

Fahl ER Pty Ltd

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Specialists in Employee
Relations

QUEENSLAND CORRECTIVE SERVICES

(Townsville Correctional Centre)

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IMPORTANT DISCLAIMER

All of the facts and circumstances stated in this report are based upon matters reported to its author by participants during the review process described in this report.

Where any matter stated attributes behaviour or conduct on the part of any identified person, it is intended on all occasions that the behaviour or conduct is alleged to have occurred.

It is not the intention of this report to express any opinion or to make or imply any finding against any particular person that they have engaged in illegal conduct, conduct that has offended any applicable employment code or directive or is otherwise contrary to law.

EXECUTIVE SUMMARY

In response to emerging information, Dr Peter Martin, Commissioner for Corrective Services engaged Fahl ER Pty Ltd to conduct an inquiry into matters pertaining to the workplace culture at the Townsville Correctional Centre (TCC).

In consultation with the Commissioner and senior personnel, it was considered an appropriate and effective course to conduct the inquiry by way of a cultural review of the TCC.

The model for that review was that an invitation be extended to all employees of TCC to meet with Fahl ER's director, Mischa Fahl in a safe, neutral environment and on a confidential basis. That meeting would be conducted in the form of an informal conversation, where the participants had the opportunity to respond to a series of open questions that sought to elicit evidence that may assist in identifying the sources and causative factors of cultural dysfunction.

Prior to undertaking that process, senior members of the workforce were interviewed (as were certain senior external people) in order to gain insight into the events and circumstances that have been of concern.

In view of the advent of the *Corrections 2030* strategy, it was also considered of importance to conduct the review in the context of the principles identified by *Corrections 2030*. Critically, the interview process was also designed to enable participants to raise any matter at all, on the proviso that matters of unlawful conduct would have to be immediately reported to the Commissioner.

In response to the invitation issued by Ms Kneeshaw, the Acting General Manager, seventy-nine employees participated in the review. It is noteworthy that the participants expressed their appreciation and enthusiasm for the opportunity to speak. Many prepared documents and notes in advance of the interview process. In particular, many expressed that this opportunity gave them a voice, an opportunity never afforded before. The response of the majority of the participants was focused on the overall health and wellbeing of the TCC work community and those prisoners in its care and control, as distinct from directly personal concerns or circumstances.

The responses received have been reviewed and analysed in detail, with a view to identifying the overall themes, each illustrated with specific examples of dysfunction and its causes.

This report provides a summary of the themes that most strongly emerged, either in terms of matters identified by a large number of participants. It also includes

matters which, while not expressed in large numbers, came from a position of particular knowledge and was a credible indicator of an issue which required attention.

The report then provides a discussion of the emergent themes and their significance. In so doing, it was found that the concerns of the participants could mainly be attributed to a number of key causative factors of workplace disharmony or dysfunction. These were:

- **Executive leadership and senior management:** including serious and credible reports of poor managerial conduct, treatment of officers in a denigrating way, autocratic decision making and change delivery, lack of skills or understanding of operational exigencies and a culture of the separation between the administrative, operational and custodial elements of the facility. In this respect, the standing down of the incumbent General Manager and the appointment of the Acting General Manager were both commonly regarded as beneficial events, with the latter already leading to a sense of positivity and hope for the future.
- **Bullying & poor conduct:** this was reflected in the alleged entrenched behaviour of some staff, such that it suppressed or punished any person for expressing valid concerns, including matters of safety and adherence to formal procedural requirements.
- **Complaint management:** a sense of injustice arising from the accusatory and punitive nature of the systems relating to the management of both prisoner complaints and complaints between employees. Inclusive of this, is the unnecessary and excessive resort to the Ethical Standards Unit for even minor matters because of a poorly defined system of dispute resolution.
- **Lines of communication change implementation and decision-making:** these lack transparency, including lack of awareness as to whom an employee may go to for guidance and advice. Alternatively, the practice of bypassing decision makers to seek a preferred outcome from those more senior in rank added to confusion and lack of transparency.
- **Role clarity:** the culture has contributed to a sense of insecurity as to the ambit of an individual's influence and or delegated authority. Leading to a corresponding fear of making a decision even where it is within one's ostensible authority.

