



# Annual Report 2017/18

## Acacia Prison Services Agreement

<b>Document status:</b>	Final approved
<b>Date:</b>	28 September 2018
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<b>Approved by:</b>	Tony Hassall Commissioner 28 September 2018
<b>HPRM reference:</b>	AD2018/139875

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## **1 Contract Background and History**

Acacia Prison (Acacia) is a privately operated medium security facility located near Wooroloo, approximately 55km east of Perth. Opened in 2001, the land and buildings constituting Acacia are publicly owned.

The Acacia Prison Services Agreement (the Agreement), between the Commissioner of Corrective Services, on behalf of the State of Western Australia (the State) and Serco Australia Pty Ltd, was executed on 6 May 2006. Serco commenced operations on 16 May 2006. The Agreement was awarded as a five year contract with two extension options of up to five years each. The first of the two five-year extension options was exercised in May 2011. The second and final option was exercised in May 2016. The Agreement will expire on 16 May 2021.

## **2 Contract Management**

### **2.1 Overview**

The Agreement is overseen and monitored by the Private Prison Contracts Management (PPCM) branch within the Corrective Services Division of the Department of Justice (the Department).

Contractual performance and service delivery is assessed and managed by a contract management meeting, held monthly, with the Contract Manager, the Contractor Representative/Superintendent and other Departmental and Serco representatives. This includes reviewing Performance Measures, Performance Improvement Requests (PIRs), Specified Events and other contract management oversight mechanisms. It also provides a forum to discuss operational matters affecting Acacia.

Contractual performance and service delivery is overseen by the Joint Management Board. The Contract Manager reports on Serco's performance at this meeting, held quarterly, which is also used to provide direction and advice on strategic and policy issues affecting the provision of services under the Agreement.

### **2.2 Monitoring and Compliance**

The Corrective Services Division operates a team of on-site compliance officers through its Monitoring and Compliance branch, who conduct compliance checks to ensure service delivery requirements are met.

Feedback from the Monitoring and Compliance Officers assists in assessing compliance and performance, as well as ensuring continuous improvement by Serco.

### **2.3 Performance Measures**

The Agreement provides for a suite of thirteen (13) Performance Measures that enable the State to assess compliance with service delivery requirements within the Agreement. 5% of the monthly Operation Payments due to Serco are withheld to allow for the payment of these measures (see 7 Contract Payments and Associated Financial Information).

A monthly report is completed by Serco indicating performance against each performance measure, which is reviewed and verified by PPCM.

## 2.4 Corrective Measures

In addition to the payment incentives described above, the Agreement provides for several contractual sanctions that may be applied in the event of non-compliance with service delivery requirements. These corrective measures comprise the following:

- **Performance Improvement Request (PIR):** A written notice by the State requiring Serco to improve its performance of the Contractor Services.
- **Abatement Amount:** An amount required to be paid as the result of a Specified Event as listed in Schedule 1 of the Agreement.
- **Default Notice:** A notice given by either party for any breach or default by the Contractor or the Contractor's Obligations.

## 3 2017/18 Key Projects and Initiatives

### 3.1 Fifty Bed Expansion

During the 2017/18 Operation Year the State and Serco entered into negotiations to install an additional fifty (50) beds at Acacia, raising the capacity of Acacia to 1,525. These negotiations were ongoing at the conclusion of the 2017/18 Operation Year.

### 3.2 Performance Measures Review

Between April and June 2018, a review of the Performance Measures was carried out in conjunction with Serco. This review resulted in a number of measures having their Progressive Targets adjusted, with a view to driving continuous improvement in Serco's service delivery. Adjustments were also made to the overall mitigation rules to improve accuracy in reporting and better reflect Serco's actual performance against each measure.

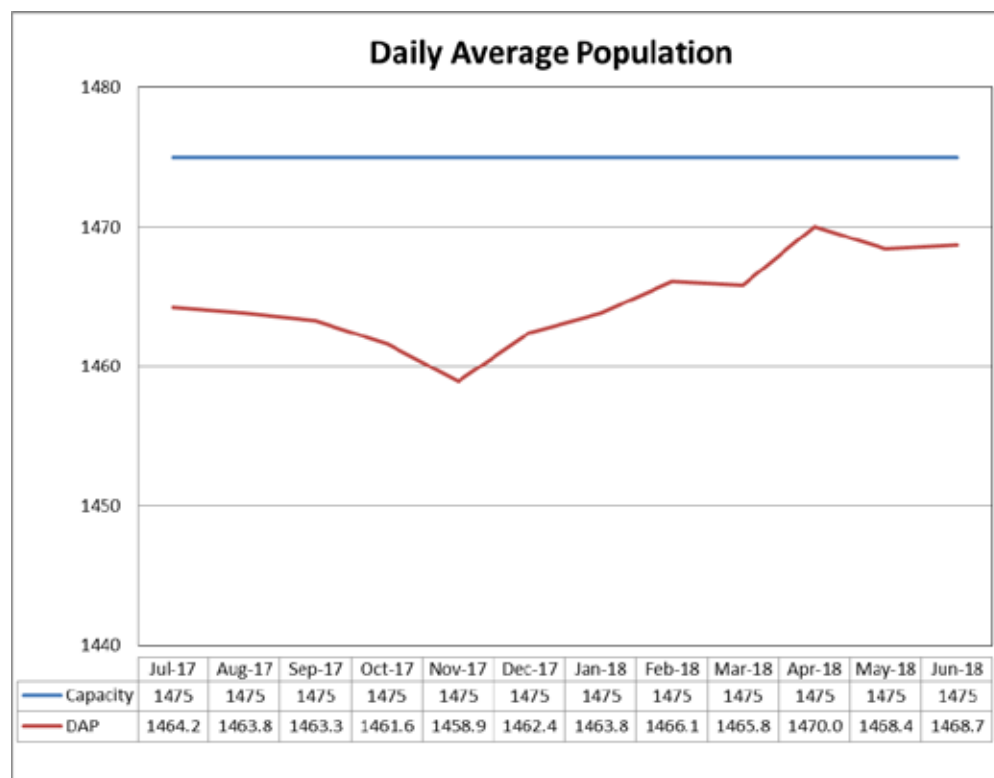
The revised Performance Measures – Acacia Prison Services Agreement 2018/19 are effective 1 July 2018. The complete suite of updated Performance Measures are attached to this report at Attachment B.

