

Corrections Management (Maintenance and Infrastructure Management) Policy 2016

Notifiable instrument NI2016-582

made under the

Corrections Management Act 2007, s 14 (Corrections policies and operating procedures)

1 Name of instrument

This instrument is the *Corrections Management (Maintenance and Infrastructure Management) Policy 2016*.

2 Commencement

This instrument commences on the day after its notification day.

3 Policy

I make the Maintenance and Infrastructure Management Policy, attached to this instrument, to facilitate the effective and efficient management of correctional services.

4. Revocation

This instrument revokes the *Corrections Management (Maintenance and Capital Upgrades) Policy 2014* [NI2014-401], *Corrections Management (Building Security) Policy 2007* [NI2007-452], and *Corrections Management (PDC: Building Security) Policy 2011* [NI2011-420].

Don Taylor
A/g Executive Director
ACT Corrective Services
17 October 2016



ACT
Government

Justice and Community Safety



MAINTENANCE AND INFRASTRUCTURE MANAGEMENT POLICY ALL FACILITIES

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Purpose

To describe the management of maintenance, capital upgrades, contracted services or deliveries at an ACT correctional centre to ensure the security and good order of

the correctional centre; and to protect the safety of detainees, staff, the community, and other people who work or visit the correctional centre.

The impact of this Policy on a detainee's human rights has been considered consistent with the *Human Rights Act 2004*. A detainee's human rights are limited only to the extent that it is reasonably and demonstrably justifiable.

Authority

Corrections Management Act 2007, Division 9.4.5, Part 9.8 and sections 14, 81 and 82.

Work Health and Safety Act 2011, part 2.

Financial Management Act 1996, section 31.

Objective

ACT Corrective Services (ACTCS) has a duty of care to provide a safe and secure environment which minimises the risk of harm to staff, visitors, detainees and the community, and is conducive to good correctional centre management.

This Policy applies to all maintenance, infrastructure management work, contracted services or deliveries carried out at ACTCS' facilities, and aims to ensure contractors understand their responsibilities when working in a correctional centre, and there is a process for accounting for tools and equipment used by contractors on ACTCS premises.

Where possible, ACTCS will utilise the existing maintenance and contractors engaged by the agency. The list of approved contractors can be located on the agency intranet.

For the good order, operations and security, a range of protocols are required when such persons or vehicles are entering and exiting an ACT correctional centre.

This includes:

- a process for approving work or services by external contractors;
- the control and monitoring of access and movements by external contractors within the correctional centre;
- a system of security measures for external contractors' vehicles, equipment and tools that enter a correctional centre;
- ensuring contractors are aware of information appropriate and relevant to working within a correctional centre; and
- ensuring all persons working within a correctional centre are accounted for.

Any contractor accessing an ACT correctional centre must adhere and be aware of the *Prohibited Things Declaration and Possession of Prohibited Things Policy*.

Any person attempting to introduce a non-authorised prohibited thing into an ACT correctional centre, or found in the possession of a non-authorised prohibited thing, may be subject to one or more of the following conditions, as directed by the Area Manager (in consultation with the Deputy General Manager or above):

- ask that the person dispose of the article;
- ask that the person return the article to a secured locker or vehicle;
- confiscate the article in accordance with the *Seizure of a Prohibited Thing Procedure*;
- deny a visit of any type;
- ask the person to remove him or herself from the correctional centre immediately (non compliance may result in removal from the correctional centre in accordance with the *Use of Force Policy* and *Use of Force Procedure*); and/or
- refer the matter to Police.

If applicable, a person's visitor status may be reviewed and revoked.

This Policy does not apply to emergency services, Police or contracted education or training staff accessing an ACT correctional centre. Please refer to the *Visits Policy* in relation to access requirements for these categories.

Information dissemination

A copy of this Policy will be available on the ACT Legislation Register, available for inspection at a correctional centre on request, and may be viewed by ACTCS staff on the ACTCS Intranet.

ACTCS will also ensure a copy of this Policy is made available to any external contractor or agency required to access an ACT correctional centre.

