

Date: 26 May 2021

Undertaking to the Work Health and Safety Commissioner given for the purposes of part 11 of the *Work Health and Safety Act 2011* (**WHS Act**).

by The Community Services Directorate for the Australian Capital Territory

## Privacy statement

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**SECTION 1 - GENERAL INFORMATION**

**Note: A reference to a contravention includes an alleged contravention**

**a) Details of the person proposing the undertaking**

<i>Nominated person</i>	<b>Director General – Community Services Directorate</b>	
<i>Street address:</i>	<b>220 London Circuit Canberra City</b>	
<i>Postal address (if different from street address):</i>		
<i>Telephone contact number:</i>		
<i>Mobile contact number:</i>		
<i>Email address:</i>	CSDOffice of Director General@act.gov.au	
<i>Legal structure:</i>	Australian Capital Territory	
<i>Type of business:</i>	The Territory’s Community Services Directorate (CSD), including the management of the Territory’s residential youth justice centre at Bimberi.	
<i>Commencement date of the entity:</i>	On the commencement of self-government in 1988	
<i>Number of workers</i>	Bimberi	Whole of CSD
	Full time 72 Part time. 6 Temporary 12 Casual ....14	Full time .....757 Part time.....143 Temporary 153 Casual .....60
<i>Products and Services:</i>	In the context of Bimberi, CSD provides secure care and custody to male and female young people who are remanded in custody or sentenced by the ACT Supreme or Childrens Courts as well as addressing their human rights and their therapeutic and rehabilitative needs.	
<i>Comments:</i>	“The Territory” in this document refers to the Australian Capital Territory as represented by the Community Services Directorate	

**b) Details of the alleged contravention**

It is alleged by WorkSafe ACT that on 26 August 2019 at the Bimberi Youth Justice Centre in the Australian Capital Territory (**Territory**), as represented by the Community Services Directorate (**CSD**) had a health and safety duty within the meaning of section 30(a) of the WHS Act, specifically the primary duty of care required by section 19 of the WHS Act, and it failed to comply with that duty.

**c) Details of the events surrounding the alleged contravention (omit personal details and reference to gender).**

On 26 August 2019, Bimberi staff were the subject of an unprovoked attack by young people who were in detention, during an attempt by them to escape.

The attack was initiated by three young people gaining access to a Duty Point in Bimberi and rushing a Youth Worker who was in the Duty Point having a conversation with another Youth Worker. A Control Room Operator saw the incident on Bimberi’s closed-circuit television (**CCTV**) network and immediately called a “Code Black”, which indicates a personal threat to staff. This is an emergency code requiring all available staff to respond to that threat.

The two Youth Workers were not able to remove the young people from the Duty Point. One Youth Worker was injured when struck twice on the head by a young person using an improvised weapon. It was later determined that

this weapon was a large screw that is used to secure a table tennis net. A young person removed a computer from a workstation in the Duty Point and used it to strike the wounded Youth Worker.

The security arrangement at the Duty Point prevented the two doors to the Duty Point being open at the same time. This prevented other Youth Workers from entering the Duty Point to provide assistance.

Although other young people were becoming involved in the incident, Youth Workers were able to push the young people from the Duty Point. However, at this point, the incident was escalating beyond the Duty Point. As more staff arrived at the incident, there were five young people involved. Youth Workers were able to restrain the young people and to secure them.

The incident ended 82 minutes after it started when all the young people were restrained and secured.

Before this occurred:

- While being restrained by a Youth Worker, a young person removed the keys and an electronic fob from the Youth Worker’s belt
- The young person threw the keys to another young person who used them to open a locked door and gain access to the grounds outside the residential unit
- Force was used by Youth Workers to restrain the young people
- The improvised weapon was used by a young person to threaten another Youth Worker
- The unit was opened by one young person using the keys, and he left the unit and gained access to another residential unit. He released another young person and they gained access to Bimberi’s facilities compound using the electronic fob
- These young people “hot-wired” an all-terrain vehicle and drove it around the facilities compound
- Unable to leave the compound, they climbed onto the roof of a shed, and
- When police officers arrived, the two young people agreed to surrender to two of Bimberi’s staff. Upon their surrender they were placed in secure accommodation.

