

1. Well-being of People in Detention

1.1 General

- (a) The Service Provider must provide or manage a range of People in Detention Services at each Facility, and facilitate and encourage People in Detention to access these Services.
- (b) All service delivery decisions taken by the Service Provider will take account of the individual needs of People in Detention, and will aim to improve health and well-being outcomes for each Person in Detention.
- (c) The Service Provider will provide a range of Services to promote the well-being of People in Detention and create an environment that supports security and safety at each Facility.
- (d) The Service Provider must ensure that it and all Service Provider Personnel treat People in Detention equitably and fairly, with dignity and respect.
- (e) The Service Provider must focus on the well-being of each Person in Detention and will make every effort to ensure visits from family, friends and support groups are facilitated.
- (f) The Service Provider will encourage interaction between People in Detention.
- (g) The Service Provider will facilitate external excursions to enhance the ongoing emotional and mental health of each Person in Detention.

1.2 Communication Services

1.2.1 Access and Use of Telephones

- (a) The Service Provider must:
 - (i) unless otherwise directed by the Department, ensure that all People in Detention can access a telephone at all times to make a call to any person:
 - (A) at the Department's expense where the Person in Detention

- making the call is located at a Christmas Island Site; and
- (B) at the Person in Detention's expense where the Person in Detention making the call is located at a Mainland Centre; and
- (ii) facilitate access to a telephone by a Person in Detention where the Person in Detention wishes to contact a family member, a legal representative or a consular official in relation to immigration process matters:
 - (A) at the Department's expense for People in Detention at a Christmas Island Site; and
 - (B) at the Service Provider's expense for all other People in Detention.
- (b) The Service Provider must provide public telephones in all Facilities, except Christmas Island Sites, where the Department will arrange for public telephones.
 - (c) The Service Provider may allow People in Detention to retain their mobile phone within the Facility, provided that the handset does not have a recording capability (either audio or visual).
 - (d) Where People in Detention do not have a mobile phone or their mobile phone has recording capability (not including voice mail), the Service Provider must provide the Person in Detention with a suitable mobile phone.

1.2.2 Incoming Telephone Calls and Facsimiles for People in Detention

- (a) Unless otherwise directed by the Department, the Service Provider must:
 - (i) make provision for People in Detention to have access to incoming and outgoing telephone calls at any time;
 - (ii) notify a Person in Detention of incoming calls received on a landline via the mobile phone messaging system; and
 - (iii) notify People in Detention of any calls received for them when the Person in Detention was not available to receive the call, maintaining privacy and security of this information at all times.

- (b) The Service Provider must:
- (i) make provision for People in Detention to have access to incoming and outgoing facsimiles;
 - (ii) register all received facsimiles which are addressed to People in Detention;
 - (iii) make facsimile and photocopying facilities available from 0730 – 2200 hours and, in exceptional circumstances, outside of those hours by request to residential Service Provider Personnel;
 - (iv) bill the cost of outgoing facsimiles to the Person in Detention on a cost recovery basis;
 - (v) deliver facsimiles for People in Detention in an internal envelope; and
 - (vi) ensure confidentiality in the handling of facsimiles for People in Detention.

1.2.3 Use of Computers

- (a) The Service Provider must, at each Mainland Centre:
- (i) provide, facilitate and manage access to computers for People in Detention to perform functions such as word processing, spreadsheets, internet and email for their private use, for purposes related to Programs and Activities and for the preparation of documents related to their immigration outcome;
 - (ii) provide memory sticks to People in Detention with a minimum one gigabyte; and
 - (iii) ensure People in Detention, and any Visitors seeking to assist People in Detention to use internet or computer services, understand and sign the Conditions of Computer Use before they can access any internet service or desktop computer.
- (b) The Service Provider must, at each Christmas Island Site:

- (i) facilitate and manage access to computers for People in Detention to perform functions such as word processing, spreadsheets, internet and email for their private use, for purposes related to Programs and Activities and for the preparation of documents related to their immigration outcome;
- (ii) provide memory sticks with a minimum one gigabyte to People in Detention; and
- (iii) ensure People in Detention, and any Visitors seeking to use internet or computer services, understand and sign the Conditions of Computer Use before they can access any internet service or desktop computer.

1.2.4 Internet Services

- (a) The Service Provider must:
 - (i) provide, facilitate and manage access by People in Detention to internet services at each Facility (excluding at Christmas Island Sites);
 - (ii) ensure appropriate filtering software, supervision and other measures as necessary are in place, in accordance with Departmental requirements, to control and limit access by People in Detention to:
 - (A) pornographic and other prohibited sites, including those containing or promoting illegal acts;
 - (B) personal software;
 - (C) File Transfer Protocol sites, software or data; and
 - (D) prohibited sites in foreign languages.
- (b) At Christmas Island, the Service Provider must:
 - (i) facilitate and manage access by People in Detention to internet services;
 - (ii) ensure appropriate supervision and other measures as necessary are

in place, in accordance with Departmental requirements, to prevent access by People in Detention to:

- (A) pornographic and other prohibited sites, including those containing or promoting illegal acts;
 - (B) personal software;
 - (C) File Transfer Protocol sites, software or data; and
 - (D) prohibited sites in foreign languages; and
- (iii) notify the Department when it becomes aware of any defects that affect use by People in Detention of the internet services.

1.2.5 Equity of Access by People in Detention to Communication Services

- (a) The Service Provider must implement a booking system:
- (i) for People in Detention to access telephones, facsimile machines, Internet service facilities, desktop computers and other communications systems, that is open and transparent;
 - (ii) that ensures the provision of communication services is fair and equitable to People in Detention; and
 - (iii) that allows for priority access to be provided to People in Detention working on matters related to their immigration case.

1.2.6 Access and Use of Mail Services

- (a) The Service Provider must:
- (i) provide facilities for People in Detention to send and promptly receive mail;
 - (ii) register all received mail which is addressed to a Person in Detention, with mail to be collected and processed twice daily;
 - (iii) ensure all mail addressed to a Person in Detention is distributed unopened to that Person in Detention within four hours of it being received at the Facility;

- (iv) ensure each Person in Detention signs for all mail received by them;
and
 - (v) notify the Department Regional Management if a Person in Detention receives any correspondence from the Department, the Refugee Review Tribunal or the Migration Review Tribunal.
- (b) Postage costs for mail sent by People in Detention will be at the Person in Detention's expense except when a Person in Detention does not have the means to pay for postage, in which case the Service Provider must refer to the Department's instructions.

1.2.7 Security of Mail Services

- (a) At Facilities where the Department has provided electronic scanning equipment (which may include x-ray equipment), the Service Provider must electronically scan all delivered mail.
- (b) Where the Service Provider has a reasonable suspicion that a letter or package may contain Illegal Items, Excluded Items or Controlled Items, the Service Provider must request that the Person in Detention open the letter or package addressed to them in the presence of Service Provider Personnel.
- (c) Where a Person in Detention refuses to open a letter or package when requested by the Service Provider in accordance with **subclause 1.2.7(b)**, the Service Provider Personnel must withhold the letter or package and immediately contact the Department Regional Management.
- (d) Where Illegal Items, Excluded Items or Controlled Items are found in a letter or package, the Service Provider must:
 - (i) remove the items;
 - (ii) hold the items in trust; and
 - (iii) deal with the items in accordance with this **Section 2.2.1** (People in Detention Services).

1.2.8 Communication of Information to People in Detention

- (a) The Service Provider must ensure that:
 - (i) all information and documents provided to a Person in Detention by the Service Provider are in a language understood by the Person in Detention;
 - (ii) the Person in Detention nominates a preferred language during Reception, and signs to this effect; and
 - (iii) access to an appropriately qualified interpreter is provided where a Person in Detention requests such assistance.
- (b) Where a Person in Detention is assessed by the Service Provider or the Department as not being able to competently communicate in English, the Service Provider must ensure that an appropriately qualified interpreter is used for all formal communication with that Person in Detention;
- (c) Where the services of an interpreter are either requested by a Person in Detention or identified as required by the Department or the Service Provider under **clause 1.2.8(b)**, the Service Provider must:
 - (i) subject to **clause 1.2.8(c)(ii)**, ensure that the Department provided translation services are utilised to communicate information to the Person in Detention; or
 - (ii) in cases where the Department provided translation services are inadequate to meet the needs of the Person in Detention (including cases where the Person in Detention's language is not covered by the translation service or a short notice on-site presence is required) the Service Provider must:
 - (A) seek the approval of the Department Regional Management to engage the services of additional translation or interpreting services; and
 - (B) where the use of additional translation or interpreting services are approved by the Department Regional Management:

- (I) only engage additional translation or interpreting services that are accredited by the National Accreditation Authority for Translators and Interpreters; and
 - (II) charge the costs of the additional translation or interpreting services to the Department as a Cost Plus Pass Through Cost.
- (d) The Service Provider may only engage the services of another Person in Detention to interpret on the behalf of the Service Provider, in emergency situations or instances where informal or social communication is intended.
- (e) The Service Provider must ensure that Service Provider Personnel receive practical training in effectively working with interpreters.

1.3 Visa Application Forms and Statutory Declarations

- (a) The Service Provider must, in accordance with section 256 of the Migration Act, ensure that the following is made available to a Person in Detention upon their request:
- (i) a visa application form (provided by the Department Regional Management); and
 - (ii) the means to make a statutory declaration, including availability of a witness with authority under the Statutory Declarations Act 1959 (Cth).

1.4 Complaints Management

1.4.1 Complaints Management System

- (a) The Service Provider must develop, implement and manage a system, to be approved by the Department, which allows People In Detention to make a complaint or provide feedback on matters relevant to their detention.
- (b) The Service Provider must:

- (i) use the Department’s nominated information technology system to record and manage all complaints, feedback or suggestions;
- (ii) clearly communicate the complaint and feedback system mechanics to all People in Detention, including the provision of a written guide in a relevant language to be provided to People in Detention during the Reception process;
- (iii) ensure that all feedback and complaints are acknowledged upon receipt;
- (iv) if the request or complaint is made orally, ensure that the request or complaint is transcribed onto the relevant form to maintain a consistent documentation audit trail; and
- (v) ensure that all People in Detention who have provided feedback or made a complaint are informed as to the outcome:
 - (A) within three days of receipt; and
 - (B) in a manner consistent with the Immigration Detention Values.
- (c) Where complaints or feedback received by the Service Provider are not resolved within the three day timeframe, or are escalated to an external third party, the complaint or feedback is then considered to be an Incident and must be reported in accordance with the Incident reporting requirements set out in **Section 2.2.3** (Business Services and Continuous Improvement) of **Schedule 2** (Statement of Work) and **Schedule 4.3** (Reporting Requirements).

1.4.2 Complaints to the Service Provider, the Department and Other Agencies

- (a) The Service Provider must inform People in Detention of their right to complain without hindrance or fear of reprisal:
 - (i) to the Service Provider, its Personnel and/or Subcontractors, the Department, the Australian Human Rights Commission or the Commonwealth and Immigration Ombudsman;
 - (ii) in the case of a suspected criminal offence, to the police; or

- (iii) in the case of suspected child abuse, to the relevant State/Territory welfare agency.

1.4.3 Forwarding of Complaints to Other Agencies

- (a) The Service Provider must ensure that complaints that are either expressed to be for the attention of a third party (including those agencies referred to in **clause 1.4.2(a)** above) or are deemed by the Department or the Service Provider to be more appropriately resolved by a third party, are forwarded to the relevant agency in a timely fashion and in accordance with applicable law.

1.4.4 Display Material

- (a) The Service Provider must:
 - (i) prominently display:
 - (A) Material provided by the Department, the Australian Human Rights Commission, United Nations High Commissioner for Refugees, the Commonwealth and Immigration Ombudsman and other authorised agencies providing information related to Immigration Detention;
 - (B) notices to advise of regular visits by the Commonwealth and Immigration Ombudsman; and
 - (C) the Service Provider's Code of Conduct; and
 - (ii) provide facilities for People in Detention to contact the agencies referred to in **clause 1.4.2(a)** by mail or facsimile.

