



Prisoner Development

External Service Providers

Custodial Operations Practice Directive

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Scope

1. Human Rights
2. Limitation of Human Rights
3. Service Providers
4. Entry to Facilities for the Purposes of Service Provision
5. Service Level Agreements for Funded Service Providers
6. Offender Programs and Services Accreditation Panel



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Prisoner Development

External Service Providers

Custodial Operations Practice Directive

1. 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:

- a) the right to equal and effective protection against discrimination;
- b) the prisoner's cultural rights – generally and for Aboriginal peoples and Torres Strait Islander peoples;
- c) the prisoner's right to freedom of religion and belief, including the freedom to demonstrate their observance of that religion or belief;
- d) the prisoner's right to privacy;
- e) the prisoner's right to have access, based on their abilities, to further vocational education and training that is equally accessible to all; and
- f) the prisoner's right to access health services without discrimination.

2. Limitation of Human Rights

Human rights can be limited if certain conditions are present:

- a) the limit must be provided under law;
- b) the limit must be reasonable; and
- c) 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.

3. Service Providers

Service providers are defined as 'public entities' when performing functions of a public nature for the State or a public entity, under s9(1)(h) of the *Human Rights Act 2019* (HRA). Public entities must act and make decisions in a way that is compatible with human rights, and when making decisions must give proper consideration to relevant human rights in accordance with s58(1) of the HRA.

Service providers are community-based, non-government organisations or individuals who provide a service to QCS. These providers may deliver in corrective services facilities or Community Corrections offices providing a range of additional services in support of general prisoner management. Where relevant and appropriate, service providers may also be considered by the Offender Services and Program Accreditation Panel.

Such organisations or individuals may be utilised for purposes including, but not limited to: meeting the specific needs of prisoners in defined and agreed areas in a group or individual context;

- a) provision of education and training by registered training providers;
- b) improving through-care and service delivery to prisoners by providing increased opportunities for localised support and participation either in custody or in the community;
- c) extending the scope of services offered by QCS; and
- d) referral to meet conditions of court orders related to assessed risk and needs of offenders under community supervision.

All employees of approved service providers delivering services within corrective services facilities are required to complete an Approved Form 27a Application to Visit (In Person/Virtual) – Professional, Official or Other Business Purposes.





Prisoner Development

External Service Providers

Custodial Operations Practice Directive

Offender Rehabilitation and Management Services (ORMS) will arrange for all relevant security checks and other conditions of service, including identification cards if required.

Once operating within a corrective services facility, service providers will come under the authority of the Manager, ORMS or Superintendent of the corrective services facility (or equivalent). Client identification, assessment, and referral processes must be negotiated and established in consultation with the relevant corrective services facility prior to the provision of services.

3.1 External non-government service providers

A number of external service providers deliver services to prisoners. This can include services provided voluntarily, funded by other government agencies, or funding by Queensland Corrective Services (QCS).

Where QCS funded, agreements between service providers and QCS are developed to complement current legislation, policies, procedures and QCS operations.

They include reference to the Queensland Government Code of Conduct for the Queensland Public Service, the *Corrective Services Act 2006* (CSA) and other guidelines when outlining the terms in which the services are provided and the behaviour expected by providers.

Funded service providers operate across a range of areas which may include, but are not limited to:

- a) programs (i.e. substance misuse, parenting and life skills programs);
- b) visitor transport services (i.e. assisting the families and friends of prisoners visiting corrective services facilities);
- c) religious services (i.e. pastoral care, spiritual formation, and prayer meetings). Refer to Custodial Operations Practice Directive (COPD) Community Engagement: Religious Visitors;
- d) cultural services (i.e. elder visitation programs and assistance with maintaining links between indigenous prisoners and their relevant communities);
- e) prisoner education and training;
- f) other prisoner services (i.e. playgroup for women and children); and
- g) Re-entry services.

For further information about the functions of external service providers and how this work supports QCS practices and objectives please refer to COPD Prisoner Development: Programs and Interventions, COPD Offender Pathways, COPD Prisoner Development: Education and COPD Prisoner Development: Re-entry.