**d) An acknowledgement that the regulator has alleged a contravention occurred**

The Territory acknowledges the allegation made by WorkSafe ACT that the Territory has contravened provisions of the WHS Act.

**e) The details of any injury that arose from the alleged contravention**

Five staff members obtained medical treatment and subsequently were absent from the workplace for various periods.

The injuries reported by the staff are as follows:

- o Employee 1 – Sore and swollen left knee. Minor pain in rib area.
- o Employee 2 – Carpet burns to knees, sore elbow and chest.
- o Employee 3 – Pain in left knee.
- o Employee 4 – Puncture wounds, laceration to head, swollen body parts and psychological (PTSD).
- o Employee 5 - Shank injury, grazes and bruises, sore ribs and mouth and psychological (PTSD).

**f) The details of any enforcement notices issued that relate to the alleged contravention:**

Notices received:

Yes (provide details)       No

**g) A statement of assurance about future work health and safety behaviour**

The Director General of CSD is the person who is accountable to the Minister for the efficient and effective operation of Bimberi and is committed to ensuring the health and safety of all workers at Bimberi, and complying with the Territory’s legal obligations, including those under the WHS Act, to provide a safe and healthy workplace.

**When an alleged contravention is associated with an injury/illness**

**h) The details of the type of workers’ compensation provided (if the injured person(s) is a worker of the person)**

As a result of the incident, 12 Riskman reports were lodged. Five of these reports resulted in workers’ compensation claims.

Staff reported injuries or hazards through the Riskman Incident Reporting system.

The injured staff have been supported in their recovery from their injuries and the traumas of the incident with access to leave, rehabilitation, re-training opportunities and ongoing counselling.

The management of workers' compensation claims is being undertaken by CSD through CMTEDD WSIR and the insurer EML. The injured workers are guided by their directions and through the management of their claim.

**The detail of the support provided, and proposed to be provided, to the injured person(s) to overcome the injury/illness**

Does the contravention involve injury to person?

Yes

No

The injured people are employees of: **Community Services Directorate**

Date	Description of support	Comments
27, 28, 29 & 30 August 2019.	Onsite EAP assistance provided to all staff.	<ul style="list-style-type: none"> <li>Staff were also given the mobile number of the EAP contact for extra accessibility.</li> </ul>
3,4,5 & 6 September 2019	Onsite EAP assistance provided to all staff (continued).  The EAP was available on site for 8 days after the incident.	<ul style="list-style-type: none"> <li>This was an extension of the support provided the following week to ensure that all staff had opportunity and time to gain assistance.</li> </ul>
27 August 2019	The PMB Branch made contact with all staff members involved in the incident.  Assistance offered included: <ul style="list-style-type: none"> <li>EAP – onsite and ongoing sessions.</li> <li>Payment of medical appointments including GP, psychologist, and hospital.</li> <li>Assistance with completing compensation paperwork and lodgement.</li> <li>Modification of work tasks if required.</li> </ul>	<ul style="list-style-type: none"> <li>These supports were offered to all staff and not limited to whether a compensation claim was submitted or not.</li> <li>The focus was on early intervention and getting all the right supports and treatment in place for each individual.</li> <li>The upfront payments made by the Directorate allowed the staff members to seek the appropriate treatment in a timely manner without cost to them.</li> </ul>
Aug/Sept 2019	<ul style="list-style-type: none"> <li>Director General made direct, personal contact with injured staff members and offered supports.</li> </ul>	<ul style="list-style-type: none"> <li>It is understood this was well received by staff members as they felt valued and supported.</li> </ul>
26 August 2019 – October 2019	<ul style="list-style-type: none"> <li>One staff member assisted with compensation claim process.</li> <li>Pre-approved and paid medical expenses prior to claim acceptance.</li> <li>Contacted that staff member on a regular basis to offer assistance and assurance and to ensure all supports were in place for a full recovery.</li> </ul>	Injury resolved within 1 month of the incident.  Staff member reported no ongoing injuries or concerns.
26 August 2019 – December 2020	<ul style="list-style-type: none"> <li>Two staff members were assisted with compensation claim process.</li> <li>Pre-approved and paid medical expenses prior to claim acceptance.</li> <li>Contacted staff member on a fortnightly/monthly basis to touch in and ensure all supports were in place for a full recovery.</li> <li>Rehabilitation provider assigned to assist with graduated return to work arrangements.</li> </ul>	<ul style="list-style-type: none"> <li>Injuries resolved within 4 months of the incident.</li> <li>Staff members reported no ongoing injuries or concerns.</li> </ul>
26 August 2019 – Ongoing.	<ul style="list-style-type: none"> <li>Two staff members were assisted with compensation claim process.</li> <li>Pre-approved and paid medical expenses prior to claim acceptance.</li> <li>Contacted staff member on a weekly to fortnightly basis initially. Contact remains ongoing but is now on monthly basis to touch in and ensure all supports.</li> <li>Rehabilitation Case Manager from Chief Minister, Treasury and Economic development Directorate injury management and external rehabilitation provider assigned to assist with the graduated return to work.</li> <li>Staff members are currently participating in a return to work in different positions outside Bimberi.</li> </ul>	<ul style="list-style-type: none"> <li>The staff members are still suffering from their injuries and graduated return to work is ongoing.</li> </ul>