1.4.5 Internal management of Complaints, Feedback and Suggestions made by People in Detention

- (a) The Service Provider must:
 - (i) manage written and verbal complaints, feedback or suggestions by People in Detention;
 - (ii) acknowledge receipt of the complaint, feedback or suggestion in

- writing to the Person in Detention within 24 hours of receiving a complaint, feedback or suggestion;
- (iii) accurately record all complaints, feedback or suggestions;
 - (iv) assess and respond to all complaints, feedback or suggestions;
 - (v) promptly resolve all complaints or feedback, or action the suggestion;
 - (vi) give the Person in Detention an update every fortnight where a complaint or feedback cannot be resolved within one week;
 - (vii) advise the Person in Detention of the reasons where a suggestion cannot be actioned;
 - (viii) inform the Person in Detention of the final outcome within 14 days of receipt, in a manner consistent with the Immigration Detention Values;
 - (ix) ensure the Person in Detention's identity remains confidential, and minimise the risk of any possible retribution from other People in Detention or illegal conduct;
 - (x) advise the Department Regional Management as soon as possible when the Service Provider is of the view that a complaint should be forwarded to another agency; and
 - (xi) advise the Department Regional Management as soon as possible when the Person in Detention is dissatisfied with the outcome or seeks higher level review.

1.4.6 Complaints by People in Detention against Department or Service Provider Personnel

- (a) The Service Provider must notify the Department Regional Management of any complaint made by a Person in Detention about the conduct of Department Personnel, Service Provider Personnel or third party service providers as soon as practicable and, in any event, within 12 hours of receipt of the complaint.

1.4.7 Requests, Complaints, Feedback or Suggestions from the Community or Stakeholders

- (a) If the Service Provider receives a request, complaint, feedback or suggestion from a member of the community or a Stakeholder, it must:
 - (i) notify the Department, of the request, complaint, feedback or suggestion within one day; and
 - (ii) provide a written response to the person who lodged the request, complaint, feedback or suggestion, setting out the action taken or the reason why no action will be taken within 14 days.

1.5 Consultative Committees

- (a) The Service Provider must at each Facility:
 - (i) provide secretariat services to the Department convened Consultative Committee; and
 - (ii) ensure senior representatives from the Service Provider attend each Consultative Committee meeting.
- (b) Further requirements in relation to the Consultative Committee are set out in **Schedule 4.2** (Governance).

1.6 Television and other Media

- (a) The Service Provider must provide and facilitate access by People in Detention to:
 - (i) free-to-air television and other broadcast services, where available, covering news, current affairs and other content that the Service Provider may recommend to promote the well-being of People in Detention;
 - (ii) library services suitable to the current demographic and occupancy levels of People in Detention, including:
 - (A) English and foreign language videos/DVDs;

- (B) a selection of local, national and foreign language books, periodicals, and newspapers; and
 - (C) foreign language – English translation dictionaries.
- (b) The Service Provider must:
- (i) ensure that the books offered through the library service meet the cultural, educational and recreational needs of the population of the Facility;
 - (ii) the quantity of books available is adequate for the population at the Facility; and
 - (iii) review the library stock holdings on a quarterly basis, factoring in recommendations from the Consultative Committees or the Department.
- (c) The Department will provide the infrastructure associated with access to free-to-air television (including television sets, media players, cabling, ports and satellite dishes, where required).
- (d) The Service Provider may, with the approval of the Department Regional Management, restrict access to some television and other media services in unusual circumstances such as when People in Detention are being held in restrictive detention.
- (e) The Service Provider must ensure that People in Detention who access media and entertainment facilities comply with the requirements set out in the Rights and Responsibilities of People in Immigration Facilities.

1.7 Visitor Management

1.7.1 Visits Administration

- (a) The Service Provider must:
- (i) conduct all administration relating to Visits and use the Department's nominated information technology system to record Visitor and Visit details;

- (ii) implement Visitor management procedures that are consistent across all Facilities;
- (iii) develop Conditions of Entry (Visitors) and Visitor Application Forms, to be approved by the Department during the Transition In Period;
- (iv) create, maintain and prominently display, in agreed translated languages, an approved Conditions of Entry (Visitors) sheet in the visits registration area;
- (v) create and maintain an approved Visitor Application Form that is readily available to persons seeking to Visit People in Detention at Facilities;
- (vi) ensure that all people seeking to Visit People in Detention, including any nominated legal representatives or recognised diplomatic and consular representatives, are supplied with and sign both the Conditions of Entry (Visitors) sheet and the Visitor Application Form;
- (vii) ensure that all Visitors to Facilities are informed of any responsibilities they may have while within a Facility;
- (viii) check Visitor identification documents;
- (ix) receive authorisation from the Person in Detention for the Visit;
- (x) approve the Visit or otherwise and advise the prospective Visitor;
- (xi) screen Visitors to Facilities on arrival for Excluded, Controlled and Illegal Items in accordance with the Detention Services Manual (see **Schedule 16** (Legislation and Commonwealth Policies));
- (xii) with approval from the Visitor, screen Visitors to Christmas Island APODs (the Service Provider must not forcibly screen Visitors to Christmas Island APODs);
- (xiii) ensure that all Visitor information is managed in accordance with the Privacy Act;

- (xiv) notify the Person in Detention as soon as practicable that the Visitor has arrived;
- (xv) manage Visitor access to and use of storage lockers;
- (xvi) where required, escort the Visitor to and from designated Visit areas;
- (xvii) provide tea, coffee, water and biscuits, and arrange for the provision of other food and beverage vending machines (purchases from which will be at the expense of the Person of Detention or Visitor);
- (xviii) record Visitor and Visit details in the Visitor Log in accordance with **clause 1.7.2** below; and
- (xix) record Visitor and Visit details on the Person in Detention's Record.

1.7.2 Visitor Log

- (a) The Service Provider must create and maintain a Visitor Log to record:
 - (i) the name of the Visitor;
 - (ii) the name of the Person or People in Detention being visited;
 - (iii) verification of Visitor identification documents presented;
 - (iv) the purpose of the Visit;
 - (v) the date and time the Visitor entered and departed the Facility;
 - (vi) when the Service Provider denies, reschedules or terminates a Visit, justification for the Service Provider actions and any justification offered by the Visitor or the Person in Detention being visited; and
 - (vii) any special security actions taken in relation to the Visit.

1.7.3 Designated Visits Areas

- (a) Unless otherwise approved by the Department, the Service Provider must ensure all Visits to People in Detention are conducted in areas designated by the Department Regional Management.

- (b) The Service Provider must ensure that the visit areas include:
 - (i) chairs and tables;
 - (ii) hot/cold drinks and confectionery vending machines; and
 - (iii) a child play area, that complies with relevant Laws and standards, where parents may supervise their children at play.
- (c) The Service Provider must ensure that Visitors have access to:
 - (i) toilet facilities; and
 - (ii) hand washing and baby change facilities.
- (d) The Service Provider must, during hours when the Facility kitchen is open, provide a make to order sandwich service for Visitors.

1.7.4 Private Interview Rooms

- (a) The Service Provider must:
 - (i) where possible, facilitate contact in a private interview room with the Person in Detention's diplomatic, consular, legal, Australian Human Rights Commission and Commonwealth and Immigration Ombudsman representatives;
 - (ii) where possible, facilitate contact in a private interview room with any other visitor approved by the Department; and
 - (iii) provide security Service Provider Personnel near the interview rooms for intervention, if and when required.

1.7.5 Wishes of People in Detention regarding visitors

- (a) The Service Provider must ensure the Person in Detention agrees to meet with a Visitor before permitting the Visitor access to the Facility.

1.7.6 Visits for People in Detention being held in restrictive detention

- (a) The Service Provider must ensure People in Detention being held in restrictive detention do not receive Visitors, unless the Visit has been

approved by the Department Regional Management.

1.7.7 Visitor Conditions and Restrictions

- (a) The Service Provider must:
 - (i) treat all Visitors with dignity and respect; and
 - (ii) ensure Visitors are advised of all conditions or restrictions imposed by the Department on Visitors.

1.7.8 Refusal or Removal of Visitors

- (a) The Service Provider must refuse Visitor access to the Facility when:
 - (i) the Service Provider has a reasonable suspicion the Visitor could pose a threat to the security of the Facility or the safety and well-being of any Person in Detention or Service Provider Personnel;
 - (ii) the Visitor refuses to comply with Facility entry requirements; or
 - (iii) the Visitor breaches any condition or restriction placed on their Visit.
- (b) The Service Provider has no power to forcibly remove a Visitor unless a Visitor is acting in a violent or threatening matter.
- (c) The Service Provider should request a Visitor to leave and, if they refuse, notify the Department Regional Management.
- (d) The Service Provider must inform the Person in Detention when a Visit has been refused and the reason for refusal as soon as possible.

1.7.9 Standard Visiting Hours

- (a) The Service Provider must:
 - (i) provide Service Provider Personnel to manage standard visiting hours at each Facility;
 - (ii) unless otherwise approved by the Department Regional Management, publish standard visiting hours that provide for at least six visiting hours each day including two hours between 1800 – 2000

hours;

- (iii) enable Visits outside of these times to cater to special and operational needs;
- (iv) enable official, legal or case related Visits/interviews between 0900-1730 hours; every day of the year, including Public Holidays;
- (v) enable official, legal or case related Visits/interviews outside these times for urgent requirements; and
- (vi) make provision to process Visitors before standard visiting hours to allow Visits to People in Detention to commence immediately at the start of standard visiting hours.

1.7.10 Visits by Approved Volunteers and Community Group Representatives

- (a) Where the Department has advised the Service Provider of the name and contact details for a volunteer who may be suitable for such employment, the Service Provider must:
 - (i) initiate an Australian Federal Police check and any other check required by Law (as a Zero Mark Up Pass Through Cost to the Department); and
 - (ii) immediately notify the Department Regional Management if any of these checks indicate that an individual may not be a suitable person to work with People in Detention.
- (b) The Department may provide standing approval for Visits to individuals from approved volunteer organisations.

1.7.11 Visits by Religious Practitioners

- (a) The Service Provider must provide access to religious practitioners who wish to conduct religious services or pastoral services in accordance with Departmental Policy.

1.7.12 Media Visits

- (a) The Service Provider must:
 - (i) not provide access to the Facility for media visits unless the Visit has been approved by the Department;
 - (ii) ensure that media personnel only conduct activities approved by the Department; and
 - (iii) if deviation from approved activities occurs, terminate the Visit, and immediately inform the Department as to the circumstance of the termination.

1.7.13 Standing Approval for Immigration Detention Advisory Group and Commonwealth Ombudsman Visits and other Commonwealth Bodies

- (a) The Service Provider must provide unrestricted access to the Facility for Immigration Detention Advisory Group representatives and the Commonwealth and Immigration Ombudsman, after normal screening procedures.
- (b) The Department will provide the Service Provider with a list of Immigration Detention Advisory Group representatives who have standing approval to Visit the Facilities at any time, without restriction and without prior notification.

1.7.14 Accepting Property

- (a) The Service Provider must:
 - (i) provide facilities for Visitors to leave property at the Facility for delivery to People in Detention; and
 - (ii) issue a receipt to the Visitor for the property and, after security screening to detect any Excluded and Controlled, and Illegal Items, transfer the property to the Person in Detention within four hours and in accordance with the Property of People in Detention section of this **Section 2.2.1** (People in Detention Services).

1.8 Religious Activities

- (a) The Service Provider must ensure all People in Detention are free to practice their religion of choice individually or communally in accordance with Departmental Policy and subject to the overriding safety and security of People in Detention.
- (b) The Service Provider must appoint a Religion Liaison Officer at each Facility to coordinate all religious activities, such coordination to be performed in accordance with Departmental Policy.
- (c) The Service Provider must appoint a Religion Liaison Office on Christmas Island who is responsible for coordination of religious activities, in accordance with Departmental policy, for all Christmas Island Sites.

