

Submission
No 309

**INQUIRY INTO THE PRIVATISATION OF PRISONS AND
PRISON-RELATED SERVICES**

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Upper House Parliamentary Inquiry

Into The Privatisation of Prisons

**A Joint Submission From The Prison
Officers
Vocational Branch**

Goulburn Sub Branch

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Initially we would like to thank the NSW Government for allowing us the opportunity to submit our own opinions with parliamentary privilege.

Staff of the Dept of Corrective Services have been forced to tread carefully with opinion, and prevented from speaking out on the issues that

have had us arrive at this point of privatisation for fear of reprisal.

With Parliamentary privilege we can speak freely and frankly of the objections that we have.

Myself and another delegate from Goulburn attended the first session of the inquiry and listened with horror at the negative portrayal of members

of the union.

Firstly I would like the Committee to note that as an elected delegate of the POVB I am disgusted at the negative portrayal of the Union

Members. Our local members have worked with our local management in resolving issues and addressing performance as much and as often

as we have been allowed and invited to.

This "Way Forward" package as it has rolled out has been without any negotiation with the members of the local sub branch. Staff have not been

kept informed and this has caused high levels of stress and anxiety amongst the staff. Industrial disharmony has been the result.

The local sub branch has made numerous requests of management to attend at staff meetings and address the members with repeated

rejection. Staff meetings at Goulburn did not occur for at least four months.

Every staff member of the Dept. agrees that reform is necessary. Healthy reform aimed at improving services and efficiencies. Improved

management of resources and staff. Privatisation is not the answer.

Mr Woodham stated that the Union at Parklea and Cessnock were malevolent and inflexible. That the performance of these centres was

poor in comparison to other centres. That overtime and sick leave were at significant levels. What has the management of these centres done

to address these issues? Why have the management failed? How will privatisation fix these problems? Won't it mean that the problems will more

than likely re-appear in another facility given that these same staff may just relocate?

Privatisation offers a very short lived band aid solution to a systematic problem that is evidenced already by the Commissioner himself.

Having come from a managerial background and been a party to competency based assessment and performance based contract, how is it

that the Commissioner can openly state that he has failed to adequately manage his staff and dept and suggest that the staff are the problem? I

am sure that if the CEO of the Commonwealth Bank for example made such statements his position would most certainly be reassessed. Here

we are however seeking to displace up to 1500 staff and their families at a huge cost to the government to achieve the outcomes that any

dynamic manager with foresight and initiative could implement for the same cost as our Commissioners salary.

Considerably more cost effective than privatisation. Much more transparent and from a personal perspective, far more socially acceptable and

morally responsible.

A number of statements have been made by the Commissioner throughout this entire process. The remainder of this submission will be in point

form aimed at addressing specific issues relating to privatisation and exposing the truth behind the push for privatisation.

Excessive Overtime

Overtime is used to maintain agreed staffing levels within correctional facilities. Overtime usage varies from centre to centre, day to day and

has been necessary to ensure the safety of staff, inmates, visitors to centres and the general public.

In order for overtime to occur management must first decide that there will be an allocation of overtime. Once the decision has been made staff

are called and given the opportunity to accept. There is a tried and true method in the allocation of overtime and it is fairly and equitably

distributed amongst staff.

Overtime is offered on what is known to staff as the "card system". This term came about from an old system that used cards to show the next

officer due to be offered overtime. On a day off an officer may choose to cross their day as unavailable. The officers card remained in the same

position. If an officer was offered overtime and either accepted or declined their card was moved to the back of the file. This system was in place

for many years and has now progressed to a computer generated list. Staff are even now able to see the day before where they fall on the

overtime call on list. It is a fair and transparent process not open to rorting or manipulation.

Overtime is used to fill vacancies that occur through sick leave, staff vacancies within the centre, emergency situations, external escorts and

adherence to contractual obligations for Corrective Services Industries.

Some staff choose to engage in large amounts of overtime others choose not to engage in overtime at all. This is not because the process is

unfair but more to do with personal choice and commitment outside of the workplace.

Overtime has been in abundance for many years and it is true that some people have come to rely on it. There are many reasons for the

excessive amounts on offer.

One that comes to mind is the large number of staffing vacancies within the centres brought about by a decline in recruitment over a couple of

years coupled with the natural attrition rate of staff. In Goulburn there have been a number of structural changes such as the new gate, completion

of the High Risk Management Unit, the new Visiting Centre and the the new Boomgate/Visiting Processing Centre. Each of these structural

changes requires a review of staffing levels required to properly administer the

functions in these new environments. Staff are not consulted

on the structure or design of the buildings and it becomes apparent very quickly that due to the design it is necessary to increase staffing

levels to ensure the smooth and safe operation of the area.

New positions in these areas are quite often "unfunded". This means that these positions are not reflected in our centre staffing profile and as a

result will be filled with overtime. This is not cost effective and could quickly and effectively be addressed by increasing the staffing profile

accordingly.

Another contributing factor to overtime is the number of staff on long term sick leave, authorised leave without pay, part time and maternity leave.

These positions are not filled by activating the transfer list or increased recruitment so the vacancies are filled on overtime. Again not at all

efficient or cost effective.