**i) If the matter involves a fatality or very serious injury<sup>1</sup>, a claim to demonstrate that exceptional circumstances exist that the enforceable undertaking is a more appropriate response than pursuing prosecution**

Does the contravention involve a fatality or very serious injury?

Yes (PTSD)                       No

**j) The detail of any existing work health and safety management system (WHSMS) at the workplace including the level of auditing currently undertaken**

CSD has a directorate wide WHSMS, which is maintained on its intranet, and a number of CSD's divisional areas, including Bimberi, have in place site and role specific work, health and safety policies and procedures, risk registers, and emergency procedures. CSD participated in the whole of government (WoG) WHSMS audit as part of the WoG workers' compensation self-insurance licence in 2019. The audit focussed on the following:

- Resourcing
- Training
- Property/facilities
- Change management
- Procurement/purchasing
- WHSMS Framework
- Policies, procedures, flowcharts

CSD developed an action plan to address the non-conformance items identified in the audit. The minor improvements identified for Bimberi have been completed.

As part of the response to the incident at Bimberi, a WHS officer was employed on a part time basis to undertake strategic oversight activities, such as compliance and auditing tasks relating to Bimberi.

CSD has a comprehensive Work Health and Safety Management System. A local WHSMS operates at Bimberi. It is a subset of, and is complementary to, CSD's WHSMS.

The Bimberi WHSMS has recently been the subject of management review with a view to its improvement. This work has been undertaken with the support of an external work health and safety expert with background in correctional and youth justice centres and the *Work Health and Safety Act 2011*.

This work included a review and audit of the WHSMS documentation of CSD and Bimberi to determine if it meets the requirements of AS/NZ ISO45001.

Within the Bimberi WHSMS there are check points, inspection, testing and monitoring mechanisms. Bimberi's WHSMS will be subjected to an implementation audit at the end of the 2021 calendar year.

**k) The detail of any consultation undertaken within the workplace regarding the proposal of an enforceable undertaking**

Consultation and communication regarding the progress against the WorkSafe ACT recommendations and findings is occurring through current mechanisms including during the morning briefs, the HSR meetings as well as the WCC and WHS committee meetings. Further opportunities for future consultation will occur through the development of services and planning work.

**l) A statement of regret that the incident occurred (i.e. not an admission of guilt)**

The Territory through CSD, its officers and its employees is deeply committed to the safety of all workers. The Territory sincerely regrets that its infrastructure and systems were not sufficient to afford greater safety for staff.

The Territory is committed to ensuring that the opportunity and incentive for any future incidents of this kind be better managed through its established and improved systems, policies and procedures, a well-trained, committed

<sup>1</sup> An injury that has caused nervous system damage liable to lead to mental incapacity or permanent restriction of mobility or involves a major amputation of a limb or parts of the body, for example, amputation above the knee or elbow. This term is not defined in the WHS Act; it is used within this document to identify certain circumstances which will trigger additional steps in the enforceable undertaking process.

workforce, and the development of positive workplace and institutional culture. These matters are and will continue to be addressed by the Territory thereby promoting the health and safety of its staff.