1.9 Individual Allowance Program

- (a) The Service Provider must:
 - (i) implement and manage the Department's approved Individual Allowance Program (**IAP**) in each Facility, in which People in Detention are allocated points that can be exchanged for small items at the Facility shop, or for special purchases;
 - (ii) record the Person in Detention's current IAP balance on their Individual Management Plan:
 - (A) weekly; and
 - (B) before the Person in Detention is Transferred or Discharged;
 - (iii) provide People in Detention with a copy of their IAP accounts, including all allocated and expended IAP credit points, and/or IAP point balances:
 - (A) each month; and
 - (B) on request from the Person in Detention;
 - (iv) provide the Department with a monthly summary of all IAP accounts, including details of all credit point allocations and

- expenditures for each IAP account; and
- (v) upon request from the Department, provide as soon as possible, full details of current balances of any or all IAP accounts, including details of all credit point allocations and expenditures.
- (b) In managing the IAP, the Service Provider must:
- (i) not allow People in Detention to use IAP points to purchase services, such as extra internet usage time;
 - (ii) not allow People in Detention to exchange IAP points for cash while in immigration detention or on Release from immigration detention;
 - (iii) not transfer IAP points between People in Detention; and
 - (iv) ensure that People in Detention retain their IAP balance regardless of their placement within the Immigration Detention network.

1.10 Programs and Activities

1.10.1 Manage Programs and Activities

- (a) The Service Provider must:
- (i) appoint a dedicated Manager in charge of Programs and Activities at each Facility;
 - (ii) develop, manage and deliver structured and unstructured Programs and Activities designed to provide educational and recreational opportunities, and provide meaningful activities that will enhance the mental health and well-being of individuals in Immigration Detention;
 - (iii) develop strategies to encourage People in Detention to participate in Programs and Activities, noting that participation is voluntary;
 - (iv) ensure Programs and Activities cater for the diverse needs of People in Detention;
 - (v) include supervised external excursions in the range of Programs and

Activities offered to People in Detention;

- (vi) take into account the demographics of People in Detention at each Facility;
 - (vii) take feedback from People in Detention into account when developing Programs and Activities;
 - (viii) vary the types of Programs and Activities on offer;
 - (ix) provide at least one Program or Activity in the morning and afternoon of every day; and
 - (x) maintain a tailor-made individual program for all People in Detention who will be in a Facility for a period longer than ten days (as advised by the Department) that:
 - (A) has regard to outcomes and/or identified needs outlined in Individual Management Plans; and
 - (B) is developed before the end of the Induction period for the relevant Person in Detention.
- (b) In addition to the requirements set out in **clause 1.10.1(a)** above, the Service Provider must ensure that:
- (i) all People in Detention at Northern IDC have access to a minimum of 2 supervised external recreational, sporting and religious activities per Person in Detention per week; and
 - (ii) nominated guardians of minors housed outside of Northern IDC have a minimum of 3 supervised contacts with the relevant minor Person in Detention.
- (c) For all excursions included in the schedule of Programs and Activities, the Service Provider must ensure that:
- (i) People in Detention in restrictive detention are not eligible to apply for, or participate in, an excursion during the period of restrictive detention;

- (ii) all excursions are based on risk management principles; the Australian Risk Management Standard (ASNZ s4360:2004) and the Department's risk management framework; and
- (iii) it records all movement of People in Detention in the Department's nominated information technology system as well as any Incidents that occur during any excursion.

1.10.2 Programs and Activities Schedule

- (a) The Service Provider must:
 - (i) provide a monthly Program and Activities Schedule for each Facility for the Department Regional Management approval;
 - (ii) ensure the Program and Activities Schedule is responsive to changes in the population of People in Detention and their needs and requests;
 - (iii) implement the Program and Activities described in the approved Schedule; and
 - (iv) provide the equipment and qualified Service Provider Personnel required to support the Program and Activities Schedule.

1.10.3 Recording Participation of People in Detention

- (a) The Service Provider must:
 - (i) record the names of People in Detention who attend each Program and Activity and the duration of that attendance;
 - (ii) for Programs and Activities that attract IAP credits, record the IAP credits accumulated by each Person in Detention; and
 - (iii) where a Person in Detention's non participation is noticeable either in all activity areas, or one specific area, ensure that:
 - (A) Service Provider Personnel talk to the Person in Detention informally to ascertain why he/she is not attending, and log the results of the interview in the Person in Detention's Individual

Management Plan; and

- (B) the Service Provider advises the Department Regional Management of People in Detention who do not regularly participate in Programs and Activities and gives detail regarding reasons for non-participation.

1.11 Facility Shop and Special Buys

1.11.1 Facility Shop

- (a) The Service Provider must:
- (i) stock and manage a shop in each Facility that trades IAP credits points for items such as personal care products, telephone cards, stamps, writing paper, tobacco and snack food;
 - (ii) consider requests of People in Detention when determining what items will be stocked in the shop;
 - (iii) prominently display prices and opening times in the shop, with signage in all relevant languages as appropriate to the Facility's population;
 - (iv) trade items at the IAP credits equivalent purchase cost of the items; and
 - (v) trade all items at cost of the items to the Service Provider.
- (b) The Service Provider must ensure that the Facility Shop is open for a minimum of four hours each day, seven days a week, including a morning and afternoon session, unless different operating hours have been approved by the Department Regional Management.
- (c) Where People in Detention arrive at the Facility outside shop opening times, the Service Provider must have processes in place to sell People in Detention a range of basic goods to be agreed with the Department;

1.11.2 Hair Dressing Service

- (a) The Service Provider must:
 - (i) provide People in Detention with a free basic hair cut service, provided by a qualified hairdresser or barber;
 - (ii) Provide access to a suitable location for the hair cut service and a visitor escort to the hairdresser or barber;
- (b) For the purposes of **clause 1.11.2(a)** a basic hair cut service comprises of a wash and cut.

1.11.3 Special Buys

- (a) Where a Person in Detention requests a particular item and has sufficient funds, and the Department Regional Management approves the purchase, the Service Provider must purchase that item on behalf of the Person in Detention.
- (b) Subject to **clause 1.11.3(a)** the Service Provider must:
 - (i) allow People in Detention to pay for special buys either from their IAP account or with their own funds; and
 - (ii) refer any doubts about special buy requests of People in Detention to the Department Regional Management.
- (c) For People in Detention at Christmas Island, the scope of special buys will be limited to goods that are available for purchase on Christmas Island.

2. Reception, Transfer, Accommodation and Discharge of People in Detention

2.1 General

- (a) The Service Provider is responsible for managing all Reception of People in Detention, and Transfer, Accommodation and Discharge processes.
- (b) The Service Provider must:
 - (i) conduct Reception, Transfer, Accommodation and Discharge processes in a manner that promotes the well-being of People in

Detention, their dignity and safety in accordance with the Immigration Detention Values; and

- (ii) ensure that People in Detention are regularly informed about what is happening to them in a language they understand.

2.2 Processing Times

(a) The Service Provider must:

- (i) ensure Service Provider Personnel are available to undertake Reception, Transfer, Accommodation and Discharge activities at any time;
- (ii) have capacity to undertake these processes simultaneously;
- (iii) commence the Reception process, including arriving at Accommodation, immediately after a Person in Detention arrives at the Facility and completes the Reception process within 12 hours of their arrival at the Facility;
- (iv) commence the Induction processes as soon as reasonably practicable after the Person in Detention's arrival at the Facility and completes the Induction processes within two days of the Person in Detention arriving at a Facility;
- (v) undertake Transfer and Discharge processes in accordance with timeframes determined by the Department on a case by case basis; and
- (vi) undertake Discharge processes where a Person in Detention is being Released immediately after the Service Provider is advised by the Department of the Person in Detention's Release.

2.3 Reception

2.3.1 Reception Process

(a) The Service Provider must:

- (i) use a Department approved Reception process and checklist to
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- receive a Person in Detention into a Facility;
- (ii) use the Department's nominated information technology system to record data relating to a Person in Detention collected during the Reception process;
 - (iii) equip the Reception area of each Facility with television screens that show an explanatory video/DVD (in languages, and with subtitles, appropriate to the audience) about the Facility and the Reception process;
 - (iv) make available leaflets on the Reception and Induction processes in a range of languages to complement the video/DVD with clear pictograms to explain the Reception and Induction processes;
 - (v) on admission of a Person in Detention to the Facility, offer the Person in Detention a hot or cold meal and drink, access to a shower area, adequate clean and decent clothing and basic toiletries;
 - (vi) provide People in Detention with the opportunity to make a local telephone call within 12 hours of admission to the Facility;
 - (vii) ensure that Service Provider Personnel involved in the Reception process are specifically trained to manage the Reception process in a non-threatening and threat-reducing way, with a focus on well being of People in Detention at all times; and
 - (viii) provide a copy of Reception reports to the Department Regional Management within 24 hours of a Person in Detention being received at the Facility.

2.3.2 Identification of People in Detention

- (a) The Service Provider must collect and record information and biometric data relating to a Person in Detention during Reception to assist in the identification of the Person in Detention, in accordance with Department policy and guidance, in particular the identification tests instruction (see Detention Services Manual – Chapter 3 – Entering and Leaving Detention).

- (b) The Department will provide the equipment to capture biometric data concerning a Person in Detention.
- (c) The Service Provider must ensure that all Service Provider Personnel using biometric capture equipment are trained and cleared by the Department.
- (d) The Service Provider is not responsible for establishing the integrity of any information provided to them by the Person in Detention but must immediately refer any concerns they may have about the identity of a Person in Detention to the Department Regional Management.

2.3.3 Identification Passes

- (a) The Service Provider must create and issue a photographic identity card to each Person in Detention.

2.3.4 Person in Detention Health Induction Assessment

- (a) During the Reception process, the Service Provider must offer each Person in Detention a health induction assessment.
- (b) Where a Person in Detention declines an health induction assessment, the Service Provider must:
 - (i) record this information in the Department nominated information technology system; and
 - (ii) notify the Department Regional Management.
- (c) Where a Person in Detention undergoes a health induction assessment, the Service Provider must ensure it receives a Person in Detention's Health Summary from the Department Regional Management as soon as practicable.

2.3.5 Screening and Search

- (a) The Service Provider must:
 - (i) ensure that People in Detention understand the screening and searching process, and that at all stages of the process there are clear

explanations given to People in Detention about why any screening or searching procedure is being carried out;

- (ii) screen and where necessary search, all People in Detention and their property on arrival at a Facility to detect Illegal, Excluded or Controlled Items, in accordance with the requirements of **clause 2.2** of **Section 2.2.4** (Security Services) and **clause 2.2** of **Section 2.2.4(a)** (Christmas Island APOD Security Services) of **Schedule 2** (Statement of Work);
- (iii) conduct screening and searches with sensitivity and with regard to the Person in Detention's dignity and self respect in accordance with the Immigration Detention Values; and
- (iv) ensure that whenever People in Detention are searched by any method they are only searched by a member of the same sex, with two Service Provider Personnel present at all times for any search beyond a pat-down search.

2.3.6 Bedding, Clothing and Footwear

- (a) The Service Provider must:
 - (i) ensure each Person in Detention is allocated with the following items during the Reception process:
 - (A) bedding that is clean and fit for purpose;
 - (B) freshly laundered linen that is in good condition and suited to the local climate; and
 - (C) where required, clothing and footwear that is new, suited to the local climate and the Person in Detention's cultural needs; and
 - (ii) replenish bedding, clothing and footwear as required.