## 4 Prison Population

At the conclusion of the 2017/18 Operation Year Acacia had an operational capacity of 1475 prisoners. This included 803 standard, 336 self-care, 303 protection and 33 assisted care beds.

To fully optimise the utilisation of beds across Western Australia, and to ensure maximum value for money from the Agreement, the State operates Acacia as near as possible to its operational capacity.

The below graph shows the Daily Average Population (DAP) at Acacia over the course of the 2017/18 Operation Year.



## 5 Contractual Performance

### 5.1 Performance Measures

The PPCM branch reviews contractual performance on a monthly basis. Serco submits a monthly report that includes a performance report indicating performance against all performance measures. The performance report is reviewed by PPCM and a final report of the performance measures for the month is produced and signed by the State.

During the 2017/18 Operation Year Serco's performance against the Performance Measures was satisfactory. There were eight serious prisoners assaults, compared to seven in the 2016/17 Operation Year. There was only one serious self-harm incident, compared to nine in the 2016/17 Operation Year. Only 3.15% of random drug tests returned positive results, compared to 6.28% in the 2016/17 Operation Year.

Serco achieved full payment for 11 of the 13 Performance Measures, with partial payment of the remaining two 97.75% of the available PLF (\$3,400,539.81) was paid to Serco (see 7 Contract Payments and Associated Financial Information).

The results of Serco's performance against each performance measure for the 2017/18 Operation Year is shown in the attached Performance Measure Dashboard at Attachment A.

### 5.2 Corrective Measures Applied

Where service delivery is determined not to meet contractual requirements, the Agreement provides for several contractual provisions that may be applied (See 2.4

Corrective Measures). The following corrective measures were applied in the 2017/18 Operation Year:

### **5.2.1 Performance Improvement Requests**

In the 2017/18 Operation Year the State issued three PIRs. A summary of these PIRs is below:

1. Support and Monitoring System (issued 11 September 2017)
2. Prison Cleanliness (issued 15 March 2018)
3. Supervision of Prisoners and Visitors (issued 28 June 2018).

### **5.2.2 Abatement amounts**

There were no Abatement Amounts issued to Serco during the 2017/18 Operation Year.

During the 2017/18 Operation Year there were two deaths in custody. Both deaths will be subject to a coronial inquest by the State Coroner of Western Australia:

- Mr Frederick Leese passed away on 20 May 2018
- Mr Dragan Jacovic passed away on 22 June 2018.

The Department will determine whether Abatement Amounts will be applied following receipt of the State Coroner's determination on the cause of each death.

## **6 External oversight**

Serco's operations at Acacia Prison are subject to a range of reviews by external bodies. During the 2017/18 Operation Year, reviews included:

### **6.1 Independent Visitors Services (IVS)**

The IVS is managed by the Office of the Inspector of Custodial Services, utilising persons appointed by the Minister for Corrective Services. It is an independent form of external scrutiny that monitors and inspects prisons across Western Australia.

During the 2017/18 operation Year, the IVS undertook monthly visits to Acacia Prison. Issues raised by prisoners included property and unit temperature complaints. Each complaint was responded to by Serco and responses were overseen by the State.

### **6.2 Corruption and Crime Commission (CCC)**

On 26 June 2018, the Corruption and Crime Commission released a report on corrupt custodial officers and the risks of contraband entering prisons. The report made a number of recommendations, which Serco and the State are currently reviewing and addressing in order to minimise the potential of drug trafficking by staff.

## 7 Contract Payments and Associated Financial Information

The costs associated with the Agreement for the 2017/18 Operation Year are below (rounded to the nearest dollar):

Monthly Service Payment	Payment
Operation Payments (excluding 5% PLF withholding)	\$66,169,792
Performance Linked Fee (PLF)	\$3,400,540
Wages Adjustment (including the estimated value of the balance payment amount not yet paid)	\$6,720,000
Pharmacotherapy Reimbursement	\$229,777
Hospital Sits Reimbursement	\$134,978
Utilities Reimbursement	\$595,210
<b>Gross total:</b>	<b>\$77,250,297</b>

### Correction to 2016/17 Annual Report:

The Annual Report 2016/17 Acacia Prison Services Agreement, tabled in Parliament on 31 October 2017 by the Minister for Corrective Services, contained an error in Contract Payments and Associated Financial Information heading.

The Operation Payments were listed as being \$72,934,116, including the total year forecast for the wages adjustment. A review of the 2016/17 report has identified that the estimated balance payment amount for the wages adjustment had not been included.

The total payments made to Serco under the Agreement for the 2016/17 Operation Year were therefore \$76,449,822, rather than the amount previously reported.

### 7.1 Prisoner Welfare Trust Fund (PWTF)

Serco operates a canteen service which offers snacks, confectionary, non-alcoholic drinks, toiletries, magazines, books, stationery and any other items as specified to prisoners. Under the Agreement, Serco is required to make payment into the Prisoner Welfare Trust Fund an amount equal to two percent (2%) of Gross Canteen Sales in respect of the previous month. In addition, Serco has contributed 50% of gross sales from the visitor's canteen into the trust fund. Expenditure from this fund is approved by the Department where submissions from Serco demonstrate that the funds will be used for the welfare of prisoners at Acacia.

As at 1 July 2017 the PWTF had an opening balance of \$122,121.89.

Payments made to PWTF for the 2017/18 Operation Year totalled \$86,860.95.

The following expenditure was approved by the Department in the 2017/18 Operation Year:

- Family days - \$14,925.77
- Main gym equipment replacement - \$95,478.19
- Replacement and purchase of additional recreational equipment as part of muster increase to 1475 - \$51,631.80
- Recoup of library books due to water damage from a burst pipe - \$1,500.

The PWTF had a closing balance of \$45,447.08 at the end of the 2017/18 Operation Year.

## **7.2 Prison Industries**

Serco engages with external agencies and contractors to provide training which allows prisoners to undergo and complete trade-related and employment-specific skills. These include metal workshops and woodwork shops producing a wide variety of woodwork items, including designing a new prototype bunk used in the recent 50 bed expansion.