Sick Leave

Correctional Officers award allocates the amount of fifteen days sick leave per annum. Until recently staff were also allocated two and a half days

per year family and carers leave. Carers leave has been reduced to two and a half days for the first two years and one day per year thereafter.

Contrary to the statements made in the first day of the inquiry, there has been a sick leave policy in place within the department for many years.

The last policy allowed for the use of five days in total on no more than three occasions for unsupported sick leave. Failure to adhere to this

policy would result in the loss of the ability to swap shifts or undertake overtime. This policy had the ability to be very effective however it was

never managed. Staff were not counselled as required in the policy and due to inadequate staffing levels it was impossible to administer the

loss of "privileges" such as shift swaps and first on call overtime. The old policy also stated that an officer must have worked a shift prior to

taking days off and not have been sick in order to be eligible for overtime. Once again the policy was not adhered to by management and was

unworkable due to staffing inadequacies. The new policy as referred to in the inquiry by the Commissioner is still heavily reliant on adequate

staffing levels within the facilities and once again will fail if not administered effectively and as intended.

It is the staffs opinion that the overtime was deliberately allowed to spiral out of control as a means of introducing "The Way Forward", with the

full support of government. It should be noted that one of the very first media releases from the Commissioner stated that sick leave and overtime

were at atrocious levels. All this just prior to the announcement of privatisation.

Once again a situation that could easily have been prevented with some sound financial and business administration.

Deletion of Executive Positions

The perceived deletion of executive positions is somewhat of a bug bear to the non executive staff.

The Commissioned Officers Vocational Branch came to agreement with the department to delete 54 executive positions. What the

Commissioner has failed to disclose is that these positions were "staff officer" positions. Staff Officers were in place in Correctional

Facilities to administer such functions as staff training, workers compensation matters and accountabilities. The deletion of these positions

have impacted very little on the executive staff but have made a huge impact on the front line officer. Where one staff member had a thorough

knowledge of on officers return to work plan and physical capabilities, training requirements and abilities it appears now no-one in particular has

knowledge or responsibility and as a result the frontline staff suffer, along with the department through lower standards of training and neglect

of their responsibilities in the area of workers compensation and rehabilitation.

This is absolutely disgusting given the environment in which we work.

Furthermore only 26 of these positions have actually been deleted. Where are the savings? How is it cost effective? Who now has the

responsibility? How can the Commissioner say that after three years the dept reached agreement with the Commissioned Officers when

the positions are still there and if they have been deleted the individuals in those positions are still employed at those centres?

Public versus Private

It is well known within the dept that centres purpose built and working under the island agreement are far more economically sound than

the private run prison at Junee.

Junee has the highest number of complaints logged with the Ombudsman than any other centre in NSW. If it is so superior to the public system

how is this so?

Welfare officers at Goulburn report situations that can only be referred to as embarrassing to the Dept of Corrective Services on inmates

transferred to Goulburn from Junee. Just recently an inmate arrived at Goulburn from Junee desperate to speak with welfare. Upon speaking

with welfare it was established that Junee had for months been without a welfare officer. This inmate desperately needed to have a case

interview with the Dept of Community Services over the care and welfare of his children. This isn't even a case of the inmate suffering

it's a case of a child, in the community, being placed at risk because of inefficiencies in a private prison. Who wears this burden? Not the

shareholders of this multi national company but the taxpayer of NSW.

For failure to provide the service of a welfare officer the company faces the possibility of a fine. I am led to believe that the fines however are

less than the cost of employment.

For the Commissioner to state that the private run system is as effective and that prison officers carry out the duties of welfare officers is a

blatant misconception of the truth.

All prison officers in the public system perform some welfare type work. This process is referred to as Case Management. It is the process of

becoming familiar with inmates within the facility and assisting them to become contributing members of the community upon release. However

correctional officers are not in the position to place inmates on the phone facilitating such things as Case Interviews with DOCS and the like. If

an officer were to undertake such an action they could be subjected to a formal investigation and quite possibly disciplinary action.

Private operators are not interested in their impact on the broader community. Their sole interest is profit. Larger payments for their

shareholders often at the expense of the community.

The Fear Factor

Correctional Officers have typically not had the opportunity to disclose the inadequacies of the prison system of NSW. This comes from an

affirmation of service not to disclose information to the public. In effect this has led to large amounts of information being kept private and

allowing gross levels of mismanagement to continue seemingly undetected. The only beneficiaries of this has been Senior Level Executive

Managers of the Dept.

The current climate has seen a shift in this type of activity commenced by the Commissioner himself. Negative and false reports published in the

media of overtime rorting and pizza clubs set off a series of slanging matches and it appears an expose of what is really occurring behind

prison walls.

We call on the Legislative Inquiry to make recommendations to parliament that a full investigation be undertaken prior to a decision being made

to continue with the privatisation of the NSW Prison System.

Conclusion

Correctional Officers at the front line have very little say on how the public dollar is spent. The union and its members generally focus a lot of

their attention on safety and working conditions. The union comprises of a membership of individuals with untold personal experience,

knowledge and skills. There is the ability of the Dept to draw on this pool of untold knowledge for the improvement in its standards of

service. Surely this is the answer, not selling out our public responsibilities to a company that doesn't have the best interests of our state

at heart.

We thank you for allowing us the opportunity to express our concerns in this forum.