



Government of **Western Australia**
Department of **Justice**
Corrective Services

Annual Report 2018/19

Acacia Prison Services Agreement

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1 Contract Background and History

Acacia Prison (Acacia) is a privately operated medium security facility located in 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 Director General of the Department of Justice (the Department), on behalf of the State of Western Australia (the State) and Serco Australia Pty Ltd (Serco), 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.

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 meetings are attended by the Commissioner of Corrective Services, the Contractor Representative and other senior staff from the Department and Serco. 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 2018/19 Key Projects and Initiatives

3.1 Fifty Bed Expansion

In August 2018 the Department and Serco executed a contract variation providing for the operational capacity of Acacia to be increased to 1,525 prisoners. An additional fifty (50) beds were installed at Acacia by Serco and assisted in relieving bed pressures in the adult male estate. The additional beds represented improved value for money and reduced the average per prisoner cost paid to Serco compared to the 2017/18 Operation Year.

3.2 Individual Management Plan Contract Variation

Corrective Services has been experiencing a steady increase in the backlog of Individual Management Plans (IMPs) due to a number of factors including increasing prisoner numbers. An initial IMP is required to be developed within 28 days of sentencing and is reviewed every six to 12 months depending on total sentence length. The Hakea Prison assessments team are responsible for completing the initial IMPs of adult male prisoners in the metropolitan area.

In June 2019, the State issued a Variation Notice to Serco enabling them to address the backlog of IMPs for prisoners housed at Acacia. Initial training commenced for all new assessors on 24 June 2019. This training will enable commencement of treatment assessments as of 1 July 2019 with further training scheduled in August 2019.

3.3 Performance Measures Review

Between March and June 2019, a review of the Performance Measures was carried out in conjunction with Serco. This review resulted in a number of measures having their performance targets strengthened, with a view to driving continuous improvement in Serco's service delivery. Adjustments were also made to expand the cohort and number of prisoners in through care planning as well as setting target completion rates for those prisoners completing substance use treatment plans.

An additional two Performance Indicators were added to the current suite which are new non-financially incentivised measures and relate to searching and emergency management exercises.

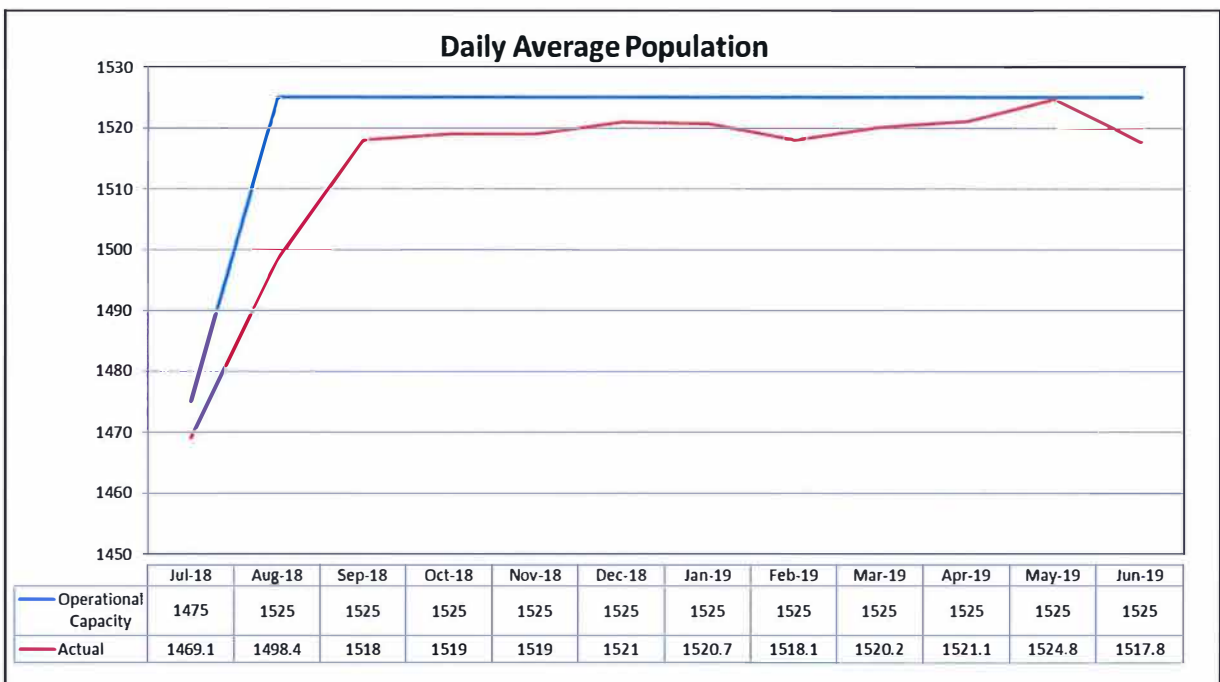
The revised Performance Measures are effective 1 July 2019. The complete suite of updated Performance Measures and Performance Indicators are attached to this report at Attachment A.