1. Operating Procedure

1.1 Required Approvals

1.1.1 Approval of maintenance and infrastructure management work

Infrastructure and maintenance work at a correctional facility must not be undertaken without the approval of:

- either ACTCS' Industries and Facilities Manager, Business and Security Systems Manager; or
- Deputy General Manager, Custodial Operations (Deputy General Manager) or above; and
- appropriate financial delegate.

Please see the Justice and Community Safety Directorate Intranet for details of financial delegations.

Access to a correctional centre must not occur without the approval of the Deputy General Manager (or delegate) or above.

Planned maintenance and infrastructure management works will, if possible, be scheduled to minimise disruption and security risks to the operations of the custodial environment.

Planned maintenance and infrastructure works at court cells will, if possible, be scheduled to ensure minimal interruption to the operations of the Courts.

1.1.2 Background checking

Contractors must submit an 'Associations, Pending charges and Convictions Declaration', and application for a National Police Check prior to being granted approval to access or undertake work at an ACT correctional centre by the Deputy General Manager or above (or delegate).

Where work must commence immediately, a person declaring nil associations, pending charges or convictions may be approved and granted immediate access to correctional centre by the Deputy General Manager or above (or delegate) after a check on CIS and OIS has been successfully completed.

The Deputy General Manager or above (or delegate) may approve and grant access to a correctional centre to a contractor declaring any convictions, pending charges or historic charges, having regard to the nature or seriousness of the charges and any risk to the security and proper management of the centre. The Deputy General Manager or above (or delegate) may determine any restrictions that are to apply to contractor access within a correctional centre in these circumstances.

Returned National Police Check information will be scrutinised and compared with pre-check disclosures. The Deputy General Manager or above (or delegate) may revoke approval and access previously granted to a contractor where a National Police Check identifies convictions or pending charges, having regard to the nature or seriousness of the charges and any risk to the security and proper management of the centre.

Prior to granting a contractor approval and access to a correctional centre the Deputy General Manager or above (or delegate) may seek and consider advice from the ACTCS Intelligence unit and Victim Liaison Officer.

1.1.3 Evidence of relevant licensing

All contractors required to conduct construction or maintenance work must hold and produce evidence of holding any current Construction Induction Card (White Card) and/or current occupational and plant licences relevant to the work being undertaken, prior to work commencing.

A trade apprentice or trade assistant may conduct work if they hold a current White Card and are supervised by a suitably licensed person with the correct authority relevant to the work being undertaken, prior to work commencing.

Contractors are to comply with health and safety legislation and requirements at all times whilst working within the correctional centre.

1.1.4 Hazardous and high risk work

Contractors must present the following evidence for hazardous and high risk work, prior to work commencing:

- risk assessment; and
- license for that work; and
- safe work method statement for the work being undertaken or carried out.

For urgent hazardous and high risk work or maintenance required to be undertaken, please see section 1.6.1 of this Policy.

1.1.5 Induction

All contractors must receive a site induction prior to being granted access or undertaking work in a correctional centre.

The site induction will include a general security briefing for work where contractors will not have contact with detainees or will not enter a detainee accommodation area.

All contractors must complete ACTCS Security Awareness induction training delivered by ACTCS' Workforce Training and Development Unit, prior to working in an area of a correctional centre for work where contractors may come into contact with detainees or enter an occupied detainee accommodation area, unless approved by the Deputy General Manager or above with a Contractor Escort.

Contractor induction will detail emergency procedures for the centre in which a contractor is working.

All contractors entering a correctional centre must complete the acknowledgement section on the 'Contractor Approval and Access Form' prior to access to a correctional centre being granted by the Deputy General Manager or above (or delegate).

ACTCS will ensure a record of any Security Awareness Training and site induction undertaken is recorded on the 'Approved Contractor, Tools, Equipment and Vehicle and Register', and audited monthly by Operational Compliance to ensure all training and inductions are up-to-date.

ACTCS is not responsible for the loss, theft or damage of any contractor tools, materials or vehicles within an ACT correctional centre.

1.1.6 Privacy and confidentiality

Contractors must agree not to disclose confidential or private information gained as a result of working at a correctional centre, prior to work commencing.