- **Safety:** is not enforced as a priority principle. The approach to completing operations and tasks is predominantly driven by cost saving, as opposed to whether it is deemed safe for all those involved. This was identified as a high risk approach, with the safety and wellbeing of officers taking a subordinate role to ensuring budgets are met.
- **Fairness (lack of), in the context of operational decision-making:** decisions concerning such matters as opportunities (for acting up and training) and overtime are not based on a consistent approach and are driven often by personal loyalties.
- **Recruitment standards:** Under-skilled leaders have been appointed, resulting in defensive and autocratic leadership culture; recruitment of people who do not treat being a corrective services officer as a vocation but rather as a stop gap employment opportunity, thus they are not invested in contributing to a sense of collegiality and the inherent benefits of the same. Appointments appear to be driven by personal loyalties, local or familial connections, rather than merit.
- **Change management:** Leadership again was identified as resistant to change, ignoring or disregarding advice from the internal workforce and central office. It is significant that participants, in the main identified the need for a consultative process in which they could actively contribute to positive, sustainable change within the centre.

The report seeks to explain how the above dynamics have contributed to a sense of frustration, isolation and injustice, which in turn has either been the cause of, or led to issues that have come to current attention.

Ultimately, the workplace issues do not appear to have resulted from some fundamental systemic failures, in the sense that there are gaps in the structures that are in place to support the systems and operations. Rather, there has been a gradual deterioration in the reinforcement of important principles and behaviours that are seen to reflect those principles. Put simply, aspects of the culture have devalued the critical importance of all employees contributing to a healthy respectful and inclusive work environment.

It is evident that the senior leadership at the TCC is perceived as the significant factor adversely affecting the workplace culture. The autocratic style of leadership has failed to reinforce positive values and influenced a deterioration in relationships and a sense of job satisfaction among many.

The report provides for your consideration, a number of strategies that should lead to an improved understanding of the way these issues can be effectively addressed over time. I refer you to the Conclusions and Recommendations for the detail of these matters.

CONCLUSIONS & RECOMMENDATIONS

1. As I have expressed above, the evidence received has identified some significant issues which are adversely impacting upon the workplace culture of TCC.
2. The discussion above has sought to encapsulate what I consider to be the underlying issues and the perceived origin of those issues. Naturally, the evidence of the participants, while invaluable, is not infallible in terms of unequivocally defining each and every causative factor. I have sought as best as I can to analyse and balance out the information received in order to identify these factors.
3. The issues facing TCC and its successful operation are not insurmountable, but the matters identified will need some more detailed consideration in order to implement the appropriate effective strategies. This Review will be helpful in targeting the matters for further action. At the risk of employing overly emotive language – it presents an opportunity for healing and growth.
4. The current circumstances present an excellent opportunity to address the identified elements that are contributing to the dysfunction. Typically, the recommendations are broadly expressed but will, I trust, provide a valuable basis for implementing inclusive and sustainable change initiatives.
5. **May I recommend the following:**
 - (a) It is of obvious and considerable importance that the position of General Manager is resolved without delay, if this has not already occurred by the time this report is delivered. The instability relating to this position has had a significant negative impact upon the work force. That person must be prepared to commit to a more transparent, approachable and visible form of leadership, and be capable of restoring a sense of connection and resilience across the various functions and work units of the TCC.
 - (b) Likewise, the resolution of the human resources function at the Centre is of considerable importance. Should an individual be appointed to the role that person will need to have considerable experience as a human resource professional in comparable fields of activity. Along with the appointed General Manager, this person will obviously play a pivotal role in cultural change.
 - (c) The appointed General Manager should be encouraged to engage specialist support and advice to address the identified attitudes and failings of particular individuals within the current senior leadership and management teams. The aim being to achieve a more visible,

collaborative and collegial leadership group, one that regains the respect of the workforce.

- (d) In addition to recommending that the General Manager receive the report in its entirety, I believe there is also great value in the sharing key elements of this report with the workforce as a whole. I would suggest that this data would be best delivered by me as its author. This could perhaps be done by of an open invitation to attend a series of forums across the Centre. I consider that the rapport I built with participants (based upon their positive feedback) will help strengthen the delivery of its outcomes. With participants knowing that they have been heard, and that as a consequence action is imminent. Therefore, lending great credibility to both the process and the changes mooted for TCC.
- (e) A clarification of both role descriptions and reporting lines would be invaluable for the workforce. This could include clarification as to how both formal and informal grievance management protocols are to be managed into the future.
- (f) Perhaps a secure interactive intranet page would be a valuable tool. This would allow employees to not only receive up to date information on all manner of subjects but to also contribute content.
- (g) The General Manager, after a reasonable time in the role may consider enacting a 360 feedback tool targeting all senior and management roles within TCC. The document itself should have as a significant focus the quality and appropriateness of the person's interpersonal and professional interactions.