4 Prison Population

At the conclusion of the 2018/19 Operation Year, Acacia had an operational capacity of 1525 prisoners. This included 827 standard, 362 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 2018/19 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 2018/19 Operation Year Serco's performance against the Performance Measures was satisfactory. There were eight serious prisoner assaults which was the same for the 2017/18 Operation Year. There were seven serious self-harm incidents, compared to one in the 2017/18 Operation Year. Only 2.65% of random drug tests returned positive results, compared to 3.15% in the 2017/18 Operation Year.

Serco achieved full payment for 10 of the 13 Performance Measures, with partial payment of the remaining three. 92.85% of the available PLF (\$3,587,426.03) was paid to Serco (see 7 *Contract Payments and Associated Financial Information*).

The results of Serco's performance against each performance measure for the 2018/19 Operation Year is shown in the attached Performance Measure Dashboard at Attachment B.

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 2018/19 Operation Year:

5.2.1 Performance Improvement Requests

In the 2018/19 Operation Year there were no PIRs issued.

5.2.2 Abatement Amounts

During the 2018/19 Operation Year, the following Abatement Amounts were issued to Serco.

On 15 October 2018, the State issued two Abatement Amounts totaling \$10,261.50 to Serco for the failure to record information relating to two incidents on the departmental offender database. Failure to record this information constitutes a breach by Serco of its obligations to report or provide information and is a Specified Event under the terms of the Services Agreement.

On 19 June 2019, the State issued an Abatement Amount of \$205,230 to Serco for the death in custody of a prisoner on 12 June 2019. The death of a prisoner in custody other than from natural causes, is a Specified Event under the terms of the Services Agreement. This death will be subject to a coronial inquest by the State Coroner of Western Australia.

5.2.3 Default Notices

In the 2018/19 Operation Year there were no Default Notices issued by the State.

6 External Oversight

Serco's operations at Acacia Prison are subject to a range of reviews by external bodies. During the 2018/19 Operation Year, reviews included:

6.1 Office of Inspector of Custodial Services Inspection

From 21 to 29 November 2018, the Office of the Inspector of Custodial Services carried out an inspection of Acacia Prison. A draft copy of the report was provided to the Department on 13 June 2019.

The Department has responded to all ten recommendations contained within the report and will monitor the actioning of these recommendations in the 2019/20 Operation Year.

6.2 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 2018/19 operation Year, the IVS undertook 10 visits to Acacia Prison. Issues raised by prisoners included property, medical, and assessment complaints. Each complaint was responded to by Serco and responses were overseen by Corrective Services.

7 Contract Payments and Associated Financial Information

The costs associated with the Agreement for the 2018/19 Operation Year are below (rounded to the nearest dollar):

Monthly Service Payment	Payment
Operation Payments (excluding 5% PLF withholding)	\$68,161,094
Performance Linked Fee (PLF)	\$3,330,973
Wages Adjustment (including the estimated value of the balance payment amount not yet paid)	\$7,760,000
Pharmacotherapy Reimbursement	\$309,187
Hospital Sits Reimbursement	\$299,494
Utilities Reimbursement	\$600,686
Recruitment and Training Costs	\$125,479
Band Transition Fee	\$29,552
IMP Contract Variation	\$23,805
Abatements	(\$215,492)
Gross Total:	\$80,424,778

The Recruitment and Training costs as well as the Band Transition Fee costs relate to the fifty bed expansion which occurred during the 2018/19 Operation Year.

Correction to 2017/18 Annual Report:

The Annual Report 2017/18 Acacia Prison Services Agreement, tabled in Parliament on 9 October 2018 by the Minister for Corrective Services, contained an estimated Wages Adjustment payment in Contract Payments and Associated Financial Information heading.

The Wages Adjustment was listed as being \$6,720,000 and included an estimated balance payment. A review of the 2017/18 report has identified that the balance payment amount for the wages adjustment was underestimated. The final 2017/18 Wages Adjustment paid to Serco was \$7,490,881.

The wages adjustment represents the difference between the Consumer Price Index (CPI) increases applied under the Agreement and the Enterprise Bargaining Agreement (EBA) rates negotiated by Serco with their employees.

The total payments made to Serco under the Agreement for the 2017/18 Operation Year were therefore \$78,021,178.

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 2018 the PWTF had an opening balance of \$45,447.08.

Payments made to the PWTF in the 2018/19 Operation Year totalled \$79,948.10.

