COPP 1.3 Local Operating Procedures

Banksia Hill Detention Centre

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| PrinciplesIn context of the following: [National Principles for Child Safe Organisations](https://childsafe.humanrights.gov.au/sites/default/files/2019-02/National_Principles_for_Child_Safe_Organisations2019.pdf)Policies and Procedures document how the organisation is safe for children and young people. |

Contents

[1 Scope 3](#_Toc101864687)

[2 Policy 3](#_Toc101864688)

[3 Local Operating Procedure Development 3](#_Toc101864689)

[3.1 Superintendent responsibilities 3](#_Toc101864690)

[3.2 Developing Local Operating Procedures 4](#_Toc101864691)

[3.3 Review Process 4](#_Toc101864692)

[3.4 Request by the Superintendent to amend a LOP 5](#_Toc101864693)

[3.5 Review by Operational Policy 5](#_Toc101864694)

[3.6 Approval 5](#_Toc101864695)

[3.7 Publishing 5](#_Toc101864696)

[3.8 Document control 5](#_Toc101864697)

[4 Annexures 6](#_Toc101864698)

[4.1 Definitions and acronyms 6](#_Toc101864699)

[4.2 Related legislation 7](#_Toc101864700)

[5 Assurance 7](#_Toc101864701)

[6 Document Version History 8](#_Toc101864702)

# Scope

This Commissioner’s Operating Policy and Procedure (COPP) applies to Banksia Hill Detention Centre (BHDC) Custodial Officers and staff.

# Policy

The [Operating Policy and Procedures Framework – BHDC,](https://justus/intranet/department/standards/Pages/ops-standards.aspx) provides the mechanism for the Superintendent to issue a Local Operating Procedure (LOP). A LOP should assist staff to understand the job they have to do.

LOPs are created to provide procedural guidance and shall be consistent with the COPP content. LOPs should not contradict or override information provided within the Youth Custodial Rules and/or COPPs.

All LOPs shall be published on the Department’s Intranet.

# Local Operating Procedure Development

## Superintendent responsibilities

### The Superintendent of BHDC is responsible for:

1. the development, amendment, review and revocation of all LOPs
2. ensuring the LOP is compliant and aligns to the relevant COPPs and any legislative requirements
3. ensuring the LOP clearly explains what needs to be done, who will do it, how often and when
4. endorsing the LOPs
5. seeking approval from the Deputy Commissioner (DC), Women and Young People
6. taking such steps as they consider necessary to bring relevant LOPs made by them to the attention of officers, persons visiting BHDC and detainees confined in BHDC
7. taking reasonable steps to have LOPs made known to every detainee who is illiterate and, for every detainee who does not understand English, in a language that the detainee understands.

## Developing Local Operating Procedures

### The Superintendent shall identify, where applicable, the appropriate officer to assist in the development of a LOP.

### LOPs shall be developed using the LOP template and in accordance with this COPP.

### The numbering and title of a LOP shall reflect the numbering, title of the related COPP and include BHDC.

### Where a COPP is ‘Restricted’ the LOP shall also be ‘Restricted’.

### The LOP shall:

1. be compliant with the COPP
2. include a hyperlink to the relevant COPP
3. limit the amount of duplication and repetition of the content of the COPP
4. not reference obsolete policy instruments and/or forms.

### Definitions shall be compliant with the COPP and in alphabetical order.

### LOPs shall be forwarded to Operational Policy at: op@justice.wa.gov.au for review, prior to approval by the DC and publishing on JustUs.

## Review Process

### All LOPs shall be reviewed in accordance with the associated COPP and [review schedule](https://justus/intranet/department/standards/Documents/COPP-review-schedule.pdf).

### Operational Policy shall provide a time frame for the Superintendent to return the approved LOP to align with the implementation date of the COPP.

### Operational Policy shall provide the Superintendent with an editable and up to date word version of the LOP with track changes, aligned to the amended COPP.

### The Superintendent or appropriate officer shall track and add the changes within the LOP as required.

### The Superintendent shall conduct a final review of the LOP and endorse prior to forwarding to Operational Policy at: op@justice.wa.gov.au.

### Operational Policy shall review the amended LOP (refer section 3.5) and request the Superintendent obtain DC approval.

### The Superintendent shall forward the DC approved LOP to Operational Policy, prior to publishing on JustUs.

## Request by the Superintendent to amend a LOP

### Where amendments outside of the review schedule are required, the Superintendent or appropriate officer shall request an up to date and editable word version of the LOP from Operational Policy at: op@justice.wa.gov.au.