2.3.7 Toiletries

- (a) The Service Provider must:
 - (i) ensure each Person in Detention is allocated with a starter pack of

toiletries during the Reception process, that includes:

- (A) soap, shampoo and conditioner;
 - (B) toothbrush and toothpaste;
 - (C) hairbrush or comb;
 - (D) deodorant, moisturiser and talcum powder;
 - (E) razor and shaving cream (if required);
 - (F) sanitary items (for female People in Detention);
 - (G) fingernail clippers;
 - (H) sunscreen and insect repellent; and
 - (I) mosquito nets (if required);
- (ii) replenish toiletries as frequently as required; and
 - (iii) if using refillable containers to replenish toiletries, ensure the containers are functional, hygienic and aesthetic.

2.3.8 People in Detention Security Risk Assessment

- (a) During the Reception process, the Service Provider must conduct a People in Detention Security Risk Assessment for each Person in Detention, which includes an examination of any previous risk assessments and information about the Person in Detention that might be provided by the Department or other Government Agencies.
- (b) The Service Provider may:
 - (i) use a Department provided People in Detention Security Risk Assessment framework; or
 - (ii) develop and use an alternative People in Detention Security Risk Assessment framework, providing it has been developed in accordance with the ASNZS 4360:2004 Standard for Risk Management and been approved by the Department.

- (c) The Service Provider must:
 - (i) review the Security Risk Assessment for each Person in Detention monthly;
 - (ii) re-assess the People in Detention Security Risk Assessment after the Person in Detention has been involved in any disturbance or received information that may adversely impact on their disposition;
 - (iii) consider the People in Detention Security Risk Assessment when developing Individual Management Plans, Accommodation placement reviews and Operational Orders for Transport and Escort tasks; and
 - (iv) record all People in Detention Security Risk Assessments using the Detention Services Portal.

2.3.9 Creation of People in Detention Record

- (a) The Service Provider must:
 - (i) create a People in Detention Record for each Person in Detention under its care during Reception; and
 - (ii) comply with the record keeping requirements specified in **Section 2.2.3** (Business Services and Continuous Improvement).

2.3.10 People in Detention Under the Age of 18

- (a) The Service Provider must:
 - (i) take reasonable measures to identify any People in Detention who are under the age of 18;
 - (ii) immediately inform the Department Regional Management if the Service Provider is informed, or has a reasonable suspicion, that a Person in Detention may be under the age of 18;
 - (iii) ensure that any Service Provider Personnel who manage or interact with minors in Immigration Detention have obtained all necessary checks in accordance with the relevant State Child Protection

- Legislation before commencing any work with minors; and
- (iv) ensure that any Service Provider Personnel who manage or interact with minors in Immigration Detention are familiar with, and adhere to, Department policy and Service Provider procedures in relation to child protection.
- (b) While awaiting instruction from the Department Regional Management in relation to a suspect minor, the Service Provider must:
- (i) seek to determine whether the Person in Detention is accompanied, including asking families and People in Detention whether they are caring for children under the age of 18 other than their own, or whether they know of any children who are separated from their parents or relatives;
 - (ii) if the Person in Detention is accompanied, separate the Person in Detention and their guardian or nominated minder from the general population of People in Detention;
 - (iii) if the Person in Detention is unaccompanied, separate the Person in Detention from the general population of People in Detention;
 - (iv) assess and address any immediate special needs of the Person in Detention, taking into account the Person in Detention's (suspected) age, gender and background;
 - (v) treat the Person in Detention appropriately according to their (suspected) age; and
 - (vi) manage the Person in Detention in accordance with instructions provided by the Department.
- (c) The Service Provider must not separate the Person in Detention from their family unit or guardian under any circumstances, unless directed to do so by the Department.

2.4 Induction

2.4.1 Induction Briefing for People in Detention

- (a) Subject to the Person in Detention's access being limited as a result of being placed in restrictive detention the Service Provider must:
 - (i) provide each Person in Detention with an induction briefing for the Facility in which they are being detained;
 - (ii) ensure that the induction briefing includes all information relevant to detention in the Facility including:
 - (A) a description of domestic routines, facilities and services that are available;
 - (B) the People in Detention Rights and Responsibilities;
 - (C) the roles and responsibilities of the Department, the Department Regional Management and Service Provider Personnel;
 - (D) how to communicate with Service Provider Personnel, including access to translators and interpreters;
 - (E) how to arrange a meeting with Department Personnel;
 - (F) how to access legal advice or contact diplomatic or consular representatives;
 - (G) how to access information from the Australian Human Rights Commission, the Commonwealth and Immigration Ombudsman, the International Organisation for Migration and other international and regulatory bodies;
 - (H) how to submit requests and complaints and provide effective feedback;
 - (I) access to Non Government Organisations such as the Australian Red Cross;
 - (J) information on People in Detention Committees and how to be

- involved;
 - (K) information on the Individual Allowance Program and associated schemes;
 - (L) a Person in Detention Agreement;
 - (M) photos of key Service Provider Personnel;
 - (N) which items are Illegal, Excluded and Controlled Items and why;
 - (O) how to access Services and amenities; and
 - (P) other relevant information as determined by the Service Provider or as notified by the Department.
- (iii) use the Department’s nominated information technology system to record data relating to a Person in Detention collected during the Induction process.
- (b) For those People in Detention who are place in restrictive detention, the Department will advise the Service Provider if the Induction process should be modified or delayed.

2.4.2 Induction Booklet and People in Detention Rights and Responsibilities

- (a) The Service Provider must:
- (i) prepare, translate and provide to each Person in Detention an Induction Booklet in a language they understand;
 - (ii) explain the Induction Booklet and the People in Detention Rights and Responsibilities to each Person in Detention in a language they understand;
 - (iii) ensure that each Person in Detention has received and understood, the Induction Booklet;
 - (iv) ensure that each Person in Detention has received, understood, and signed a copy of the People in Detention Rights and Responsibilities;
 - (v) ensure that the Induction Booklet covers, at least, the following:
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- (A) routines such as visitor hours and arrangements for meals;
 - (B) welfare checks;
 - (C) use of the facilities such as sport, recreational, and computer equipment;
 - (D) People in Detention complaint and request mechanisms;
 - (E) the role of Service Provider Personnel and Department staff, and what People in Detention should expect from them;
 - (F) Programs and Activities and how People in Detention can access them;
 - (G) how People in Detention can access amenities including:
 - (I) self-catering facilities;
 - (II) laundry facilities;
 - (III) secure property storage;
 - (IV) the shop;
 - (V) special buys; and
 - (VI) counselling under the Assistance Program;
 - (H) expectations for behaviour of People in Detention and the People in Detention Rights and Responsibilities;
 - (I) access to translators and interpreters; and
 - (J) how People in Detention can access Health Services (to be developed in conjunction with the Health Service Manager).
- (b) The Department Regional Management will provide the Service Provider with training Material for conducting Induction for People in Detention who are new to the Detention Services Network.

2.5 Placement Review

- (a) The Service Provider must:
 - (i) participate in the Placement Committee at each Facility to review each Person in Detention's placement;
 - (ii) notify the Department Regional Management, where the Service Provider believes that existing placement is inappropriate for the Person in Detention and include reasons why they formed this view; and
 - (iii) use the Department's nominated information technology system to record all Accommodation details for People in Detention.

2.6 Transfer

- (a) When notified by the Department, the Service Provider must prepare People in Detention for their Transfer within the Detention Services Network and must:
 - (i) ensure it has received a Fit for Travel certificate for the Person in Detention from the Health Services Manager;
 - (ii) prepare briefing notes for the next party that will take the Person in Detention into their care that outline any known management or behavioural issues relevant to the Person in Detention;
 - (iii) ensure that the People in Detention Security Risk Assessment has been reviewed and updated;
 - (iv) ensure that the Transfer Operational Order has been received from the Department Regional Management;
 - (v) ensure that medications and other essential items are prepared;
 - (vi) ensure that all Property of People in Detention is transferred with the Person in Detention;
 - (vii) ensure that People in Detention are advised of the reason for the Transfer, and are provided with the opportunity to ask questions,

contact support networks and seek further advice;

- (viii) ensure that all hard copy People in Detention Records are provided to the Escort for transfer to the same destination as the Person in Detention; and
- (ix) ensure that the Person in Detention has been provided with clothing that is appropriate for the journey and the destination climate.

2.7 Discharge

2.7.1 Discharge of People in Detention

- (a) When notified by the Department, the Service Provider must prepare People in Detention for Discharge from the Facility and must:
 - (i) confirm that the identity of the Person in Detention matches that in the Department's Release documentation;
 - (ii) confirm that the Department Release documentation is complete and has been properly authorised;
 - (iii) ensure that all Service Provider Personnel engaged in the Discharge of People in Detention are trained and tested in the requirements of their role in the Discharge process, with refresher training provided on a regular basis;
 - (iv) ensure People in Detention are advised of the reason for Discharge, and are provided with the opportunity to ask questions, contact support networks and seek further advice;
 - (v) ensure the Person in Detention are properly fed at the time of Discharge;
 - (vi) ensure the Person in Detention has been provided with clothing appropriate to the journey and destination climate;
 - (vii) ensure all personal belongings are returned to the Person in Detention or the Person in Detention's Escort if the Person in Detention is being Removed;

- (viii) ensure that where medication is involved, specific instructions from the prescribing medical officer are included in the information to be handed to the Escorting staff or to the Person in Detention;
- (ix) ensure People in Detention Records held by the Service Provider are transferred to the Department Regional Management within 24 hours of the Discharge;
- (x) provide all People in Detention being Discharged with the opportunity to complete a comments form in which they will be invited to make comment on matters such as:
 - (A) the conditions of their stay;
 - (B) the attitude and responsiveness of Service Provider Personnel;
 - (C) any complaints or suggestions for any improvement; and
 - (D) their general level of satisfaction with the way they have been treated at the Facility;
- (xi) use the Department's nominated information technology system to record Person in Detention Discharge details and procedures; and
- (xii) immediately inform the Department Regional Management of any concerns about the post-Release welfare of a Person in Detention.

2.7.2 Discharge for Removal

- (a) When notified by the Department that a Person in Detention is being Removed, the Service Provider must:
 - (i) update the People in Detention Security Risk Assessment before Removal and complete the Service Provider assessment of a Person in Detention for aviation travel;
 - (ii) organise packing and weighing of the Property of People in Detention; and
 - (iii) assist the Department by facilitating the Removal.

2.7.3 Post Release

- (a) When requested by the Department, the Service Provider must:
 - (i) book temporary accommodation arrangements (for example, in a hostel or motel) and provide transport to that accommodation for a Person in Detention who is being Released, in accordance with the destination and accommodation requirements notified by the Department;
 - (ii) assist the Released Person to settle into new accommodation (including assisting with check-in);
 - (iii) if the Released Person is not being met by someone at the interstate destination, arrange for the Person to be met and accompanied to the initial point of accommodation; and
 - (iv) issue a temporary living allowance to the Released Person, upon Release.
- (b) If accommodation and transport involves interstate air travel, there is no requirement for the Service Provider to escort the person during the flight.
- (c) In relation to costs incurred by the Service Provider under **clause 2.7.3(a)**:
 - (i) flight costs incurred by the Service Provider in the delivery of post-Release services must be paid by the Service Provider and reimbursed by the Department as a Cost Plus Pass Through Cost;
 - (ii) the Temporary Living Allowance will be a set amount as determined by the Department that must be paid by the Service Provider and reimbursed by the Department as a Cost Plus Pass Through Cost; and
 - (iii) accommodation costs incurred by the Service Provider in the delivery of post-Release services must be paid by the Service Provider and reimbursed by the Department as a Cost Plus Pass Through Cost.

3. Individual Management

3.1 General

- (a) The Service Provider must:
- (i) create and maintain an environment conducive to the health and welfare of People in Detention where the needs of People in Detention are identified and responded to openly and with integrity;
 - (ii) establish processes to prevent People in Detention being subjected to illegal and anti-social behaviour, and where such behaviour becomes apparent, to deal with the issues cooperatively with the Department Regional Management and other service providers;
 - (iii) promote a culture in which Service Provider Personnel interact with People in Detention on a regular basis in both formal and informal settings, developing trust and effective communication channels in undertaking their duties; and
 - (iv) ensure all interaction between Service Provider Personnel and People in Detention is conducted in a culturally appropriate and professional manner.

