



Custodial Operations Practice Directive

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Performance Standard: Employment incentives are provided to prisoners to ensure they are actively involved in rehabilitation and reparation activities.	
Outcomes:	
	Sentenced prisoners are employed wherever possible.
	Prison industries provide prisoners with meaningful activity through employment on a commercial, fee-for-service basis or in prisoner services or community service.
Accountability:	
Chief Superintendent, General Manager of a corrective services facility	<ul style="list-style-type: none"> Provides for employment of prisoners and assigns prisoners to available positions using an interdisciplinary approach that considers a prisoner's Progression Plan (PP) and the safety, security and good order of the corrective services facility. Ensures the facility's prison industries operate under a consistent commercial framework that is transparent and accountable through the use of auditing and accountability mechanisms.
Corrective Services Officer	<ul style="list-style-type: none"> Proposes employment options for prisoner employment applications and coordinates the approval process. Supervises prisoner employment ensuring the safety, security and good order of the corrective services facility is maintained.
Process Owner: Custodial Operations maintains responsibility for review and amendment of the Practice Directive.	

Human Rights

To ensure Corrective Services officers act or make decisions in a way that is compatible with human rights, officers must give proper consideration to human rights relevant to the decision including but not limited to:

- Recognition and equality before the law, including the right to equal and effective protection against discrimination;
- Freedom from forced work;
- Freedom of thought, conscience, religion and belief;
- Cultural rights – generally and for Aboriginal peoples and Torres Strait Island peoples;
- The right to humane treatment when deprived of liberty; and
- The right to have access, based on the person's abilities, to further vocational education and training that is equally accessible to all.

Limitation of human rights

Human rights can be limited if certain conditions are present:

- The limit must be provided under law;
- The limit must be reasonable;
- Any imposition on the human rights must be demonstrably justified in a free and democratic society based on human dignity, equality and freedom.

A person's human rights should only be limited to the extent that is reasonably and demonstrably justified.

Overview

The Chief Superintendent, General Manager of a corrective services facility must ensure a facility's prison industries operate under a consistent commercial framework that is transparent and accountable through the use of auditing and accountability mechanisms.





Custodial Operations Practice Directive

The objective is to ensure prison industries operate under a consistent framework which upholds the primary purpose of prison industry activities, which is to facilitate the rehabilitation of prisoners.

Prison industries must:

- Provide prisoners with meaningful work that meets community expectations;
- Provide the opportunity for associated vocational education and training opportunities that will assist prisoners to obtain employment post release and contribute to the good order and effective management of a corrective services facility; and
- Assist in reducing the cost of operating corrective services facilities.

Approval of a Prison Industry

Only the Chief Superintendent, General Manager of a corrective services facility may approve the establishment of a prison industry.

Any industry proposals from a Community Engagement Committee or Community Advisory Committee must be referred to the Chief Superintendent, General Manager of a corrective services facility.

Financial Management of a Prison Industry

All financial aspects of prison industries' operations must be in accordance with the provisions of the Financial Management Practices Manual.

All profits resulting from the operation of prison industries must be applied to reducing the cost of the operation of the corrective services facility.

Prisoner Working Conditions

The Chief Superintendent, General Manager of a corrective services facility must ensure:

- Monitoring of prisoners' working conditions to ensure levels of noise, heat, physically demanding work and excessive, continuous hours do not have negative health or safety ramifications; and
- All relevant provisions of workplace health and safety legislation are complied with at all times.

Except when in response to exceptional circumstances, prisoners should not be permitted to work:

- double shifts; or
- more than seven shifts per week.

Employment Streams

The employment streams operating in corrective services facilities include:

- Services (including prisoners participating in approved full-time educational programs as part of their Progression Plan);
- Industries (including aged and infirm full-time carers);
- Corrective services facility kitchens (not accommodation unit kitchens); and
- Work camps (including prisoners participating in community service).

The employment streams have corresponding incentive payment rates. Refer to the Incentive Payments section of this Practice Directive.

Employment Profiles

The Chief Superintendent, General Manager of a corrective services facility must have an approved employment profile for the facility that sets out the number of positions available in each area and the level of incentive payment that is applicable to each of those positions.

Only the Chief Superintendent, General Manager of a corrective services facility may permanently alter a facility's employment profile.

Refer Employment Profile (Example) Appendix IND1.





Custodial Operations Practice Directive

Additional Considerations – Prisoner Haircutting

Each corrective services facility needs to evaluate the need for an external provider to comply with the *Public Health (Infection Control for Personal Appearance Services) Act 2003* or the facility will need to train and educate a prisoner for this purpose. Refer Standard Precautions - Infection Control and Hygiene Management Procedure, *Public Health (Infection Control for Personal Appearance Services) Act 2003* and QCS Prisoner Hairdressing Information and Workplace Health and Safety Induction Booklet Appendix EMP1.