### The Superintendent or appropriate officer shall track the changes required.

### The Superintendent shall review the LOP and endorse prior to forwarding to Operational Policy at: op@justice.wa.gov.au.

### Operational Policy shall review the endorsed LOP (refer section 3.5) and request the Superintendent obtain DC approval.

### The Superintendent shall forward the DC approved LOP to Operational Policy, prior to publishing on JustUs.

## Review by Operational Policy

### Operational Policy shall review endorsed LOPs to ensure:

1. compliance with the COPP
2. readability, grammar, comprehension and formatting
3. readiness for publishing.

### Further consultation may occur with the Superintendent and appropriate officer as required.

### Operational Policy shall return the LOP to the Superintendent and appropriate officer to escalate to the DC for approval.

## Approval

### The Superintendent shall endorse the LOP and forward to the DC, as delegated by the CEO, for approval.

## Publishing

### Operational Policy, on receipt of the approved LOP, shall:

1. update the version control and effective date on the LOP
2. upload the approval email and amended LOP onto Contents Manager
3. publish the LOP on the intranet and inform the Superintendent via email.

## Document control

### Operational Policy shall maintain a central register of all LOPs on the intranet.

### The issuing of printed paper copies of LOPs shall be minimised due to the likelihood of out-dated or revoked LOPs remaining in circulation.

# Annexures

## Definitions and acronyms

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| Term | Definition  |
| Banksia Hill Detention Centre (BHDC) | BHDC is the gazetted detention centre declared by the Minister to be a detention centre to accommodate male and female, remanded or sentenced detainees. Refer to section 13 of the *Young Offenders Act 1994.* |
| Commissioner’s Operating Policy and Procedures (COPP) | COPPs are policy documents that provide instructions to staff as to how the relevant legislative requirements are implemented. |
| Custodial Officer | An officer with custodial functions, appointed under section 11(1) of the *Young Offenders Act 1994*; or a person who is appointed under section 11(1a)(a) as a custodial officer. This includes but is not limited to Youth Custodial Officers, Unit Managers and Senior Officers.  |
| Detainee | Any young person who is detained in a detention centre, or who is in the custody of BHDC. The term detainee also describes a young person, who is alleged to be an offender or who is remanded in custody, prior to being dealt with by the Courts.Means a person who is detained in a detention centre as defined in section 3 of the *Young Offenders Act 1994*. |
| Senior Officer | A Youth Custodial Officer who is substantive to this rank, or a Unit Manager, or Youth Custodial Officer acting in the capacity of Senior Officer, appointed by the Chief Executive Officer with reference to section 11 of the *Young Offenders Act 1994* |
| SharePoint | SharePoint is a web-based collaborative platform that integrates with Microsoft Office. SharePoint is primarily content, document management and storage system which enables the creation, review and approval of documents to be published. It also allows co-authoring of document. |
| Staff | Any person or officer of the Department of Justice, Corrective Services, including a Public Service Officer, Youth Custodial Officer or an employee of a particular class; and any service provider who provides services to detainees at Banksia Hill Detention Centre. |
| Local Operating Procedure (LOP) | LOPs are Operational Instruments that provide procedural guidance to support staff at BHDC. Local Operating Procedures are policy documents. |
| Superintendent | In accordance with section 3 of the *Young Offenders Act 1994, ‘*The person in charge of a detention centre’ |

## Related legislation

* *Young Offenders Act 1994*
* *Young Offenders Regulations 1995*

# Assurance

It is expected that:

* BHDC will undertake local compliance in accordance with the [Compliance Manual](https://justus/intranet/department/standards/Pages/monitoring.aspx).
* The relevant Deputy Commissioner will ensure that management oversight occurs as required.
* Operational Compliance Branch will undertake checks in accordance with the [Compliance Framework](https://justus/intranet/department/standards/Pages/monitoring.aspx).
* Independent oversight will be undertaken as required.

# Document Version History

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| --- | --- | --- | --- | --- |
| Version no | Primary author(s) | Description of version | Date completed | Effective Date |
| 0.1 | Operational Policy | Initial draft | 9 March 2022 | N/A |
| 0.2 | Operational Policy  | Feedback from BHDC and Minor grammar amendments | 6 April 2022 | N/A |
| 1.0 | Operational Policy | Approved by the Commissioner, Corrective Services | 4 June 2022 | 5 June 2022 |