful environment. We have lost some good Overseers due to frustration about being stripped everyday.

Inmates will have a less stressful environment.

"A" Watch Officers do not have to put up with getting inmates out of the Wing who want to stay in bed all day. They are out of the system, not standing over other inmates. We will be able to do case management with these inmates. We will be busy getting inmates out for Doctor's parade, Psychology and Welfare.

There are 2 Officers present in the case of allegations being made against staff.

Critical of empire building re programmes. Not against it but have argued that the figures are not positive. This will get inmates into programmes that would not normally be involved.

With the lock-down protocols, inmates will get more involved in programmes and work activities.

Activities has an Officer everyday, morning and afternoon so there is no

reason that the programmes cannot be run.

We can also monitor numbers, if numbers increase we will have Search/Escort or Officer to do inspections in this area.

The document that was put up the other day, inmates can be locked in everyday and then be transferred to St. Heliers. It was basically maximum security stuff.

We think our protocol is worthy of a trial.

You have a misconception of where I am coming from.

The document presented is getting to where I am coming from. What you have just explained is all those components you have said here because you are fully aware of what it means, it is very clear to yourselves. It has to be documented in the procedures and protocols. If a statement of duties reflects in the protocol, and it can vary to exactly what you have said to me. All this combines to explain clearly what you are doing with these Officers. It has to show us what they are doing. This is all we have asked for from the beginning. It needs to reflect to outsiders what your intent is.

The second Officer has other duties and may not be there and has to be replaced. What we are saying is, I am not entirely comfortable with one officer in any area, however it is saying we recognise Search/Escort Officers have other duties and when they go there they are there to shower inmates for work or programmes etc.

If you look at the original Operational Agreement, it is nowhere near as specific. We got the original protocol past the members with 9 votes only. We got heavy support from the Overseers and Activities.

I am not willing to try and redevelop a protocol, staff have agreed to the protocol we have written. The changes in the document have been explained to the members and they have no problems with this. The Governor runs the gaol. If members don't look out for each others safety, I don't know who will stand up for them.

This document is designed to take pressure off. For years I have had overseers complaining and Activities Officers complaining about being stripped and closed down. It was our own members concerns that led us to do the document, but it also addresses the Governor's concerns.

There is nothing in the document that says we will be bloody minded about letting the Governor run the gaol.

We have never been asked to explain this. This is what we originally put to the members. I went home and wrote that to take you through what we are

saying here. We have no problems with the development of post duties and SOP's.

This was a reasonable ask from Management. We are not against trialing this. We just like to have input in how we can present this to [redacted] when he comes. He won't have any problems when we explain it to him. I don't see why we can't say in 1 Wing, this will occur.

I spoke to [redacted] on the phone re a few points, spoke to [redacted]. CSI have great concerns re this. CSI's involvement at Cessnock has been obstructive and some documentation that has been received has not assisted.

[redacted] letter does not reflect the overall concerns of where the Regional Commander and Governor are coming from. Not a team approach. We sat at this table over several meetings and took a constructive approach. I do not appreciate receiving the letter from [redacted]

We had something similar last week dropped on us, and it received a similar response. Neither the POVB or COVB appreciated it, when we had developed the lock-down protocol. The protocol is more than capable of working in the Centre when it is explained to the staff what it involves.

What [redacted] dropped on the table had some good points in it. At the end of the day if we get a consensus this is what it is about. I object when external factors come into it. Every person at this table is entitled to have input, that is what the process is all about.

Both parties were in agreement to start anytime after 01/01/2002. Here is it 6 weeks later before we are sitting at the table. What is written down there was on the table for 4 or 5 months and last week it was the first time it was raised that it was an inadequate document. Why has it gone this far before we are brought in here. Both parties were discussing it, they had their policy, a couple of meetings were held, it goes through and then it is halted.

Take the Operational Agreement process and the Grievance process, if you remember once these processes are voted on, it has to be agreed upon by Management.

Since then the process has changed, Mr. Woodham has encouraged Centres to adopt their own protocols.

Yes, but there still has to be a consensus when it comes to me. It still has to do through the lock-down procedures. I have spoken to [redacted] to bring Cessnock forward. Cessnock will be the next Centre to trial the protocols. POVB Consultative Committee Meeting will be held on 19/02/2002.

There are still some concerns re the protocols, i.e. the third page.

To address CSI concerns the change to the protocol at this stage will be no Overseers will be stripped at this point.

I would like this document to be Search/Escort. One document should be developed from the two.

This is what we want. I have written these protocols so that people know what we are saying.

If the existing protocol says these are the service posts, use 5 out of 6 and three of them are industries.

I am very comfortable with what [redacted] has said.

I am not prepared to change anything that changes the protocol. If you want more detail, then that is fine. If the substance changes in any way, the members will not accept this.

Why is [redacted] coming to Cessnock if we haven't run a trial.

[redacted] and [redacted] will come and address staff, and run through it. The same thing has been done at Grafton. These protocols will be attached to the back of what is required by [redacted]

What are their concerns about running the gaol. What are they going to come and tell us that we don't know about running the gaol. Are they going to come and tell us we are changing work practices.

This won't happen.

Generic protocols don't work.

This is why we are doing this. I contacted Governors and requested them to prepare document for their Centre and show it to [redacted]

It is a pity we don't have this trial up and running.

This is the process that has occurred, even at Grafton. They didn't do a trial until after the day [redacted] left the Centre. I am telling you what input I want.

At Parklea, they are going to do the lock-down protocol and Operational Agreement at once.

This is new to me.

[redacted] and [redacted] were at this meeting.

Then they have changed the direction.

We haven't got a problem with what and said. We are anxious to commence the trial.

If it was step by step how it was explained in the document, there will not be a problem.

I assumed that people understood what we were doing. I have only expanded on it. I requested take them up that we are doing the best we can. He said he had no problem with that. We could argue in court with the OH&S system this was the best we could do.

I believe at that point we are doing that. We are being sensible. Even with the protocol that there is now, there are a lot of roving workers that come back to the wings at certain times. If there is one in the wing and 15 maintenance workers come back for morning tea. There is more work involved than it is thought.

This document with what was voted on is very close to becoming a good document. This forum should be taking it as a team to through
There is no question about it going through, the question is please explain it to me. That is why I showed you Grafton's, to show you how it should be written.

We have an Operational Agreement and we do have SOP's at the moment. As long as the SOP doesn't conflict with the protocol.

That is not a problem.

We are looking for good practice. This is a good document.

It is open for consultation. You have your protocols - step them so they can be interpreted correctly.

Cautious about being too restricted in this. Need to have something that they can interpret in a commonsense way. Don't want to see them saying you are in this area and must stay. They will then say I can't be moved out of here. We are trying to say you can go over there. Trying to get away from putting people in boxes and they cannot go outside the square.

Where do you want to go from here.

Trial it.

Fine tuning should occur.

Consultation isn't just tell someone how things will be. Needs to be done under consultation.

Mandate to have a trial and refine it. If we get it going, fine tune it, with everyone's input. At the end of the day nobody can complain they didn't have a say in it. Get it up and running so we can fine tune it and find out the glitches.

If you get it going, staff will be positive if it works and if they have to vote on it again, more will vote for it.

I think the reality is you won't have many inmates sitting in cells. They will want do something, they will get jobs to get out. We will only have a handful of inmates locked in.

Need to develop hierarchy down the track to deal with this.

We will get together and develop SOP's from protocols.

We will combine with you to do this.

After this is done we will have staff meetings with overheads and run through document.

I am hoping to see better staff morale. Officers developing their own protocol, goes back to when we did the negotiations for the Operational Agreement. With the introduction of Maximum security, staff did their own protocols and there weren't any problems as a result.

In relation to problems at Parklea, I don't perceive any problems with the running of Cessnock. To compare with anywhere else, this is not where I am coming from. We are putting a lot of money into this Centre this year. Cessnock in the eyes of management hasn't got any problems.

would endorse this. Problems of us and them being experienced at Parklea are not experienced at Cessnock.

We really do need to finalise this thing correctly, I will have to check on what is happening at Parklea. We were clearly told that the Operational Agreement and lock-down protocols were not to be done together. It could be because they are changing their whole structure.

Kick trial off in a week and we will develop SOP's.

will come on the 19/02/2002 and then we will kick in process. The made it very clear that they want to give talk before trial has commenced. Staff Meeting concept is very important.

Staff Meeting to be arranged and I would like to attend. Arrange a meeting in the next week.

I would be happy to see this in as soon as possible.

There are huge changes to be introduced in the future for Officers and inmates re smoking.

Table at the next POVB Meeting and then go back to the Governor.

Give us some overtime to develop protocols.

12.00md to 2.00 pm overlap meeting to run over a few things.

MEETING CLOSED

CESSNOCK POVB MONTHLEY STOP-WORK MEETING
25TH NOVEMBER 2003

Members Present : 49
Commenced : 12 ; 38 pm
Chair : P Williams
Secretary : G Kelty
Apologies : B Casserley, D Harrower

Sean O'Brien addressed the meeting regarding the Officer Assistance Fund

Previous Minutes read by G Kelty
Moved : M Sinclair
Seconded : J Duff
Minutes Accepted

GENERAL BUSINESS

1/ P Williams read the Governor's answers to last month's minutes

2/ P Williams read the proposed Cessnock CC Trial Restricted Movement Protocol as previously voted on and gave a brief background as to why it was developed and that now these Protocols are now to be State-Wide across the service. . . also told the meeting that as this Protocol is now nearly two years old and that staff have come and gone since it was voted for the POVB would hold a fresh secret ballot on wether to accept or reject this protocol.