3.2 Interaction with People in Detention

- (a) The Service Provider must:
- (i) implement policies and procedures at each Facility that promote high levels of positive and culturally sensitive interaction between Service Provider Personnel and People in Detention;
 - (ii) ensure the policies and procedures set out the standards and qualities the Service Provider expects of Service Provider Personnel when they interact with People in Detention and other Stakeholders, including that Service Provider Personnel must:
 - (A) interact with all people in a manner consistent with the Immigration Detention Values;
 - (B) clearly identify themselves when communicating with People in

- (iii) support Service Provider Personnel to develop communication skills to interact and communicate with People in Detention and other Stakeholders in a positive and effective manner.
- (b) The Service Provider must ensure that all Service Provider Personnel:
- (i) Read, sign and understand the Immigration Detention Values and the Code of Conduct before commencing duty in a Facility;
 - (ii) maintain regular contact with People in Detention;
 - (iii) coordinate access by People in Detention to Services;
 - (iv) proactively manage issues relating to People in Detention as they arise and before they impact on the Person in Detention's well being; and
 - (v) document and report any matters they consider material to the welfare of People in Detention in Individual Management Plans and advise the Department Regional Management.

3.3 Individual Management Plans

- (a) The Service Provider must:
- (i) identify the individual welfare requirements of a Person in Detention as soon as possible after entry into a Facility;
 - (ii) allocate each Person in Detention with a member of Service Provider Personnel to act as a personal officer for that Person in Detention and who will meet regularly with the Person in Detention;
 - (iii) develop and implement an Individual Management Plan for every Person in Detention;
 - (A) within five days of the Person in Detention arriving at the Facility;
 - (B) in conjunction the Health Services Manager; and

- (C) to be reviewed by the Department Regional Management;
 - (iv) ensure that each Individual Management Plan identifies and tailors ongoing care and services required for each Person in Detention; and
 - (v) use the Department's nominated information technology system to record and update all Individual Management Plans.
- (b) The Service Provider must participate in a weekly Department review of the Individual Management Plans with the Department Regional Management and the Health Services Manager, or more frequently as directed by the Department Regional Management.
- (c) The Service Provider must develop and implement, during Transition In, an Assistance Program, consisting of a welfare officer and personal officer for People in Detention, that must be run at each Facility between 0900 - 1700 hours, Monday to Friday;

3.4 Provision of Services to People under the Age of 18

- (a) No minors will be held in Centres.
- (b) Where the Department places a Person in Detention whose age is under 18 in an Alternative Place of Detention (other than at a Christmas Island APOD), the Service Provider must manage that Person in accordance with this **Schedule 2** (Statement of Work) and any instructions provided by the Department.
- (c) Any additional Services incurred as a result of Departmental instructions issued under **clause 3.4(b)** must be paid for as a Cost Plus Pass Through Cost.

3.5 Referral of Person in Detention Identity Issues

- (a) The Service Provider must immediately refer any doubts or concerns regarding a Person in Detention's identity to the Department Regional Management.

3.6 Health of People in Detention

- (a) The Service Provider must ensure that any Person in Detention who requests, or appears to be in need of medical attention, is referred for appropriate medical attention.
- (b) Where it appears that a Person in Detention requires emergency medical attention, the Service Provider must:
 - (i) provide first aid;
 - (ii) seek emergency medical attention for the Person in Detention immediately, including arranging for an ambulance or transport to the Person in Detention to the nominated medical facility at the Department's cost; and
 - (iii) inform the Health Services Manager of the Person in Detention's condition as soon as their initial response is complete.

3.7 Secondary Dispensing of Medication

- (a) The Service Provider must:
 - (i) on instruction from the Health Services Manager, dispense medication to People in Detention;
 - (ii) record all instances where the Service Provider dispenses medication to People in Detention, including details of what was dispensed and at what times;
 - (iii) ensure all medication stored for the purposes of dispensing to People in Detention is securely stored and not accessible by People in Detention; and
 - (iv) only dispense medication in accordance with written instructions provided by the Health Services Manager.

3.8 People in Detention under the Influence of Drugs or Alcohol

- (a) The Service Provider must:
 - (i) ensure that a Person in Detention who appears to be under the influence of drugs or alcohol is supervised by Service Provider Personnel until the Person in Detention appears to be no longer affected; and
 - (ii) refer the Person in Detention for assessment by the Health Services Manager within 12 hours, unless emergency medical attention is required.

3.9 Mental Health Awareness

- (a) The Service Provider must ensure all Service Provider Personnel attend:
 - (i) mental health awareness training prior to commencing work in a Facility; and
 - (ii) a refresher course every two years.
- (b) The Department will provide Detention Health Advisory Group recommended training for Service Provider Personnel.

3.10 Behavioural Management of People in Detention

- (a) The Service Provider must:
 - (i) develop and implement a system of People in Detention behavioural management strategies that aim to defuse tensions and conflicts before they become serious or violent; and
 - (ii) obtain the Department Regional Management's agreement to use more interventionist or restrictive measures, such as:
 - (A) referral to external agencies for assistance or investigation;
 - (B) formulation of segregation;
 - (C) behavioural management agreements;

- (D) withdrawal of access to amenities;
- (E) curfews; and
- (F) restriction on the periods of access to specific areas of the Facility.

3.11 Illegal and Anti-Social Behaviour

- (a) The Service Provider must develop and implement processes, in cooperation with the Department and other service providers, for detecting and managing instances where People in Detention are engaged in behaviour that is illegal, has breached the People in Detention Rights and Responsibilities or is anti-social in nature.
- (b) For the purposes of **clause 3.11(a)** undesirable behaviours may include:
 - (i) bullying;
 - (ii) sexual or other forms of harassment;
 - (iii) assault;
 - (iv) malicious destruction of property; and
 - (v) possession of weapons or illegal drugs.
- (c) The Service Provider must:
 - (i) communicate the Facility policy on anti-social behaviour to all People in Detention during the Induction process; and
 - (ii) prominently display the policy on anti-social behaviour in all relevant languages throughout each Facility.
- (d) Where the Service Provider has identified, or suspects, that a Person in Detention has engaged in illegal, non-compliant or antisocial behaviour, the Service Provider must:
 - (i) immediately inform the Department Regional Management with recommendations for:

- (A) dealing with the perpetrator(s); and
- (B) preventing recurrence; and
- (ii) use the Department's nominated information technology system to record details and responses to instances of individual illegal, non-compliant or antisocial behaviour by People in Detention.
- (e) The Department Regional Management is responsible for approving all Service Provider actions that result in withdrawal of a Person in Detention's privileges or placement in a more restrictive placement of Accommodation, and the Service Provider must not take such actions with the required approval.
- (f) The Service Provider must ensure that People in Detention identified as victims of anti-social behaviour are supported by Service Provider Personnel, with relevant details recorded in the Department nominated information technology system.

3.12 People in Detention in More Restrictive Places of Accommodation

- (a) When the Department Regional Management has approved the placement of a Person in Detention in a more restrictive place of Accommodation in the Facility, the Service Provider must:
 - (i) ensure Service Provider Personnel make contact with the Person in Detention on a daily basis while the Person in Detention remains in the more restrictive place of Accommodation;
 - (ii) use the Department's nominated information technology system to record notes related to Service Provider Personnel contact with and observations of People in Detention in more restrictive places of detention; and
 - (iii) develop a behavioural management agreement with the Person in Detention.

3.13 Behavioural Management Agreement

- (a) The Service Provider must:
- (i) ensure that all behavioural management agreements are specific to the particular Person in Detention and include:
 - (A) the background to behaviour management difficulties;
 - (B) any action that was taken;
 - (C) an undertaking by the Service Provider to treat the Person in Detention with dignity and impartiality;
 - (D) an undertaking by the Person in Detention to behave in a specific manner;
 - (E) milestones at which the behaviour of the Person in Detention will be reassessed;
 - (F) a review by the Health Services Manager for any medical, psychological or psychiatric assessment and recommended treatment implications;
 - (G) access to amenities;
 - (H) access to visitors, as advised by the Department Regional Management; and
 - (I) signatures of the relevant Service Provider Personnel and the Person in Detention, noting that the agreement is still to be treated by the Service Provider as effective even if the Person in Detention refuses to sign;
 - (ii) provide the Health Service Manager with relevant background information and access to the Person in Detention such that the Health Service Manager can make an informed assessment as to the clinical counselling or medical needs of the Person in Detention; and
 - (iii) incorporate any recommendations from the Health Services Manager into the development of the behavioural management agreement.

- (b) Where a behavioural management agreement exists, the Service Provider must:
 - (i) reassess the Person in Detention's behaviour at the milestones set out in the behavioural management agreement;
 - (ii) note on the agreement the results of the reassessment; and
 - (iii) give the Department Regional Management the results of the reassessment within one Business Day of conducting the reassessment.

3.14 Identification of People in Detention who are at Risk

- (a) The Service Provider must:
 - (i) develop and implement an evidence based system for determining if a Person in Detention is emotionally distressed, or at risk of self harm or harm to others; and
 - (ii) ensure the system is responsive to advice from the Health Services Manager and includes risk identification and risk mitigation strategies;
- (b) In respect of any Person in Detention who appears to be emotionally distressed, the Service Provider must conduct reasonable supervision in a manner which is unobtrusive and least disruptive to the Person in Detention.
- (c) In managing the immediate needs of those at risk of self harm or harm to others, the Service Provider must:
 - (i) act immediately to ensure the safety of any Person in Detention;
 - (ii) place the Person in Detention under immediate observation; and
 - (iii) advise the Department Regional Management.
- (d) In developing a system under **clause 3.14(a)** the Service Provider may review existing Departmental Suicide and Self Harm (SASH) Protocols to develop their own system in conjunction with the appropriate professional advice.

3.15 Prevention Committee

- (a) The Service Provider must provide a senior Service Provider Personnel representative at each and every Prevention Committee meeting;
- (b) The Prevention Committee must:
 - (i) develop a Prevention Plan, as part of the Individual Management Plan, for People in Detention who have been identified as being at risk; and
 - (i) review the Prevention Plan daily or as otherwise specified in the Prevention Plan.
- (c) The Department Regional Management has final approval of each Prevention Plan.
- (d) The Service Provider must implement all Prevention Plans.

4. Property of People in Detention

4.1 General

- (a) The Service Provider must:
 - (i) ensure that all Property of People in Detention that enters a Facility is screened, checked and managed in accordance with Departmental requirements.
 - (ii) clearly inform the Person in Detention of the procedures for management of their property; and
 - (iii) manage the secure storage of:
 - (A) all Property of People in Detention provided voluntarily by the Person in Detention for storage; and
 - (B) all Excluded and Controlled Items.

4.2 Excluded and Controlled Items

- (a) The Service Provider must:
- (i) remove from each Person in Detention and hold as In Trust Property all property on the Excluded and Controlled Items List; and
 - (ii) when removing / holding in trust Excluded and Controlled Items:
 - (A) explain to the Person in Detention the reason for the removal;
 - (B) record the items on the Property List;
 - (C) securely store the items;
 - (D) return all items that the Person in Detention may legally possess to the person immediately upon Release; and
 - (E) provide all items that the Person in Detention may legally possess to an Escorting Officer when the Person in Detention is being Removed or Transferred.

4.3 Illegal Items

- (a) The Service Provider must:
- (i) remove and hold in trust from each Person in Detention all items that it is illegal for the Person in Detention to possess by Law; and
 - (ii) when removing and holding in trust any Property of People in Detention:
 - (A) explain to the Person in Detention the reason for the item's removal;
 - (B) notify the Department Regional Management in accordance with the Incident Management reporting requirements;
 - (C) record all identifying details concerning the items removed and held in trust; and
 - (D) securely store the item while it awaits further instruction from

the Department Regional Management.