3.2 External non-government advocates

External non-government providers are encouraged to liaise with relevant managers if they are aware of an issue which is causing concern or distress to a prisoner.

If external non-government providers wish to advocate on behalf of prisoners in relation to a major systemic issue, they should raise their concerns first with the relevant manager and if the issue is unable to be resolved at a local level, they should then raise their concerns through the Assistant Commissioner, Specialist Operations.





Prisoner Development

External Service Providers

Custodial Operations Practice Directive

3.3 Education service providers – QCS funded and Certificate 3 Guarantee (C3G) providers

A service provider providing education and training to adult prisoners under QCS funded and the Certificate 3 Guarantee (C3G) models must be a registered training organisation (RTO) and have Skills Assure Supplier (SAS) status with the Queensland Department of Employment, Small Business and Training.

Service provision will be governed under conditions of agreement outlining the location of delivery and parameters of service provision. These agreements are centrally managed by Offender Rehabilitation and Management Services with delivery timeframes negotiated with individual centres. Refer Administrative Form 301 Application to Provide Vocational Education & Training within Queensland Correctional Facilities and Queensland Corrective Services Instrument of Delegation of Chief Executive Powers. Once signed, a copy of the form should be provided to ORMS for record keeping.

3.4 Re-entry service providers

QCS Re-entry Services refers to the assessment, planning and support for prisoners moving from custody back to the community. The primary objective of Re-entry Services is to assist prisoners to gain release at the safest and earliest possible opportunity as well as providing support for successful supervision. Re-Entry programs include CREST, MARA, SQCC Women's Re-Entry and Post Release Supported Accommodation (PRSA) and Visitor Transport Service). See COPD Prisoner Development: Re-Entry.

Re-Entry contracts are managed centrally by ORMS and the Contract Management and Strategy Unit. Access to correctional centres and Community Corrections is managed locally in conjunction with ORMS, with some services having set spaces in QCS facilities to support contractual objectives. Some Re-Entry service providers are granted access to the QCS Integrated Offender Information System (IOMS) and its sister application PASS; access is managed according to contractual requirements through ORMS and IT Services.

4. Entry to Facilities for the Purposes of Service Provision

To provide a central coordination point and a record of all requests and visits to a corrective services facility, external non-government service providers must liaise with the Manager, Offender Development or Superintendent of the corrective services facility (or nominee) regarding how agreed service provision will be undertaken prior to entry of a corrective services facility.

Once approved, facility management is responsible for advising other facility staff of the approval, location and details of the agreed service provision.

All external non-government service providers must comply with the conditions of their Service Level Agreement, QCS policies and procedures, and the directions of facility staff, which may be made in the interest of the security and good order of the corrective services facility.

External non-government service providers (both funded and non-funded) may be appointed to one or more corrective services facilities, however, they are not permitted to attend a corrective services facility, other than those nominated in either their Agreement or letter of appointment, in their capacity as a service provider.

External non-government service providers are only permitted to move within a corrective services facility in accordance with the conditions imposed by the authorised delegate on the provider's access approval (or as operational requirements permit).





Prisoner Development

External Service Providers

Custodial Operations Practice Directive

Refer s156(5) of the CSA and Queensland Corrective Services Instrument of Delegation of Chief Executive Powers.

4.1 Completion

Agreements may end through contract expiry or may be terminated in accordance with specific contractual agreements.

4.2 Reporting requirements

Information obtained by service providers about client contact must be provided to the relevant corrective services facility's Senior Psychologist or Manager, Offender Development on a regular basis if requested.

While complying with the legislative requirements of privacy and confidentiality and the boundaries of ethical practice standards when disclosing confidential and personal information, client contact information must be sufficient to allow for appropriate post-intervention case management by QCS staff. If service providers are unsure whether certain information can be shared, they should speak with a supervisor, their ORMS program manager or CMSU contract manager.

Service providers must establish in collaboration with each relevant corrective services facility, a process to ensure that any risk of self harm or suicide, identified during or arising from offender contact can be assessed and appropriately managed by QCS staff.

Details of the provision of services must be systematically reported to QCS, Offender Rehabilitation and Management Services and site on a basis agreed between QCS and the service provider. These details are to be outlined in writing in either the Service Level Agreement or letter of appointment.