AGENDA ITEMS

1/ Leave re-credits and Leave Audit Team

After a brief discussion Motions 1 and 2 followed

2/ Audio Visual Link

After a brief discussion Motion 3 followed

MENTIONS TO THE GOVERNOR

1/ Officers are being placed on Leave With-Out Pay whilst they are in categories 1,2 and 3 of the Sick Leave Policy, when only in category 4 is there any mention of Unauthorised Leave and Leave With-Out Pay as punitive measures.

2/ Inmate concerts are becoming to big to manage properly, the POVB would suggest restricting the amount of civilians entering the centre for these events and restricting the inmate numbers as well.

3/ Inmates from the Maximum Security 11 wing and 4 wing on escort should have two officers escorting them. Recently an inmate from 11 wing was sent to Cessnock District Hospital with only 1 officer escorting him, as he was a C1 classification. This inmate was moved from the minimum side of the institution for stand overs and the review committee had recommended him a B classification.

4/ What is the progress of Area 1's telephone lines?

MOTIONS

(See Next Page)

Meeting Closed : 1: 45 pm

Geoff Kelty
Secretary Cessnock POVB
25th November 2003

**CESSNOCK POVB SUB-BRANCH
MONTHLY MEETING HELD 25/11/2003**

MOTION 1. This Sub-Branch moves that we call on the Department to re-credit annual or sick leave to Officers where known re-credits are outstanding immediately, and not to wait until all survey documents are returned.

Moved:
Seconded:
For: 49
Against: 0
Abstained: 0

MOTION 2. This Sub-Branch moves that we call on the Department not to alter any leave balances for POVB members who have requested an interview with the leave audit team, until such interviews take place and outstanding issues are resolved.

Moved:
Seconded:
For: 49
Against: 0
Abstained: 0

MOTION 3. This Sub-Branch moves that we call on the Department to create, fund, advertise and fill two positions, 1 x SCO, 1 x First Class CO, for bail video link staffing at Cessnock Correctional Centre.

Moved:
Seconded:
For: 48
Against: 0
Abstained: 1

CESSNOCK P.O.V.B SUB- BRANCH
APRIL MONTHLY MEETING
1st APRIL 1997

Meeting Commenced at :1.05pm

Chairperson : P Williams

Vice-Chairperson :

Secretary : T.Howen.

Delegates : G Malmgren

Apologies :D Gates , M Kelly

Members present : 40

MINUTES FROM LAST MEETING

Minutes of the previous meeting were read by T Howen.

Move to accept : B Rugg Seconded by : D Scheffler

Minutes accepted .

BUSINESS ARISING FROM THOSE MINUTES.

Nil

MENTIONS TO THE GOVERNOR FROM AGENDA ITEMS

1. Are staff being directed to stand in static positions under Towers.
2. Can a vehicle be made available to be positioned when the Oval is in use by inmates.

CORRESPONDENCE

Discussion Paper from Department.

Cessnock was offered an extra position on the "C" watch but it has been pointed out that what was offered was actually being funded on overtime and was not in fact an additional. The POVB will be negotiating for an additional position.

Therapeutic Unit :

& are to Visit Malawa, Long Bay Hospital , & the Kevin Waller Therapeutic Unit on the 7th & 8th March & report back to members at the April meeting in regards to staffing & information for members.

Cessnock :

Negotiations were still progressing re the Segro Unit, Staff Numbers , Visits manning etc , so far Cessnock has been offered a total of 29.922 positions but negotiations are still continuing with a further meeting scheduled for the 18th April.

2 Wing :

It was proposed by the department that the 2 wing become the Non Workers / Unemployed / Receptions wing & that the hours of operation would be 8am to 4pm to address the structured day for Cessnock. Members were told that the actual running of the wing would be in consultation with staff who actually work in the area after it was agreed that what was proposed to address the problem was acceptable.

MOTIONS

1. This sub-branch moves that we adopt the proposal re the inmate structured day as described by the Assistant Commissioner Operations on a trial basis with a view to incorporating it in our new Operational Agreement. All previous motions re Case management will be held in abeyance whilst the trail of the new system is being conducted.

Moved

Seconded

For 14

Against 4

Abstentions 5

Carried !

Moved

Seconded

For 14

Against 4

Abstentions 5

Carried!

2. This sub-branch moves that we review the success or failure of the proposal for 2 wing in 3mths from it's starting date.

Moved

Seconded

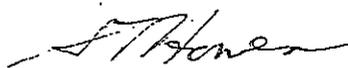
For 23

Against 0

Abstentions 3

Carried!

Meeting Closed at 1.50pm



A J Howen
Secretary POVB Cessnock

BREACH OF CESSNOCK CORRECTIONAL CENTRE'S
OPERATIONAL AGREEMENT
SATURDAY 26TH NOVEMBER 2005

To: All parties and signatories of The Cessnock Operational Agreement

From: Cessnock Correctional Centre POVB Sub-Branch Executive

We the Cessnock POVB Sub-Branch hold Cessnock Correctional Centre management in breach of the Operational Agreement section 4.5 as a result of Post Stripping at this centre on Saturday 26th November 2005 before all Overtime allocations had been exhausted.

This change to our agreed safe systems of work was without any consultation with POVB Delegates on duty and readily accessible to management.

In accordance with a Motion passed by this Sub-Branch on 27th April 2004 this Sub-Branch hereby gives notice that our members will withdraw from Case Management for a period of 7 days from when breach was identified (27 November 2005).



Geoff Kelty
Secretary
Cessnock POVB Sub-Branch
27 November 2005

**CESSNOCK POVB SUB BRANCH
MONTHLY MEETING
HELD 27/04/2004**

MOTION 1. This Sub-Branch moves that in the event of further, deliberate, serious breaches of the Cessnock Operational Agreement, involving deletion of agreed posts and affecting agreed safe systems of work, we will place an immediate one week ban on POVB involvement in Case Management, dating from when the breach is identified as such.

Moved:

Seconded:

For: 36

Against: 0

Abstentions: 1

To; The Governor

Subject ; Breach of Operational Agreement

As a result of a recent post stripping at this centre due to the calculating of hospital escorts B.V.L. and building maintenance to our progressive overtime hours tally posts were not maned today 11th September 2004.

On the 27th April 2004 this sub-branch gave notice that if this practice occurred again we would withdraw from Case Management for a period of 7 days from when the breach occurred.

This sub-branch will not have our safe systems of work compromised in any way.

If any officer is ordered to perform Case Management while we are in dispute please contact your delegate A.S.A.P.



A.J.Howen
P.O.V.B. State Executive
11TH September 2004

TO: JOHN DOYLE, JOHN SCULLION, P.S.A.
FROM: CESSNOCK P.O.V.B. SUB-BRANCH EXECUTIVE.
SUBJECT: BREACHES OF CESSNOCK OPERATIONAL AGREEMENT.
DATE: 10.5.1999.

We believe Management to be in breach of the following sections of the Cessnock O.A.

1.2.2.

As 1.49 Industrial positions in the inmate servery, and a vehicle gate position for demountables not included in the 134 positions (1.2.1) are currently sourced, and therefore funded, out of custodial resources, the agreed 134 positions cannot be said to be funded to 100%

2.3.1.

The 2 wing Programme, which is not described anywhere in the O.A., breaches the out of cells hours for Area One.

4.4.1.

The 600 hours overtime allocation is routinely used to staff long term hospital escorts which fall outside the guidelines of "unmanned posts."

4.5.1.

As above, "will be used to staff vacancies that occur within the centre".

4.5.2.

Four maximum security positions (visits on Thursdays) have been deleted indefinitely and so cannot be regarded as being used as service posts unless protocol in 4.5.1. is first followed.

5.2.

Equal distribution of recreation and training development is not occurring. Verbal assurance has been given by Management that this will be implemented.

5.5.

Post duties have yet to be formulated. Verbal assurance has been given, P.O.V.B. Executive awaiting date for committee formation.

7.2, 7.2.1. and 7.2.3.

Post created (demountables vehicle gate), posts deleted (Thursday maximum security positions - 4) and 2 Wing Programme established without written notification or incorporation in the O.A.

7.3.

As above.

Annexure One.

Deletion of positions in Annexure One, creation of position not included in Annexure One.

P.WILLIAMS.
P. Williams
CHAIR
CESSNOCK P.O.V.B.

10 5 99

TO: NORTHERN REGIONAL COMMANDER VIA CESSNOCK GOVERNOR.
FROM: CESSNOCK P.O.V.B. SUB-BRANCH.
SUBJECT: BREACHES OF OPERATIONAL AGREEMENT.
COPIES TO: GOVERNOR, P.S.A., FILE.

Sir

We wish to give notice of breaches of the Cessnock Operational Agreement arising from the utilization of the centre's 600 hour fortnightly overtime allocation to fund hospital escorts from this centre. This is clearly in breach of section 4.4.1 which states that the overtime allocation will be used to staff "unmanned posts" and section 4.5.1 which states that accumulated overtime will be used to staff "vacancies THAT OCCUR WITHIN THE CENTRE."

The staff shortages caused by the use of accumulated overtime outside the stipulated guidelines may further result in breaches of section 4.5 and 2.3 in that the lockdowns currently occurring too frequently at this centre translate into inmate unrest detrimental to the safety of staff and inmates.

At the negotiations for this O.A. it was acknowledged that hospital escorts from Maitland Correctional Centre were funded by Region and it is the belief of the Cessnock Chair that a verbal assurance was given that this would also be the case at Cessnock.

The current situation is thus in breach of both the letter and spirit of the O.A., especially with the dramatic escalation in the number of hospital escorts which has accompanied the changes at this centre.

As this is apparently a longstanding series of breaches we would ask for a speedy resolution to the current problems this is causing at Cessnock.

P. WILLIAMS

P. Williams
CHAIR

CESSNOCK P.O.V.B.