Under clause 8.2 of the Agreement, Serco is required to pay the State an amount equal to ten percent (10%) of the Gross Prison Industry Revenue. In the 2017/18 Operation Year \$76,704.62 was paid to the State.

### **Attachments:**

Attachment A - Performance Measure Dashboard

Attachment B – Performance Measures Acacia Prison Services Agreement 2018/19



### Attachment A – Performance Measure Dashboard

Acacia Prison Services Agreement - 2017/18 Dashboard																	
			2017/18 Quarter 1			2017/18 Quarter 2			2017/18 Quarter 3			2017/18 Quarter 4			2017/18 YTD	Trend	2017/18 % PLF
			Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18			
<b>Performance Measures</b>																	
1	Serious Assaults	<9	0	1	0	1	0	0	0	1	0	2	2	1	8		100%
2	Serious Self-Harm / Attempted Suicide	<9	0	0	0	0	0	1	0	0	0	0	0	0	1		100%
3	ARMS	>95%	100%	86.1%	100%	100%	100%	97.0%	100%	98.3%	100%	100%	94.5%	100%	98.0%		90%
4	Random Urine Tests	<9%	6.76%	5.40%	4.05%	1.35%	1.35%	2.70%	4.05%	1.35%	2.70%	4.05%	1.35%	2.70%	3.15%		100%
5	Sentence Management	>95%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100.0%		100%
6	Education, Training and Employment	>90%	98.0%	99.0%	98.8%	98.6%	99.1%	100%	100%	100%	100%	100%	100%	100%	99.46%		100%
7	Clinical Programs - Delivery	>90%	N/A	N/A	100%	N/A	N/A	100%	N/A	N/A	100%	N/A	N/A	100%	100%		100%
8	Clinical Programs - Treatment Reports	>95%	N/A	N/A	96.1%	N/A	N/A	100%	N/A	N/A	100%	N/A	N/A	100%	99.0%		100%
9	Substance Use Support and Treatment Plans	>90%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%		100%
10	Adult Basic Education	>75%	N/A	N/A	98.00%	N/A	N/A	100%	N/A	N/A	96.49%	N/A	N/A	98.28%	98.19%		100%
11	Throughcare Planning	>90%	100%	100%	96.0%	95.0%	100%	100%	100%	100%	100%	100%	100%	100%	99.3%		100%
12	Individual Operational Readiness	100%	N/A	N/A	100%	N/A	N/A	100%	N/A	N/A	100%	N/A	N/A	100%	100%		100%
13	Incident Reporting	>95%	92.0%	94.0%	92.0%	90.0%	90.0%	100%	100.0%	100%	100%	76.0%	92%	88.0%	92.8%		80.8%
<b>Specified Events</b>																	
A	Escape		0	0	0	0	0	0	0	0	0	0	0	0	0		
B	Loss of Control		0	0	0	0	0	0	0	0	0	0	0	0	0		
C	Death in Custody (Unnatural Causes)		0	0	0	0	0	0	0	0	0	0	1 TBD	1 TBD	2 TBD		
D	Failure to Provide Information		0	0	0	0	0	0	0	0	0	0	0	0	0		
E	Failure to Comply with a PIR		0	0	0	0	0	0	0	0	0	0	0	0	0		
<b>Performance Improvement Requests (PIR)</b>																	
	Performance Improvement Request		0	0	1	0	0	0	0	0	1	0	0	1	3		



# Performance Measures

## Acacia Prison Services Agreement 2018/19

<b>Document status:</b>	Final approved
<b>Effective date:</b>	1 July 2018
<b>Author:</b>	Filomena Piffaretti A/Senior Contracts Officer
<b>Division:</b>	Corrective Services
<b>Approved by:</b>	David Hughes A/Assistant Director 26 July 2018
<b>HPRM reference:</b>	AD2018/057226

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## Document approval

These performance measures have been agreed, pursuant to Clause 13.5 Annual Performance Reviews of the Acacia Prison Service Agreement, and are effective from 1 July 2018.

Name	Position	Signature	Date
David Thompson	Director Acacia Prison Contractor Representative Serco		
David Hughes	A/Assistant Director Private Prison Contract Management Contract Manager Department of Justice		

## 1 Definitions and Interpretation

In this Agreement unless the context otherwise requires, the following definitions and interpretations apply.

### Mitigation

Where any mitigation that is accepted by the Department, the incident or occurrence will be removed from counting when calculating the Progressive Target result. For example: *Performance Measure 5: Sentence Planning*, should 60 IMPs are required for reviewing and mitigation is provided and accepted for two prisoners' IMP not being completed were accepted, the Progressive Target result will be calculated on 58 total IMPs.

### Rounding Method for Progressive Target Results

Method used to shorten numbers, either increasing or decreasing a number to the nearest one decimal point. Numbers with half-way values and higher are rounded up to the nearest one decimal point. An example table below:

Number	Rounding	Number	Rounding
0.11	0.1	0.16	0.2
0.12	0.1	0.17	0.2
0.13	0.1	0.18	0.2
0.14	0.1	0.19	0.2
0.15	0.2		

### Rounding Method for Sample Sizes

Method used to increase a number with decimals to the greater whole number. The applicable performance measures will be 03, 04 and 12. An example table below:

Number	Rounding	Number	Rounding
0.1	1.0	0.6	1.0
0.2	1.0	0.7	1.0
0.3	1.0	0.8	1.0
0.4	1.0	0.9	1.0
0.5	1.0		

### Multi-disciplinary

In relation to *Performance Measure 3: ARMS*, the PRAG Meeting attendance is to be multi-disciplinary. Attendees, at a minimum, to include:

1. PRAG Chairperson;
2. Prison Unit Manager or Prison Officer;
3. Prison Counselling Services Representative; and
4. Health Representative or Mental Health Representative.

**Well-being**

In relation to *Performance Measure 3: ARMS*, PRAG meeting minutes are to reflect perceived well-being of a prisoner, which includes, but not limited to comments on the general mood, general behaviour, insight into the situation, and engagement with support services.

