COPP 1.2 Adaptive Routine

Prison

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| PrinciplesThe Department of Justice is responsible for determining, within its budgetary parameters, the appropriate prison officer staffing levels for a safe, secure and efficient prison service. |

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# Scope

This Commissioner’s Operating Policy and Procedure (COPP) applies to all public prisons.

# Policy

The Department of Justice (the Department) is responsible for determining, within its budgetary parameters, the appropriate prison officer staffing levels for a safe, secure and efficient prison service.

The Superintendent must operate within the prison’s approved budget appropriation and shall ensure that baseline overtime caps, as amended from time to time by the Department, are adhered to.

Overtime should not be the default position where shortfalls exist, however this may be considered in line with maintaining safety and security, and with service delivery, whilst operating within a prison’s allocated budget.

Any additional overtime allocation shall be requested and approved only in accordance with the process outlined in this COPP.

Prison staff and WAPOU representatives will be provided a copy of the [Implementation of an Adaptive Routine](http://justus/intranet/prison-operations/Pages/copp-forms.aspx) form on each occasion there is a staffing shortfall.

WAPOU may raise any concerns about decisions made by the Superintendent or delegate in the case of staffing shortfalls. However, where the Superintendent does not agree that any action is necessary following the raising of such concerns, the Superintendent or delegate shall advise of their decision and the reasons for that decision.

# Development of a Local Adaptive Routine

### Under the *Prisons Act 1981*[[1]](#footnote-1) (WA) the Superintendent is responsible to the Chief Executive Officer for the good government, good order and security of their prison. The Superintendent is responsible for determining the best placement of available staff and the appropriate changes to be made to routine prison functions in the event that full staffing is not achieved.

### In the event that a staffing shortfall occurs, the Superintendent, after taking into consideration the Daily Staffing Deployment Agreement, shall be responsible for determining and implementing any required adaption to the routine of the prison’s function, including the necessary redeployment of officers within the prison.

### The Superintendent shall ensure that the focus of any Adaptive Routine developed is on the normalisation of service delivery, with consideration given to the following principles:

1. Modified routines and services are to be provided commensurate with available staffing and financial resources, and the operational requirements for the prison (i.e. the reduction in services shall be commensurate and proportionate to the availability of staffing resources).
2. Staffing must be considered in the context of the objectives of the prison, which may change depending on the operational philosophy of the prison.

### Modification to the prison routine shall be in line with the routines as defined in the definitions section of this COPP.

### The Superintendent shall ensure that a copy of the [Implementation of an Adapted Routine](http://justus/intranet/prison-operations/Pages/copp-forms.aspx) form is made available to staff, and a copy is provided to WAPOU once all final changes to the adapted routine have been completed for the day.

# Implementation of a Local Adaptive Routine

### The number of Officers on duty, or available for duty, on any given day that fall below that agreed in the local prison staffing agreement will likely result in a need to adapt the routine of the prison function. The Superintendent shall:

1. determine what changes are required to be made to the routine of the prison; and/or
2. determine the number of Officers required to return to duty in line with budgetary obligations stipulated by the Department for that prison.

### When determining the implementation of an adaptive routine in regard to staff placement and service delivery when full staffing cannot be achieved on a particular day, the Superintendent (delegate or Officer in Charge) shall ensure that consideration is given to the operational priorities of the facility on any given day, and the previous use of resources and their impact on the delivery of any one service.

### Where the Superintendent (delegate or Officer in Charge) determines, as a result of a staffing shortfall, that the security and welfare of prisoners and the safety of staff at the prison is unable to be maintained via:

1. adapting services of the prison in line with Section 3 of this COPP; and
2. using overtime provisions within budgetary allocations.

### The Superintendent may seek approval for additional budgetary overtime allocations for that day via the relevant Assistant Commissioner. Such a request shall be made in writing, and sufficient justification is to be provided at the time of the request.

### Undertaking hospital sits following a prisoner’s escort to hospital are excluded from budgetary overtime allocations referred to in section 4.1.3.

# Governance

### The [Implementation of an Adaptive Routine](http://justus/intranet/prison-operations/Pages/copp-forms.aspx) form must be completed by the Officer in Charge or individual responsible for the daily deployment of staffing in the event that any routine, other than a standard routine (Routine 1) is implemented. The original is to be forwarded to the Business Manager (or staff member designated by the Superintendent) by close of business each day.

### The use of adaptive routines, and overtime within budgetary allocations, shall be documented and reported by the Superintendent as required, at a frequency and in a manner as determined by the relevant Deputy Commissioner.

# Annexures

## 6.1 Forms

* [Implementation of an Adaptive Routine](http://justus/intranet/prison-operations/Pages/copp-forms.aspx)

## 6.2 Related legislation

* *Prisons Act 1981*
* *Prison Regulations 1982*

## 6.3 Definitions and acronyms

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| Term | Definition  |
| 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. |
| Officer in Charge (OIC) | An officer designated as having the charge and superintendence of a prison in the absence of the Superintendent. |
| Superintendent | The Superintendent as defined in s. 36 [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html).Does not extend to the Officer in Charge of a prison. |
| WAPOU | Western Australian Prison Officers’ Union |
| Routine 1 – Normal Routine | Normal movement and all services delivered as per normal routine.  |
| Routine 2 – Adapted Routine | The redeployment or non-coverage of rostered local staffing positions will be managed day by day on a priority, operational needs and risk basis in accordance with the principles outlined in this COPP at the determination of the prison Superintendent, delegate or Officer in Charge (OIC) *in consultation with the Designated Superintendent.* |
| Routine 3 – Essential Routine | This routine will only be implemented in the event that staffing falls below capacity to deliver essential services and insufficient staff are available to maintain the safety and security of the facility even with a restricted prisoner routine. In the event of this occurring, prisoners are to be unlocked as resourcing permits, but likely in small groups or individually to ensure that essential services are able to be delivered (food, medical etc) and where possible prisoners are provided with an opportunity to exercise. |
| Night Shift Routine | In the event that there is a shortfall in the night shift staffing, the Night Contingency Plan is to be implemented with notification to the Superintendent and or on call Duty Manager. The commencement of the Night Contingency Plan will implement a range of options for the required night routine of the prison.  |

# Assurance

It is expected that:

* Prisons will undertake local compliance in accordance with the [Compliance Manual](https://justus/intranet/department/standards/Pages/monitoring.aspx).
* The relevant Deputy Commissioner will undertake management oversight as required.
* Monitoring and Compliance Branch will undertake checks in accordance with the [Operational 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 | 23 September 2019 | N/A |
| 0.2 | Operational Policy | Updated following consultation | 24 September 2019 | N/A |
| 0.3 | Operational Policy | Tabled for approval with the Project Steering Committee | 5 March 2020 | N/A |
| 0.4 | Operational Policy | Updated following feedback from the Project Steering Committee and further consultation | 18 March 2020 | N/A |
| 0.5 | Operational Policy | Approved by the Project Steering Committee | 20 March 2020 | N/A |
| 0.6 | Operational Policy | Amended following changes to the Standing Order. | 13 October 2020 | N/A |
| 1.0 | Operational Policy | Approved by the Director Operational Policy, Compliance and Contracts  | 14 October 2020 | 2 November 2020 |
| 2.0 | Operational Policy | Updated following review by the Director Operational Policy, Compliance and Contracts | 17 November 2021 | 1 December 2021 |

1. s. 36(1) *Prisons Act 1981* [↑](#footnote-ref-1)