The following expenditure was approved by the Department in the 2018/19 Operation Year:

- Family days: \$21,895.85
- Purchase of crèche toys and furnishings for the visitors centre: \$3,986.59.
- Christmas presents for Santa to give to children attending visits during the festive period: \$5,000.

The PWTF had a closing balance of \$94,512.74 at the end of the 2018/19 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 2018/19 Operation Year \$64,155.41 was paid to the State.

Attachments:

Attachment A – Performance Measures Acacia Prison Services Agreement 2019/20
Attachment B – Performance Measure Dashboard 2018/19



Government of **Western Australia**
Department of **Justice**
Corrective Services

Performance Measures

Acacia Prison Services Agreement

2019/20

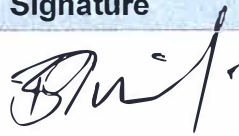

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Document approval

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 2019.

Name	Position	Signature	Date
Brenton Williams	Director Acacia Prison Contractor Representative Serco		6/8/19
David Hughes	Assistant Director Private Prison Contract Management Contract Manager Department of Justice		6/8/19

1 Definitions & 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 be 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

Performance Measure 01	SERIOUS ASSAULTS Number of serious assaults within each operational year.	
Intent	To ensure strategies, processes & procedures are in place to reduce the likelihood and occurrence of serious assaults.	
Compliance	<p>Legislation: Prisons Act 1981 s70(b)</p> <p>Corrective Services Policy: DCS Prisons Order 10/2016 Policy Directive 41: Reporting of Incidents and Additional Notifications.</p> <p>Acacia Prison Services Agreement: Schedule 4,2.14, 2.22, 2.23; and Schedule 5 (6.1)</p>	
Progressive Targets	Result	PLF Payment
	Less than 9	100%
	9 – 10	80%
	11 – 14	50%
	Greater than 15	0%
Percentage of Total PLF	9%	
Reporting Frequency	Monthly	
Calculation Frequency	Annually	
Data Source	<ul style="list-style-type: none"> • TOMS • DCS Prison Order 10/2016 • PD41 Critical Incident Notifications • Monitors Reports • Other processes, information, data, records and reports available to the State or which the State may reasonably require Serco to provide. 	
General Reporting (Methodology)	<p>Serco to provide information in a standard coversheet on all assaults occurring in the month, identifying those that were serious and those that were sexual (including allegations).</p> <p>Private Prison Contract Management (PPCM) to analyse the data against recorded information on TOMS and the Performance Measure requirements.</p> <p>Serco to submit mitigation and evidence for sexual assault allegations which were not substantiated.</p>	
Calculation / Formula	<p>Number of serious assaults in the reporting period, including any sexual assault allegations that are substantiated either by Western Australian Police Force or by a prison investigation.</p> <p>Count the total number of serious assaults that have occurred in the reporting period and total for the operational year.</p>	
Exceptions	<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

Performance Measure 02	SERIOUS SELF-HARM / ATTEMPTED SUICIDE Number of prisoners committing one or more acts of serious self-harm or attempted suicide within each operational year.	
Intent	To ensure the effective management of prisoners at risk.	
Compliance	<p>Legislation: Prisons Regulations 1982 s74 & 75</p> <p>Corrective Services Policy: 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>Acacia Prison Services Agreement: Schedule 4, 2.21; Schedule (6.2)</p>	
Progressive Targets	Result	PLF Payment
	Less than 9	100%
	9 – 10	80%
	11 – 14	50%
	Greater than 15	0%
Percentage of Total PLF	9%	
Reporting Frequency	Monthly	
Calculation Frequency	Annually	
Data Source	<ul style="list-style-type: none"> • TOMS • PD41 Critical Incident Notifications • Monitors' Reports • Other processes, information, data, records and reports available to the State or which the State may reasonably require Serco to provide. 	
General Reporting (Methodology)	<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>	
Calculation / Formula	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.	
Exceptions	<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