Job Descriptions

The rate of incentive payment for each position must be determined by the development and analysis of a job description and evaluation in terms of:

- Experience and knowledge required;
- Standard of behaviour required;
- Level of responsibility/trust/initiative required;
- Level of skill and ability required;
- Level of supervision; and
- Requirement to complete essential programs identified in the prisoner's Progression Plan.

Refer Prisoner Standard Job Description Appendix IND2.

The job description and associated rate of incentive payment must be approved by the Chief Executive or delegate. Refer CSA s316(1) and Queensland Corrective Services Instrument of Delegation of Chief Executive Powers.

A prisoner may only be promoted or transferred into a higher level of incentive payment if the prisoner meets the requirements of the job description and when an appropriately classified position becomes available.

Responsible Officer	Work Area Supervisor.
Approval and Review	Chief Executive or delegate.

Duty Statements

The Chief Superintendent, General Manager of a corrective services facility or nominee must develop duty statements for each position in their employment profile. Duty statements must detail how some or all of the key tasks as outlined in the standard job descriptions will be performed in the particular corrective services facility.

Duty statements are essential to justify a particular job being classified at a particular level in a corrective services facility's employment profile. Duty statements are to be approved by the Chief Superintendent, General Manager of a corrective services facility or nominee and reflected in the job details in IOMS.



Refer Duty Statement (Example) Appendix IND3.

Incentive Payments

Employment incentives are provided to prisoners to ensure they are actively involved in rehabilitation and reparation activities.

Refer CSA s316 and Incentive Payment Streams and Rates Appendix IND4.

Attendance Sheets

The Work Area Supervisor must complete an attendance sheet for each prisoner as directed by the Chief Superintendent, General Manager of a corrective services facility to record movement in and out of work areas. Such timesheets must be utilised to calculate payments to prisoners.





Custodial Operations Practice Directive

<p>Frequency of Payment</p>	<p>Incentive payments must be paid weekly to all prisoners entitled to its receipt.</p> <p>Payments must be authorised by the relevant financial delegate and processed in accordance with the Practice Directive Prisoner Entitlements: Prisoner Finances.</p> <p>Refer Queensland Corrective Services Delegations – Project Commencement and Financial Delegations Table.</p>
<p>Public Holidays</p>	<p>Prisoners must not be paid the incentive payment rates for a public holiday if they do not work on that day.</p> <p>If the corrective services facility closes a work area for a public holiday, prisoners working in that area will receive the support allowance.</p>
<p>Industrial Action</p>	<p>Prisoners must not be paid for shifts if they participate in prisoner strikes involving withdrawal of labour.</p> <p>Incentive payments must be paid if:</p> <ul style="list-style-type: none"> • A prisoner’s work is affected by industrial action by corrective services officers or other employees of QCS; • Corrective services officers are diverted to other custodial duties and unable to supervise the prisoner’s employment; • Machinery is not operational; or • Work is not available due to unsafe conditions outside the prisoner’s control.
<p>Prisoner Health, Sick Leave and Absenteeism</p>	<p>If a prisoner is deemed unfit for work after examination by Queensland Health staff, the prisoner must present their Work Area Supervisor with a medical certificate on the next working day.</p> <p>If medically unfit for work the prisoner will, on presentation of a medical certificate, be paid the support allowance for that day.</p> <p>When a prisoner fails to obtain a medical certificate for absent days they must not be paid and must not receive support allowance for that day/s. The Work Area Supervisor may also consider the prisoner for suspension/termination from employment.</p> <p>If the prisoner is deemed medically unfit to work for an extended period of time, the prisoner’s employment must be reviewed by referring the matter to the multidisciplinary team.</p> <p>Work Area Supervisors may consider other absenteeism from work on a case-by-case basis, taking into account the relevant human rights of the prisoner.</p>

Hygiene Allowance

The hygiene allowance is not payable in the first two weeks to a prisoner on remand or on initial reception. However the prisoner must receive an amenities pack in accordance with the Practice Directive Reception Processes: Admission and Assessments.

The hygiene allowance is a weekly allowance and may not be granted on a pro-rata basis.





Custodial Operations Practice Directive

Unemployment Allowance

The unemployment allowance is only paid on a Monday to Friday working week basis and must only be paid to prisoners who are willing to comply with their Progression Plan, engage in employment and rehabilitative programs (if applicable) and:

- Who are temporarily or permanently medically unfit for employment (a medical certificate or medical officer's opinion must be provided); or
- For whom a work position is not available including those on safety orders or 'at-risk' (refer to Practice Directive At Risk Management: At Risk).

Prisoners on remand are not required to be employed and must be paid unemployment allowance if they choose not to work.

Support Allowance

A support allowance is paid to employed prisoners who cannot work for an acceptable reason. Refer Payment for Absent Employed Prisoners Appendix IND5.

Employment Statements

If requested by a prisoner, a staff member may complete an Employment Statement Administrative Form 135 for the prisoner.

Public Version