29-3-1999

TO: ALL PARTIES TO THE OPERATIONAL AGREEMENT.
FROM: CESSNOCK P.O.V.B. SUB-BRANCH EXECUTIVE.
SUBJECT: OPERATIONAL AGREEMENT NEGOTIATIONS.
COPIES TO: P.S.A., REGIONAL COMMANDER via GOVERNOR, COMMISSIONER,
DISPLAY TO MEMBERS.
DATE: 19-12-99.

The sub-branch executive reminds all parties that subsequent to the last round of negotiations in August we are still not in receipt of a draft of the proposed O.A. reflecting all that was agreed at that and prior meetings

Frequent verbal requests have been made by the sub-branch executive for the document to be produced in order that the process of re-negotiation, as requested by the Regional Commander, continue as expeditiously as possible. Whilst we appreciate that computer problems may cause delays, we would remind the Department that during negotiation of the Interim Operational Agreement in 1993, updated versions of what had been negotiated were, on occasion, produced within hours of negotiations taking place.

We further remind the Department that our view of the breaches of the current O.A. as outlined in our memo of 1-5-99 has not changed. The additional creation of the fourth Case Manager outside the agreed custodial staffing establishment is also viewed in the same light.

Nor has our contention that the agreed custodial positions under the current O.A. add up to 135 (as against 134 in the document) been either refuted or addressed.

Thus in all these issues the sub-branch executive has shown patience and forbearance. Of particular concern to us during negotiations has been the need to agree a set of protocols to deal with escorts and lockdowns in a manner which prevents or mitigates the effects of workplace violence on our members.

This is a current issue at Cessnock which remains unresolved and, failing its incorporation within the O.A., may become the source of disputes of the more traditional, if less harmonious, type.

We therefore call on the Department to, as a matter of urgency, expedite the process of negotiation or else provide our members with an explanation for the delays.

P.WILLIAMS
P. Williams
CHAIR, CESSNOCK
P.O.V.B.

FILE NO: 94/0567

SUBJECT: ALLEGED BREACHES OF OPERATIONAL AGREEMENT
AT CESSNOCK CORRECTIONAL CENTRE.

A conference was convened in the Governor's office at Cessnock Correctional Centre on Saturday 12th March, 1994 to discuss and resolve, where possible, alleged breaches of the Operational Agreement at Cessnock. The meeting commenced at 1.00pm and concluded at 4.30pm. The individuals present at the conference were:

A. Howard	-	Governor
D. Buchanan	-	Deputy Governor
A. Sykes	-	P.O.V.B. (Sub-Branch Chairman)
J. Weavers	-	P.O.V.B. (Delegate)
J. Carnell	-	C.O.V.B. (Delegate)
K. Kellar	-	Operations

CONCERNS RAISED BY THE P.O.V.B. REGARDING OPERATIONAL AGREEMENT

SECTION 1:2:1

The custodial establishment as at 6th March 1994 was nine (9) officers short of the agreed level of ninety six (96) custodial officers. Due to the breaches of other sections of this agreement, insufficient staff has been made available to allow the smooth implementation of area management. This has led to the continual stripping of most service posts on a daily basis and to the closure of areas within the institution. This creates a strain on the inmate/officer relationship which is at odds with the whole concept of area/case management.

RESPONSE:

The Department acknowledges that there are a number of custodial vacancies at Cessnock. Current vacancies comprise: one (1) Senior Assistant Superintendent (Staff Officer), five (5) Senior Prison Officers and two (2) Prison Officers, a total of eight (8). The following action has been taken in respect of the vacancies at Cessnock.

- a. The Staff Officer position has been advertised, the interviews will take place within the next week.
- b. Senior Prison Officer positions (various locations) were advertised in Issue 264 of the Corrective Services Bulletin. It is expected that successful applicants will be appointed within 2 weeks. However, placements may be subject to Appeals.

- c. The Kitchen Overseer currently being staffed by a custodial officer, will be advertised in the next issues of the Bulletin. The Relief Overseer will be advertised in the subsequent issue.
- d. The transfer list for custodial staff is currently being updated by Staff & Personnel Services. Where possible, the Department intends to activate the list to fill vacant custodial positions within Correctional Centres. However it is unlikely that the list will be activated prior to the period commencing 21st April, 1994.

SECTION 1:2:3

The two northern regional transport officers had not been removed from this centres staff establishment as at 8th March 1994, thereby depriving this centre of ten (10) A1 overtime shifts per fortnight which could have alleviated some of the problems addressed in the previous paragraph.

RESPONSE:

The two transport officers were removed from the rosters and the Custodial Staff Establishment on the 11th March, 1994. The A1 salaries overtime allocation has been adjusted accordingly.

SECTION 1:3:1

The inmate population in area one (1) exceeded the limit agreed Two hundred and twenty (220) on the following days: 25/02/94 = 223; 27/02/94 = 222; 28/02/94 = 226; 01/03/94 = 225; 02/03/94 = 224; No notification of an emergency or crisis situation was given to any union delegates at this institution to explain these occurrences.

RESPONSE:

In future the Area Manager assigned to Area "1" will monitor inmate numbers to ensure the inmate population does not exceed numbers specified in the Operational Agreement. To be included in daily check list for Area "1".

SECTION 2:3:2

The At Risk inmates in area three (3) were locked in away at 12.00 am due to staff shortage on Friday 4th March 1994. These inmates seem to be disproportionately disadvantaged in the event of staffing problems.

RESPONSE:

A "Working Party" will be established by the Governor to deal with and drive the

action required in relation to a number of issues raised by the P.O.V.B. The issues, detailed in this document, are as follows:

- a. Establish procedures for the sequential lock down of areas within the Centre (following the use of overtime and service posts) with emphasis on functions, activities and programs.
- b. Develop an implementation plan to "fast track" and streamline the delivery of Case Management Training.
- c. In conjunction with the Contact Screening and Induction Program, progressively introduce Case Management of inmates, initially utilising staff who have participated in Case Management Training.
- d. Develop a plan to ensure the shift overlap is utilised to address staff needs in an organised and equitable way.
- e. Develop local minimum standards related to inmate behaviour, hygiene, dress, industry etc. Determine the privileges and sanctions to be used as incentives and disincentives to encourage adherence to set standards.

The Governor has indicated that the "Working Party" will initially meet weekly and may have access to relevant staff and other resources when necessary. The "Working Party" will comprise: the Deputy Governor (Chair), Programs Manager, Staff Officer, C.O.V.B. (2 Delegates), P.O.V.B. (4 Delegates). The inaugural meeting of the "Working Party" will take place within 7 days.

SECTION 2:4:1

Little progress seems to have been made on "Case Management" despite it being at the core of the new inmate management system.

RESPONSE:

See Section 2.3.2. Working Party to address.

SECTION 2:6

No "minimum set of standards relating to inmates" has yet been disseminated to P.O.V.B. staff members.

RESPONSE:

See Section 2.3.2. Working Party to address.

SECTION 2:7

No information on the proposed "Hierarchy of privileges and sanctions" has yet been passed onto P.O.V.B. staff members.

RESPONSE:

To be developed centrally by Operations. Cessnock will be provided with an opportunity to comment.

SECTION 3:1:8

No weekend leave or external education programs have been implemented at this centre, nor has the day leave program been extended for suitable C3 inmates. This is despite the extremely positive influence these programs would create regarding inmate behaviour. As a minimum security establishment Cessnock should provide the full array of opportunities and privileges allowed "C" category inmates, consistent with this clause of the Operational Agreement.

RESPONSE:

Cessnock Correctional Centre has been given the capacity to provide pre-release programs to suitable C3 category inmates. The current guidelines are being reviewed by the Classification and Placement Division to enable Centres like Cessnock to increase the number of inmates participating in external programs. However, programs such as Works Release and External Education are resource intensive and may require management to establish the infrastructure necessary to facilitate these programs. Infrastructure issues related to sourcing employment, enrolling students, establishing travel routes, monitoring attendance etc. The Classification and Placement Division will ensure an appropriate mix of C1, C2 and C3 category inmates at Cessnock.

SECTION 3:1:9

There are no external students at this time.

RESPONSE:

There is one inmate enrolled in External Education at present. It is intended to increase this number on a progressive basis. The increase is subject to enrolments at the commencement of each academic semester, i.e. twice per year.

SECTION 4:2

It is the understanding of this sub-branch that a number of long term absences as defined in this section have been placed back on our staffing establishment, in direct violation of this Agreement. Thus an actual shortfall of nine (9) officers translates in the eyes of management to a mere fourteen (14) hours A1 overtime per day.

RESPONSE:

All long term absences have been removed from the Centre's staff establishment and the A1 salary overtime allocations adjusted accordingly.

SECTION 4:2:1

This sub-branch believes that officer (a long term absence from this centre as defined in section 4:2) is currently working at Regional Office, Muswellbrook, but has been returned to our books, contradicting this section of the Operational Agreement.

RESPONSE:

As stated previously, all long term absences have been removed from the Centre's staff establishment and the A1 salary overtime allocations adjusted accordingly.

SECTION 4:3

All vacant salaries as defined in section 4:2 are not being used to fund additional overtime hours.

RESPONSE:

This is not true. Examination of overtime use at Cessnock for the past three fortnights have revealed that on two of these fortnights, overtime use has exceeded the combined total of the allocated quota and A1 salaries. On the other occasion all A1 salaries available as a result of vacancies had been used to fund overtime. Documentation was provided for the perusal of all parties present. It is emphasised that the overtime available for use from A1 salaries as a result of vacancies, must be calculated and adjusted on a daily basis.