Performance Measure 03	ARMS Percentage of prisoners identified as At Risk that are managed in accordance with the Department's At Risk Management System's (ARMS) Manual.	
Intent	To ensure that those prisoners identified as At Risk are managed in accordance with the Department's ARMS Manual.	
Compliance	<p>Legislation: Prisons Regulations 1982 s74 & 75</p> <p>Corrective Services Policy: 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>Acacia Prison Services Agreement: Director's Rule 2.12: Management of Prisoners Identified as At Risk</p>	
Progressive Targets	Result	PLF Payment
	97.0% or Greater	100%
	92.0% – 96.9%	80%
	91.9% or Less	0%
Percentage of Total PLF	9%	
Reporting Frequency	Monthly	
Calculation Frequency	Monthly	
Data Source	<ul style="list-style-type: none"> • TOMS • PRAG Notes • ARMS Manual 	
General Reporting (Methodology)	<p>PPCM to randomly select 50% of <i>At Risk</i> 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> <ol style="list-style-type: none"> 1. Interim Plans; <ul style="list-style-type: none"> • Reviewed within 24 hours (Monday to Friday) by PRAG 2. Observations; <ul style="list-style-type: none"> • Completed and recorded on the supervision log within the required timeframes as per the ARMS manual; and 3. PRAG meeting <ul style="list-style-type: none"> • Minutes reflect the current, perceived well-being of the prisoner • Meeting attendance is multi-disciplinary • Meeting(s) are completed in accordance with risk levels (high, moderate, and low) – no meetings required on weekends or public holidays. 	
Calculation / Formula	<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>	
Exceptions	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	<p>Legislation: Prisons Regulations 1982 Part IIIA</p> <p>Corrective Services Policy: Policy Directive 26: Searches Operational Instructions 3</p> <p>Acacia Prison Services Agreement: Schedule 4, Section 2.20 Schedule 5, Clause 6.4</p>	
Progressive Targets	Result	PLF Payment
	6.0% or Less	100%
	6.1% – 7.0%	80%
	7.1% – 9.0%	50%
	9.1% or Greater	0%
Percentage of Total PLF	9%	
Reporting Frequency	Monthly	
Calculation Frequency	Annually	
Data Source	<ul style="list-style-type: none"> • TOMS • Laboratory Reports • Other processes, information, data, records and reports available to the State or which the State may reasonably require Serco to provide. 	
General Reporting (Methodology)	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.	
	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.	
	PPCM to analyse the data against recorded information on TOMS and the Performance Measure requirements.	
Calculation / Formula	Number of positive samples divided by the total number tested for the month multiplied by 100.	
Exceptions	All claims for mitigation provided by Serco will be considered, particularly the following:	
	<ul style="list-style-type: none"> • 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; and • Positive result is the effect of current legally prescribed medication which has been confirmed by a medical officer or laboratory certificate. <p><u>Note:</u> 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

Performance Measure 05	SENTENCE MANAGEMENT Percentage of prisoners' sentence planning documents reviewed and approved in accordance with the Department's requirement(s).	
Intent	To ensure the required level of sentence management by Serco.	
Compliance	<p>Legislation: Criminal Law (Mentally Impaired Accused) Act 1996 Dangerous Sexual Offenders Act 2006</p> <p>Corrective Services Policy: 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>Acacia Prison Services Agreement: Schedule 4, 3.1 & 3.2 Schedule 5, 6.6</p>	
Progressive Targets	Result	PLF Payment
	97.0% or Greater	100%
	92.0% – 96.9%	80%
	91.9% or Less	0%
Percentage of Total PLF	8%	
Reporting Frequency	Monthly	
Calculation Frequency	Monthly	
Data Source	<ul style="list-style-type: none"> • TOMS • Prisoner Checklists • Assessment and Case Management (ACM) Reports • Parole Reviews/Reports • IMPs • MAPs 	
General Reporting (Methodology)	<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"> 1. The Offender Review Schedule, "IMP Review" 2. The Offender Review Schedule, "If Not Paroled" <p>The following circumstances do not require a review being completed:</p> <ul style="list-style-type: none"> • The review date is within three months of the prisoner's EED or EDR; • Where the prisoner has a court date in the three months following their review date; • 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 • Where a prisoner with a MAP is serving more than six months and the creation of an IMP has been tasked to Hakea Prison. <p>IMP documents will be assessed as complete using the date the Decision Slip is generated showing the <i>Status</i> as <i>Final</i> and the <i>Decision</i> as <i>Complete</i>.</p> <p>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.</p>	

Calculation / Formula	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.
Exceptions	All claims for mitigation will be considered.

2.6 PM 06 – Education, Training & Employment

Performance Measure 06	EDUCATION, TRAINING & EMPLOYMENT Percentage of primary activity positions filled.	
Intent	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.	
Compliance	<p>Legislation: Prisons Regulations 1982 Part V, Reg 43, 44 & 45</p> <p>Corrective Services Policy: Policy Directive 25: Prisoner Constructive Activity</p> <p>Acacia Prison Services Agreement: Schedule 4.2.16, 3.3 & 1.1 Schedule 5.6.9</p>	
Progressive Targets	Result	PLF Payment
	90.0% or Greater	100%
	80.0% – 89.9%	80%
	79.9% or Less	0%
Percentage of Total PLF	8%	
Reporting Frequency	Monthly	
Calculation Frequency	Monthly	
Data Source	<ul style="list-style-type: none"> • TOMS • Attendance Sheets 	
General Reporting (Methodology)	<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). As at 1 July 2019, agreed number is 1132 positions.</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>	
Calculation / Formula	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.	
Exceptions	<p>All claims for mitigation will be considered; primarily the following:</p> <ul style="list-style-type: none"> • Issues with infrastructure that are outside the control of Serco; • Lockdown training days; • Operational issues; • Environmental issues; • Positions vacant for less than two weeks; • Where a contract is ended within the industries area; • Long term sick (will be paid gratuity level 5); and • Public Holidays. <p>• Different numbers on positions when report is extracted on different days (evidence required).</p>	