4.3 Complaints or issues relating to service delivery of an external service provider

Where a complaint is made regarding an external service provider, the complaint will be dealt with in accordance with the QCS Client complaint management policy and specific contractual requirements as specified in the Agreements.

Where the professional conduct or behaviour of a non-government service provider may contravene the conditions of the Service Level Agreement or letter of appointment which include reference to the Queensland Government Code of Conduct for the Queensland Public Service and CSA, attempts should be made to address the issue at the local level in the first instance, through discussion with the relevant local manager.

Should local resolution not be possible or appropriate, a formal complaint will be made in writing as specified in the Agreement. The Assistant Commissioner may, at their discretion, suspend a non-government service provider from their duties and temporarily prohibit their access to a corrective services facility or community corrections office in accordance with the contractual arrangements in place. In such instances, advice must be provided to the relevant Chief Superintendent or Superintendent Community Corrections as soon as practicable.

4.4 Injury

External non-government service providers who sustain an injury in the workplace must complete Administrative Form 173 Custodial and District Office Incident Report and submit this form to the relevant manager and the Assistant Commissioner, Specialist Operations immediately after an incident occurs.





Prisoner Development

External Service Providers

Custodial Operations Practice Directive

External non-government service providers who sustain an injury, while performing, or as a result of performing duties that they are authorised to perform, may make a written application for compensation, to Work Cover Queensland through their employer, advising of the injuries sustained and enclosing copies of medical expenses incurred.

QCS may arrange for a medical examination if required by WorkCover Queensland. Recommendations will be made to the Minister in respect of compensation and the Governor in Council may award compensation of an amount deemed appropriate.

4.5 Security

External non-government providers must not take any prohibited or unauthorised articles into a corrective services facility. Refer s123 and s163 of the CSA, s19 of the *Corrective Services Regulation 2017* and Appendix S1 Prohibited Things.

In instances where external non-government providers are required to work directly with prisoners, consideration must be given to the potential risks associated with such work and these risks should be managed appropriately.

4.6 Confidentiality

External service providers are bound to confidentiality and privacy requirements in accordance with the relevant provisions of the CSA, the *Information Privacy Act 2009* and the *Human Rights Act 2019*.

External non-government service providers must observe the need to maintain confidentiality relating to:

- a) corrective services facilities;
- b) the operations of facilities; and
- c) personal prisoner information.

External non-government service providers are to be provided with an appropriate area to meet with prisoners which ensures confidentiality of the conversation but considers the personal safety of the service provider.

All visits with prisoners accommodated in a Maximum Security Unit will be monitored and recorded. Refer to COPD Prisoner Accommodation Management: Maximum Security Unit, COPD Visitors to a Facility: Visits Process and COPD Confidential Information: Disclosure of Confidential Information.

5. Service Level Agreements for Funded Service Providers

QCS enters into a variety of Agreement types with external service providers (including Standing Offer Arrangements, Service Agreements, Service Level Agreements, Deeds of Agreement, Financial Assistance Agreements, Letter of Agreement and Contracts) to formally record the service delivery terms and conditions (Agreements). The Agreements are the governing document between QCS and the external service provider which also defines service delivery and financial reporting expectations in relation to grants of financial assistance (in accordance with Chapter 6, Part 1 of the CSA) where provided.

These agreements are negotiated and managed by Specialist Operations in consultation with the Procurement Services and Delivery Group and the Contract Management and Strategy Unit. Only the Chief Executive or delegate has the authority to approve or amend a Service Level Agreement.

Refer to Queensland Corrective Services Instrument of Delegation of Chief Executive Powers.





Prisoner Development

External Service Providers

Custodial Operations Practice Directive

At the commencement of each funding period, the Assistant Commissioner, Specialist Operations will advise the Chief Superintendents of each corrective services facility of the identity and contact details of the funded service providers servicing their facilities.

6. Offender Programs and Services Accreditation Panel

The Offender Programs and Services Accreditation Panel (the Panel), ORMS, is a quality assurance and governance mechanism for programs and services delivered in both Correctional Centres and Community Corrections locations. The Panel ensures that programs and services provided to offenders managed by QCS are assessed against criteria that cover the features of quality intervention delivery and is part of an integrated approach to offender management.