Confidential and private information includes:

- any information about correctional facilities and systems, for example, security systems, building layouts or other physical infrastructure; and
- any information about a detainee; and
- any information about people working at a correctional centre.

All contractors must sign the acknowledgement and confidentiality statement in the 'Contractor Approval and Access Form' prior to accessing a correctional centre. In addition to this, contractors may be requested to complete a 'Deed of Confidentiality' prior to the provision of documents by ACTCS.

1.1.7 Escorted or Unescorted approval

The Deputy General Manager or above (or delegate) will determine when approving access for a contractor whether escorted or unescorted access is suitable for the contractor based on the nature and location of the work, and operational considerations (e.g. the extent to which the contractor will interface with detainees). Contractor access will be limited to areas of the centre necessary to undertake the related work.

Escorted or unescorted approval and access will result in the contractor being supplied with an appropriate pass and vest, and where determined necessary personal duress alarm, radio, FOB and/or keys, as detailed in section 1.2.2 of this Policy.

Once approved by the Deputy General Manager or above (or delegate), all approvals must be recorded on the 'Approved Contractor, Tools, Equipment and Vehicle and Register'. The 'Approved Contractor, Tools, Equipment and Vehicle and Register' will be maintained by the Facilities Support Officer.

1.1.8 Vehicle and other plant approval

The Deputy General Manager or above may authorise a contractor to bring a motor vehicle or other plant into a correctional centre.

Unless exempt by the Deputy General Manager or above for urgent work to be completed within the correctional centre under escort, contractors are required to submit a 'Contractor Tools, Equipment and Vehicle Approval Form' to be approved by the Deputy General Manager or above, prior to accessing the correctional centre. A contractor wishing to bring a motor vehicle or other plant into a correctional centre must also present to the Deputy General Manager or above:

- a current drivers licence or high risk plant licence, if required for the type of plant for which authorisation is sought;
- current vehicle or plant registration certificate, if required for the type of vehicle or plant for which authorisation is sought; and
- insurance policy covering use of the vehicle or plant, for example comprehensive vehicle insurance or public liability insurance.

Upon completion, details of the approved 'Contractor Tools, Equipment and Vehicle Approval Form' must be registered on the 'Approved Contractor, Tools, Equipment and Vehicle and Register'.

1.1.9 Tools, equipment and materials approval

Unless exempt by the Deputy General Manager or above for urgent work to be completed within the correctional centre under escort, contractors are required to submit a 'Contractor Tools, Equipment and Vehicle Approval Form' to be approved by the Deputy General Manager or above including any materials required for the work, prior to accessing the correctional centre.

Upon completion, details of the approved 'Contractor Tools, Equipment and Vehicle Approval Form' must be registered on the 'Approved Contractor, Tools, Equipment and Vehicle and Register'.

1.2 Entry and movement control

1.2.1 Registration

Once a contractor is approved and granted access by the Deputy General Manager or above (or delegate), the contractor's details will be added to the 'Approved Contractor, Tools, Equipment and Vehicle and Register'. The 'Approved Contractor, Tools, Equipment and Vehicle and Register' will be maintained by the Facilities Support Officer.

Contractors must not be admitted to a correctional centre without approval of the Deputy General Manager or above (or delegate) on the 'Approved Contractor, Tools, Equipment and Vehicle and Register' and production of a fully completed 'Contractor Approval and Access Form'.

For urgent work or maintenance required to be undertaken, please see section 1.6.1 of this Policy.

1.2.2 Entry and movement control

Contractors must report to the correctional centre reception, reception gatehouse or sally port on arrival to undertake work, and are required to pass through appropriate security checks and searches in accordance with the *Searching Policy* and *Searching Procedure* prior to entering the correctional centre. This may include K9 searches or scan searches with an itemiser.

A Corrections Officer must ensure the contractor is positively identified and confirm that a maintenance or work request has been made in accordance with this Policy prior to granting the person access to the correctional centre.