2.7 PM 07 – Clinical Programs - Delivery

Performance Measure 07	CLINICAL PROGRAMS - DELIVERY Percentage of agreed Clinical Intervention Program positions filled at the commencement of the program in accordance with the agreed contract schedule.	
Intent	To provide specific clinical intervention programs as agreed in the schedule and to ensure maximum utilisation of these programs.	
Compliance	<p>Legislation: Prisons Act 1981, Part IX</p> <p>Corrective Services Policy: Adult Custodial Rule 18: Assessment and Sentence Management of Prisoners</p> <p>Acacia Prison Services Agreement: Schedule 4, 2.30 & 3.5 Schedule 5, 6.9</p>	
Progressive Targets	Result	PLF Payment
	95.0% or Greater	100%
	90.0% – 94.9%	80%
	89.9% or Less	0%
Percentage of Total PLF	4%	
Reporting Frequency	Quarterly	
Calculation Frequency	Quarterly	
Data Source	<ul style="list-style-type: none"> • TOMS • TOMS Clinical Intervention • Offender's Notes • Assessment and Case Management (ACM) Course Schedule 	
General Reporting (Methodology)	<p>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.</p> <p>Private Prison Contract Management (PPCM) to analyse the data against recorded information on TOMS and the Performance Measure requirements.</p>	
Calculation / Formula	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.	
Exceptions	<p>All claims for mitigation will be considered; primarily the following:</p> <ul style="list-style-type: none"> • Where Serco provides documentary evidence that all reasonable efforts have been made to ensure that the program is filled to capacity; • 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 • Hard copy evidence of such notifications will be accepted in the form of emails, letters, and memos. <p><u>Note:</u> Verbal advice will not be accepted as a form of mitigation.</p>	

2.8 PM 08 – Clinical Programs – Treatment Reports

Performance Measure 08	CLINICAL PROGRAMS - TREATMENT REPORTS Percentage of agreed program treatment reports finalised within four weeks of the course completion.	
Intent	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.	
Compliance	<p>Legislation: Prisons Act 1981, Part IX</p> <p>Corrective Services Policy: Adult Custodial Rule 18: Assessment and Sentence Management of Prisoners</p> <p>Acacia Prison Services Agreement: Schedule 4, 2.30 & 3.5 Schedule 5, 6.9</p>	
Progressive Targets	Result	PLF Payment
	95.0% or Greater	100%
	90.0% – 94.9%	80%
	89.9% or Less	0%
Percentage of Total PLF	4%	
Reporting Frequency	Quarterly	
Calculation Frequency	Quarterly	
Data Source	<ul style="list-style-type: none"> • TOMS • Offender's Checklist • Assessment and Case Management (ACM) Course Schedule • Case notes and Checklist 	
General Reporting (Methodology)	<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>	
Calculation / Formula	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.	
Exceptions	All claims for mitigation will be considered.	

2.9 PM 09 – Substance Use Support & Treatment Plans (STP) – Part A

Performance Measure 09	SUBSTANCE USE SUPPORT & TREATMENT PLANS (STP) Percentage of Prisoners who test positive to illicit substances who have a STP developed within one month of being found guilty.	
Intent	To provide an individualised case management approach for prisoners who have been identified as drug and illicit substance users.	
Compliance	<p>Legislation: Prisons Act 1981, Part VII Prisons Regulations 1982, Part III A</p> <p>Corrective Services Policy: Policy Directive 26: Searches Operational Instructions 3</p> <p>Acacia Prison Services Agreement: Schedule 4, 2.20 Schedule 5, Clause 6.4</p>	
Progressive Targets	Result	PLF Payment
	95.0% or Greater	100%
	85.0% – 94.9%	80%
	84.9% or Less	0%
Percentage of Total PLF	4%	
Reporting Frequency	Monthly	
Calculation Frequency	Monthly	
Data Source	<ul style="list-style-type: none"> • TOMS • Acacia Tracking Spreadsheet • Support & Treatment Plans 	
General Reporting (Methodology)	<p>Serco to provide:</p> <ul style="list-style-type: none"> • 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; and • STPs and review documentation. <p>The performance measure applies to prisoners who have tested positive, and been found guilty of substance misuse 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>	
Calculation / Formula	<ol style="list-style-type: none"> 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. 2. Secondly, add the total numbers of STPs due within the month, to the total number of reviews due within the month. 3. Divide the number in (1) by the number in (2), then multiply by 100. 	
	<p>e.g. (STPs completed + reviews completed) ÷ (STPs due + reviews due) x 100%</p> <p style="text-align: center;">∴ (13+ 15) / (14 + 15) x 100%= (28/29) x 100% = 96.5%</p>	
Exceptions	<p>All claims for mitigation will be considered, primarily the following:</p> <ul style="list-style-type: none"> • Prisoners who are transferred or released from Acacia prior to completion of the STP review period; and • Prisoners who refuse to engage with the STP. (In this instance, a follow-up will be conducted within one month of refusal to engage) 	

