Department of Justice and Attorney General

Queensland Corrective Services

Specialist Operations

Operational Assurance Framework

Queensland Corrective Services

Queensland Government

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Executive Director's Foreword

Specialist Operations is comprised of a diverse group of business units with a common focus on community safety. We work across a varied range of functions to:

- deliver state-wide sentence management and sentence administration services;
- contribute to the management of, and reporting on high risk offenders in centres or in the community;
- provide key intelligence and investigations functions;
- develop and oversee delivery of rehabilitation and offender development services, and
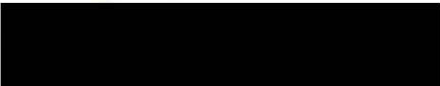- provide services to registered victims.

As a whole, we contribute to the safe, lawful, fair and effective management of offenders, and we take this responsibility seriously. Importantly, we also enact policy, procedures and practices which align to support prisoner rehabilitation. Every day, we undertake actions and make decisions that reflect this.

The Specialist Operations' Operational Assurance Framework has been designed to keep us focussed on our performance and outcomes.

The framework assists us to be clear on our responsibilities, to be transparent and accountable for our decision making, to monitor and report on our progress, to proactively identify and manage risks, and to learn and improve our processes. The framework integrates legislative, corporate and operational requirements.

Every day we focus on fulfilling the requirements of our roles, we must ensure that we also maintain a focus on mitigating our highest areas of risk. Where competing priorities exist we must ensure we remain responsive to dynamic risk through collaboration with our senior management team to determine and deliver on our key priorities.

We all have an important role to play in community safety, and in the delivery of high quality, accountable and efficiently delivered services. So I ask you to take the time to familiarise yourself with this framework and to work with your colleagues to apply it in your workplace. This will assist us to identify and manage our risks, continuously improve our practice and process and ensure we are responsive to the needs of the community that we serve.

Executive Director, Specialist Operations

1. Introduction

1.1   Public Sector Governance

Public Sector Governance is defined as *"the arrangements and practices which enable a public sector entity to set its direction and manage its operations to achieve expected outcomes and discharge its accountability obligations."*[1]

1.2   The Objectives of Good Governance

Good Governance within the public sector incorporates two key requirements:

- *"**Performance** – governance arrangements and practices are designed and operate to shape the entity's overall results, including the successful delivery of government programs and services;*
- *Accountability – governance arrangements and practices are designed to operate to provide visibility of results, to the entity's leadership, the government, the Parliament and the community and conform with applicable legislative and policy requirements as well as public expectations of openness, transparency and integrity."*[2]

Specialist Operations will achieve good governance through applying the following principles:

- *"Leadership – Achieving an agency-wide commitment to good governance through leadership from the top;*
- *Transparency/Openness – having clear roles and responsibilities and clear procedures for making decisions and exercising power;*
- *Integrity – acting impartially, ethically and in the interests of the agency; and*
- *Efficiency – ensuring the best use of resources to further the aims of the organisation, with a commitment to evidence-based strategies for improvement."*[3]

2. The Framework

The Specialist Operations' Operational Assurance Framework (the Framework) incorporates the fundamental requirements of good governance. The Framework applies across each business unit within Specialist Operations, including:

- Sentence Management Services;
- Intelligence and Investigations Branch; and
- Offender Rehabilitation and Management Services.

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[1] Australian National Audit Office, 2014, *Public Sector Governance Better Practice Guide*, p.7.
[2] Australian National Audit Office, 2014, *Public Sector Governance Better Practice Guide*, p.7.
[3] Australian Public Service Commission, 2007, *Building Better Governance,* p.2.

The Framework is divided into four key elements:

1. Legislation, Standards, Delegations, Procedures and Guidelines;
2. Planning;
3. Risk Management; and
4. Performance Monitoring, Review and Evaluation.

The Framework

Legislation, Standards, Delegations, Procedures and Guidelines
- Legislation
- Standards
- Delegations, Limitations, Authorisations and Directions
- Procedures and Guidelines
- Code of Conduct

Performance and Accountability

Planning
- DIAG Strategic Plan
- QCS Business Plan
- Specialist Operations Business Plan
- Development and Expectation Agreements

Performance Monitoring, Review and Evaluation
- Internal Mechanisms
- External Mechanisms

Risk Management
- Business Continuity Management
- Risk Registers

3. Element 1 – Legislation, Standards, Delegations, Procedures and Guidelines

"Entities should have in place a range of delegations, policies, instructions and procedures that outline in a clear and consistent manner the responsibilities and accountabilities within the entity for resource management."[4]

Legislation,
Standards,
Delegations, Procedures
and Guidelines
• Legislation
• Standards
• Delegations, Limitations,
Authorisations and Directions
• Procedures and Guidelines
• Code of Conduct

3.1 Legislation

Legislation consists of Acts of Parliament and subordinate (or delegated) legislation made under Acts of Parliament. The Parliament of Queensland makes legislation or authorises the making of legislation by enacting an Act. An Act is essentially a sequence of provisions containing statements and rules. What is achieved by the Act depends on the interpretations of the Act's provisions.