4.4 Storage of and Access to Property of People in Detention

- (a) The Service Provider must:
 - (i) securely and separately store Property of People in Detention;
 - (ii) provide People in Detention with a receipt for all property that is to be stored by the Service Provider;
 - (iii) provide People in Detention with access to their In Trust Property, while ensuring they do not have access to Excluded and Controlled Items; and
 - (iv) maintain a register to record all access to the secure store and ensure that all access is monitored.

4.5 Recording of Property of People in Detention

- (a) The Service Provider must:
 - (i) record all Property of People in Detention in the Person in Detention's presence;
 - (ii) record all property retained by a Person in Detention while in the Facility;
 - (iii) record all In Trust Property;
 - (iv) record all Illegal, Excluded and Controlled Items which have been removed and held in trust; and
 - (v) provide a receipt to the Person in Detention.

4.6 Returning In Trust Property

- (a) The Service Provider must:
 - (i) provide the opportunity for People in Detention to inspect their In Trust Property on Discharge; and

- (ii) provide the opportunity for the Person in Detention to sign a statement indicating their satisfaction or otherwise with the items returned and their condition.
- (b) Where there is a dispute in relation to the quantity or condition of the property returned to a Person in Detention, the Service Provider must ensure that:
 - (i) full details items in question, including the cause of dissatisfaction are obtained from the Person in Detention; and
 - (ii) an immediate investigation is conducted to ensure that any confirmed mistake which is capable of being addressed prior to Discharge is addressed.
- (c) Where a dispute in relation to the quantity or condition of the property returned to a Person in Detention is unresolved at the time of Discharge, the Service Provider must:
 - (i) ensure that the Person in Detention is given contact details of the Facility;
 - (ii) ask the Person in Detention for contact details; and
 - (iii) where subsequent investigations after Discharge confirm a mistake by the Service Provider, ensure that:
 - (A) the property is sent to the person via secure post; and
 - (B) an amount of compensation determined by the Service Provider manager of the Facility (but which must be appropriate to the degree of inconvenience caused) is also sent to the person.

4.7 Lost, Stolen or Damaged Property of People in Detention in the Care of the Service Provider

- (a) Where In Trust Property is lost, stolen or damaged, the Service Provider must reimburse, at its own cost, the Person in Detention for the commercial replacement value of the property.
- (b) Subject to **clause 4.7(c)** of this **Schedule 2.2.1** (People in Detention Services), the Service Provider is not responsible for any property retained by the Person

in Detention in the Facility that is lost, stolen or damaged.

- (c) The Service Provider is responsible for costs associated with any property retained by the Person in Detention in the Facility that is lost, stolen or damaged where that loss, theft or damage is caused by any act, omission or neglect on the part of the Service Provider or Service Provider Personnel.



Australian Government

Department of Immigration and Citizenship

**Detention Services Contract
Immigration Detention Centres**

**SCHEDULE 2
STATEMENT OF WORK**

**SECTION 2.2.2
Facilities Management and Support Services (Mainland
Centres)**

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PHILOSOPHY

The overarching philosophy is for the Service Provider to maintain assets and manage the facilities operations at each Mainland Centre.

The Service Provider will ensure the value of Department Assets and Loose Assets is maintained and the facilities and associated services are managed to allow each Mainland Centre to fulfil its primary purpose. The Service Provider will manage the planning and delivery of the Services to provide the Department with functional, safe, hygienic and aesthetic Mainland Centre environments. The Service Provider will manage facilities cooperatively with the Department Regional Management and the Health Services Manager.

Facilities Management and Support Services will include the provision of quality amenities and the promotion of a healthy and safe environment. The Services will be delivered consistent with the Immigration Detention Values and in a manner that treats People in Detention with dignity and respect. All Service Provider Personnel will behave in a professional, cooperative and accountable manner.

The success of facilities services and associated management will be determined by the extent to which Mainland Centres function effectively and the needs of People in Detention are met satisfactorily.

1. MANAGEMENT OF ASSETS

1.1 General

- (a) The Service Provider must:
 - (i) manage the Department Assets and Loose Assets at all Mainland Centres and operate and maintain the Department Assets and Loose Assets in a manner that ensures the Department Assets achieve their design life and the incidence of Emergency and Breakdown Repairs is minimised;
 - (ii) manage the Maintenance, disposal and replacement of Department Assets and Loose Assets in accordance with the Department Asset Replacement Plan and Philosophy, or as directed by the Department, to ensure that Department Assets and Loose Assets meet their design life and are always safe to use;
 - (iii) only dispose of, or write-off, a Department Asset or Loose Asset with the prior written approval of the Department; and
 - (iv) provide details of all new, replacement and written off Department Assets to the Department as amended in to the Department Asset Register to allow the Department to manage the value of the portfolio of Department Assets.
- (b) The Service Provider is not responsible for project management of:
 - (i) minor capital works conducted as part of the Minor Works Programme; or
 - (ii) major capital works.

1.2 Department Asset Register

- (a) The Department will provide to the Service Provider a Department Asset Register for each Mainland Centre during the Transition In Period.
- (b) The Service Provider must provide an asset management system that will record and maintain the Department Asset Register.
- (c) The Service Provider must maintain the currency of the Department Asset Register for each Mainland Centre, including:
 - (i) recording identification details of existing, new, replacement, upgraded and relocated Department Assets, including:
 - (A) locations of Department Assets, including details of any Department Assets transferred between Facilities;
 - (B) identifying features (including serial numbers and bar code numbers);
 - (C) certificates of compliance;

- (D) warranties; and
- (E) test records; and
- (ii) removing assets from the Department Asset Register when the Service Provider disposes of Department Assets.
- (d) The Service Provider must update the Department Asset Register in accordance with any changes in asset value as notified by the Department from time to time.
- (e) The Service provider must, in conjunction with Department Personnel, conduct an annual physical stock take of all Department Assets in conjunction with the Department Regional Manager.

2. MAINTENANCE OF ASSETS

2.1 General

- (a) The Service Provider must maintain:
 - (i) all Department Assets including all buildings, fittings, plant and equipment, engineering services, grounds and infrastructure elements, to preserve the functionality and value of the Department Assets, by conducting Maintenance activities will include all inspection, testing and servicing required to ensure compliance with obligations under the Law, relevant Australian Standards, and manufacturers' requirements and specifications; and
 - (ii) the Department Assets and Loose Assets to ensure they achieve their design life and the incidence of Emergency and Breakdown Repairs is minimised.
- (b) The Service provider must maintain Department Assets and Loose Assets to provide a safe, secure and healthy environment, including:
 - (i) planning, scheduling and performing Maintenance; and
 - (ii) planning, scheduling and performing modifications where approved by the Department.

2.2 Maintenance Management Plan

- (a) The Service Provider must develop a Maintenance Management Plan during the Transition In Period, for approval by the Department in accordance with **Schedule 15** (Document Approval Schedule), that includes:
 - (i) a schedule for inspection and testing of Department Assets;
 - (ii) a schedule of planned Maintenance that includes preventative, conditional and corrective maintenance, taking into account the Department Asset Replacement Plan and Philosophy;

- (iii) Response Times for Emergency and Breakdown Repairs;
 - (iv) schedules for the regular Maintenance and testing of security systems;
 - (v) schedules for the regular Maintenance and testing of emergency systems;
 - (vi) any additional Maintenance required due to changes to the Department Asset Register during the Transition In Period; and
 - (vii) any Department Assets that are not fit for purpose or have reached the end of their useful life, and may need major repair, refurbishment or replacement.
- (b) The Service Provider must develop and submit by the annual anniversary of the Handover Date at each Mainland Centre, an updated annual Maintenance Management Plan for Department Assets at each Mainland Centre for Department approval.
- (c) The Service Provider acknowledges that:
- (i) the inclusion of any Department Asset in the Maintenance Management Plan for major repair, refurbishment or replacement by the Service Provider will be at the Department's absolute discretion; and
 - (ii) the Department may be required, under the Commonwealth Procurement Guidelines, to procure such services through an open tender process.

2.3 Computerised Maintenance Management System

- (a) The Service Provider must provide and implement a computerised Maintenance Management System to facilitate Maintenance management that contains:
- (i) details of planning, scheduling and performance of all Department Asset Maintenance including planned and reactive Maintenance;
 - (ii) details of planning, scheduling and performance of modifications, and any Additional Services agreed by the Department;
 - (iii) the status of work orders issued against specific Department Assets;
 - (iv) annual condition audits provided by the Department; and
 - (v) building condition reports and plans provided by the Department.

2.4 Compliance with Australian Standards

- (a) When performing Maintenance or modification work on Department Assets the Service Provider must comply with the Building Code of Australia and all applicable Australian Standards.

2.5 Emergency and Breakdown Repairs

- (a) The Service Provider must:
 - (i) repair all facility service breakdowns as soon as possible and within the Response Times set out in the Maintenance Management Plan; and
 - (ii) record all details related to each defect, fault or damage and subsequent action taken in response to emergency breakdowns.

2.6 Alternative Arrangements during Maintenance

- (a) In the event that a Department Asset or Loose Asset is defective or has to be taken out of service for Maintenance, the Service Provider must:
 - (i) make reasonable alternative arrangements to maintain security, Occupational Health and Safety and environmental standards until the asset is returned to service; and
 - (ii) notify the Department Regional Management of the alternative arrangements and any impact these arrangements may have on provision of the Services.

2.7 Damage by People in Detention

- (a) If People in Detention damage Department Assets or Loose Assets, the Service Provider must:
 - (i) repair or replace the asset in accordance with the Department Asset Replacement Plan and Philosophy;
 - (ii) notify the Department Regional Management; and
 - (iii) record the cost of repairing or replacing assets damaged through malicious action as a separate item in the computerised Maintenance Management System.

2.8 Asset Modifications

- (a) Where the Service Provider believes modifications are required to reduce Maintenance costs, or improve the operational efficiency or effectiveness of Department Assets provided by the Department, the Service Provider must provide a business case to the Department that quantifies the cost and benefits of the proposed modifications to the Department and People in Detention.

2.9 Maintenance and Replacement of Loose Assets

- (a) The Service Provider must:
 - (i) maintain the Loose Assets to ensure they remain functional and fit for purpose at all times;

- (ii) ensure the level of service and amenity provided by the Loose Assets meets the ongoing needs of the population of People in Detention at each Mainland Centre; and
- (iii) ensure it obtains the Department's approval before replacing or modifying any of the Loose Assets.

2.10 Security Systems

- (a) The Service Provider must, in accordance with the Maintenance Management Plan, maintain and test security systems at each Mainland Centre to ensure the security systems remain functional at all times to achieve the security outcomes specified in this Contract.

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2.11 Emergency Systems

- (a) The Service Provider must, in accordance with the Maintenance Management Plan, maintain and test emergency systems at each Mainland Centre in accordance with applicable Law, emergency services recommended procedures and manufacturer's instructions.
- (b) For the purposes of this **Section 2.2.2** (Facilities Management and Support Services) emergency systems include:
 - (i) fire fighting systems;
 - (ii) alarm systems;
 - (iii) safety and emergency signage;
 - (iv) systems for managing power outages, in particular standby diesel generators and uninterrupted power supplies; and

- (v) first aid equipment.

2.12 Grounds and Infrastructure Maintenance

- (a) The Service Provider must manage and maintain all grounds including landscaping, planting and horticultural services and built infrastructure (such as roads stormwater drains and fences) to ensure the amenity of the Mainland Centre is maintained in accordance with local community standards and sound environmental management practices.

