



Commissioner's Instruction

**To: Senior Assistant Commissioners
Assistant Commissioners
Executive Directors
Corporate Counsel
Commanders
Governors
Executive Directors, Community Offender Services**

Subject: DEPARTMENTAL EXPENDITURE ON HOSPITALITY AND ENTERTAINMENT

PREAMBLE

This instruction is issued in accordance with the provisions of section 235B of the Crimes (Administration of Sentences) Act 1999. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the Public Sector Employment and Management Act 2002.

INSTRUCTION

Principle - As stated in the Department's *Code of Conduct and Ethics*, we, as public servants, "are expected to be efficient, economical and principled in our use of resources". Departmental resources are only to be used for official departmental purposes, not for private and non-official purposes. This includes expenditure on hospitality and entertainment.

Official Functions - Sometimes a work-related function is clearly official.

Examples include:

- Passing out ceremonies on completion of officer training courses
- Medal and other presentations honouring exemplary conduct, services etc
- Opening and commissioning ceremonies
- Meals which are a formal part of official training programs, seminars, conferences etc
- A "working lunch" including people from outside the department who are involved in departmental work, for instance light refreshments supplied to a full day selection panel.

Purchase of Alcohol - Alcohol may only be purchased with departmental funds for important official functions and only with the written permission of SACICS, SACCOS or the Commissioner. A Commander's permission is not sufficient.

Approval required - Where it is considered necessary to expend departmental funds to provide entertainment or hospitality, the approval **in writing** of a Commander, Regional Director of Community Offender Services, member of the Board of Management or the Director of Corrective Services Industries is required. It is essential that detailed receipts and approvals support such expenditure. The submission for approval must identify the nature of the function and details of departmental and non-departmental staff attending.

Non-official functions and meetings, including gatherings on work premises are not to be paid for with departmental funds. The following are examples where employees are expected to pay their own expenses:

- Christmas parties - See *Premier's Memorandum No.2003-16*
- Staff BBQs and other staff gatherings which are not part of formal work processes
- Floral presentations & gifts (unless the flowers or gift come from the Department in the name of the Commissioner and with prior formal approval).

SES Officers are reminded that *Premier's Memorandum No.2003-16* stipulates that their remuneration package includes work-related hospitality and entertainment expenses of a minor nature.

Sustenance and meal allowances must be claimed in accordance with the Department's Accounting Manual, Personnel Handbook and the relevant Crown Employee's Awards.

Inspections – payment of business related entertainment and hospitality expenses will be audited regularly.

If you have questions in relation to this Instruction, refer to a relevant member of the Board of Management or to the Probity and Performance Management Division. Any questions on the relation between Fringe Benefits Tax and the payment of entertainment expenses should be directed to a Finance Officer.

RON WOODHAM
Commissioner
March 2004



03/2004

Commissioner's Instruction

To: Senior Assistant Commissioners
Assistant Commissioners
Executive Directors
Corporate Counsel
Commanders
Governors
Executive Directors, Community Offender Services

Subject: **AUTHORITY TO DRIVE DEPARTMENTAL VEHICLES**

PREAMBLE

This Instruction is issued in accordance with the provisions of Section 235B of the Crimes (Administration of Sentences) Act, 1999. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the Public Sector Employment & Management Act, 2002.

INSTRUCTION

Recent cases before the Professional Conduct Management Committee involving staff driving departmental vehicles when not appropriately licenced or when their driver's licence has been withdrawn have highlighted the need for a review of current practice.

As stated in Section 2.1.1 of the *Department's Transport Policy & Procedure Manual (Version 3.2)*, (released in August 2004 & available on the Intranet), "Officers driving departmental vehicles must have a valid and current driver's licence and should ensure that the category and classification of the vehicle they drive is in accordance with the limitation/restriction of their licence".

Effective immediately, the following processes are to be adhered to in respect to driving departmental vehicles. (References to Sections & Appendices relate to the above Transport Manual.)

- As part of the recruitment and selection process for all new employees, including Temporary Appointments, Human Resources Division staff are to ensure the **Driver's Licence Employee Declaration (Appendix L)** is completed & retained on the Personnel File. (Refer Section 2.1.1-2). Managers responsible for the appointment of Recruitment Agency Staff & Trainees (Administrative Apprenticeships) are to ensure the Declaration is completed & retained in a secure location for the duration of employment.
- For all current employees, Managers / Officers in Charge / Supervisors are to ensure this form is completed & returned to the relevant Human Resources Division by 31 August 2004 for placement on the Personnel File.

- **Authority to Use a Departmental Vehicle (Appendix K)** – each work location is to devise local arrangements to facilitate use of departmental vehicles, including procedures to confirm the driver is appropriately licenced & the vehicle is being used for departmental business purposes. Appendix K is an example of the required minimum standard which can be used for this purpose. (Refer Section 2.5.1.1)
- **Authority to Travel (Appendix M)** – to be completed by staff seeking authorisation for journeys away from their regular work location where expenses (subsistence / meal) are going to be claimed or where local administration requires this information. This authority is to be used instead of the Authority to Use a Departmental Vehicle (Appendix K). (Refer Section 2.5.1.2)
- **Check on Validity of Driver's Licences (Appendix N)** - a check sheet is to be completed periodically (as appropriate to local needs – minimum annual) by all managers / OIC's / Supervisors in respect of employees who drive Departmental vehicles to ensure information is current. (Existing processes in place with respect to quarterly checks within the Court Escort Security Unit will remain). (Refer Section 2.1.1-3) Fleet/Administration Managers responsible for issuing departmental vehicles within the work location retain the discretion to undertake random checks as required.
- **Vehicle Running Sheet (Appendix B)** - has been amended to include a warning that: All persons driving departmental vehicles must have a valid & current driver's licence applicable to the vehicle being driven. It is the responsibility of the driver to produce their licence to their immediate supervisor as required & to notify their immediate supervisor if the licence has expired, changed or been revoked. (Refer Section 2.5.1.3)

This Instruction replaces SACD: 2004/004.