Subordinate legislation, also known as delegated legislation, is law made by the executive branch of government with the authorisation of Parliament. Subordinate legislation includes regulations, rules, by-laws, certain policies, proclamations and notices. Regulations are developed consistent with the purpose and intent of the principal Act, and provide greater detail to assist in operationalising the principal Act.

The Act must be read together with its subordinate legislation including regulations to fully understand the legislative requirements.

The legislation administered by, or relevant to, the governance of Specialist Operations includes:

- Corrective Services Act 2006
- Corrective Services Regulation 2006
- Parole Orders Transfer Act 1984
- Dangerous Prisoners (Sexual Offenders) Act 2003
- Judicial Review Act 1991
- Penalties and Sentences Act 1992
- Penalties and Sentences Regulation 2015
- Public Service Act 2008
- Public Service Regulation 2008
- Public Sector Ethics Act 1994
- Public Sector Ethics Regulation 2010
- Work Health and Safety Act 2011
- Work Health and Safety Regulation 2011
- Youth Justice Act 1992

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[4] Australian National Audit Office, 2014, *Public Sector Governance Better Practice Guide*, p.16.

- Acts Interpretation Act 1954
- Right to Information Act 2009
- Domestic and Family Violence Protection Act 2012

3.2   Standards

Standards have been developed to provide the overarching goals or outcomes to be achieved by Correctional Services within Australia. The standards guide each state with the ongoing development of legislation, policy and performance targets. These include:

- Standard Guidelines for Corrections in Australia - Revised 2004
- Standard Minimum Rules for the Treatment of Prisoners - United Nations
- Australian Offender Program and Facilitation Standards
- Chief Inspector's Inspections Manual

3.3   Delegations, Limitations, Authorisations and Directions

The QCS Instrument of Delegation of Chief Executive Powers and the Instrument of Limitation of Corrective Service Officers' Powers indicate positions that may exercise powers provided for in legislation.

3.4   Procedures and Guidelines

Procedures and guidelines have been developed to provide direction to staff to undertake and execute the responsibilities required of their roles in accordance with relevant policy and legislation. These include:

- Custodial Operations Practice Directives
- Probation and Parole Operational Practice Guidelines
- Statewide Operation and Specialist Operations – Operational Guideline – Re-entry Services
- QCS Intelligence Guidelines
- QCS Procedure- Programs for Offenders
- QCS Procedure – Victims Register – Placement and Removal of Applicants
- QCS Procedure – Victims Register – Release of Information

Further, Executive Director's Instructions provide interim administrative requirements and clarification of Specialist Operations practices and are to be referred to regularly to ensure local operations are in line with Agency requirements.

3.5   Code of Conduct

The Code of Conduct for the Queensland Public Service applies to all employees within the Queensland public sector and describes how employees will conduct themselves in delivering services to the Queensland community. More specifically, the Code outlines four ethics principles and their associated set of values, prescribed in the *Public Sector Ethics Act 1994*. These ethics principles include:

- Integrity and Impartiality – In recognition that public office involves a public trust, public service agencies, public sector entities and public officials seek to promote public confidence in the integrity of the public sector.

- Promoting the Public Good – In recognition that the public sector is the mechanism through which the elected representatives deliver programs and services for the benefit of the people of Queensland.

- Commitment to the System of Government – In recognition that the public sector has a duty to uphold the system of government and the laws of the State, Commonwealth and local government, public service agencies, public sector entities and public officials.

- Accountability and Transparency – In recognition that public trust in public office requires high standards of public administration, public service agencies, public sector entities and public officials.

4. Element 2 – Planning

> *"Planning is integral to the establishment of an organisation's strategic priorities, its management of budgets and its program and service delivery approach."*[5]

Planning
- DJAG Strategic Plan
- QCS Business Plan
- Specialist Operations Business Plan
- Development and Expectation Agreements

4.1 DJAG Strategic Plan

The Department of Justice and Attorney-General's (DJAG) Strategic Plan outlines the Department's overall vision, values, objectives and strategic risks. In addition to the Department's unique objective to ensure that DJAG is responsive and high performing, specific objectives identified for the Department include:

- Queensland is safe;
- Queensland is fair and just;
- Queensland can get on with the job; and
- Queensland gets great service.

4.2 QCS Business Plan

The Queensland Corrective Services (QCS) Business Plan is updated annually and identifies the key initiatives and actions that will be undertaken by QCS to directly contribute to the overall objectives outlined within the DJAG Strategic Plan.