**m) Any rectifications made as a result of the contravention**

The Territory through CSD has identified, assessed and implemented a number of improvements and rectifications to its workplace practices and infrastructure following the incident recognising that the health, safety and wellbeing of its workers is of utmost importance. In addressing these responsibilities, the Territory is committed to applying the following principles:

- achieving the highest work health and safety standards for workers and other persons
- providing a clear policy framework that supports setting health and safety objectives
- satisfying applicable legal requirements related to work health and safety
- fostering accountable, effective and supportive leadership
- taking all reasonably practicable measures to eliminate or, where that is not possible, minimise risks to the health, safety and welfare of employees using a hierarchy of controls
- driving continuous improvement of health and safety management to enhance the health and safety of its workplaces, support employees who do become injured or ill and reduce the personal, human and financial costs of injury
- consultation with all employees in health and safety decision-making processes
- ensuring employees and other persons understand their health and safety obligations, and
- implementing an appropriate and coordinated response if an incident does occur, including providing work-based rehabilitation opportunities as required.

To further its understanding of the circumstances of the incident, the Territory through CSD facilitated an independent and immediate review of the incident.

In its 2019-20 Budget, the ACT Government committed funding to address for areas of safety and security and infrastructure to enhance support and services at Bimberi to provide a safer environment and focussed on:

- the training, instruction, and supervision to staff in the application of policies and procedures
- the structures and controls to eliminate, so far as is reasonably practicable, workplace hazards associated with young people in care, including security infrastructure, and
- improvements to systems in place for incidents, and audit and record keeping.

The Territory through CSD took these actions to address these focus areas:

1. Four staffing positions were created and recruited to and are now permanently part of the Bimberi workforce:
  - A full-time **Principal Practitioner** to provide trauma informed advice and consultation regarding young people in Bimberi. This position provides improvements in the quality of assessment and advice available to Bimberi staff to manage young people, with a resultant improvement in young people's prosocial behaviour and a reduction of the risk of events like the incident.
  - A full-time **Intelligence and Classification Officer** to provide capability within Bimberi to proactively consider all information available to assess the static and dynamic risk of young people and Bimberi generally, as well as to advise on the appropriate response within the existing Behaviour Management Framework at Bimberi. The position provides capability to review telephone recordings and CCTV recordings, as well as timely assessment and review of young people's risks and needs and the determination of behaviour breaches by young people.
  - A part-time (0.6 FTE) **Training Officer** responsible for the design, development and delivery of relevant and contemporary training and development programs for Bimberi staff.
  - A part-time (0.4 FTE) **Health and Safety Officer** responsible for the management of Work Health and Safety systems within Bimberi.
2. Operational staff have participated in and completed mandatory training requirements including:
  - Responding to Critical Situations training
  - Senior First Aid and CPR training, and
  - Warden training (Australian Standard 3745-2010).

The Training Officer has mapped training pathways and attendance for all operational staff and is working to ensure all staff are up to date with all their training requirements.

3. An extensive project of works has commenced to improve Bimberi's building infrastructure to ensure that Bimberi provides a physically safe working environment for staff.

To maximise the value of these works, a security consultant with expertise in the security of correctional facilities was engaged to review staff access across the Bimberi site. The review considered existing measures to control access and made recommendations regarding Bimberi's security infrastructure.

Work completed to date includes:

- Improvements to the physical infrastructure including increased security across Bimberi, and
  - Additional digital cameras have been installed across the Bimberi site.
4. A Work Health and Safety consultant has been engaged to provide specialist advice to Bimberi. This work includes a review of Bimberi's WHS systems and practices, the development of strategies to improve WHS management systems and practices and to develop an annual work program to guide the role and responsibilities of Bimberi's Health and Safety Officer.
5. New Personal Protective Equipment (PPE) has been purchased. Bimberi staff and health and safety representatives were provided the opportunity to view the PPE options, try on components, and provide feedback. Following this consultation with employees new PPE was purchased. This equipment is in line with the available UK, US and EU standards.
6. Following the incident, there are regular updates and consultations with employees regarding the implementation of the various recommendations and other system improvements, at Health and Safety Representative Meetings, Emergency Planning Committee Meetings and morning staff briefings.