Any contractor required to access detainee accommodation areas are required to either enter through the walk-in metal detector, or be searched by a Corrections Officer with a handheld search scanner in the Sally Port, prior to access to the correctional centre being granted.

Correction Officers are required to ensure all contractors complete the 'Approved Contractor, Tools, Equipment and Vehicle and Register' prior to the contractor entering or exiting the correctional centre.

The Deputy General Manager or above (or delegate) may approve a contractor access to a FOB or keys. If a FOB or keys has been issued (must be attached to a key carrier at all times), the contractor is not required to sign in or out on the 'Approved Contractor, Tools, Equipment and Vehicle and Register', but is required to access the correctional centre through the iris scanner in accordance with the *Iris Scanning Policy* and wear a Green pass and vest whilst within the correctional centre.

Contractors must follow all directions from Corrections Officers, or an appropriately delegated ACTCS staff member, whilst they are inside the correctional centre.

Contractors working in a correctional centre will be issued with one of two types of contractor access pass as determined by the Deputy General Manager or above (or delegate) on the 'Contractor Approval and Access Form':

- Green pass, which allows a contractor unescorted access to a correctional centre with an allocated personal duress alarm, and where approved, access to a locked radio, FOB and/or keys; or
- Red pass, which requires the contractor to be escorted by a Corrections Officer at all times.

Contractors must wear their issued contractor access pass at all times while working in a correctional centre. Contractors will also be issued a high visibility vest displaying the word 'contractor' in easily identified print, which must also be worn at all times while working in a correctional centre.

1.2.3 Time contractors are able to access a correctional centre

Contractors will not be admitted to a correctional centre outside of daytime hours between 7:30am and 7:30pm, except where a significant risk to the asset, security or safety has occurred or where admission has been approved by the Deputy General Manager or above (or delegate).

1.2.4 Vehicle and other plant entry and use

The completed 'Contractor Tools, Equipment and Vehicle Approval Form' is required to be retained by the contractor and presented to a Corrections Officer for confirmation upon entering and exiting the centre.

The Gatehouse Officer must ensure an appropriate search is conducted of all vehicles, other plants and equipment accompanying any vehicle entering the correctional centre in accordance with the *Searching Policy* and *Searching Procedure*, prior to access being granted.

All equipment accompanying a vehicle/s or other plant/s must be managed according to this Policy and where possible must be secured within or to the vehicle/s or other plant/s.

All vehicle/s not in immediate use must be moved to the sterile zone of the correctional centre, which is the designated vehicle compound (e.g. during contractor lunch breaks). All vehicles must be locked with all tools, equipment or material secured. This area will be monitored by CCTV at all times.

Vehicle/s or other plant/s keys will be retained by the Corrections Officer escorting the contractor at all times while the vehicle/s or other plant/s are not in use and the vehicle will be secure (doors locked, windows shut, etc).

Contractor vehicle/s and other plant/s will be removed from the correctional centre at the end of each working day.

1.2.5 Tools and equipment entry and use

Contractors may only bring into a correctional centre tools and equipment that are authorised by the Deputy General Manager or above and are required for the work being undertaken. Tools and equipment brought into a correctional centre by a contractor will be securely maintained at all times when not in use by the contractor.

The completed 'Contractor Tools, Equipment and Vehicle Approval Form' is required to be retained by the contractor and presented to a Corrections Officer for confirmation upon entering and exiting the centre.

Any tools or equipment brought into a correctional centre without the approval of the Deputy General Manager or above are considered a prohibited thing and will be seized in accordance with the *Prohibited Things Declaration and Possession of Prohibited Things Policy*. This includes mobile telephones and any other electronic devices.

The Gatehouse Officer is responsible for ensuring all tools authorised by the Deputy General Manager or above are signed in and out of the correctional centre on the 'Tools Register', prior to granting the contractor access to enter or leave the centre.

The Gatehouse Officer must also ensure an appropriate search is conducted of all tools and equipment entering a correctional centre in accordance with the *Searching Policy and Searching Procedure*, prior to access being granted.