The Department's Transport Policy & Procedures Manual (Version 3.2), available on the Intranet, has been updated to include these changes & Appendices.

For any questions regarding this Instruction, please refer to the Department's Transport Policy & Procedure Manual or Logistics Branch.

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R G WOODHAM
COMMISSIONER

August 2004



04/2004

Commissioner's Instruction

To: Senior Assistant Commissioners
Assistant Commissioners
Executive Directors
Commanders
Governors / Superintendents
Directors

Subject: **DCS Cats.i**

PREAMBLE

This Instruction is issued in accordance with the provisions of Section 235B of the Crimes (Administration of Sentences) Act, 1999. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the Public Sector Employment & Management Act, 2002.

INSTRUCTION

A Commissioner's Memorandum has been issued regarding this subject.

The Management of Professional Conduct Policy gives managers the authority to deal with certain minor misconduct / complaints / incidents. Managers may take whatever action is considered appropriate provided such matters and action(s) fall within the range set out in the policy.

Details of such matters handled at a local level must be recorded on Cats.i, the new database introduced under the Management of Professional Conduct Policy.

Access to Cats.i will be provided to Commanders, Executive Directors, Directors, Governors, Superintendents and designated managers. Cats.i user-IDs and passwords must not be shared with any other individuals.

Please ensure that all staff under your area of administration are aware of this Instruction.

A copy of this Instruction has been placed on the Department's Intranet.

RON WOODHAM
Commissioner
September 2004



Commissioner's Instruction

To: Senior Assistant Commissioners
Assistant Commissioners
Executive Directors
Commanders
Governors
Executive Directors, Community Offender Services

Subject: **CHANGES TO THE TRANSPORT POLICY AND PROCEDURES
MANUAL**

PREAMBLE

This instruction is issued in accordance with the provisions of Section 235B of the Crimes (Administration of Sentences) Act, 1999. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the Public Sector Employment & Management Act, 2002.

INSTRUCTION

StateFleet Leasing Arrangement - As of the 1st November 2004, StateFleet Services has introduced lease penalties if the vehicle is returned with excess kilometre usage. StateFleet Services has also introduced a more flexible lease term to help manage vehicles. The Department will now be able to select lease terms in multiples of three months (currently six months) with a minimum term of nine months. This increase in flexibility should allow Regions to select appropriate lease terms to avoid incurring the excess kilometre charge.

To help minimise lease penalties that could be imposed on the Department, Regional Managers are to access the StateFleet Fleetline database on a regular basis and produce the Under/Over Utilisation Report for their Region and action where appropriate.

If this report indicates an "over utilised" vehicle, it is to be replaced with an "under utilised" vehicle of similar category that maybe within the Branch, Region or Department.

Relevant Sections of the Transport Policy & Procedure Manual:

2.7.1.2 – Replacement Criteria

2.7.5 – Penalty Charges

2.7.7 – Vehicle Category Definitions

Monthly Summary Returns (SES/SO) - The monthly summary sheet returns for ALL Senior Executive Service and Senior Officers who operate a Department motor vehicle under a salary sacrifice arrangement, (nominating a business percentage) are to be controlled by Logistics Branch. This will enable one point of contact for SES Payroll Section on reconciliation and for Finance Branch on FBT related issues.

Relevant Sections of the Transport Policy & Procedure Manual:

2.5.1.6 – Documentation, SES/SO

Superintendents with Vehicles under the COVB Award – Minor changes have been made to the Transport Policy & Procedure Manual to further clarify vehicle entitlement.

Relevant Sections of the Transport Policy & Procedure Manual:

2.6.2 – Profile for Salary Sacrifice

2.7.4.1 – Private Vehicle Use Remuneration Entitlements

Appendix D – Fleet Profile

The Departments Transport Policy and Procedure Manual (Version 3.3), available on the Intranet, has been updated to include these changes.

For further questions regarding this Instruction, please refer to the Department's Transport Policy and Procedure Manual or Logistics Branch



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R G WOODHAM
COMMISSIONER

 **November 2004**

011/2004



COMMISSIONER'S INSTRUCTION

TO: Senior Assistant Commissioners
Assistant Commissioners
Commanders
Governors

SUBJECT: Use of equipment for restraining inmates in the Kariong Juvenile Correctional Centre

PREAMBLE:

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment and Management Act 2002*.

INSTRUCTION:

The effect of this Instruction is to limit the use of equipment for restraining inmates which is permitted in clause 122 of the *Crimes (Administration of Sentences) Regulation 2001*.


Effective immediately as at the date of this Instruction, no correctional officer may take a firearm howsoever described, on to or into the Kariong Juvenile Correctional Centre or that area of land in the immediate vicinity, which could reasonably be expected to form part of the Correctional Complex.

At no time that a juvenile inmate is being escorted either to or from Kariong Juvenile Correctional Centre is a correctional officer to be in possession of a firearm.

In accordance with clause 122(1) of the Regulation, the only equipment that the governor of Kariong Juvenile Correctional Centre may instruct a correctional officer to use in the discharge of his or her duties at Kariong Juvenile Correctional Centre is

handcuffs, security belts, batons and chemical aids. The use of such equipment may only be used with the concurrence of the governor of Kariong Juvenile Correctional Centre.

Any proposed use of anklecuffs or any other articles for the purpose of restraining a juvenile inmate must be referred to me for approval prior to it being used.


Ron Woodham
Commissioner

17/ December 2004