4.3 Specialist Operations Business Plan

A Business Plan is developed by Specialist Operations on an annual basis. The Business Plan details the key projects and initiatives that will be undertaken by each business unit to achieve the Department's overall objectives. The Business Plan aligns with the QCS, DJAG and whole of Government priorities.

4.4 Development and Expectation Agreements

All employees within the Department are required to engage in a Development and Expectations Agreement (DEA) on an annual basis, in accordance with the Human Resource procedures. DEAs are designed to:

- Ensure that QCS applies the provisions of the authorising Industrial instruments and Departmental policy and procedure consistently for all employees;
- Contribute to public sector initiatives to improve employee engagement;
- Ensure that performance management aligns an employee's agreed performance measures and standards with the organisation's objectives; and
- Ensure consistency and clarity in responsibilities for managers/supervisors and staff when planning to initiate or review a performance development cycle.

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[5] Australian National Audit Office, 2014, *Public Sector Governance Better Practice Guide*, p.13.

5. Element 3 - Risk Management

Risk management is the *"process of identifying, analysing and evaluating risks. Its ultimate aim is to focus the entity on significant risks and enable informed decisions to accept or mitigate risks, and to monitor and manage ongoing and emerging risks."*[6]

Risk Management
• Business Continuity Management
• Risk Registers

5.1   Business Continuity Management

Business Continuity Management is a vital aspect of business operations and provides an overall approach to risk management. Each business unit within Specialist Operations has developed a Business Continuity Plan (BCP), which is designed to identify key considerations and processes to respond to and recover the business of each location in the event of a significant business disruption.

Testing, maintaining and reviewing BCPs is a key phase of the Business Continuity Management Lifecycle. BCPs are reviewed, tested and updated within Specialist Operations on an annual basis to ensure that:

- All staff are aware of their role in the event that a BCP requires activation;
- All information in the BCPs is validated and up to date; and
- Any revisions required to the BCPs are undertaken to ensure continuous improvement is achieved. ·

5.2   Risk Registers

The DJAG Risk Management Framework outlines how DJAG manages risk to achieve its strategic and business objectives. Risks are categorised as strategic, corporate and operational, depending on the level at which the risk is likely to affect DJAGs ability to achieve departmental objectives.

Specialist Operations maintains a risk register, which provides the foundation for each business unit to identify and evaluate existing risks, causes, controls, likelihood and the potential risk to achieving the objectives outlined in the DJAG Strategic Plan. Risk Registers are updated each quarter.

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[6] Australian National Audit Office, 2014, *Public Sector Governance Better Practice Guide*, p.29.

6. Element 4 – Performance Monitoring, Review and Evaluation

"Ongoing performance monitoring and reporting provide visibility of public sector activities so that an entity's executive and stakeholders can view performance against planned outcomes, as well as against legal, policy and ethical requirements" [7]

Performance Monitoring, Review and Evaluation
- Internal Mechanisms
- External Mechanisms

Internal Mechanisms

Specialist Operations have developed a number of internal mechanisms that contribute to the ongoing monitoring, review and evaluation of performance. These internal mechanisms provide the tools for each business unit within Specialist Operations to oversee day-to-day operations, drive business improvement and continue to foster a culture of performance.

6.1 Internal Performance Indicators

Internal Performance Indicators are identified each financial year by Queensland Corrective Services and provide the budgeted financial and non-financial information for the budget year. Business units within Specialist Operations are accountable for achieving various internal performance targets as part of their service delivery.

6.2 Reporting Services

A suite of Reporting Services reports have been developed for Specialist Operations, providing staff with a snapshot of workload and performance information that is readily accessible, at a number of levels. Reporting Services data is extracted directly from IOMS. The suite of Reporting Services reports enables staff within Specialist Operations to:

- Achieve enhanced oversight over daily operations that are not reliant on manual processes;
- Efficiently and transparently measure performance with legislative and procedural requirements; and
- Have ready access to performance information to assist with trend analysis and review.

6.3 Proactive Performance Monitoring

Business Units within Specialist Operations employ internal mechanisms (proactive in nature) that achieve the following outcomes:

- Allows for the assessment of performance across a range of operational activities to capture local, systemic and corporate issues;
- Provides transparency over the level of performance being achieved in specific areas including compliance with procedural and legislative requirements:
- Provides a measure of the effectiveness of governance and oversight arrangements;

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[7] Australian National Audit Office, 2014, *Public Sector Governance Better Practice Guide*, p.33.

- Enables identification of remedial actions to enhance accountability and service delivery at a local and corporate level; and
- Enables identification of business improvement opportunities to achieve better practice, whilst strengthening Specialist Operations' performance orientation.