SECTION 4:4:1

It is our contention that the overtime referred to in this section is not only the four hundred and forth eight (448) hour fortnightly allocation but also the A1 overtime created by vacant salaries. As defined in section 4:3:1 the vacant salaries A1 is

calculated on a weekly basis and "will equate to five (5) shifts per fortnight for each vacancy". Nowhere in this document does it state that this A1 overtime is not to be treated the same as the four hundred and forty eight (448) hour allocation, therefore it should be able to be accumulated and used within the fortnight. It is our belief that the A1 overtime is currently being calculated on a daily basis and is not being accumulated. On average one (1) shift per day is being utilised and the remaining six (6) hours is lost to this institution. We believe this to be a serious breach of the operational agreement.

RESPONSE:

See previous response.

SECTION 4:4:2

It is our belief that breaches of correct rostering practices have occurred since the signing of this agreement.

RESPONSE:

With respect to this and the following three issues only one concrete example was provided by the P.O.V.B. The example did not relate to equitable distribution of overtime, higher capacity or correct rostering practices. The complaint related to Senior Prison Officers not being given access to working as the Roster Clerk which is a Senior Prison Officers position. The Governor has indicated that 1st Class Prison Officer will continue duty in the Roster Clerks position until five (5) vacant Senior Prison Officer positions have been filled. However, where possible, he may give selected Senior Prison Officers the opportunity to work as the Roster Clerk on days off.

SECTION 4:4:3

It is our belief breaches of the fair and equitable distribution of overtime have also occurred.

RESPONSE:

See previous response (4.4.2)

SECTION 4:4:4

Officers acting in a higher capacity for two consecutive days have been denied the opportunity to work the third, despite this being easily achievable.

RESPONSE:

See previous response (4.4.2)

SECTION 4:5:1

As previously stated, we believe the agreed overtime allocation is not being made available.

RESPONSE:

See previous response (4.4.2)

SECTION 4:5:2

Visits five (5), which was defined as part of the ninety six (96) custodial positions, has been removed from the daily roster, thus on some weekends, six service posts have effectively been stripped.

RESPONSE:

There seems to be some confusion regarding this issue. Examination of the post duties and staff roster developed locally appear to indicate that this position has been excluded from the custodial staff structure. A request has been made for Governor to return to Cessnock with his team on a day to be determined to clarify this issue.

SECTION 4:5:3

Essential posts have been partly stripped to man service posts, where the possibility exists to partly strip other service posts to deliver a continuation of said service.

RESPONSE:

This will not occur in future. Essential posts will not be required to provide services associated within the service posts unless an Area is locked down. However, service posts may be used to perform tasks associated with other service posts. A maximum of five (5) service posts to be left vacant per day.

SECTION 4:5:4

It is our belief that despite the chronic problems of staffing at this centre, requests to the Regional Commander for additional overtime are routinely turned down.

RESPONSE:

This is not true. There is evidence to show that Cessnock Correctional Centre has routinely exceeded their overtime quota. The only way this could happen is with the approval of the Regional Commander. Approval for additional overtime from the Regional Commander is dependent of the circumstances and the availability of regional funding for the overtime.

SECTION 4:5:5

We are unaware of an instance of this occurring.

RESPONSE:

Current custodial vacancies make it extremely difficult to staff Overseer positions with custodial officers. This may be possible when full staffing is achieved. The identification of qualified staff is dependent on the skills survey being done.

SECTION 5:1

No skills survey has yet been conducted at this institution.

RESPONSE:

The skills survey will be conducted by the Staff Officer in conjunction with the Programs Manager subsequent to personnel being appointed to these positions.

SECTION 5:2

The shift overlap has not been fully utilised in a manner consistent with this clause. The "A" and "D" watch overlap on posts that fulfil similar duties should comprise of eight (8) officers in wings. Two (2) escort or roving positions, and any two (2) executive officers working in the same area. Thus representing an overlap of between ten (10) and thirteen (13) officers, emergencies notwithstanding. current figures suggest as few as six (6) officers being trained, developed or recreated on fairly uneventful days. As executive staff have been given recreation (which they are fully entitled to under this agreement) and with the utilisation of P.O.V.B. members as relieving staff it is entirely consistent that executive staff also be utilised as reliefs to allow the maximum number of officers to be trained, developed or recreated. It is also seen that the changing of the starting time of rover one (1) to 1.00pm represents a breach of this clause as it reduces by one (1) hour the shift overlap with search/escort one (1), denying this officer the structured day.

RESPONSE:

See Section 2.3.2. Working Party to address. In relation to Rover 1, the Governor and the C.O.V.B. have indicated that the 9.00pm finish is necessary to ensure safety of staff employed in the Reception Room. There is a shift overlap in excess of 10 without this officer. These numbers are considered more than sufficient to facilitate personal development for staff.

SECTION 5:3

There has been no visit to other correctional centres organised for officers at Cessnock since the signing of this agreement.

RESPONSE:

The Governor has advised that he is in the process of organising a visit for a number of staff (to be determined) to St. Heliers Correctional Centre. This visit will occur within the next three weeks. More visits are to be organised. The Centre is committed to a target of 20% of all staff visiting other Correctional Centres each year.

SECTION 5:4

Many P.O.V.B. members have complained of being rostered "A" and "D" watches outside their allocated areas.

RESPONSE:

The Governor acknowledges that there have been some initial difficulties. As far as it is possible, given custodial staff deficiencies, staff will be rostered in their allocated Areas. However, staff may be rostered out of their respective Areas on overtime.

SECTION 5:5

The P.O.V.B. local executive is unaware of any committee as specified in this clause.

RESPONSE:

This task could be allocated to the "Working Party" identified in previous responses.

SECTION 5:6

Officers swapping within their own areas are being required to fill out a form giving special circumstances to their area manager despite this condition being specific to inter-area swaps under the operational agreement. Staff consider this practice an invasion of privacy. It should also be pointed out that the monitoring of swaps by area managers was designed to prevent officers falling behind in case files, which as previously stated is yet to become operational at Cessnock.

RESPONSE:

The Governor has agreed to delete the section requiring the reason for swaps from

the current form. The form is still necessary as a rostering record of agreement to swap shifts. It will still be necessary to provide reasons for any swap between Areas.

SECTION 6:3:2

The P.O.V.B. executive has no knowledge of the existence of a "Correctional Centre Management Team" at this stage.

RESPONSE:

The first meeting of the Correctional Centre Management Team will occur on Friday 18th March, 1994. Among others, C.O.V.B. and P.O.V.B. representatives have been invited to attend.

SECTION 6:4:3

No action has been taken in regard to informing the P.O.V.B. staff of any such protocol developed.

RESPONSE:

See Section 2.3.2. Working Party to address.

SECTION 7:3

Due to the large number of breaches listed this sub-branch believes that, whilst the P.O.V.B. has abided by the terms of the agreement, other signatories seem to lack the commitment to ensuring its smooth execution during these transitional times.

RESPONSE:

Correctional Centre Management, Regional Operations and the Department have an absolute commitment to the terms of the Operational Agreement at Cessnock. It is acknowledged that the current custodial staffing deficiencies at Cessnock have had a significant impact on achieving the terms of the Operational Agreement. However, the action outlined in this document regarding custodial staff vacancies is being pursued vigorously.

SUMMARY

This sub-branch voted democratically via a secret ballot to accept the operational agreement. The members thus committed themselves to the changes involved in the implementation of area/case management. The sub-branch executive believes that

were the terms of this operational agreement fully adhered to, then sufficient staff would be available to effect these changes. We would caution the Department of Corrective Services that consistent violations of this agreement, even when attributable to only a small reactionary element of management, undermines the credibility of the Department as a whole. We would cite this as a major reason for the limited response at this centre to the "family support committee" detailed in annexure five (5) of the agreement. We would further advise the Department that due to the heavy handed actions of a few, many of the staff at Cessnock see the Department as their major source of stress and are thus unwilling to expose their families to the same pressures.

For area/case management to truly succeed the goodwill of the rank and file prison officers is vital. For that reason the sub-branch union executive will continue to work towards holding the department to all commitments made in this agreement. Any harassment of our elected delegates impacts on all P.O.V.B. members and would quickly erode any confidence members have in the departments ability to adapt to the changes without changing itself.

Pursuant to this agreement the sub-branch executive is therefore committed to ensure that the said breaches were brought to the attention of its members and to act in accordance of the instructions. In so saying we see the said breaches as a direct contradiction of the departments own management plan (area/case management). We further see the said breaches as unacceptable and intolerable and call upon the department to conform forthwith with the agreement.

CONCLUSION:

The responses provided in relation to each of the concerns raised in this document demonstrates the Departments commitment to the terms of the Operational Agreement.

The summary has identified two issues that require specific comment.

The first of these issues relates to harassment of elected P.O.V.B. delegates. The Department and its representatives at Regional and Correctional Centre level are committed to eliminating harassment to any of its employees. Any incidence of harassment will be thoroughly investigated. The outcome of these investigations will determine the course of action to be followed. It is important to note that harassment in any form must be reported to the Governor in the first instance to enable appropriate action.

The second of these issues is a belief that Management is responsible for all action required by the Operational Agreement. It is not possible for one or two individual staff members, even if they are senior management, to ensure the action required by the terms of the Operational Agreement is successfully implemented without the co-operation and support of all staff members.

Increased communication at all levels is necessary to allay the suspicion and mistrust that is inevitable during periods of major change. In this light, management applauds the sentiments expressed by the P.O.V.B. and looks forward to working co-operatively with its members to achieve the terms and the spirit of the Operational Agreement.