All contractor tools and equipment will be removed from a correctional centre by the end of each working day. The Deputy General Manager or above may authorise storage of tools and equipment in a correctional centre overnight, and if so, must designate a place for secure overnight storage of the tools and equipment.

Contractors storing tools and equipment in a correctional centre overnight must secure the tools and equipment in the designated place at the end of each working day. The Deputy General Manager or above (or delegate) must ensure that all tools and equipment recorded on the related 'Contractor Tools, Equipment and Vehicle Approval Form' have been secured.

Contractors must immediately report to a Corrections Officer if any tools or equipment cannot be immediately accounted for. The Corrections Officer must submit an Officer Report to the Area Manager or above detailing the loss as soon as possible after being notified by a contractor. The Area Manager may direct an immediate search of the worksite and surrounding areas be undertaken, and will ensure the Deputy General Manager or above is notified of the search and its outcome.

1.2.6 Materials and waste entry, use and exit

Materials (including flammable liquids, aerosols or explosives) and waste generated by maintenance or capital upgrade work are required to be securely maintained by the contractor at all times in accordance with the *Dangerous Substances Act 2004*.

Any materials brought into a correctional centre without the approval of the Deputy General Manager or above are considered a prohibited thing and will be seized in accordance with the *Prohibited Things Declaration and Possession of Prohibited Things Policy*.

The completed 'Contractor Tools, Equipment and Vehicle Approval Form' including any materials required for the work is required to be retained by the contractor and presented to a Corrections Officer for confirmation upon entering and exiting the centre.

The Gatehouse Officer must ensure an appropriate search is conducted of all materials, including waste products entering the correctional centre in accordance with the *Searching Policy* and *Searching Procedure*, prior to access being granted.

All unused materials and waste generated by maintenance or capital upgrade work will be removed from a correctional centre by the end of each working day by the contractor. The Deputy General Manager or above may authorise storage of unused materials and waste in a correctional centre overnight, and must designate a place for secure overnight storage of the unused materials and waste. Unused materials and waste retained in a correctional centre overnight must be securely stored in the designated place at the end of each working day.

The Contractor Escort must at the end of each working day verify that all unused materials and waste have been removed from the area where work occurred or securely stored in the designated place.

Contractors must immediately report to a Corrections Officer if any materials or waste cannot be immediately accounted for. The Corrections Officer must submit an Officer Report to the Area Manager or above detailing the loss as soon as possible after being notified by a contractor. The Area Manager may direct an immediate search of the worksite and surrounding areas be undertaken, and will ensure the Deputy General Manager or above is notified of the search and its outcome.

1.3 Contractor Escort Duties

Corrections Officers, or ACTCS non-custodial staff with appropriate delegations, rostered for duties as a Contractor Escort are to ensure:

- they and the contractor are in possession of the 'Contractor Tools, Equipment and Vehicle Approval Form' at all times whilst the contractor is within the correctional centre;
- they assist the Gatehouse Officer in processing the driver and vehicle into the correctional centre;
- all contractors, their vehicles and tools are under supervision at all times, unless the Deputy General Manager or above (or delegate) has approved unescorted access;
- contractors sign in and out in the appropriate register;
- contractors wear the appropriate contractors access pass and vest;
- contractors only take required tools, equipment, materials and vehicles into the correctional centre;
- contractors tools, equipment, materials and vehicles have been searched and are signed in and out of the correctional centre on the appropriate registers;
- all tools, equipment, materials and vehicles are accounted for prior to the contractor exiting the correctional centre;
- any missing tools, equipment, materials and vehicles are reported immediately;
- there is no unnecessary communication and no transfer of unauthorised articles between contractors and detainees;
- the Area Manager and Area Supervisor are informed when authorised contractors are working within an area under their responsibility;
- any compliance and additional security requirements determined by the Deputy General Manager or above (or delegate) are adhered to;
- ensure the worksite has been searched and secured, prior to all contractors exiting the correctional centre; and
- wherever practicable, detainees will be locked out of areas where work is being undertaken.

1.4 Compliance and Inspections

Daily compliance checks and inspections will be conducted for each construction site and any sterile zones within the correctional centre via the 'Contractors, Tools, Equipment and Vehicles Compliance' checklist.