Total amount spent on rectifications to date

\$2,993,000.00

**n) An acknowledgement that the enforceable undertaking may be published and publicised**

The Territory acknowledges that the enforceable undertaking may be published on the WorkSafe ACT website and may be referenced in WorkSafe ACT publications.

**o) A statement of ability to comply with the terms of the enforceable, undertaking including financial commitments**

The Territory has the financial ability to comply with the terms of this undertaking.

**p) Statement regarding relationships with beneficiaries**

Not applicable

**q) Intellectual property licence**

Not applicable

**r) The person may be required to provide a statutory declaration**

Noted

**s) Acknowledgement of the guidance published by the regulator in relation to enforceable undertakings**

The Director General, on behalf of the Territory, has read and understood the Enforceable Undertaking Guideline, which is accessible on the WorkSafe ACT website.



**SECTION 2 – ENFORCEABLE TERMS**

**a) A commitment that the behaviour that led to the alleged contravention has ceased and will not reoccur**

The Territory through CSD is committed to the safety of its staff. CSD has taken steps through a range of changes to Bimberi’s infrastructure, staffing and health and safety processes to minimise the risk of future unprovoked attacks from young people in custody and to ensure that staff are well equipped to respond to any future unprovoked attacks.

CSD is committed to meeting all of its Work Health and Safety obligations.

**b) A commitment to the ongoing effective management of work health and safety risks**

The Director-General, on behalf of the Territory commits to the ongoing effective management of work health and safety risks at Bimberi.

**c) A commitment to disseminate information about the enforceable undertaking to workers, and other relevant parties (which may include work health and safety representatives), and in the annual report (if applicable)**

The Territory through CSD and its officers is committed to disseminate information about the enforceable undertaking to staff, and other relevant parties and will include information about the enforceable undertaking in the CSD Annual Report.

**d) A commitment to participate constructively in all compliance monitoring activities of the enforceable undertaking**

The Territory through CSD, its officers and employees are committed to participating constructively in all compliance monitoring activities associated with the enforceable undertaking.

**STRATEGIES THAT WILL DELIVER BENEFIT TO WORKERS, INDUSTRY AND THE COMMUNITY.**

**e) Activities that will be undertaken to promote the objects of the WHS legislation that will deliver benefits for worker(s)**

**Strategy 1 - Build staff capacity through recruitment, training, and professional development**  
**Estimated Cost \$ 280,000**

- External training fund which includes mandatory youth training and Certificate IV in Training and Assessment for management staff providing training.
- Continue 0.6 Training Officer position to embed and strengthen robust training and development systems implemented to ensure a high quality training program is in place and all staff are trained and certified in appropriate mandatory training.

**Scope**

The Territory through CSD, undertakes to enhance training and development opportunities for staff through recruitment and structured training, increased skills and career development, and enhanced development in management and leadership capabilities. This will be achieved by:

- Reviewing Bimberi’s Induction Program on an annual basis to ensure it remains contemporary
- Monitoring staff completion of mandatory and refresher training
- Providing funding for specialist staff training, which would include the ability for staff to undertake trauma accredited training (5 days with assessment) and undertake relevant Certificate IV and Diploma courses, such as Youth Work and Training and Assessor for staff facilitating training.
- The continuation of the Training Officer will focus on the ongoing review, implementation and integrity of the Bimberi Residential Services Professional Development Framework.

**Tangible Outcome**

- A defined recruitment, induction and on the job training framework to ensure new employees are supported and have the knowledge and skills to work within Bimberi.
- An updated training framework that provides a structured, targeted approach to training for operational and non-operational staff, specifically designed for Bimberi.
- Structured training blocks to ensure staff have ongoing access to high quality training to maintain and build on their skills and competence required in a youth detention setting.

**Beneficiaries / audience**

- Bimberi staff and leadership

**Delivery method**

- Training will be delivered by internal and external qualified training providers.
- Initial training is delivered to new staff in a 7-week Bimberi Induction Program training block and on the job mentoring.
- Staff will continue to be supported to complete regular skills maintenance sessions, e-learning modules, and participate in the agreed Supervision Framework.