.....
A. HOWARD
Governor
Cessnock Correctional Centre
14th March 1994

Distribution: Deputy Governor
Manager of Programs
Manager of Industries
C.O.V.B.
P.O.V.B.
Notice Boards

Suspected Breach Of Cessnock Correctional Centre's
Operational Agreement
Saturday 25th January 2003

To: All parties and signatories of Cessnock C.C. Operational Agreement

From: Cessnock C.C. P.O.V.B. Sub-Branch executive

We the Cessnock C.C. P.O.V.B. Sub-Branch executive suspect that the Centre's Management breached section 4.5 of the Centre's Operational Agreement and therefore our agreed safe systems of work.

This was without consultation with staff and/or their elected representatives on Saturday 25th January 2003, whereby 3 service posts were utilised before agreed levels of overtime (including A1 Overtime) had been exhausted.

The Sub-Branch notes that:

757.5 hours had been utilised
45.0 hours to be costed to the Attorney General's Dept for BVL
712.5 hours actual

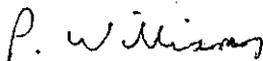
The Centre's agreed level:

557.1 hours daily accumulative
185.9 hours A1
743.0 hours actual

This shortfall equates to 30.5 hours of overtime or 3.8 shifts left to be utilised before post stripping can occur as per the Operational Agreement our agreed safe systems of work

The Sub-Branch notes that 6 hours of overtime was utilised to develop S.O.P.s for an Industrial Post on this day, Saturday 25th January 2003. When negotiated positions were stripped.

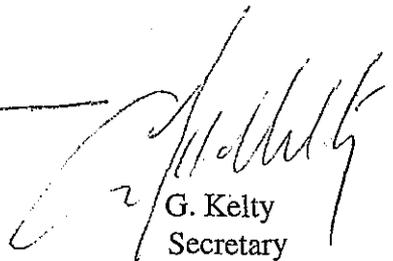
signed



P. Williams
Chairman



D. Harrower
Vice Chairman



G. Kelty
Secretary

CESSNOCK POVB MONTHLY MEETING
SEPTEMBER 17th 1999.

MEMBERS PRESENT: 34.
MEETING OPENED: 12.45 PM.
CHAIR: P.WILLIAMS.
ACT. SEC.: G.HETHERINGTON.
DELEGATE: T.HOWEN.
APOLOGIES: G.MALMGREN, V.BENTLEY.

MINUTES FROM LAST MEETING:

Read by T.Howen.
Moved to accept: R.Bungard.
Seconded: B.Casserly.
Minutes accepted.

BUSINESS ARISING FROM THE MINUTES:

The Chair read Governors answers.

AGENDA:

Increase in inmate numbers for P.M. Demountables was discussed after Chair read written proposed variation to agreed numbers. Inmate numbers to increase to 40 and overseer number to 4. Motion to accept followed (see Motion 1 of 17.9.99.)

CORRESPONDENCE:

Chair informed members that Governor had just informed him that funding for the monitor room fire escape had been approved. Chair read a letter from the new head of E.A.P.S., Peer support and staff psychology services. To display on union notice board. Chair read Mr Woodham's letter re role of witness in disciplinary hearings. Displayed on union notice board.

GENERAL BUSINESS:

1. Could we be informed of the provisions made for annual leave over the Christmas period?
2. What arrangements can we make to ensure smooth functioning of the gaol on New Year's Eve?
3. Staff still claiming difficulties obtaining new uniform issue.
4. Inmate visits arrangements for Christmas Day?
5. Can Department arrange flu vaccine next year?

MEETING CLOSED: 1.15 P.M.

**CESSNOCK POVB SUB-BRANCH
MEETING HELD 17/9/1999**

MOTION 1. This Sub-Branch moves to accept the amended ceiling (40 inmates) for Gencor afternoon shift on the proviso that all inmates are housed in the same wing and 4 Officers as agreed.

Moved:

Seconded:

FOR : 33

AGAINST : 1

ABSTENTIONS : 0.

Motion 2

This sub-branch moves that we call on Management to allow officers in Cortex to operate the Cortex Business Unit without further disruption to production. To continue on a structured days programme and not to be stripped outside of the agreed stripping procedure.

To resolve this we request the attendance of the sub-branch Chairman and all other relevant parties by way of a meeting.

moved: seconded:

for: unanimous

ALL stripping has been done
Agreement.

CESSNOCK P.O.V.B. MONTHLY STOP WORK MEETING
30th NOV 1999.

P1

Meeting commenced: 12.45 pm.

Chair: P.Williams.

Acting secretary: J.Burns.

Apologies: T.Howen, G.Malmgren, G.Hetherington, V.Bentley.

Members present: 54.

MINUTES FROM LAST MEETING:

The Chair informed the members that he was not yet in receipt of the previous month's minutes.

BUSINESS ARISING:

The Chair relayed to the meeting from memory and with reference to the 'October Agenda Items' what he believed the Governor's answers to be;

Gate area is subject to security review but not likely to undergo radical change to its structure.

Swaps between Senior and First Class will not be allowed.

The Governor was requested by the Department to select suitable officers to take part in the Recruitment Drive.

Staff notice board should not be a problem if inmates taken through metal detector side and adjoining gates.

Water cooler has been agreed to previously, building maintenance to address.

CORRESPONDENCE:

The Chair read a memorandum from Industries Manager, , re the change of starting time for the Cabinet Shop Overseers to 6.00am. From the ensuing debate it emerged that the officers affected had no objection to the proposal and nor did the sub-branch.

The Chair read the minutes of the P.O.V.B. Management Committee Meeting of 12th Nov. 1999.

Of special interest to Cessnock members were items no.

6. Pay slips to arrive on time,

15. Equal access to development opportunities.

Competency Based Training was also raised in the context that if use of Assessor skills becomes a criteria for promotion, then institutions like Cessnock, which do not normally receive probationary officers, will be disadvantaged.

The allegation that PABX phones were being monitored at Cessnock was raised with Mr Woodham to seek the Department's position if that were to happen. Mr Woodham stated that this was illegal and would not be condoned.

AGENDA ITEMS:

The only agenda item concerned non-filling of A.S.I. positions in some workshops but was withdrawn due to a change of heart by the Industries Manager.

GENERAL BUSINESS:

The Chair informed the members that John Doyle had stood down as State Chairman and been succeeded by John Campbell. The new state Vice-Chairman is Guy Eagleton.

The Chair re-iterated the sub-branch executive's position on case management in light of the A.C. Ops. recent visit, i.e. that we accept case management as part of our duties. However the Chair assured members that any cases of victimization would be defended on their respective merits.

The removal of the full-time psych nurse from the Crisis unit was raised and led to Motion One of 30-11-99. (See Page Three.) Inmates keeping budgerigars in their cells was raised due to the health risks (lice.) To mentions to Governor.

MENTIONS TO GOVERNOR:

Could we have a directive from the Governor for the birds to be put back where they belong?

In line with the principle of 'equal pay for work of equal value' could you impress upon the M.O.I. our view that vacant A.S.I. positions in workshops should be filled by 'acting up'.

MOTIONS: See page three, Motion One.

Meeting closed 1.40pm.

P. Williams
P. WILLIAMS
CHAIR, CESSNOCK
2-12-99

CESSNOCK P.O.V.B. SUB-BRANCH MARCH MONTHLY MEETING.
30th MARCH 2004.

Meeting Commenced at: 12.35 P.M.

Chairman: P.Williams.

Acting Secretary: C.Kennedy.

Apologies: G.Kelty, B.Casserly, M.Deegan.

Members present: 34.

MINUTES FROM LAST MEETING.

Minutes of the previous meeting were read by Cliff Kennedy.

Moved to accept: J.Duff. Seconded: S.Oakley.

Minutes accepted.

BUSINESS ARISING FROM THE MINUTES:

The Chairman read the Governor's response to mentions and motions of last meeting. Staff are aware we have new GRN radios but unsure if we have chargers for same. To be followed up with the Governor.

CORRESPONDENCE:

The Chairman gave an update on the M.R.R.C. strike and its consequences. He also further explained the differences between the Award and Operational Agreements in relation to the new Award negotiated for the new goals.

AGENDA ITEMS. NIL.

GENERAL BUSINESS:

(1) The issue of industries working during union meetings was raised from the floor. The Chairman repeated the position held by the sub-branch executive for some time i.e. that during paid stopwork meetings a degree of latitude be allowed to industries in order to protect contracts. The proviso to be that no member is forced to work when wishing to attend the meeting and that management, wherever possible, inform the sub-branch executive of the need for workshops to continue working.

(2) The Chairman raised the issue of the P.S.A. pay increase currently being sought of 25% over two years and explained that this figure was a starting point and was likely to go to arbitration.

MENTIONS TO GOVERNOR:

(1) As per section 5.3 of the Operational Agreement, can the Governor approach the Regional Commander re an institutional visit to Kempsey in the near future, due to the high level of interest shown by our members at the monthly meeting?

(2) Prior to the Crisis Unit re-opening, can round table talks be held with relevant parties to discuss staff rotation, time in area and a possible voluntary relief system?

MEETING CLOSED: 1.20 PM.

P. Williams
P.WILLIAMS
CHAIRMAN.

CESSNOCK SUB-BRANCH P.O.V.B. STOPWORK MEETING.
18.5.1999.

RE: DEMOUNTABLES AFTERNOON PROPOSAL.

MEETING COMMENCED AT 12.30p.m.

MEMBERS PRESENT: 52.

CHAIR: P.WILLIAMS.

VICE-CHAIR: G.HETHERINGTON.

DELEGATE: G.MALMGREN.

APOLOGIES: T.HOWEN, V.BENTLEY.

MINUTES FROM LAST MEETING:

No minutes were read as this meeting was a one-issue, paid meeting to accept or reject management's proposed Standard Operating Procedure (dated 18.5.99, signed by Governor Mitcherson) for the operation of the afternoon shift, demountables.