Daily compliance checks and inspections will be conducted for each contractor entering the correctional centre via the 'Contractor Escort Checklist', with the process audited weekly by the relevant Industries and Facilities Manager, Business and Security Systems Manager, Operations Manager or Area Manager.

The 'Approved Contractor, Tools, Equipment and Vehicle and Register' will also be audited monthly by the Operational Compliance Team to ensure compliance with this Policy.

1.5 Completion of works

All contractors must report to the appropriate ACTCS' Manager (either the Industries and Facilities Manager, Business and Security Systems Manager, or Deputy General Manager) upon completion of works to obtain sign-off that the works have been satisfactorily completed.

The ACTCS' Industries and Facilities Manager, Business and Security Systems Manager, Deputy General Manager or designated Facilities staff member will inspect the works before confirming the works are satisfactory and complete.

If the works are not as agreed, or complete, the contractor will be requested to return and rectify any issues identified.

A relevant certificate of compliance must be provided for all licensed work undertaken, and all works or maintenance completed must adhere to relevant Australian codes and standards.

If the works are ongoing, a verbal progress update must be provided to ACTCS' Industries and Facilities Manager, Business and Security Systems Manager, Deputy General Manager or designated Facilities staff member in the first instance, before departing the correctional centre at the end of each working day.

1.6 Reporting process for faults maintenance

All faults, damage and maintenance issues are to be reported to Industries and Facilities Manager via the 'Maintenance Request Form' to initiate repair in accordance with this Policy.

All faults, damage and maintenance issues relating to security systems are to be reported to the Business and Security Systems Manager, Area Manager and General Manager (or delegate) via the 'Property Facility Report' to initiate repair in accordance with this Policy.

1.6.1 After hours faults or maintenance

If there is no appropriately delegated ACTCS facilities staff available or on-call for a night or weekend issue, maintenance work may be initiated by the Night Shift Manager to address maintenance issues arising. The Night Shift Manager will assess the urgency of the issues according to a two-tier hierarchy: urgent or routine.

Urgent maintenance issues are those presenting an immediate risk to safety or security at a correctional centre. For example, failure of a critical security system such as perimeter controls or a security server, or a major plumbing or electrical fault.

Routine maintenance issues are those that do not present an immediate risk to safety or security at a correctional centre, and can be adequately managed through interim arrangements until weekday support services resume. For example, it may

be possible to manage failure of a security camera in a non-residential area through increased patrols.

Urgent maintenance issues will be escalated to the Deputy General Manager or above (or delegate) for approval or further escalation.

Urgent maintenance work may only be undertaken by pre-approved contractors as determined in the 'Approved Contractor, Tools, Equipment and Vehicle and Register' and in accordance with the relevant sections of this Policy, unless approved by the Deputy General Manager or above (or delegate) in accordance with any restrictions or additional requirements deemed necessary, and appropriately recorded.

2. Forms and Templates

Contractor Approval and Access Form

Contractor Tools, Equipment and Vehicle Approval Form

Officers Report

3. Related Policies and Operating Procedures

Incident Reporting Policy

Incident Reporting Procedure

Incident Response Policy

Iris Scanning Policy

Searching Policy

Searching Procedure

Possession of Prohibited Things Policy

Prohibited Things Declaration

Management of Tools Policy

Visits Policy

4. Relevant Documents

ACT Government Code of Ethics

ACT Public Service Code of Conduct

ACT Public Sector Work Health and Safety Policy Statement

Approved Contractor, Tools, Equipment and Vehicle Register

Associations, Pending Charges and Convictions Declaration

Contractors, Tools, Equipment and Vehicles Compliance Checklist

Post Duties: Contractor Escort Officer

Post Duties: Gatehouse Officer

5. Relevant Memorandums of Understanding

Nil.

6. Legislation Requirements

Construction Work Code of Practice 2013

Corrections Management Act 2007

Dangerous Substances Act 2004

Financial Management Act 1996
Work Health and Safety Act 2011
Work Health and Safety Regulation 2011

7. Document Properties

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