The Offender Programs and Services Accreditation Panel is responsible for:

- reviewing proposed programs and services against pre-defined criteria to determine accreditation status;
- ensuring that all offender behaviour programs are evidenced based and meet nationally accredited standards;
- ensuring desistance-based programs are fit for purpose, are based on a desistance framework, meet QCS needs and meet all QCS requirements to ensure effective delivery;
- ensuring that offending behaviour program documentation comprehensively defines the program including its purpose, monitoring, design, delivery, and implementation;
- ensuring that programs and services have demonstrable value, have clear and achievable outcomes, are an efficient use of resources, and risk areas are identified and mitigated;
- confirming that program and service facilitator requirements are met including the minimum training, supervision, competencies and other characteristics required to deliver the program or service; and
- reviewing and endorsing processes and changes to practice that support delivery of programs and services delivered to offenders, prior to implementation or submission to a higher authorising body as required.

Programs and Services are classified as:

- offending behaviour programs; and
- desistance programs.

For the purpose of accreditation, the Panel focus on two categories of programs and services, specifically offending behaviour programs and desistance/life skills programs.

There are two categories of activities that do not require accreditation by the Panel. This includes meaningful activities delivered in correctional centres such as art, crafts, music and Local Referral Services which correctional centres or community corrections may direct offenders to attend as part of case management. In general, programs or services that are local in nature and do not involve any in-kind or financial contribution by QCS are not considered by the Panel for accreditation.

6.1 Offending behaviour programs

This category focuses on evidence-based programs delivered internally, or delivered by an external agency on behalf of QCS. These programs focus directly on the underlying causes of criminality and seek to reduce risk of further offending. Programs delivered by QCS address general offending, sexual, violent, domestic and some substance abuse related offending. All offending behaviour programs must comply with the National Offending Program and Facilitation Standards to ensure they align with accepted best practice. These programs will usually have a strong theoretical underpinning in terms of models of behavioural change and a Cognitive Behavioural Therapy (CBT) or related therapeutic basis.





Prisoner Development

External Service Providers

Custodial Operations Practice Directive

Approved Offending Behaviour Programs will be recorded on IOMS and included as part of monthly reporting against Agency program participation targets for “other programs” or “sexual offending programs”.

Each application for accreditation will be assessed by the Panel using predefined criteria, which ensures all programs are evidence based and meet nationally accredited standards known to support desistance from offending. All programs must be supported by empirical research to support program outcomes.

ORMS can provide advice regarding program and service accreditation. Refer Programs and Services Accreditation Process Appendix PD5 and Application to Provide a Program or Service Administrative Form 115.

6.2 Desistance or life skills programs

These programs have an emphasis on supporting an individual to desist from offending. Desistance from crime is the long-term abstinence from criminal behaviour. The key drivers of successful rehabilitation and long-term desistance from crime have been set out in a “hierarchy of outcomes”. The hierarchy includes stable housing as the foundation with other elements of the pyramid, physical and mental health, positive family, kinship and community connections, learning and education, and employment/productive time leading progressively towards desistance from crime.

Desistance or life skills programs are intended to provide avenues for activities that are holistic and related to desistance from offending, but which in and of themselves will not solely reduce reoffending. These programs are designed to address responsivity issues, address needs more broadly and support behaviour change. These programs can help address cultural integration, family and parenting skills, coping skills, emotional regulation, substance abuse psych-education, and services designed to enhance an offender’s wellbeing such as Domestic and Family Violence (DFV) victim programs.

The accreditation process will apply to both internally and externally developed programs and services which focus on a broad range of areas of need that support prisoners to live more socially responsible lives and desist from offending.

Approved Desistance Programs and Services will be recorded on IOMS and included as part of monthly reporting against Agency program participation targets for “other programs”.

6.3 Induction and training

All service providers are required to undertake the formal induction training as outlined by the QCS Academy.

Corrective services facilities will provide facility induction training to new service providers as appropriate. Facility management should encourage the participation of service providers in staff training where appropriate.

Refer COPD Visitors to a Facility: Visits Process.