BUSINESS AT HAND:

The Chair called on the acting Secretary to read the SOP arrived at after some weeks of negotiation between the sub-branch executive and management. The main features were the provision of the third overseer and muster of inmates at 7.30pm, allowing for the overseers to supervise showering and lockin of inmates.

It was pointed out to members that SOP No.8 referred to in the document referred to the normal wing checks conducted by the Night Senior after lockin.

The matter was thrown open to discussion and a point was raised about any possible problems which might occur once the shift was up and running. The sub-branch executive assured the members that any safety concerns would be pursued with management.

The following motion was forthcoming.

MOTION:1.

This sub-branch moves that we accept the Standard Operating Procedure of 18.5.99 for Demountables "D" Watch for the duration of the contract, with a view to incorporation in the Operational Agreement if the arrangement becomes permanent.

MOVED:

SECONDED:

FOR: 46.

AGAINST: 4

ABST: 1.

Meeting closed at 12.55p.m.

P.WILLIAMS

P. Williams

CHAIR.

CESSNOCK P.O.V.B.

18.5.99

CESSNOCK POV B SUB-BRANCH
MONTHLY MEETING RECEIVED
HELD 28/06/2005 F4 JUL 2005

MOTION 1.

This Sub-Branch moves that, due to the Department's failure over 12 years to provide regular de-briefing of our members for issues that may arise specifically from their involvement in Case Management, and due to such involvement being a probable cause of psychological damage and a possible contributor to the staff suicide rate at Cessnock, we give the Department 28 days to provide monthly de-briefing of all our members involved in Case Management by an accredited Psychologist. Failure to do so will result in our members' withdrawal from involvement in Case Management from Tuesday, 26th July, 2005.

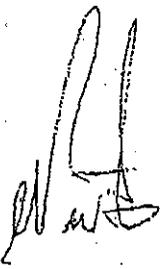
Moved:
Seconded:
For: 40
Against: 1
Abstentions: 0

DRAFT SICK LEAVE POLICY:

Cessnock members voted to instruct the State Executive, POV B to reject the Department's draft Sick Leave Policy and called for retention of the existing policy.

GOVERNOR'S RESPONSE:

From the Staff Meeting, I am advised that this Motion is not about the Officer who self-harmed. The Motion is about a pro-active approach to identify officers who are stressed through monthly de-briefing by a Psychologist because of their involvement in Case Management. The POV B believe this pro-active approach should reduce staff suicides and have a long term benefit to the Department.



N Provost
Governor
Cessnock CC
04/07/2005

FORWARDED TO PAUL IRVING FOR RESPONSE.


B. MORGAN
5/7/05.



Governor - Cessnock.

TO: ALL PARTIES TO THE CESSNOCK OPERATIONAL AGREEMENT.
FROM: CESSNOCK P.O.V.B. SUB-BRANCH EXECUTIVE.
SUBJECT: WAY FORWARD PROPOSAL.
COPIES TO: GOVERNOR, P.S.A., D.C.S. INDUSTRIAL RELATIONS.
DATE: 7TH AUGUST 2004.

The sub-branch executive of the P.O.V.B. calls on local management to abide by the Operational Agreement and provide 21 days written notice of any proposed changes stemming from the 'Way Forward' proposal. We further ask management to cease attempting to involve our members in downsizing of their workplace via staff meetings as this is contrary to our advice from the State Executive of the P.O.V.B. It also has the potential to open our members up to recriminations from their work colleagues.

We therefore ask management to abide by the established protocols and deal only with the P.O.V.B. office holders on this issue. We further identify our need to hold such additional stop-work meetings as will be necessary for the full participation of our members in the P.O.V.B. response to the 'Way Forward' proposal. We would expect these to be paid meetings.

P.WILLIAMS.
P. Williams
CHAIRMAN.
CESSNOCK P.O.V.B.

MOTION :

This sub-branch moves that we inform the Department that we do not regard the input of individual P.O.V.B. members into the Cessnock 'Way Forward' proposal as in any way equating to negotiations with this sub-branch. In line with P.O.V.B. State policy, we further discourage our members from involving themselves in the downsizing of our workforce. We again call on Management to provide their proposal, in written, detailed form, at their earliest convenience, so that this sub-branch may formulate its response, prior to negotiations taking place.

MOVED:

SECONDED:

FOR:

AGAINST:

ABSTAINED:

MOTION :

This sub-branch moves that we call on the State Executive of the P.O.V.B. and the P.S.A. to pursue, under section 23(1)(a) of the O.H.&S. Act 2000, any individual who uses the threat of privatization of our workplace in an attempt to intimidate our members into accepting systems of work at this centre which are unsafe.

MOVED:

SECONDED:

FOR:

AGAINST:

ABSTAINED:

MOTION :

This sub-branch moves that we call on the State Executive of the P.O.V.B. to formulate a statewide industrial response if the Department attempts to withdraw from any Operational Agreement and impose new systems of work, which may prove unsafe, without going through the due process of negotiation and arbitration.

MOVED:

SECONDED:

FOR:

AGAINST:

ABSTAINED:

MOTION :

This sub-branch moves that we call upon local Management, under the principles of fairness and equity, to make the shift overlap available to the P.O.V.B. sub-branch executive, to allow them to formulate their response to the 'Way Forward' Proposal, prior to negotiations taking place.

MOVED:

SECONDED:

FOR:

AGAINST:

ABSTAINED:

MOTION :

This sub-branch moves that we again inform Management that our negotiating team shall be a minimum of Chairman, Vice-Chairman, Secretary, a member of the State Executive, and our P.S.A. Industrial Officer.

MOVED:

SECONDED:

FOR:

AGAINST:

ABSTAINED:



Department of Corrective Services



Superintendent M. Ayrton
Governor
Cessnock Correctional Centre

Regional Commander
North West Region
Level 2/160 Bridge Street
Muswellbrook N.S.W. 2333
(PO Box 607)

Telephone: (02) 6549 0400
Facsimile: (02) 6541 1136

Our Reference:

Your Reference:

26 November 1997

Re: *Cessnock Correctional Centre Sub-Branch Motions*

I refer to the motions received at this Office 25 November, 1997 without explanation.

I can only assume that the Cessnock Sub Branch expect an explanation from me in regard to these motions.

MOTION 1:

- (1) *What steps the Department proposes to take to clear the area around the maximum security section in order to reduce the amount of available cover in order to reduce the amount of available cover to potential snipers?*

It is agreed that the vegetation on the eastern side of the centre will be cleared to enable a clear view across to the road. It is also proposed to construct a 3 metre chain wire fence on the boundary to prevent access to the centre.

The re-location of the Transport and Emergency Units to the demountable workshops will provide additional security.

- (2) *To what extent does the Department intend the response vehicle to be armoured against projectile assault?*

None. The response vehicle will not be an armoured vehicle. Procedures for emergency situations are to be responded from within the institution not externally.

- (3) *What fire power will be available to responding officers?*

40 calibre Ruger Carbine (similar in size and looks to the current Ruger 223)
38 calibre revolver.

*Copy to Sec P.O.V.B.
Dep 100V + SHAW OFFICER*

Arrangements are currently being made to provide training on the carbine to Cessnock Officers.

(4) *What protocol is to be observed by unarmed officers on the ground in the event of an escape attempt?*

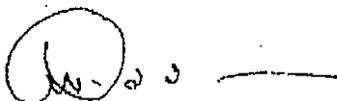
will be my representative working with the Governor, Executive and P.O.V.B representatives to develop these protocol and emergency response procedures for all types of emergent situations. All response procedures are to be responded from inside the centre, not externally.

MOTION 2:

Upgrading of riot equipment.

It is agreed that an additional 10 sets of riot equipment will be purchased this financial year with the remaining 10 sets made up from existing equipment transferred from Maitland Correctional Centre and what is held in the armoury at Cessnock.

Training will be provided as an ongoing commitment with a training schedule to commence on or about the 8 December, 1997.



K. Middlebrook
Regional Commander
North West Region

CESSNOCK POV B MONTHLY STOP WORK MEETING
17th June 1999.

P1

Meeting commenced: 12.45 pm.
Chair: P.Williams.
Acting Secretary: G.Malmgren.
Apologies: T.Howen, G.Hetherington, V.Bentley.
Members present: 52.

MINUTES FROM LAST MEETING:

Minutes from the previous meeting were read by G.Malmgren.
Moved to accept: C.Kelly.
Seconded: R.Gay.
Minutes accepted.

BUSINESS ARISING FROM THE MINUTES:

The Chair informed the members of the current position re Operational Agreement negotiations, i.e. 3 Wing 8-4 proposal withdrawn by Department, new draft proposal to be delivered to delegates at next round of negotiations on 2-7-99.
The Chair spoke about the recent Delegates to Management meeting and the Commissioner's and Minister's current positive attitudes towards the POV B.
The Chair sought members approval to draft a submission re more security cameras (2 Wing) for the centre. This was accepted and the issue of radios was raised at this time. The sub-branch executive informed the members radios would be raised with the Governor as a mention.

AGENDA ITEMS:

Activities officers move to back oval. Implications under section 2.3.5 of O.A. To be discussed with Governor.
Some officers still having trouble getting uniform issue.

MOTION:

Motion 1 of 17.6.99 passed unanimously. See attached.

GENERAL BUSINESS:

Industrial staff to be represented during negotiations.
Duty of care of custodial staff to civilians working without custodial presence.
Pool table at Maitland to be relocated to Cessnock.

MENTIONS TO GOVERNOR:

See attached.

MEETING CLOSED 1.30 pm.

P.WILLIAMS

P. Williams
CHAIR.

17 6 99

TO: P.O.V.B. STATE EXECUTIVE, P.S.A. INDUSTRIAL OFFICER.
FROM: PETER WILLIAMS, CESSNOCK P.O.V.B.
SUBJECT: DEPARTMENT'S RE-INTERPRETATION OF SICK LEAVE POLICY.
DATE: 22ND JANUARY 2004.