2.13 Work Practices

- (a) The Service Provider must:
 - (i) ensure all Maintenance work practices are compatible with the Immigration Detention environment; and
 - (ii) where Maintenance or modifications are conducted at a Mainland Centre:
 - (A) maintain safety and security in the Mainland Centre;
 - (B) as far as is reasonably practicable, organise for Maintenance or modifications to be done during Business Hours (this requirement does not apply to repairs to critical systems);
 - (C) ensure tools are controlled at all times and remain inaccessible to People in Detention; and
 - (D) ensure all Service Provider Personnel abide by Conditions of Entry to the Mainland Centre.
- (b) The Service Provider must provide interested People in Detention with the ability to participate in maintenance of grounds activities, including gardening, and where this occurs the Service Provider must:
 - (i) ensure that all maintenance tools are controlled by Service Provider Personnel in accordance with a documented Control of Tools procedure;
 - (ii) closely supervise People in Detention during any maintenance of grounds activities;
 - (iii) develop and implement specific induction procedures to be delivered to People in Detention participating in the maintenance activities; and
 - (iv) satisfy any specific Department requirements regarding the use of tools.

2.14 Communication about Maintenance and Modifications

- (a) The Service Provider must:
 - (i) ensure all people affected by any Maintenance work or modifications being undertaken at a Mainland Centre are aware of the nature and extent of the activity; and
 - (ii) communicate details of actions required to maintain safety and security such as:
 - (A) prevention of unauthorised access to areas under Maintenance, repair or modification;
 - (B) erecting barriers and signage in accordance with the requirements of all relevant Occupational Health and Safety Law and Australian Standards; and
 - (C) notifying People in Detention and other people affected of any alternative arrangements and the duration that they may be in place.

3. CATERING

3.1 General

- (a) The Service Provider must provide catering services at each Mainland Centre.
- (b) For the purposes of this **Section 2.2.2** (Facilities Management and Support Services), catering services include:
 - (i) menu development;
 - (ii) purchase of food supplies and other Consumables required for the catering services;
 - (iii) supply and storage of produce;
 - (iv) meal preparation;
 - (v) meal service;
 - (vi) cleaning of catering areas and equipment; and
 - (vii) management of kitchen waste.
- (c) The Service Provider must:
 - (i) provide all People in Detention under its care at each Mainland Centre with the following, on a daily basis:
 - (A) breakfast;

- (B) lunch; and
- (C) dinner;
- (ii) in the delivery of catering services, ensure the health of People in Detention is maintained;
- (iii) in the delivery of catering services, be responsive to the cultural needs of People in Detention; and
- (iv) provide all equipment necessary to deliver catering services (including all crockery and cutlery) other than that listed in the Department Asset Register and Loose Asset Register for each Mainland Centre.

3.2 **Legislation, the Food Safety Standards and the Hazard and Critical Control Point**

- (a) The Service Provider must:
 - (i) obtain, store, prepare and serve food and beverages in accordance with all applicable Law, and in accordance with Food Safety Standards Australia and New Zealand (Chapter 3) and International Organisation for Standardisation 22000 Food Safety Management Systems;
 - (ii) dispose of food, beverages and waste in accordance with all applicable Law, and in accordance with Food Safety Standards Australia and New Zealand (Chapter 3);
 - (iii) gain and maintain certification for a Hazard and Critical Control Point based food safety system under International Organisation for Standardisation 22000 at each Mainland Centre; and
 - (iv) comply with all applicable Law for Occupational Health and Safety.

3.3 **Centre-based Catering Managers**

- (a) The Service Provider must designate a Service Provider Personnel member at each Mainland Centre who will be primarily responsible for:
 - (i) monitoring and controlling the quality and quantity of food and beverages provided to People in Detention;
 - (ii) rostering, and supervising catering Service Provider Personnel;
 - (iii) assessing the current skills of catering Service Provider Personnel and identifying the training requirements for each individual, to be delivered via an individualised training plan;
 - (iv) ensuring that Service Provider Personnel hired as chefs have the requisite specialist training in culturally specific cuisine, or are provided with such specialist training within one month of employment;

- (v) ensuring only Service Provider Personnel deliver the Services;
- (vi) attending all Consultative Committee meetings where food related issues are considered;
- (vii) liaising with the Department Regional Management and the Health Services Manager; and
- (viii) managing environmental issues associated with provision of catering services including the management of kitchen waste.

3.4 **Dietician**

- (a) The Service Provider must engage the services of a dietician to:
 - (i) assist in the development of Recipe Cards and Menu Plans;
 - (ii) liaise with the Health Services Manager to ensure that any specific dietary needs are catered for;
 - (iii) advise on nutritional and dietary requirements that accommodate the cultural and religious needs of People in Detention; and
 - (iv) attend at least two Consultative Committee meetings, where food issues are considered, at each Mainland Centre each year.

3.5 **Recipe Cards**

- (a) The Service Provider must, before they develop Menu Plans, develop Recipe Cards that detail the ingredients and method of cooking of meals that the Service Provider must provide to People in Detention for lunch and dinner.
- (b) Recipe Cards developed by the Service Provider must incorporate:
 - (i) input from the dietician;
 - (ii) feedback from the Consultative Committee and complaints made by People in Detention; and
 - (iii) requests by People in Detention that have been approved by the Department.

3.6 **Variety and Menu Plans**

- (a) The Service Provider must:
 - (i) develop for each Mainland Centre a rolling Menu Plan of at least 21 days duration;
 - (ii) submit the Menu Plan at least two weeks prior to the expiry of the preceding Menu Plan to the Department Regional Management for approval;
 - (iii) ensure that the Menu Plan:

- (A) has been developed by the dietician;
 - (B) is based on Recipe Cards;
 - (C) provides for a range of meals that are nutritious and appealing;
 - (D) specifies the use of fresh ingredients in preference to frozen or preserved ingredients where this is reasonably practicable;
 - (E) includes a choice of at least two meat-based dishes, one vegetarian dish and a salad bar for lunch and dinner;
 - (F) includes at least one dessert and fruit at lunch and dinner;
 - (G) does not repeat more than 20% of the meals during the period of the Menu Plan;
 - (H) reflects the cultural and religious preferences of People in Detention in the Mainland Centre; and
 - (I) incorporates feedback from the Food Consultative Committee.
- (iv) implement a "Comments Book" at each Mainland Centre, by which formal feedback must be sought from both People in Detention and Service Provider Personnel, with comments being discussed and acted on during:
- (A) the Service Provider's internal catering section weekly process meetings; and
 - (B) meetings of the Consultative Committee.

3.7 Quantity of Food and Beverages

- (a) The Service Provider must provide food and beverages in quantities that are at least 10% more at lunch times and 50% more at dinner times than the quantities identified in the Dietary Guidelines for Australian Adults published by the National Health and Medical Research Council.

3.8 Specific Health Needs of People in Detention

- (a) The Service Provider must provide, in consultation with the Health Services Manager, meals tailored to meet the specific medical and dietary needs of a Person in Detention if such a need is advised by the Department Regional Management.
- (b) The Service Provider must interview each Person in Detention to ascertain their dietary requirements/preferences.
- (c) Where the Service Provider is advised by a medical practitioner of a special dietary requirement, the Service Provider must liaise with the Health Services Manager in the development of an alternative menu with details entered onto the alternative meals register.

3.9 Halal Arrangements

- (a) The Service Provider must ensure that food prepared for People in Detention of Islamic faith is Halal, including:
 - (i) sourcing produce certified as Halal by a recognised Halal food certification organisation; and
 - (ii) preventing any cross-contamination between Halal food and preparation areas and any other food and preparation areas.

3.10 Provision of Meals

- (a) The Service Provider must:
 - (i) prepare meals in accordance with Recipe Cards;
 - (ii) provide meals in accordance with the current approved Menu Plan;
 - (iii) respect the cultural preferences of all People in Detention when preparing the Menu Plan; and
 - (iv) display the Menu Plan in the dining area in languages understood by People in Detention.

3.11 Dining Room

- (a) The Service Provider must:
 - (i) provide lunch and dinner in a designated dining room (where a dining room exists in the Mainland Centre);
 - (ii) provide breakfast, morning and afternoon tea, supper and barbecues in designated self-catering areas or in another designated common area; and
 - (iii) except where agreed with the Department's Mainland Centre Manager, open the dining area for:
 - (A) lunch – between 1230 and 1400;
 - (B) dinner – between 1830 and 2000; and
 - (C) serving meals to People in Detention of the Islamic faith before dawn and after sunset during Ramadan.

3.12 Late Arrivals

- (a) The Service Provider must provide a meal within one hour to People in Detention who arrive at a Mainland Centre between 1830 and 0700.

3.13 Breakfast

- (a) The Service Provider must provide self-service breakfast that is available to People in Detention at all times in a designated self-catering area that includes:
- (i) drinking water;
 - (ii) tea and coffee;
 - (iii) fresh milk (including soy milk);
 - (iv) a variety of breads;
 - (v) a variety of jams and spreads;
 - (vi) fresh fruit;
 - (vii) sugar (and artificial sweeteners);
 - (viii) cereal;
 - (ix) rice;
 - (x) noodles; and
 - (xi) where possible, self-catered items provided in individually sealed serves.

3.14 Self-Catering

- (a) The Service Provider must manage designated self-catering areas, including ensuring:
- (i) self-catering areas and equipment are clean and hygienic at all times;
 - (ii) equipment in self-catering areas is safe and fit-for-use; and
 - (iii) all food and beverages are stored correctly for safe consumption.

3.15 Barbecues

- (a) The Service Provider must manage all barbecue equipment and areas, which are specialised self catering areas, including:
- (i) preparing food for People in Detention to cook on barbecues;
 - (ii) ensuring that barbecues have fuel and are clean and functional;
 - (iii) cleaning barbecue equipment and areas after they have been used by a Person in Detention; and
 - (iv) maintaining one or more Halal barbecue plates and ensuring that they are not used for cooking non-Halal food.

3.16 Transport of Food and Beverages

- (a) The Service Provider must:
 - (i) comply with all applicable Law and the Food Safety Standards Australia and New Zealand applying to the transport of food and beverages at all times; and
 - (ii) clean and maintain any hot boxes and eskies used to transport food and beverages.
- (b) The requirements in **clause 3.16(a)** apply to all transport of food and beverages, including any movement of food and beverages between different areas within a Mainland Centre.

3.17 Cleaning of Food Preparation and Service Areas

- (a) The Service Provider must keep all food transportation, storage, preparation, service, dining and waste storage areas (including designated self-catering and barbeque areas) and equipment clean and hygienic in accordance with:
 - (i) Food Safety Standards Australia and New Zealand (Chapter 3); and
 - (ii) any applicable manufacturer's or supplier's specifications for cleaning and catering equipment.
- (b) The Service Provider must ensure that sufficient Service Provider Personnel are employed on each shift to allow for efficient cleaning of all food transportation, storage, preparation, service, dining and waste storage areas (including designated self-catering and barbeque areas) and equipment.
- (c) The Service Provider must organise periodic inspections of all catering facilities to ensure the standards outlined at **clause 3.17(a)** are maintained.

3.18 Display of Signage

- (a) The Service Provider must document and prominently display instructions for the cleaning and maintenance of hygiene and safety in dining, food preparation and designated self-catering areas in accordance with the Health Analysis and Critical Control Points Plan and any Department instructions.

4. CLEANING SERVICES

4.1 General

- (a) The Services Provider is responsible for all routine and non-routine cleaning of the Mainland Centres to ensure the safety, hygiene and well-being of People in Detention, and all other people at the Mainland Centre.

- (b) For the purposes of this **Section 2.2.2** (Facilities Management and Support Services), cleaning includes cleaning of all infrastructure that forms part of the Mainland Centre including:
- (i) office spaces for the Department and Service Provider Personnel (including demountable office space);
 - (ii) all functional areas, as well as all indoor recreational and visits areas;
 - (iii) health facilities; and
 - (iv) all common areas, industrial workshops and plant and equipment rooms.
- (c) The Service Provider must conduct all cleaning services in accordance with relevant Occupational Health and Safety Legislation and any applicable cleaning industry standards.
- (d) The Service Provider must undertake routine and non-routine cleaning at each Mainland Centre, such cleaning must:
- (i) meet the detailed requirements as agreed with the Department during the Transition In Period and documented in the Cleaning Services Plan;
 - (ii) conform to Australian Safety and Compensation Council: 1005 National Model Regulations for the control of workplace hazardous substances, and
 - (iii) conform to Australian Safety and Compensation Council: 1015 Storage and handling of workplace dangerous goods.
- (e) The Service Provider must maintain a sufficient number of pre-trained relief cleaning Service Provider Personnel to fill short term vacancies which occur, due to sick leave, annual leave or other absences.
- (f) The Service Provider must implement cleaning comment books in appropriate locations throughout each Mainland Centre, which includes:
- (i) the cleaning schedule for each building;
 - (ii) a section for 'last cleaned' entry by cleaning Service Provider Personnel; and
 - (iii) details to allow for a quick assessment of cleaning effectiveness and conformance to the cleaning schedule.