Transition Note	<p>The performance measure will apply to prisoners whose STP developed are due for completion from August 2019 onwards. This will allow Serco to implement STPs in July 2019 and for prisoners to engage on the STP plans once first test positive. Accordingly, it will not be calculated in July 2019.</p> <p>The Performance Linked Fee (PLF) attributable to the month of July will be split over the remaining 11 months. In this way, the 4% PLF available under this Performance Measure will be paid as a maximum of 0.363% over the remaining 11 months in the 2019/2020 Operational Year.</p>
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2.10 PM 09 – Substance Use Support & Treatment Plans (STP) – Part B

Performance Measure 09	SUBSTANCE USE SUPPORT & TREATMENT PLANS (STP) Percentage of prisoners who complete their STP, including engagement in a minimum of one intervention.	
Intent	To ensure strategies are in place to encourage prisoner engagement and completion of their support and treatment plan.	
Compliance	<p>Legislation: Prisons Act 1981, Part VII Prisons Regulations 1982, Part III A</p> <p>Corrective Services Policy: Policy Directive 26: Searches Operational Instructions 3</p> <p>Acacia Prison Services Agreement: Schedule 4, 2.20 Schedule 5, Clause 6.4</p>	
Progressive Targets	Result	PLF Payment
	50.0% or Greater	100%
	30.0% – 49.9%	75%
	Less than 30.0%	0%
Percentage of Total PLF	4%	
Reporting Frequency	Quarterly	
Calculation Frequency	Quarterly	
Data Source	<ul style="list-style-type: none"> • TOMS • Acacia Tracking Spreadsheet • Support & Treatment Plans and review documents 	
General Reporting (Methodology)	<p>Serco to provide:</p> <ul style="list-style-type: none"> • 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 and got reoffered the STP,; • STPs and STP Review document as agreed; • Third Review document, should be ticked and signed, specify the intervention(s) prisoner has completed in addition to Summary and Recommendations. • If a prisoner decides to withdraw after agreeing to participate/engage in the STP (Part A), it will be calculated as not completed. • By the third STP review, prisoner should have commenced or completed one of the AOD Programs (KOI, GOI, NA, AA, BBV, Green Lighthouse, DATS, Department's services provider's program, etc). <p>The performance measure applies to prisoners who have been found guilty of substance misuse and have agreed to participate/engage in the STP (Part A).</p> <p>The STP is to be reviewed in accordance with the review schedule contained within the STP, completed interventions and will operate for a period of three months for the purposes of Part B of Performance Measure 9.</p>	
Calculation / Formula	<ol style="list-style-type: none"> 1. Firstly, add the number of prisoners who have STPs due within the quarter. 2. Secondly, add the total number of prisoners that have completed their STPs including at least one intervention (except GP) by the third review. 3. Divide the number in (2) by the number in (1), then multiply by 100. 	
	<p>e.g.(STPs completed) ÷ (STPs due in a quarter) x 100%</p> <p>∴ (9 / 10) x 100%= = 90.0%</p>	
Exceptions	<p>All claims for mitigation will be considered; primarily the following:</p> <ul style="list-style-type: none"> • Prisoners who are transferred or released from Acacia prior to completion of the STP review period. 	
Transition Note	As this is a new measure, the performance measure will apply to prisoners whose STP reviews are due for completion in Q2 2019/2020. This will allow	

	<p>Serco to implement STPs in Q1 2019/2020 and for prisoners to commence completion of those plans. Accordingly, it will not be calculated in Q1 2019/20.</p> <p>The Performance Linked Fee (PLF) attributable to this first quarter will be split over the remaining 3 quarters. In this way, the 4% PLF available under this Performance Measure will be paid as a maximum of 1.33% over the remaining three quarters in the Operational Year.</p>
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2.11 PM 10 – Adult Basic Education