At the heart of the issue is whether the Department's new interpretation of the sick leave policy is consistent with the letter and spirit of the ORIGINAL policy agreed with the P.S.A. I believe that it fails on both counts.

Whereas the original document holds together when viewed as one entity, those clauses more recently inserted create a weird hybrid with a number of inconsistencies.

The Department's reliance on section 3 (Unauthorised Absences) as some sort of loophole in the original document is misplaced. When read in context and cross-referenced with the table of rewards and sanctions, it is obvious that section 3.1 refers to an individual the Governor him/herself has previously placed in category four and that the Governor is now exclusively dealing with that individual's sick leave.

This is consistent with the table of rewards and sanctions as a GRADUATED response to the level of sick leave taken without a medical certificate. Applying one of the most stringent sanctions of the policy in categories two and three is definitely against the letter of the original policy as defined in the table of ~~rewards and sanctions~~ rewards and sanctions.

As to the reliance on a section of the original policy taken in isolation, would this be permissible in any other legal document?

A large part of the current situation at Cessnock comes from the failure of various managers over a period of time to enforce the Department's sick leave policy at all. This may have led some officers to exploit the situation, perhaps now to their own detriment. However the greater responsibility rests with management. I doubt that a single manager's résumé mentioned an inability to execute Departmental policies.

With reference to the spirit of the policy, section 1.3 gives a guarantee not to penalize officers experiencing genuine health problems. A tightening of the policy might be justified if easier access to General Practitioner appointments now existed, compared with the situation in 1993 when the policy was formulated. Unfortunately the reverse may be true.

Also the policy places too much emphasis on General Practitioners as defacto policemen of the Department's policy, whilst not recognizing the growth in alternate medicine, as our members find more effective treatments away from the G.P.'s office.

Lastly, the Department, by its re-interpretation of the sick leave policy without its re-negotiation, places itself in the position of saying that for a number of years it DID NOT UNDERSTAND the policy it had signed off on, but that now it does. It would seem more likely that those individuals present at the genesis of the policy had a better understanding of it at the time than any collection of successors or 'cloudy memories.'

those with
Peter Williams.
P. Williams
Cessnock P.O.V.B.

- Q1. Under the 'Way Forward' proposal does the Department intend to ensure and maintain safe systems of work?
- Q2. Other than slashing staff to reduce the wages bill, what other efficiencies did the committee come up with to meet the Government's savings target for this goal?
- Q3. As the main thrust of the 'Way Forward' proposal appears to be budget driven, why didn't the Governor call a staff meeting to form a committee to suggest efficiencies in our recurrent costs of water, electricity, telephone, stores etc?
- Q4. Would the Department have any objection to independent auditors checking the Governor's budget for non-staffrelated efficiencies that may have eluded him?
- Q5. What minimum security centre with a history of 3 inmate murders is Cessnock being bench-marked against?
- Q6. What institution with a recent history of 4 Prison Officer suicides is Cessnock being bench-marked against?
- Q7. If the proposal for Cessnock is implemented, what impact does the Department expect this to have on,
- the morale of staff at this centre?
 - the psychological health of staff at this centre?
 - absenteeism at this centre?
 - the work performance of staff at this centre?
- Q8. Is the Department aware that overseas studies and historical precedent at Cessnock on the effects of downsizing on staff SURVIVING THE CULL include loss of motivation in the job, loss of interest in the job as a career, increase in conflict between staff members, increase in conflict between staff members and 'clients', a rise in absenteeism, vandalism and deliberate sabotage in the workplace and a rise in the number of psychological disorders among the staff?
- Q9. As the listed effects of downsizing impact on both officer and inmate safety, how does the Cessnock proposal make provision for this?
- Q10. If implemented, what effect does the Department expect the proposal to have on officers caring for dependents?
- Q11. If implemented, what effect is the proposal expected to have on female officers re,
- forced transfers from the lower Hunter region?
 - family friendly work hours?
 - suitable posts for pregnant officers?
- Q12. What provision has the proposal made for officers on rehabilitation who may be suitable for some Prison Officer duties?
- Q13. What is the likely effect on officer safety and that of the general public of returning to an eight o'clock finish for the "B" Watch?

Q14. If implemented, what impact will the Cessnock proposal have on the ability of this centre to meet the needs of staff at other centres who need compassionate transfers?

Q15. What impact will the proposal have on the structured day for staff, particularly the availability of training and development time?

Q16. Why, unlike in 1993 when a new system of managing inmates was crucial to the change in staff numbers, are there no genuine, new initiatives for managing inmates in this proposal?

Q17. Why has the 'Way Forward' proposal made no allowance for the fact that Cessnock has lived within its budget and that the P.O.V.B. has been pro-active in trying to improve the efficiency of lock-down protocols?

Q18. Does Management believe that case management can continue to be effective in the likely event Prison Officers withdraw their current level of commitment to it?

Q19. What impact will the proposal have on officers displaced by the closure of Maitland Gaol in 1998?

Q20. What allowance does the proposal make for the fact that, as responding officers are by definition placing themselves in a potentially dangerous situation, on occasion the courage of some officers may fail them and they may fail to respond at all?

Q21. Where Overseers are to be utilized as PRIMARY responding officers to incidents affecting staff safety,

- what time is expected to elapse whilst they secure their work location, ensure the safety and good order of inmates in their workplace and proceed through all gates and barriers to the problem area?
- where and how are they to secure their inmates?
- how are they to ensure the safety and good order of their inmates in their absence?
- how are they to respond if inmates are unco-operative during this process?

Q22. What allowance has this proposal made for the fact that some posts are suitable as primary responding officers, some are suitable as secondary responding officers and some are not suitable to respond at all?

Q23. What steps will be taken to ensure responding officers in noisy work locations can hear calls for assistance?

Q24. What is the Cessnock riot plan and how will it be implemented under this proposal?

Q25. Why are so few staff aware of any current riot plan and why should staff believe anything will change under the new proposal?

Q26. Why, despite the ongoing threat of terrorism, external attack or other outside intervention, has perimeter and outside grounds security been neglected under this proposal?

Q27. In the event of a serious threat to officer safety at the rear demountables, what are the

- a. current?
- b. proposed, responses?

Q28. In the event of a serious threat to officer safety in the Maximum Security section between 8a.m. and 10a.m., what is the proposed response?

Q29. In the event of 11 Wing inmates gaining control of the area and penetrating the Protection area between 8a.m. and 10a.m. what is the proposed response?

Q30. If implemented what impact is the proposal likely to have on

- a. unemployed inmates?
- b. underemployed inmates?
- c. inmate employment opportunities?

Q31. How many additional hours, on average, are Minimum Security inmates likely to be confined to cells per week under this proposal?

Q32. What impact is the proposal expected to have on inmate behaviour at this centre?

Q33. What impact is the proposal expected to have on inmate attendance at work locations and participation levels in programmes?

Q34. What impact is the proposal expected to have on the rate of suicide and self-harm among inmates?

Q35. How will the proposal allow for the efficient functioning of the methadone programme?

TO: ALL PARTIES TO THE CESSNOCK OPERATIONAL AGREEMENT.
FROM: CESSNOCK P.O.V.B. SUB-BRANCH EXECUTIVE.
DATE: 3RD AUGUST 2003.
SUBJECT: OPERATIONAL AGREEMENT NEGOTIATIONS.

Subsequent to the notice to re-negotiate the Operational Agreement received by this sub-branch, we re-affirm our commitment to do so. We further re-affirm our desire to ensure that our sub-branch is represented by the strongest negotiating team available. To this end we require that the Chairman, Vice-Chairman, Secretary and Associate Vice-Chair Country be present at said negotiations. Due to the apparent difficulties in arranging suitable dates being experienced by Management, we are willing to give consideration to the possibility of moving some of our days off, where possible, to facilitate said negotiations.

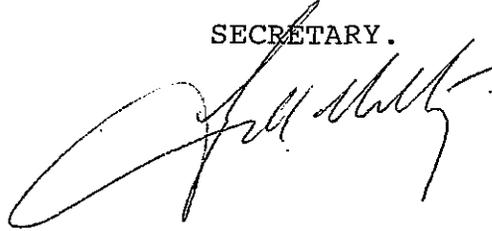
P.WILLIAMS.

G.KELTY.

CHAIRMAN.

SECRETARY.

P. Williams

A large, stylized handwritten signature in black ink, appearing to read 'G. Kelty', is written over the printed name 'G.KELTY.' and extends slightly to the right.

96/16900

New South Wales Government



Department of Corrective Services



FILE

Mr R Woodham
Assistant Commissioner, Operations
Department of Corrective Services
Roden Cutler House
24 Campbell Street
SYDNEY NSW 2000

Regional Commander
Northern Region
Level 2/160 Bridge Street
Muswellbrook N.S.W. 2333
(P O Box 507)

Telephone: (065) 49 0400
Facsimile: (065) 41 1136

RECEIVED
16 DEC 1996
NORTH REGIONAL OFFICE

Our reference: DD:96/077

Your reference:

Subject: Re-introduction of sugar - Cessnock Correctional Centre.

I am in receipt of a report from Governor Ayrton of Cessnock Correctional Centre regarding the re-introduction of natural sugar products into his centre.

It would appear that the local Inmate Development Committee has requested that the centre adopt the same guidelines that are in place in other similarly classified centres, and that sugar be re-introduced as soon as possible.

Before approval can be given for the re-introduction of sugar at the centre I believe the following points need to be clarified:

- 1/ POVB representatives at Cessnock Correctional Centre claim that Assistant Commissioner Woodham had previously given undertakings that sugar would not be re-introduced at the centre.
- 2/ I support Governor Ayrton's efforts to re-introduce sugar into his centre to maintain standard operating procedures applicable to all minimum security centres in New South Wales.