## 2 Performance Measures (PM)

### 2.1 PM 01 – Serious Assaults

<b>Performance Measure 01</b>	<b>SERIOUS ASSAULTS</b> <b>Number of serious assaults within each operational year.</b>	
<b>Intent</b>	To ensure strategies, processes and procedures are in place to reduce the likelihood and occurrence of serious assaults.	
<b>Compliance</b>	<p><b>Legislation:</b> <i>Prisons Act 1981 s70(b)</i></p> <p><b>Corrective Services Policy:</b> Policy Directive 41: Reporting of Incidents and Additional Notifications.</p> <p><b>Acacia Prison Services Agreement:</b> Schedule 4,2.14, 2.22, 2.23; and Schedule 5 (6.1)</p>	
<b>Progressive targets</b>	<b>Result</b>	<b>PLF payment</b>
	Less than 9	100%
	9 – 10	90%
	11 – 14	80%
	15 – 19	50%
Greater than 19	0%	
<b>Percentage of total PLF</b>	9%	
<b>Reporting frequency</b>	Monthly	
<b>Calculation frequency</b>	Annually	
<b>Data source</b>	<ul style="list-style-type: none"> <li>· TOMS</li> <li>· PD41 Critical Incident Notifications</li> <li>· Monitors' Reports</li> <li>· Other processes, information, data, records and reports available to the State or which the State may reasonably require Serco to provide.</li> </ul>	
<b>General Reporting (Methodology)</b>	<p>Serco to provide information in a standard coversheet on all assaults occurring in the month, and identifying those that were serious.</p> <p>Private Prison Contract Management (PPCM) to analyse the data against recorded information on TOMS and the Performance Measure requirements.</p>	
<b>Calculation / formula</b>	Count the number of serious assaults that have occurred in the reporting period and total for the operational year.	
<b>Exceptions</b>	<p>Any changes to PD41 relating to definition of serious assault.</p> <p>All claims for mitigation provided by Serco will be considered.</p>	

**2.2 PM 02 – Serious Self-Harm / Attempted Suicide**

<b>Performance Measure 02</b>	<b>Serious self-harm / attempted suicide</b> <b>Number of prisoners committing one or more acts of serious self-harm or attempted suicide within each operational year.</b>	
<b>Intent</b>	To ensure the effective management of prisoners at risk.	
<b>Compliance</b>	<p><b>Legislation:</b> Prisons Regulations 1982 s74 &amp; 75</p> <p><b>Corrective Services Policy:</b> Policy Directive 11: Prisoners placed in Observation and Medical Observation Policy Directive 30: Death of a Prisoner Policy Directive 32: Prisoners at Risk of Self Harm Policy Directive 41: Reporting of Incidents and Additional Notifications</p> <p><b>Acacia Prison Services Agreement:</b> Schedule 4, 2.21; Schedule (6.2)</p>	
<b>Progressive targets</b>	Result	PLF Payment
	Less than 9	100%
	9 – 10	90%
	11 – 14	80%
	15 – 19	50%
Greater than 19	0%	
<b>Percentage of total PLF</b>	9%	
<b>Reporting frequency</b>	Monthly	
<b>Calculation frequency</b>	Annually	
<b>Data source</b>	<ul style="list-style-type: none"> <li>· TOMS</li> <li>· PD41 Critical Incident Notifications</li> <li>· Monitors' Reports</li> <li>· Other processes, information, data, records and reports available to the State or which the State may reasonably require Serco to provide.</li> </ul>	
<b>General reporting (methodology)</b>	<p>Serco to provide information in a standard coversheet on all self-harm attempts occurring in the month identifying those that were serious self-harm or attempted suicide.</p> <p>Private Prison Contract Management (PPCM) to analyse the data against recorded information on TOMS and the Performance Measure requirements.</p>	
<b>Calculation / formula</b>	Count the number of prisoners committing one or more acts of serious self-harm or attempted suicide in the reporting period and total for the operational year.	
<b>Exceptions</b>	<p>Any changes to PD41 relating to definition of serious self-harm.</p> <p>All claims for mitigation provided by Serco will be considered.</p>	

## 2.3 PM 03 – ARMS

<b>Performance Measure 03</b>	<b>At Risk Management System (ARMS) Percentage of prisoners identified as At Risk that are managed in accordance with the Department's ARMS Manual.</b>	
<b>Intent</b>	To ensure that those prisoners identified as At Risk are managed in accordance with the Department's ARMS Manual.	
<b>Compliance</b>	<p><b>Legislation:</b> Prisons Regulations 1982 s74 and 75</p> <p><b>Corrective Services Policy:</b> Policy Directive 11: Prisoners placed in Observation and Medical Observation Policy Directive 32: Prisoners at Risk of Self Harm At Risk Management System (ARMS) Manual</p> <p><b>Acacia Prison Services Agreement:</b> Director's Rule 2.12: Management of Prisoners Identified as At Risk</p>	
<b>Progressive targets</b>	<b>Result</b>	<b>PLF Payment</b>
	97.0% or Greater	100%
	92.0% – 96.9%	80%
	91.9% or Less	0%
<b>Percentage of total PLF</b>	9%	
<b>Reporting frequency</b>	Monthly	
<b>Calculation frequency</b>	Monthly	
<b>Data source</b>	<ul style="list-style-type: none"> <li>· TOMS</li> <li>· PRAG Notes</li> <li>· ARMS Manual</li> </ul>	
<b>General reporting (Methodology)</b>	<p>PPCM to randomly select 50% of At Risk prisoners, subject to ARMS monitoring at any time during the month, from a report generated by TOMS. PPCM will then analyse the data in the following key areas of ARMS:</p> <p>5. Interim Plans:</p> <ul style="list-style-type: none"> <li>· Reviewed within 24 hours (Monday to Friday) by PRAG</li> </ul> <p>6. Observations:</p> <ul style="list-style-type: none"> <li>· Completed and recorded on the supervision log within the required timeframes as per the ARMS manual</li> </ul> <p>7. PRAG meeting:</p> <ul style="list-style-type: none"> <li>· Minutes reflect the current, perceived well-being of the prisoner</li> <li>· Meeting attendance is multi-disciplinary</li> <li>· Meeting(s) are completed in accordance with risk levels (high, moderate, and low).</li> </ul>	
<b>Calculation / formula</b>	<p>Each At Risk prisoner will receive a point for each of the applicable, three key areas of ARMS (as listed above).</p> <p>Divide the number of points achieved in the key areas, which Serco was compliant with, by the total number of points available (maximum of three points per prisoner) for all At Risk prisoners reviewed, then multiply by 100</p>	
<b>Exceptions</b>	All claims for mitigation provided by Serco will be considered.	