4.2 **Cleaning Services Plan**

- (a) The Service Provider must during the Transition In Period, for approval by the Department in accordance with **Schedule 15** (Document Approval Schedule), develop and implement a Cleaning Services Plan at each Mainland Centre.
- (b) The Cleaning Services Plan must include:

- (i) details of routine cleaning tasks and schedules, inclusive of office spaces for the Department and Service Provider Personnel, all functional areas, including all indoor recreational and visits areas, all common areas, industrial workshops and plant and equipment rooms;
 - (ii) response times to non-routine requests for cleaning services and planned methods and resources required to meet these times;
 - (iii) how cleaning equipment and chemicals will be securely stored and managed;
 - (iv) measures to be implemented to minimise disturbance to People in Detention during cleaning;
 - (v) competencies for Service Provider Personnel responsible for cleaning; and
 - (vi) a training program for unskilled Service Provider Personnel to attain cleaning competencies.
- (c) The Service Provider must develop and submit by the annual anniversary of the Handover Date at each Mainland Centre, an updated Cleaning Services Plan at each Mainland Centre for Department approval.

4.3 Non-routine Cleaning

- (a) The Service Provider must ensure there are Service Provider Personnel available at all times to respond to non-routine cleaning requirements, which may be required after:
- (i) accidents;
 - (ii) equipment malfunction; and
 - (iii) Incidents.
- (b) The Service Provider must ensure that cleaning Service Provider Personnel are available between the hours of 0700 and 2100 hours to ensure a ready response to non-routine requests.
- (c) The Service Provider must ensure that training is provided to Service Provider Personnel to ensure that where an emergency cleaning requirement cannot be met by the available cleaning Personnel, contingency plans are enacted to reduce the potential impact on People in Detention.

4.4 Cleaning Accommodation

- (a) The Service Provider must clean Accommodation in the following circumstances:
- (i) before a Person in Detention occupies the room;
 - (ii) after a Person in Detention vacates the room; and

- (iii) when it is necessary, especially for People in Detention who may not be able to clean their room themselves.
- (b) Where non-routine cleaning of occupied Accommodation is required, the Service Provider must gain the consent of the Person in Detention prior to conducting the cleaning.

4.5 **Provision of Cleaning Equipment and Chemicals to People in Detention**

- (a) The Service Provider must:
 - (i) provide People in Detention with controlled access to cleaning equipment and ready for use cleaning chemicals to allow People in Detention to clean their own Accommodation; and
 - (ii) ensure that People in Detention do not retain any cleaning equipment and cleaning chemicals after use.

4.6 **Minimise Disturbance to People in Detention and Exposure to Hazards**

- (a) The Service Provider must minimise disturbance to People in Detention, and must not expose People in Detention or any other person to hazards caused by cleaning activities, including:
 - (i) coordinating cleaning schedules with the daily routine of People in Detention;
 - (ii) placing warning signs where cleaning operations may create a hazard; and
 - (iii) preventing People in Detention from accessing areas that are being cleaned or treated.

4.7 **Cleaning Equipment and Chemicals**

- (a) The Service Provider must ensure all equipment and chemicals used for cleaning are safe, suitable for purpose and stored securely when not in use.

5. **ENVIRONMENTAL MANAGEMENT**

5.1 **Environmental Management System**

- (a) The Service Provider must develop and implement an Environmental Management System for each Mainland Centre:
 - (i) to manage energy consumption, the use of natural resources, waste disposal, and vermin and pest control;
 - (ii) that is certified under the International Organisation for Standardisation 14001 Standard; and
 - (iii) that includes:

- (A) objectives for environmental management;
 - (B) a risk assessment of the environmental impacts of the individual Mainland Centre operations;
 - (C) measures to manage energy consumption, the use of natural resources, waste disposal and pest control;
 - (D) procedures and documentation for the implementation, development, review and continuous improvement of the Environmental Management System;
 - (E) a self assessment program; and
 - (F) a process for independent annual auditing of the Environmental Management System.
- (b) The Environmental Management System for each Mainland Centre must be developed by the Service Provider during the Transition In Period and will be approved by the Department in accordance with **Schedule 15** (Document Approval Schedule).

5.2 Energy and Water Use

- (a) The Service Provider must implement any reasonable and cost-effective measures to minimise energy and water use in the Mainland Centre, including:
- (i) identifying and correcting any wasteful operation or practices;
 - (ii) conducting routine Maintenance of systems to achieve peak operational efficiency;
 - (iii) promoting the responsible use of energy, natural resources and water to People in Detention and Service Provider Personnel;
 - (iv) complying with water restrictions or other water saving measures at the Mainland Centres as notified by the Department (in accordance with all applicable Law);
 - (v) advising the Department on energy and water consumption, and activities implemented to reduce the consumption of energy and water; and
 - (vi) supplying data to assist the Department to report on energy use as part of the whole of government reporting and Commonwealth requirements on environmental data gathering and reporting.

5.3 Waste Management

- (a) The Service Provider must:
- (i) implement reasonable and cost effective measures to manage, in accordance with all applicable Law, disposal of:
 - (A) general liquid and solid waste;
 - (B) non-serviceable or unused fixtures, fittings and equipment (such as white goods, mattresses, and fluorescent light tubes);
 - (C) hazardous materials and hazardous waste;
 - (D) kitchen waste; and
 - (E) garden waste; and
 - (ii) when undertaking disposals, seek to maximise recycling and, where applicable, composting of waste.

5.4 Vermin and Pest Control

- (a) The Service Provider must develop and implement a Vermin and Pest Control Plan for each Mainland Centre, during the Transition In Period (for approval by the Department in accordance with **Schedule 15** (Document Approval Schedule)), that:
- (i) is based on Australian Pest Controllers Association best practice;
 - (ii) is compliant with all applicable Law; and
 - (iii) includes measures that must be taken to prevent or eradicate vermin or pest infestations, such as:
 - (A) environmental and habitat measures to disrupt breeding and life-cycles;
 - (B) low level chemical measures such as localised dusting and misting; and
 - (C) the scope of the measures to be implemented and the frequency.
- (b) The Service Provider must develop and submit by the annual anniversary of the Handover Date at each Mainland Centre, an updated Vermin and Pest Control Plan at each Mainland Centre for Department approval.

5.5 Disruption and Health Implications of Vermin or Pest Control Activities

- (a) The Service Provider must avoid exposing any person to hazards caused by vermin and pest control activities and must minimise disturbance to People in Detention caused by vermin and pest control activities by implementing measures including:
 - (i) coordinating vermin and pest control activities with the daily routine of People in Detention;
 - (ii) placing warning signs where vermin and pest control activities may create a hazard;
 - (iii) preventing People in Detention from accessing areas that are being treated with hazardous chemicals; and
 - (iv) consulting with the Department before commencing any pest or vermin control activities that will significantly disrupt daily activities in a Mainland Centre.

6. OCCUPATIONAL HEALTH AND SAFETY

6.1 General

- (a) The Service Provider must:
 - (i) develop and implement an Occupational Health and Safety Plan based on AS4801:2001 principles for each Mainland Centre, during the Transition In Period (for approval by the Department in accordance with **Schedule 15** (Document Approval Schedule));
 - (ii) develop and submit by the annual anniversary of the Handover Date at each Mainland Centre, an updated Occupational Health and Safety Plan at each Mainland Centre for Department approval after seeking certification of the Occupational Health and Safety Plan and management system by an appropriately qualified and experienced person; and
 - (iii) implement systems at each Mainland Centre to ensure the health and safety at each Mainland Centre for all People in Detention, Visitors, Service Provider Personnel and Department Personnel.

6.2 Compliance with all Applicable Law for Occupational Health and Safety

- (a) The Service Provider must comply with all applicable Laws for Occupational Health and Safety.

6.3 Occupational Health and Safety Committee

- (a) The Service Provider must:
 - (i) establish an Occupational Health and Safety Committee at each Mainland Centre to oversee compliance with all applicable Occupational Health and Safety requirements;
 - (ii) ensure the Occupational Health and Safety Committee meets at least quarterly and as required to address any Occupational Health and Safety issues; and
 - (iii) ensure that:
 - (A) People in Detention are represented on the Occupational Health and Safety Committee; and
 - (B) the Department Regional Manager is invited to all meetings of the Occupational Health and Safety Committee.

6.4 Safety Precautions in Performing the Services

- (a) The Service Provider must ensure all people within a Mainland Centre observe all the Occupational Health and Safety rules for that Mainland Centre, including rules applicable to:
 - (i) the storage, transport, and use of materials; and
 - (ii) safe work processes and the incorporation of any safety precautions.

6.5 Use of Hazardous Substances and Chemicals

- (a) The Service Provider must ensure that:
 - (i) People in Detention, Visitors, Service Provider Personnel, Subcontractors and Department staff are not exposed to hazardous substances; and
 - (ii) the Material Safety Data Sheets of all chemicals used in the delivery of Services (including chemicals used by Subcontractors) are readily available in case of emergency.
- (b) For the purposes of this **Section 2.2.2** (Facilities Management and Support Services), hazardous substances are as defined in the Australian Safety and Compensation Council Guidance Note for Determining and Classifying a Hazardous Substance [30011].

7. MANAGEMENT OF EMERGENCIES

7.1 General

- (a) The Service Provider must:
 - (i) ensure each Mainland Centre is a safe and secure environment for people to live and work in; and
 - (ii) comply with all applicable Law and Australian Standards for the control and management of emergencies.
- (b) The Service Provider must develop and implement Emergency Plans (that include the Service Provider's procedures for managing and responding to all emergencies) for each Mainland Centre, during the Transition In Period (for approval by the Department in accordance with **Schedule 15** (Document Approval Schedule), to ensure the safety and security at each Mainland Centre of all People in Detention, visitors, Service Provider Personnel and Department Personnel.
- (c) The Service Provider must develop and submit by the annual anniversary of the Handover Date at each Mainland Centre, an updated Emergency Plan at each Mainland Centre for Department approval.

7.2 Compliance with Australian Standards

- (a) The Service Provider must comply with all applicable Australian Standards including Australian Standard 3745.

7.3 Emergency Control Organisation

- (a) The Service Provider must, in conjunction with the Department Regional Management and other service providers, establish an Emergency Control Organisation at each Mainland Centre which will be responsible for:
 - (i) implementing emergency procedures as prescribed in the Emergency Plan and procedures;
 - (ii) ensuring that all Service Provider Personnel within their area of responsibility are trained for their role in an emergency;
 - (iii) reporting any matters likely to affect the viability of the Emergency Plan and procedures;
 - (iv) checking on the effectiveness of emergency systems and equipment; and
 - (v) controlling emergency situations until the appropriate emergency service arrives to take control, at which time, the Emergency Control Organisation will work in conjunction with that service.

- (b) The Emergency Control Organisation must meet quarterly and after any emergency.

7.4 **Emergency Exercises**

- (a) The Service Provider must:
 - (i) conduct all emergency exercises required by Law and as directed by the Department Regional Management at each Mainland Centre; and
 - (ii) maintain records of all emergency exercises conducted.



Australian Government

Department of Immigration and Citizenship

**Detention Services Contract
Immigration Detention Centres**

**SCHEDULE 2
STATEMENT OF WORK**

**SECTION 2.2.2A
Christmas Island - Facilities Management
and Support Services**

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