Forwarded for your information

Nadine

[Signature]
12.12.96

[Signature]

K. Middlebrook
Regional Commander
Northern Region

Sept 19 Ayrton
Governor
Cessnock C.C.

7 th December 1996

This matter will be dealt with

*Mr. Woodham A.S.A.P. We need to ensure appropriate
contingency dealing with such matters. A copy response will
be provided as soon as possible.*

[Signature]
[Signature]

NOTICE TO PRISONERS

In accordance with an approval from the Minister, the Corrective Services Commission is withdrawing a number of items from the list of buy-ups available to inmates.

The items for removal have been identified as having a direct relationship in the manufacture of gaol 'brews'. The consequences relevant to this situation include assaults on Prison Officers and inmates, and disruption to the good order, discipline and security of all institutions.

The items listed below will be removed from the buy-up lists from 3rd July, 1988, the only item for replacement is sugar, this will be replaced with "Equal" sweetener.

Items for immediate removal:

Sugar (replace with "Equal")	Creamed Rice
Cordial (Coolah to remain)	Peaches
Orange Juice	Two Fruits
Tang	Tropical Fruit Salad
Bonox	Pineapple
Sweet Corn	Pears
Olives	Apricots
Mustard Pickles	Wheat-grain
Ginger	Vegemite
Beans	Seeds - Sunflower etc.
Sultanas	After Shave (with an alcohol base)
Dates	

Also, Activities Officers will no longer be allowed to purchase any food items on behalf of inmates.



J. BALDWIN,
SUPERINTENDENT

29/6/'88

... IN ...

CESSNOCK P.O.V.B SUB-BRANCH
AUGUST MONTHLY MEETING
6th August 1996

Meeting Commenced at : 1.05pm

Chairperson : P. Williams.

Vice-Chairperson : D Gates part of meeting due to work commitments
[re- escort]

Secretary : T. Howen.

Delegates :

Apologies : G Malmgren, M Kelly.

Members present : 37

MINUTES FROM LAST MEETING

Minutes of the previous meeting were read by T Howen.

Move to accept : M Sinclair Seconded by : J Deal

Minutes accepted .

BUSINESS ARISING FROM THOSE MINUTES

Nil

GENERAL BUSINESS

discussed with members the merits of the new proposed system relating to overtime cards and how the calling on and availability for overtime will work.

Members were told that if all holidays etc and an even share of weekends were spread across the board PO's would only work 31.08 Sundays per year. Any number above that worked, should be considered a bonus amount and not necessarily an entitlement. When assessing the number of Sundays worked it has to be taken over the twelve month period .

MENTIONS TO THE GOVERNOR FROM AGENDA ITEM

1. Some officers have stated that they were refused Rec Leave when less than 10% of staff were on Rec leave.
2. Could tea and coffee be provided after the Officers Mess closes for the day.
3. Bulletin numbers have been reduced could you explain the new method of circulation.

4. Would it be possible to ensure a vehicle with a radio is available for escorts.

MOTIONS

Motion 1 of 6-8-96

This sub-branch moves that we the Department of Corrective Services provide the full Case Management training that were its responsibility to provide under the OH&S Act 1993 Section 15 [2] [c].

This sub-branch acted in good faith to fast track training to help the Dept achieve its goal of implementing Case Management at Cessnock.

The full training has since not been forthcoming and officers are now being unfairly criticised for their efforts in Case Management of inmates.

We therefore call on the Dept to fully train all officers to the standard provided by the Academy.

Moved : [REDACTED] Seconded : [REDACTED]

For 37 Against 0 Abstentions 0
Motion Carried Unanimously !

Motion 2 of 6-8-96

This sub-branch moves that all POVB members at Cessnock cease Case Management on Wednesday 21-8-96 unless the Management of this institution adopts a supportive role rather than the current punitive policy, towards our members as Case Officers.

We cite the list of concerns below re: Case Management compiled by this sub-branch as evidence of the current unsatisfactory state of Case Management implementation at this centre.

Moved [REDACTED] Seconded [REDACTED]
For 37 Against 0 Abstentions 0
Carried Unanimously !

POVB Areas of concern re : Cessnock Case Management

1. Requests for Case Management training routinely ignored.

2. Minimal or no assistance by case managers to facilitate reliefs to do case work.
3. Comments by case manager re: case officer inappropriately entered on inmates case file.
4. Officers routinely harassed re: case work immediately upon resuming duty after holidays or other long term absences.
5. Case managers too ready to create duplicate files [due to delays in dispatch of existing files].
6. Case managers who indicate case work required to be completed by red ink entries in case file and lack the courtesy to make verbal requests.
7. Rising case loads in area one , despite the redistribution of staff in all areas supposedly to correct this.
8. Inmate being told to pursue workers compensation claim against the Department through his case officer and not the appropriate workplace overseer.
9. The perception by Senior Prison Officers that case managers intend to hive off most of their duties to them.
10. Apparent duplication of information represented by PRC reviews Case reviews and case notes and the confusion this causes for case officers.
11. The demand for monthly case reviews of all inmates despite provision in case management for 3-monthly reviews of long - term static inmates.
12. The apparent increasing ability of Area & Case Managers to isolate themselves from the inmate population.
13. Lack of even basic case management training at Cessnock , despite some officers arriving from institutions where case management is practised at only a rudimentary level.
14. POVB requests for guidance from head office re : Case Management made 2 years ago with no action forthcoming

15. Managers with little or no experience as Case Officers themselves, and hence no understanding of the problems case management generates for case officers .

16 Problem of two , often conflicting sets of post duties. & the willingness of managers to reassign officers from case work to perform other duties in the centre & later complain about case work not completed.

17 The physical difficulty of accessing sometimes indifferent inmates to do interviews for case work , & the lack of allowance made for this difficulty by case managers.

18. The emotional drain on officers who have lengthy interviews with inmates with often harrowing problems of their own, & the total lack of debriefing by Case Managers of officers who are often traumatised by what the inmate has told them.

19. The failure of the POVB Executive talks with local management to resolve any of the difficulties case officers are experiencing with case management.

20. The apparent regular exclusion from Area Team Meetings of some POVB members.

21. The use of team meetings by some managers to harangue staff, thus inhibiting their input at meetings.

22. The failure of the same, tired, old, hierarchal structure to foster anything even approaching teamwork in the running of case management at this centre.

23. The increasing number of bureaucratic obstacles being placed in front of inmates requiring to see Welfare, Psychology or Area Managers & its impact on inmates & hence , their case officers,

24The still , despite [some improvement] inadequate number of inmates involved in Education , D&A face to face programs as part of the inmate structured day.

25 The failure by management to allow case management to evolve as a dynamic structure with input from case officers to decide what works & what doesn't.

26. The unrealistic demands of case managers, supplied in writing, which if followed to the letter by all case officers at Cessnock would see the institution grind to a halt.

27. The failure by case managers to have case officers relieved to be present at PRC committee meetings to allow inmates to realise the role case officers play.

28. Case managers requiring officers to re-do PRC reports because they have been misplaced without a thorough search for the missing reports.

29. Lack of consistency from area to area re case managers expectations from case officers.

30. Unco-operative inmates- no allowances made for this by case managers.

31. Clarification of "initial interview"

32. Case Managers changing the way certain aspects of case management is to be done by their own interpretation.

Meeting Closed at 1.50pm



A J Howen
Secretary POVB Cessnock

CESSNOCK POVB MONTHLY MEETING

8th February 2000

Meeting commenced 12.30pm

Members present 47

Chair P Williams

A/Sec T Howen

Apologies V Bentley , G Hetherington

Also Present State Chair J Campbell

Principal Industrial officer from PSA J Scullion

Previous minutes read by T Howen

Accepted by C Kennedy

Seconded by D Gates

Minutes accepted.

BUSINESS ARISING

addressed members re their concern about the length of time disciplinary matters were taking. informed members the State executive were constantly bringing this matter to the attention of Mr. Woodham and and in fact produced Dec 99 consultative minutes to support his statement. then handed the meeting over to who addressed members on this issue.

then informed members that the PSA was in fact endeavoring to has misnomers removed from files after two years and was confident they would in the long run be successful however the stumbling block was the Govt. Archives body who must keep all public servants record for 15yrs after death, whoever this block in not considered insurmountable.

AGENDA ITEMS

then addresses members about the letter asking for expression of interest for officers wishing to work in I Wing and be involved in the Phoenix program.

Members were informed that the sub-branch had some concerns about this method and it has now been agreed that the only expression forthcoming

will be only submitted by officers who do not wish to be rostered there otherwise the custodial input will be as it always has been.

GENERAL BUSINESS

then address members re the new search policy . The State position is this , that the State Executive will only agree to this policy when all people entering our facilities are all searched and treated the same until that time we will not agree to it.

then informed members that the PSA had agreed to allow members to vote on the new award and stated that it was a personal issue as if it was fought in arbitration there were no guarantees so members should vote by their own conscience.

then informed members of his concerns re the award and that he had concerns.

stated that two things that were not being talked about were that the award was not fully funded by the Government, the second being that to achieve these savings necessary to fund these pay increases the Departments will have to restructure to.

MOTION 1 We the Cessnock POVB move that if in the future, management strips a POVB Post in 1 1/4 Wing, even if for 1 or 2 hours at the end of the shift, that this Sub-Branch moves to an immediate stop work situation until the matter is resolved. As we consider this a very serious breach, not only of our Operational Agreement but also the OH&S Act in relation to safe agreed staffing levels and safe systems of work.

Moved

Seconded

Unanimously accepted

Meeting closed at 1.20pm



A J Howen
A / Secretary