## 2.4 PM 04 – Random Urine Testing

Performance Measure 04	RANDOM URINE TESTING Percentage of random urine sample tests identified as Positive.	
Intent	To ensure strategies, processes and procedures are in place to minimise the supply of and demand for illicit substances in the prison.	
Compliance	<b>Legislation:</b> Prisons Regulations 1982 Part IIIA <b>Corrective Services Policy:</b> Policy Directive 26: Searches Operational Instructions 3 <b>Acacia Prison Services Agreement:</b> Schedule 4, Section 2.20 Schedule 5, Clause 6.4	
Progressive targets	<b>Result</b>	<b>PLF Payment</b>
	7.0% or Less	100%
	7.1% – 8.0%	90%
	8.1% – 9.9%	60%
	10.0% or Greater	0%
Percentage of total PLF	9%	
Reporting frequency	Monthly	
Calculation frequency	Annually	
Data source	<ul style="list-style-type: none"> <li>• TOMS</li> <li>• Laboratory Reports</li> <li>• Other processes, information, data, records and reports available to the State or which the State may reasonably require Serco to provide.</li> </ul>	
General reporting (Methodology)	<p>Private Prison Contract Management (PPCM) to generate a random list of 100 prisoners' names from TOMS at the beginning of each month. Serco is provided with at least two prisoner names for testing each day until 5% of the previous month's population has been tested.</p> <p>Serco is to provide the positive test outcomes for the month including any mitigating evidence. A positive test outcome includes where a prisoner refused to supply a urine sample for testing.</p> <p>PPCM to analyse the data against recorded information on TOMS and the Performance Measure requirements.</p>	
Calculation / formula	Number of positive samples divided by the total number taken for the month multiplied by 100.	
Exceptions	<p>All claims for mitigation provided by Serco will be considered, particularly the following:</p> <ul style="list-style-type: none"> <li>• Positive test identifying the presence of cannabinoids was taken during the window period of 72 days, which is applicable only for the residual effect of cannabinoids</li> <li>• Positive result is the effect of current legally prescribed medication which has been confirmed by a medical officer or laboratory certificate.</li> </ul> <p><b>Note:</b> A positive random drug test on a prisoner in an operation month who has also tested positive to a Targeted or Prevalence Test will be counted as a positive test for this measure. Mitigation for residual effect in this circumstance does not comply with the intent of this measure.</p> <p>* This Performance Measure will be reviewed should Departmental testing methodologies change.</p>	

## 2.5 PM 05 – Sentence Management

<b>Performance Measure 05</b>	<b>SENTENCE MANAGEMENT</b> <b>Percentage of prisoners' sentence planning documents reviewed and approved in accordance with the Department's requirement(s).</b>	
<b>Intent</b>	To ensure the required level of sentence management by Serco.	
<b>Compliance</b>	<p><b>Legislation:</b> Criminal Law (Mentally Impaired Accused) Act 1996 Dangerous Sexual Offenders Act 2006</p> <p><b>Corrective Services Policy:</b> Adult Custodial Rule 18: Assessment and Sentence Management of Prisoners Policy Directive 47: Re-Entry Release Orders Policy Directive 51: Case Management Policy Directive 78: Parole Sentence Management Manual</p> <p><b>Acacia Prison Services Agreement:</b> Schedule 4, 3.1 and 3.2 Schedule 5, 6.6</p>	
<b>Progressive targets</b>	<b>Result</b>	<b>PLF Payment</b>
	97.0% or Greater	100%
	92.0% – 96.9%	80%
	91.9% or Less	0%
<b>Percentage of total PLF</b>	8%	
<b>Reporting frequency</b>	Monthly	
<b>Calculation frequency</b>	Monthly	
<b>Data source</b>	<ul style="list-style-type: none"> <li>• TOMS</li> <li>• Prisoner Checklists</li> <li>• Assessment and Case Management (ACM) Reports</li> <li>• Parole Reviews/Reports</li> <li>• IMPs</li> <li>• MAPs</li> </ul>	
<b>General reporting (methodology)</b>	<p>Serco to provide the number of Sentence Planning document reviews that were due and completed by the scheduled review date for the Operational Month. Documents that comprise this assessment are:</p> <ol style="list-style-type: none"> <li>1. The Offender Review Schedule, "IMP Review"</li> <li>2. The Offender Review Schedule, "If Not Paroled"</li> </ol> <p>The following circumstances do not require a review being completed:</p> <ul style="list-style-type: none"> <li>• The review date is within three months of the prisoner's EED or EDR;</li> <li>• Where the prisoner has a court date in the three months following their review date;</li> <li>• Where the prisoner has a parole hearing in the three months following their review date, unless parole is denied, then the review must be commenced within four weeks of the review date; and</li> <li>• Where a prisoner with a MAP is serving more than six months and the creations of an IMP has been tasked to Hakea Prison.</li> </ul>	

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	IMP documents will be assessed as complete using the date the Decision Slip is generated showing the Status as Final and the Decision as Complete. Private Prison Contract Management (PPCM) to randomly select 60 prisoners to analyse the data provided against recorded information on TOMS and the Performance Measure requirements.
<b>Calculation / formula</b>	Perform the calculation for each category 'If Not Paroled' and 'IMP Review.' Divide the total number of completed reviews by the total number of prisoners requiring review.
<b>Exceptions</b>	All claims for mitigation will be considered.