In consultation with human resources the results should be provided to the persons involved. Commensurate with receiving this data, realistic measurable strategies for addressing areas requiring improvement could be developed to form part of the individual's annual PDP.¹

- (h) It is essential that a more regular and inclusive approach to communication is introduced. The aim being to enable a more transparent and inclusive approach to exchanging information across all work areas of the TCC. The current Friday email wrap up introduced by Ms Kneeshaw has already had an appreciable and positive impact on the workforce. Building upon this theme a regular opportunity for a nominated representative of the various work units; officers, supervisors, unit managers, educators/trainers, kitchen, laundry and other areas to meet formally on a regular basis in a "forum" chaired by the General

¹ PDP - Professional Development Plan

Manager would prove invaluable. Not unlike the existing consultative committee model any interested party is encouraged to raise questions or concerns (and possible solutions) for consideration and action.

A protocol should be developed as to how matters are to be raised, recorded, addressed and communicated to the TCC community.

What is most important is that agreed actions are implemented and their achievement is communicated and shared. Similar strategies in other work environments have reported great improvements in the sense of inclusion and influence which results.

- (i) In respect of prisoner complaints the General Manager and Deputies (in consultation with relevant QCS expertise) should seek develop a protocol which clearly articulating the basis upon which Ethical Standards is engaged. If referral to ESU upon receipt of a blue letter is currently a mandatory requirement, consideration should be given as to whether a discretion may be afforded to the facility to address a particular level or type of complaint, subject of course to the seriousness of the allegation.

In this same context the General Manager and Deputies in consultation with ESU could review the current TCC processes relating to the management of all prisoner complaints. Particular focus should be placed upon the capacity and competence of senior officers to take responsibility for adhering to a consistent and time imperative approach resolution. This is subject of course to being able to appropriately classify complaint types with clear guidance provided as to the parameters and process of escalation.

- (j) The General Manager or their delegate should review (for compliance with current departmental directives) the TCC procedures for dealing with breaches of discipline by prisoners, with a particular focus upon:
 - eliminating the potential reasons for the delay in dealing with breach reports;
 - increasing the efficiency of the processes for dealing with less serious breaches;
 - accountable review procedures.
- (k) I recognise that officer training resources are extremely detailed and focussed upon safe operations. But it is the risk of safety being subordinated to operational convenience that must be revisited. If not already occurring basic refresher training on safe work practices should

be implemented on an annual basis. Aligned to this would be the creation of a mechanism to enable employees to raise safety issues without concern of retribution or vilification is essential.

- (l) The Human Resources Manager should conduct a review of the current policies and procedures in relation to the allocation of overtime, ensuring compliance with current awards and directives and whether those persons in charge of allocations and rosters are carrying out these tasks in an equitable and compliant manner.
- (m) The Human Resources Manager (in consultation with the General Manager) should facilitate a program of mandatory refresher training to members of all components of the TCC, in relation to the following:

- Code of Conduct standards and principles, particularly in relation to workplace harassment, bullying and the imperative of respectful and effective communication;
- Grievance and conflict resolution protocols and strategies;

In this same context initiate a significant mandatory education process for supervisors and managers in relation to:

- Understanding the nuances of the Women's Estate program
- Complaint handling and grievance management - both in respect of prisoner and staff complaints
- Management of prisoner breach notices
- WH&S obligations - including safe staffing ratios and rostering

- (n) Establish a rotating roster such that the counsellors and cultural advisors each attend a specific area of the Centre for at least one day per week.
- (o) Seek to establish a refurbishment and maintenance schedule for the aged and alleged decrepit office spaces across the Centre.
- (p) Given the expressed lack of trust and faith in the existing Employee Assistance Program, I recommend that the level and nature of the service be reviewed, in order to identify deficiencies in the service and to develop strategies to address these matters.

- (q) The Sunday morning staff meeting be recorded and uploaded to the proposed shared intranet page in order all that all staff may access the detail.
- (r) In addition, I would propose that all new recruits are required to:
- Spend at least 3 days working in the various non-custodial areas of the Centre so as to gain an understanding of and appreciation for the work of other key non-custodial personnel.
 - During probation they are assigned a more senior officer to be, for want of a better expression, their mentor. Someone that they can rely upon for realistic guidance and confidential support as they navigate their way through the first few months of their employment.

CLOSING REMARKS

6. It would be remiss of me not to make mention of the fact that the participants to the interviews expressed immense appreciation for the opportunity to discuss these issues and to ventilate their concerns. The fact that the leadership of the QCS enabled this process was taken by all as a positive indication of concern for their individual welfare and for the improvement of TCC as a whole.
7. No doubt the timely and visible implementation of my recommendations and those which may otherwise emerge, will only serve to enable the leaders and all employees at TCC to work toward its improvement and success within the framework of *Corrections 2030*.
8. I wish to express my gratitude to the participants who made this a constructive and informative process.
9. I wish to also express my sincere appreciation to the Commissioner, Ms Jones and Ms Kneeshaw and the various members of the QCS who assisted me in the coordination of this process.

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Director
Fahl ER Pty Ltd