Performance Measure 10	ADULT BASIC EDUCATION 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.	
Intent	To ensure that prisoners with low literacy skills are provided with appropriate educational opportunities.	
Compliance	<p>Legislation: Prisons Regulations 1982 Part V, Reg 43, 44 & 45</p> <p>Corrective Services Policy: Policy Directive 25: Prisoner Constructive Activity</p> <p>Acacia Prison Services Agreement: Schedule 4.3.3 Schedule 5.6.8</p>	
Progressive Targets	Result	PLF Payment
	75.0% or Greater	100%
	65.0% – 74.9%	75%
	64.9% or Less	0%
Percentage of Total PLF	8%	
Reporting Frequency	Quarterly	
Calculation Frequency	Quarterly	
Data Source	<ul style="list-style-type: none"> • TOMS • Assessment and Case Management (ACM) Reports • Prisoner's Individual Management Plan (IMP) • Pathlore 	
General Reporting (Methodology)	<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>	
Calculation / Formula	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.	
Exceptions	<p>All claims for mitigation will be considered; primarily the following:</p> <ul style="list-style-type: none"> • Where the prisoner refused or withdraws from the course; and • Where the prisoner is inducted without an IMP. 	

2.12 PM 11 – Throughcare Planning

Performance Measure 11	THROUGH-CARE PLANNING Percentage of prisoners released from Acacia to freedom who have been provided with an Acacia Transition Plan (ATP).	
Intent	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.	
Compliance	<p>Legislation: Prisons Act 1981, Part VII Prisons Regulations 1982, Part III A</p> <p>Corrective Services Policy: Policy Directive 26: Searches Operational Instructions 3</p> <p>Acacia Prison Services Agreement: Schedule 4, 2.20 Schedule 5, Clause 6.4</p>	
Progressive Targets	Result	PLF Payment
	90.0% or Greater	100%
	80.0% – 89.9%	80%
	70.0% – 79.9%	50%
	69.9% or Less	0%
Percentage of Total PLF	8%	
Reporting Frequency	Monthly	
Calculation Frequency	Monthly	
Data Source	<ul style="list-style-type: none"> • TOMS • Acacia Tracking Spreadsheet • Support & Treatment Plans 	
General Reporting (Methodology)	<p>Serco to provide:</p> <ul style="list-style-type: none"> • 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; and • the prisoners' ATPs 	
Calculation / Formula	<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"> • Young Adults (up to and including 26 years of age); • Prisoners with a diagnosed Substance Dependency; • Prisoners with a diagnosed Mental Health Issue. • Prisoners assessed as posing a High or Very High Risk of Recidivism (using the LS/RNR assessment); and • Prisoners who are currently sentenced for a sexual offence. <p>Prisoners who fit into more than one criteria for the defined cohort will count as one prisoner.</p>	
Exceptions	<p>All claims for mitigation will be considered; primarily the following:</p> <ul style="list-style-type: none"> • Where the prisoners are transferred or released prior to the anticipated release date; • Where the prisoner refuses to engage with an ATP; and • Where the prisoner is released to parole. 	
Transition Note	Due to the two additional cohort added the assessment and calculation of this performance measure for the month of July 2019 will be as per 2018/2019 Performance Measure Agreement, in order to allow Serco July 2019 to complete and implement an ATP to the newly agreed cohort.	

2.13 PM 12 – Individual Operational Readiness

Performance Measure 12	INDIVIDUAL OPERATIONAL READINESS Percentage of Custodial Officers who meet minimum training and qualification requirements.	
Intent	To ensure individual operational readiness, all Custodial Officers are qualified and meet minimum training requirements.	
Compliance	<p>Legislation: Prisons Act 1981 s15 P & T</p> <p>Corrective Services Policy: Policy Directive 5: Use of Force (4.1.8) OSH Procedures: First Aid (4.2.1 & 4.3.1)</p> <p>Acacia Prison Services Agreement: Clause 9.5; and Schedule 4 (6.9) Director's Rule 6.9: Training and Development</p>	
Progressive Targets	Result	PLF Payment
	100%	100%
	90.0% – 99.9%	80%
	89.9% or Less	0%
Percentage of Total PLF	9%	
Reporting Frequency	Quarterly	
Calculation Frequency	Quarterly	
Data Source	<ul style="list-style-type: none"> • Training and Development Plan • Register of Training • Permit Database • Training Certificates & Qualifications 	
General Reporting (Methodology)	<p>Custodial Officers include:</p> <ul style="list-style-type: none"> • Custodial Officers (all grades including Security Officers and Case Management Officers); and • Unit Managers (all grades). <p>Private Prison Contract Management (PPCM) to randomly select 10% 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"> • Certificate III in Correctional Practice (Custodial) (Exemption for staff who have performed Custodial Functions for less than nine months); • Certificate IV in Correctional Practice (Custodial) (permanent Unit Managers and acting Unit Managers with 24 or more months aggregate acting) • Senior First Aid; • Cardiopulmonary Resuscitation (CPR); and • Defensive Equipment Techniques Training. • ARMS/SAMS refresher training. <p>PPCM to review evidence provided by Serco to determine performance measure achievement level.</p>	
Calculation / Formula	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.	
Exceptions	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.	