## 2.6 PM 06 – Education, Training and Employment

<b>Performance Measure 06</b>	<b>Education, Training and Employment Percentage of primary activity positions filled.</b>	
<b>Intent</b>	To provide the maximum number of prisoners at Acacia Prison with the opportunity to work or learn in order to provide skills and job readiness to reduce the chances of reoffending on release.	
<b>Compliance</b>	<p><b>Legislation:</b> Prisons Regulations 1982 Part V, Reg 43, 44 and 45</p> <p><b>Corrective Services Policy:</b> Policy Directive 25: Prisoner Constructive Activity</p> <p><b>Acacia Prison Services Agreement:</b> Schedule 4.2.16, 3.3 and 1.1 Schedule 5.6.9</p>	
<b>Progressive Targets</b>	<b>Result</b>	<b>PLF Payment</b>
	90.0% or Greater	100%
	80.0% – 89.9%	80%
	79.9% or Less	0%
<b>Percentage of Total PLF</b>	8%	
<b>Reporting Frequency</b>	Monthly	
<b>Calculation Frequency</b>	Monthly	
<b>Data Source</b>	<ul style="list-style-type: none"> <li>· TOMS</li> <li>· Attendance Sheets</li> </ul>	
<b>General Reporting (Methodology)</b>	<p>The Department and Serco will agree an appropriate number of primary activity positions quarterly, relative to the prison population and replicating as close as possible community standards. The composition of activities within the agreed number will be at the discretion of Serco, and must be conducive to the 'work or learn' ethos.</p> <p>An agreed number of activity positions will be input on TOMS (and updated from time to time within the agreed number).</p> <p>Performance will be measured by taking a sample of five consecutive days in a performance month.</p> <p>Reporting will be based on reconciliation from TOMS on prisoners allocated to positions as well as job attendance sheets.</p>	
<b>Calculation / Formula</b>	Proportion of agreed positions filled, which is calculated from the number of positions filled divided by the number of agreed positions available at Acacia, then multiply by 100.	
<b>Exceptions</b>	<p>All claims for mitigation will be considered; primarily the following:</p> <ul style="list-style-type: none"> <li>· Issues with infrastructure that are outside the control of Serco;</li> <li>· Lockdown training days</li> <li>· Operational issues</li> <li>· Environmental issues</li> <li>· Positions vacant for less than two weeks</li> <li>· Where a contract is ended within the industries area</li> <li>· Long term sick (will be paid gratuity level 5)</li> <li>· Public Holidays.</li> </ul>	

## 2.7 PM 07 – Clinical Programs - Delivery

<b>Performance Measure 07</b>	<b>CLINICAL PROGRAMS - DELIVERY</b> Percentage of agreed Clinical Intervention Program positions filled at the commencement of the program in accordance within the agreed contract schedule.	
<b>Intent</b>	To provide specific clinical intervention programs as agreed in the schedule and to ensure maximum utilisation of these programs.	
<b>Compliance</b>	<b>Legislation:</b> <i>Prisons Act 1981</i> , Part IX <b>Corrective Services Policy:</b> Adult Custodial Rule 18: Assessment and Sentence Management of Prisoners <b>Acacia Prison Services Agreement:</b> Schedule 4, 2.30 and 3.5 Schedule 5, 6.9	
<b>Progressive targets</b>	<b>Result</b>	<b>PLF Payment</b>
	95.0% or Greater 90.0% – 94.9% 89.9% or Less	100% 80% 0%
<b>Percentage of total PLF</b>	4%	
<b>Reporting frequency</b>	Quarterly	
<b>Calculation frequency</b>	Quarterly	
<b>Data source</b>	<ul style="list-style-type: none"> <li>· TOMS</li> <li>· TOMS Clinical Intervention</li> <li>· Offender's Notes</li> <li>· Assessment and Case Management (ACM) Course Schedule</li> </ul>	
<b>General reporting (Methodology)</b>	Serco to provide the names and attendance lists of prisoners who have commenced programs in the quarter in line with their IMP requirements, and any mitigating evidence. Private Prison Contract Management (PPCM) to analyse the data against recorded information on TOMS and the Performance Measure requirements.	
<b>Calculation / formula</b>	Divide the total number of prisoners who commenced the programs in the quarter by the total capacity of programs available at the commencement of quarter. Multiply the result by 100.	
<b>Exceptions</b>	All claims for mitigation will be considered; primarily the following: <ul style="list-style-type: none"> <li>· Where Serco provides documentary evidence that all reasonable efforts have been made to ensure that the program is filled to capacity;</li> <li>· Such reasonable effort will be taken as being made where Serco has examined future course bookings and has notified DCS Offender Services of the vacancy and has notified DCS Sentence Management of the vacancy; and</li> <li>· Hard copy evidence of such notifications will be accepted in the form of emails, letters, and memos.</li> </ul> <b>Note:</b> Verbal advice will not be accepted as a form of mitigation.	

## 2.8 PM 08 – Clinical Programs – Treatment Reports

<b>Performance Measure 08</b>	<b>Clinical programs - Treatment reports</b> <b>Percentage of agreed program treatment reports finalised within four weeks of the course completion.</b>	
<b>Intent</b>	To ensure completion of treatment reports within the required timeframe for consideration by the Prisoners Review Board, and in accordance with the Department's requirements.	
<b>Compliance</b>	<b>Legislation:</b> <i>Prisons Act 1981, Part IX</i> <b>Corrective Services Policy:</b> Adult Custodial Rule 18: Assessment and Sentence Management of Prisoners <b>Acacia Prison Services Agreement:</b> Schedule 4, 2.30 and 3.5 Schedule 5, 6.9	
<b>Progressive targets</b>	<b>Result</b>	<b>PLF Payment</b>
	95.0% or Greater 90.0% – 94.9% 89.9% or Less	100% 80% 0%
<b>Percentage of total PLF</b>	4%	
<b>Reporting frequency</b>	Quarterly	
<b>Calculation frequency</b>	Quarterly	
<b>Data source</b>	<ul style="list-style-type: none"> <li>· TOMS</li> <li>· Offender's Checklist</li> <li>· Assessment and Case Management (ACM) Course Schedule</li> <li>· Case notes and Checklist</li> </ul>	
<b>General reporting (Methodology)</b>	<p>Serco to provide Private Prison Contract Management (PPCM) with a list of completed programs for the period with the corresponding list of participants and the date on which their treatment reports (completion or non-completion) was completed – noting that it is required to be finalised within four weeks of course completion. Non-completion reports need to be completed within four weeks of withdrawal.</p> <p>PPCM to analyse the data against recorded information on TOMS and the Performance Measure requirements.</p>	
<b>Calculation / formula</b>	Divide the number of completed Treatment Reports within four weeks of the course being completed by the total of prisoners who have completed programs in line with their IMP. Multiply the results by 100.	
<b>Exceptions</b>	All claims for mitigation will be considered.	