6.4   Reactive Performance Monitoring

Business Units within Specialist Operations employ internal mechanisms (reactive in nature) that achieve the following outcomes:

- Inquiry and review into a significant event* that has occurred to establish the causal and contributory factors; and
- Where causal or contributory factors are identified at a local, systemic or corporate level then appropriate recommendations are made to prevent similar events occurring in the future.

The definition of a significant event will be established at a business unit level and will be dependent on the unique service delivery functions of each unit.

6.5   Internal Oversight Controls

Business Units within Specialist Operations employ Internal Oversight Controls as an internal mechanism that achieves the following outcomes:

- Identification of key risk areas across each business unit within Specialist Operations;
- Provides a consistent approach to overseeing and mitigating these key risk areas; and
- Provides the minimum standards over the process for reviewing key risk areas, including the method/process, accountability (roles) and evidentiary requirements.

6.6   Business Intelligence Reviews

Specialist Operations employ Business Intelligence Reviews as an internal mechanism that achieves the following outcomes:

- Provides strategic direction through the review of performance data and trending information across each business unit;
- Guides the focus of specific business needs through identifying systemic issues, compliance issues, procedural/practice issues, agency and/or centre regional issues;
- Guides decision making around risk management activities, resource allocation and operational adjustments;
- Provides a streamlined process for briefing Board of Management on relevant matters; and
- Provides opportunity for identification of business improvement initiatives including where these may overlap in multiple business areas both internal and external to Specialist Operations.

External Mechanisms

There are a number of independent oversight bodies that evaluate and review Specialist Operations' performance. These external review mechanisms provide Specialist Operations with valuable information in relation to performance at all levels, which in turn drives business improvement.

6.7   Service Delivery Statement (SDS) Targets

Service Delivery Statement (SDS) targets are identified each financial year by the Queensland Government and provide the budgeted financial and non-financial information for the Budget year. The SDS outlines the key performance targets for DJAG. Business units within Specialist Operations are accountable for achieving various performance targets outlined within the SDS.

6.8   Internal Audit Branch Reviews

Internal Audit is a statutory function that has been established to provide independent, authoritative and confidential advice to the Director-General and senior management on the effectiveness, efficiency, propriety and probity of departmental operations.

Services provided by Internal Audit include:

- financial compliance audits;
- performance and business improvement audits;
- information system audits;
- regional audits; and
- consultation activities.

The Internal Audit Branch (IAB) establishes a program of work each year. Part of this program of work may include business units within Specialist Operations.

All relevant recommendations from IAB reviews are monitored and tracked by Specialist Operations to ensure timely response to any identified issues or recommendations for business improvement.

6.9   Chief Inspector Reviews

The Office of the Chief Inspector forms part of the accountability component of QCS' operations and aims to reinforce standards of accountability, transparency and performance through the execution of inspections, investigations and reviews. The independence of the role of Chief Inspector is maintained through its direct reporting relationship with the Commissioner.

Specialist Operations are represented on the Incident Oversight Committee where all outcomes of the Office of the Chief Inspector recommendations are reviewed and endorsed upon completion.

6.10   Coronial Reviews

The *Coroners Act 2003* permits for specific deaths to be investigated by Coroners in addition to outlining the procedures for the holding of inquests. All deaths in custody are to proceed to an inquest in order to gather more information regarding the circumstances of the death and any

recommendations or identified issues arising from inquests are to be reviewed for improved service delivery.

All relevant recommendations from Coronial reviews are monitored and tracked by Specialist Operations to ensure timely response to any identified issues or recommendations for business improvement.

6.11 Queensland Audit Office Reviews

The role of the Queensland Audit Office (QAO) is to report to Parliament on the efficiency and effectiveness of any aspect of public sector finances and administration through conducting independent audits of Queensland Government Departments aimed to increase public sector accountability.

All relevant recommendations from QAO reviews are monitored and tracked by Specialist Operations to ensure timely response to any identified issues or recommendations for business improvement.

6.12 Ombudsman Reviews

The Queensland Ombudsman investigates complaints about state government agencies, local councils and public universities. The Ombudsman also aims to support agencies to improve their decision-making and administrative practice. The Ombudsman investigates complaints about the actions and decisions of Queensland public agencies and their staff that may be unlawful, unreasonable, unfair, improperly discriminatory or otherwise wrong.

The Ombudsman also assists the State and local government agencies improve their administrative practice by:

- making recommendations based on their investigations;
- conducting training on good decision-making and complaints management; and
- providing advice and other assistance.

Further, the Queensland Ombudsman is the oversight agency for the *Public Interest Disclosure Act 2010*. This means the Ombudsman monitors and reviews the management of public interest disclosures (PIDs) and provides education and advice about PIDs.

All relevant recommendations from Ombudsman reviews are monitored and tracked by Specialist Operations to ensure timely response to any identified issues or recommendations for business improvement.