2.14 PM 13 – Incident Reporting

Performance Measure 13	INCIDENT REPORTING Percentage of incident reports completed in accordance with the Department's requirements.	
Intent	To ensure accurate, complete and timely incident reporting.	
Compliance	<p>Legislation: Prisons Act 1981</p> <p>Corrective Services Policy: Prison Order 10/2016 Policy Directive 41: Reporting of Incidents and Additional Notifications</p> <p>Acacia Prison Services Agreement: Schedule 4, 5.4 & 6.3</p>	
Progressive Targets	Result	PLF Payment
	95.0% or Greater	100%
	90.0% – 94.9%	90%
	80.0% – 89.9%	60%
	79.9% or Less	0%
Percentage of Total PLF	7%	
Reporting Frequency	Monthly	
Calculation Frequency	Monthly	
Data Source	<ul style="list-style-type: none"> • TOMS • Other processes, information, data, records and reports available to the State or which the State may reasonably require Serco to provide. 	
General Reporting (Methodology)	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.	
Calculation / Formula	Divide the total number of incident reports assessed as being accurate and complete, by the total number of incidents assessed, and multiply by 100.	
Exception	All claims for mitigation will be considered.	

3. Performance Indicators (PI)

3.1 PI 1 – Searching

Performance Indicator 1	SEARCHING Percentage of gate entry searches conducted in accordance with PD 26 and Acacia Director's Rule (comprising of random searching of staff, official and social visitors, contractors, delivery vehicles and delivery drivers).	
Intent	To ensure searching requirements are met.	
Compliance	Legislation: Prisons Act 1981 Corrective Services Policy: Policy Directive 26: Searches Acacia Prison Services Agreement: Schedule 4, 1.5 DR 1.5	
Progressive Targets	Result	Compliance
	5.0% or Greater 4.9% or less	Compliant Non -compliant
Percentage of Total PLF	NA	
Reporting Frequency	Monthly	
Calculation Frequency	Monthly	
Data Source	<ul style="list-style-type: none"> • TOMS • Emails, log books, other processes, information, data, records and reports available to the State or which the State may reasonably require Serco to provide. 	
General Reporting (Methodology)	Private Prison Contract Management (PPCM) to assess the minimum number of searches required per month in accordance with PD 26 and Directors Rule 1.5, including random searching of staff, official and social visitors and delivery vehicle drivers.	
Calculation / Formula	Meeting minimum search requirements on the reporting month in the following areas: <ul style="list-style-type: none"> • Staff – minimum of 350 of all staff, including Maintenance Contractor staff, pat-searched per month. • Official visitors – minimum of 12 pat searches per week (scheduled on TOMS) • Social Visitors – minimum of 80 pat searches per week (scheduled on TOMS) • Delivery vehicle drivers – minimum of 10 searches (pat / wand) per week (as recorded in Sally Port Log Book) • Delivery vehicles – all delivery vehicles daily (as recorded in Sally Port Log Book) 	
Exceptions	All claims for mitigation will be considered;	

3.2 PI 2 – Emergency Management

Performance Indicator 2	EMERGENCY MANAGEMENT Number of emergency management exercises performed.	
Intent	To ensure number of Emergency Management exercise's requirements are met.	
Compliance	DCS Policy: Prison Order 4/2018 Policy Directive 72: Emergency Management Acacia Prison Services Agreement: Schedule 4, 1.1	
Progressive Targets	Result	Compliance
	Minimum exercises performed Minimum exercises not performed	Compliant Non -compliant
Benchmark	A minimum of one emergency management exercise every two months. The following exercises require mandatory completion at a minimum of once every calendar year: <ul style="list-style-type: none"> • Death of a prisoner in custody; • Escape from a prison; • Fire; • Hostage; • Major disturbance (active or passive); and • Medical Emergency (either injury or illness) One exercise is to be live. The remainder may be performed at a desktop level.	
Reporting Frequency	Annually	
Calculation Frequency	Annually	
Data Source	Record of emergency management exercises, including any proposed changes to Prison Emergency Management Plan.	
General Reporting (Methodology)	Serco to provide the State with a record of the emergency management exercises conducted on the reporting year.	
Calculation / Formula	Performance of minimum emergency management exercises within the specified year in accordance with Prisons Order 4/2018.	
Exceptions	All claims for mitigation will be considered;	