## 2.9 PM 09 – Substance Use Support &amp; Treatment Plans (STP)

<b>Performance Measure 09</b>	<b>Substance Use Support and Treatment Plans (STP)</b> Percentage of Prisoners who test positive to illicit substances twice or more in 12 months, and who have a 'support and treatment plan' developed within one month of being found guilty.	
<b>Intent</b>	To provide an individualised case management approach for prisoners who have been identified as repeat drug users.	
<b>Compliance</b>	<p><b>Legislation:</b> Prisons Act 1981, Part VII Prisons Regulations 1982, Part III A</p> <p><b>Corrective Services Policy:</b> Policy Directive 26: Searches Operational Instructions 3</p> <p><b>Acacia Prison Services Agreement:</b> Schedule 4, 2.20 Schedule 5, Clause 6.4</p>	
<b>Progressive targets</b>	<b>Result</b>	<b>PLF Payment</b>
	90.0% or Greater	100%
	80.0% – 89.9%	80%
	70.0% – 79.9%	50%
	69.9% or Less	0%
<b>Percentage of total PLF</b>	8%	
<b>Reporting frequency</b>	Monthly	
<b>Calculation frequency</b>	Monthly	
<b>Data source</b>	<ul style="list-style-type: none"> <li>• TOMS</li> <li>• Acacia Tracking Spreadsheet</li> <li>• Support and Treatment Plans</li> </ul>	
<b>General reporting (Methodology)</b>	<p>Serco to provide:</p> <ul style="list-style-type: none"> <li>• a spreadsheet of prisoners who have had a STP developed, including the date it was developed and the date of any reviews completed. The spreadsheet will also detail any follow-up interviews, including the date, with prisoners who refuse to engage with the STP, in accordance with the mitigation below</li> <li>• STPs and review documentation.</li> </ul> <p>The performance measure applies to prisoners who have tested positive, and been found guilty of substance misuse on more than one occasion within a 12-month period.</p> <p>The STP is to be reviewed in accordance with the review schedule contained within the STP, and will operate for a period of up to six months.</p>	
<b>Calculation / formula</b>	<ol style="list-style-type: none"> <li>1. Firstly, add the number of prisoners who have STPs in place within one month of being found guilty, to the number of reviews completed within that month.</li> <li>2. Secondly, add the total numbers of STPs due within the month, to the total number of reviews due within the month.</li> <li>3. Divide the number in (1) by the number in (2), then multiply by 100.</li> </ol>	

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	eg (STPs completed + reviews completed) ÷ (STPs due + reviews due) x 100% ∴ (13+ 15) / (14 + 15) x 100%= (28/29) x 100% = 96.55%
<b>Exceptions</b>	All claims for mitigation will be considered; primarily the following: <ul style="list-style-type: none"><li>• Prisoners who are transferred or released from Acacia prior to completion of the STP review period; and</li><li>• Prisoners who refuse to engage with the STP. (In this instance, a follow-up will be conducted within one month of the prisoner being found guilty to attempt to re-engage.)</li></ul>



## 2.10 PM 10 – Adult Basic Education

<b>Performance Measure 10</b>	<b>Adult Basic Education</b> Percentage of prisoner's inducted at Acacia with a literacy score of 'C' or 'D' on the literacy assessments who commenced an Adult Basic Education (ABE) within three months of completing their induction at Acacia.	
<b>Intent</b>	To ensure that prisoners with low literacy skills are provided with appropriate educational opportunities.	
<b>Compliance</b>	<p><b>Legislation:</b> Prisons Regulations 1982 Part V, Reg 43, 44 &amp; 45</p> <p><b>Corrective Services Policy:</b> Policy Directive 25: Prisoner Constructive Activity</p> <p><b>Acacia Prison Services Agreement:</b> Schedule 4.3.3 Schedule 5.6.8</p>	
<b>Progressive targets</b>	<b>Result</b>	<b>PLF Payment</b>
	75.0% or Greater	100%
	65.0% – 74.9%	75%
	64.9% or Less	0%
<b>Percentage of total PLF</b>	8%	
<b>Reporting frequency</b>	Quarterly	
<b>Calculation frequency</b>	Quarterly	
<b>Data source</b>	<ul style="list-style-type: none"> <li>• TOMS</li> <li>• Assessment and Case Management (ACM) Reports</li> <li>• Prisoner's Individual Management Plan (IMP)</li> <li>• Pathlore</li> </ul>	
<b>General reporting (Methodology)</b>	<p>Serco to provide a list of prisoners with a 'C' or 'D' that commenced an Adult Basic Education within three months of completing their induction at Acacia. This list should include the literacy score of the prisoner to easily identify the prisoners who scored a 'C' or 'D'.</p> <p>Private Prison Contract Management (PPCM) to analyse the data supplied by Serco against the statistics on Pathlore, TOMS and ACM reports and the Performance Measure requirements.</p>	
<b>Calculation / formula</b>	Divide the number of prisoners with a 'C' or 'D' that commenced an Adult Basic Education within three months of completing their induction at Acacia, by the number of prisoners with C or D who completed induction. Multiply the result by 100.	
<b>Exceptions</b>	<p>All claims for mitigation will be considered; primarily the following:</p> <ul style="list-style-type: none"> <li>• Where the prisoner refused or withdraws from the course</li> <li>• Where the prisoner is inducted without an IMP.</li> </ul>	

## 2.11 PM 11 – Throughcare Planning

Performance Measure 11	<b>THROUGH-CARE PLANNING</b> Percentage of prisoners released from Acacia to freedom who have been provided with an Acacia Transition Plan (ATP).	
<b>Intent</b>	To provide prisoners within the identified 'cohort', as described below, with a supported, individualised transition plan into the community by addressing pathways to reduce reoffending based on risk and need.	
<b>Compliance</b>	<p><b>Legislation:</b> Prisons Act 1981, Part VII Prisons Regulations 1982, Part III A</p> <p><b>Corrective Services Policy:</b> Policy Directive 26: Searches Operational Instructions 3</p> <p><b>Acacia Prison Services Agreement:</b> Schedule 4, 2.20 Schedule 5, Clause 6.4</p>	
<b>Progressive targets</b>	<b>Result</b>	<b>PLF Payment</b>
	90.0% or Greater	100%
	80.0% – 89.9%	80%
	70.0% – 79.9%	50%
	69.9% or Less	0%
<b>Percentage of total PLF</b>	8%	
<b>Reporting frequency</b>	Monthly	
<b>Calculation frequency</b>	Monthly	
<b>Data source</b>	<ul style="list-style-type: none"> <li>• TOMS</li> <li>• Acacia Tracking Spreadsheet</li> <li>• Support &amp; Treatment Plans</li> </ul>	
<b>General reporting (Methodology)</b>	<p>Serco to provide:</p> <ul style="list-style-type: none"> <li>• a spreadsheet of prisoners who have had an ATP developed as well as prisoners who refuse to engage with the ATP, in accordance with the mitigation below</li> <li>• the prisoners' ATPs</li> </ul>	
<b>Calculation / formula</b>	<p>The number of prisoners within the defined 'cohort', as described below, who are released from Acacia Prison within the month with an ATP divided by the number of prisoners within the defined cohort who are released from Acacia Prison multiplied by 100.</p> <p>Prisoners identified as the 'cohort' will be:</p> <ul style="list-style-type: none"> <li>• Young Adults (up to and including 26 years of age)</li> <li>• Prisoners with a diagnosed Substance Dependency</li> <li>• Prisoners with a diagnosed Mental Health Issue.</li> </ul> <p>Prisoners who fit into more than one criteria for the defined cohort will count as one prisoner.</p>	
<b>Exceptions</b>	<p>All claims for mitigation will be considered; primarily the following:</p> <ul style="list-style-type: none"> <li>• Where the prisoners are transferred or released prior to the anticipated release date</li> <li>• Where the prisoner refuses to engage with an ATP</li> <li>• Where the prisoner is released to parole.</li> </ul>	

## 2.12 PM 12 – Individual Operational Readiness

<b>Performance Measure 12</b>	<b>Individual Operational Readiness Percentage of Custodial Officers who meet minimum training and qualification requirements.</b>	
<b>Intent</b>	To ensure individual operational readiness, all Custodial Officers are qualified and meet minimum training requirements.	
<b>Compliance</b>	<p><b>Legislation:</b> <i>Prisons Act 1981 s15 P &amp; T</i></p> <p><b>Corrective Services Policy:</b> Policy Directive 5: Use of Force (4.1.8) OSH Procedures: First Aid (4.2.1 and 4.3.1)</p> <p><b>Acacia Prison Services Agreement:</b> Clause 9.5; and Schedule 4 (6.9) Director's Rule 6.9: Training and Development</p>	
<b>Progressive targets</b>	<b>Result</b>	<b>PLF Payment</b>
	100%	100%
	90.0% – 99.9%	80%
	89.9% or Less	0%
<b>Percentage of total PLF</b>	9%	
<b>Reporting frequency</b>	Quarterly	
<b>Calculation frequency</b>	Quarterly	
<b>Data source</b>	<ul style="list-style-type: none"> <li>• Training and Development Plan</li> <li>• Register of Training</li> <li>• Permit Database</li> <li>• Training Certificates and Qualifications</li> </ul>	
<b>General reporting (Methodology)</b>	<p>Custodial Officers include:</p> <ul style="list-style-type: none"> <li>• Custodial Officers (all grades including Security Officers and Case Management Officers)</li> <li>• Unit Managers (all grades).</li> </ul> <p>Private Prison Contract Management (PPCM) to randomly select 5% of Custodial Officers from the Permit Database, and forward these to Serco for provision of the following evidence:</p> <ul style="list-style-type: none"> <li>• Certificate III in Correctional Practice (Custodial) (Exemption for staff who have performed Custodial Functions for less than nine months)</li> <li>• Certificate IV in Correctional Practice (Custodial) (permanent Unit Managers and acting Unit Managers with 24 or more months aggregate acting)</li> <li>• Senior First Aid</li> <li>• Cardiopulmonary Resuscitation (CPR)</li> <li>• Defensive Equipment Techniques Training.</li> </ul> <p>PPCM to review evidence provided by Serco to determine performance measure achievement level.</p>	
<b>Calculation / formula</b>	Divide the number of Custodial Officers who meet minimum training and qualification requirements, by the total number of Custodial Officers sampled, then multiply by 100.	
<b>Exceptions</b>	All claims for mitigation provided by Serco will be considered, such as long-term absence, workers compensation, sick/unfit prior to or on day of training, and critical incidents causing the cancellation of planned training.	

### 2.13 PM 13 – Incident Reporting

<b>Performance Measure 13</b>	<b>INCIDENT REPORTING</b> Percentage of incident reports completed in accordance with the Department’s requirements.	
<b>Intent</b>	To ensure accurate, complete and timely incident reporting.	
<b>Compliance</b>	<p><b>Legislation:</b> <i>Prisons Act 1981</i></p> <p><b>Corrective Services Policy:</b> Policy Directive 41: Reporting of Incidents and Additional Notifications</p> <p><b>Acacia Prison Services Agreement:</b> Schedule 4, 5.4 and 6.3</p>	
<b>Progressive targets</b>	<b>Result</b>	<b>PLF Payment</b>
	95.0% or Greater	100%
	90.0% – 94.9%	90%
	80.0% – 89.9%	60%
	79.9% or Less	0%
<b>Percentage of total PLF</b>	7%	
<b>Reporting frequency</b>	Monthly	
<b>Calculation frequency</b>	Monthly	
<b>Data source</b>	<ul style="list-style-type: none"> <li>· TOMS</li> <li>· Other processes, information, data, records and reports available to the State or which the State may reasonably require Serco to provide.</li> </ul>	
<b>General reporting (Methodology)</b>	Private Prison Contract Management (PPCM) to assess a sample of 50 Incident reports; made up of 100% of Critical Incident Reports and the remainder randomly selected from Non-Critical Incident Reports as defined by Policy Directive 41 and submitted on TOMS.	
<b>Calculation / formula</b>	Divide the total number of incident reports assessed as being accurate and complete, by the total number of incidents assessed, and multiply by 100.	
<b>Exceptions</b>	<p>All claims for mitigation will be considered; primarily the following:</p> <ul style="list-style-type: none"> <li>· Where the Department overrides the incident classification</li> <li>· Where the Department either upgrades or downgrades the incident type.</li> </ul>	