**Timeframe**

Action	Timing	Deliverable and Evidence of Completion
Deliver an updated framework that provides a structured, targeted approach to training for operational and non-operational staff, specifically designed for Bimberi	June 2022	Professional Development Framework documented with defined outcomes and implementation plan
Delivery of an annual training calendar covering mandatory and refresher training	Annual (November each year)	Training Calendar inclusive of training modules, dates and mandatory requirements approved by EGM Corporate Services and EGM CYF
Refreshed Induction Training in place for all new operational staff	Updated Induction package to be completed by December 2021. Induction training delivered in line with new appointments	Induction Package and learning resource completed. Induction completed certification for all new staff in place and a register held by EBM Bimberi and EBM PMB.
Mandatory and core training completion report	Quarterly	Report submitted to EGM Corporate Services

**Safety Outcome**

An increased and maintained focus on training and workforce development will improve skills and experience in working with complex and challenging young people in a secure, high-risk environment. Highly skilled staff will support the management and rehabilitation of young people in detention and reduce the risk of and impact of critical incidents in Bimberi. Appropriately trained staff and leadership will support the capacity to safely manage young people in detention while providing staff with the skills and expertise they need to feel confident in their abilities and are supported in a safe working environment.

**Strategy 2 – Continue infrastructure improvements at Bimberi.  
Estimated cost \$500,000**

**Scope**

The Territory, through CSD, undertakes to continue to improve worker safety at Bimberi through physical upgrades to building infrastructure, including:

- undertaking renovations to staff duty points in each residential unit
- improving the safety of buildings within the secure area of Bimberi.

**Tangible Outcome**

- Infrastructure improvements across the secure area of Bimberi leading to enhanced security across the environment and safety for staff.

**Beneficiaries / audience**

- Bimberi staff and leadership

**Timeframe**

Action	Timing	Deliverable and Evidence of Completion
Redesign of the duty points to increase staff safety	work to be completed in the 2021-22	Redesign Plans Work completion certification
Policies and procedures including Emergency Operating Procedures to be updated to reflect the new duty point design	Within 2 months of upgrade completion	Amended P&P approved by EGM CYF
Implementation of an electronic tools register (barcoding) and associated policies and procedures	June 2022	Register in place approved by EBM Bimberi and EBM PMB

**Safety Outcome**

- Increased capability for CSD to meet its work health and safety obligations to staff in a high risk environment, so that risks arising from the workplace are managed as far as reasonably practicable.

**Strategy 3 – Improve Work Health and Safety Management Systems at Bimberi Youth Justice Centre  
Estimated Cost \$ \$680,000**

- WHS Officer (SOG C) 0.4 FTE, and
- Two Control room officers (2x YW1/2 FTE cost \$225,000).

**Scope**

The Territory, through CSD, undertakes to enhance work health and safety at Bimberi developing capacity and capability to strengthen the implementation of Bimberi Work Health and Safety Management system and ensure assurance mechanisms are maintained and auditable. This will be achieved by:

- The Health and Safety Officer position supporting the implementation of the new Bimberi Work Health and Safety Management system to enhance capability to meet CSD’s work health and safety requirements as required by the Territory and legislation; Increasing the capacity of the Health and Safety Officer will focus on the ongoing implementation and integrity of the Bimberi Residential Services Work Health and Safety Management system.
- The increase in staffing in control room will enable control room officers to better discharge their role in preventing and responding to critical incidents by monitoring the significant additional cameras installed across the site. Two control room officers support the centre in monitoring young people, staff and visitor safety on daily basis and particularly during incident management.
- CSD Audit and Risk Management Committee will oversee risk management, compliance and assurance processes.
- Increasing Bimberi staff numbers to include two additional full-time equivalent Youth Worker positions in the Control Room. While the duties have been reviewed, this post continues to have a significant workload during day shifts (8am to 8pm). This increase in staffing capacity will allow the full safety benefit of the installation of more cameras across the Bimberi campus to be realised.

**Tangible Outcome**

- An enhanced Work Health and Safety Management System that provides a structured, targeted approach to health and safety designed for Bimberi.
- Provide staff with a structured, assessable Work Health and Safety Framework that articulates expectations of the workplace and employees.
- Improved response to workplace hazards and risks.

**Beneficiaries / audience**

- Bimberi employees.

**Delivery method**

- Ensuring that the Bimberi Work Health and Safety Management system conforms to the requirements of the WHS Act, Regulation and ISO 45001
- Reporting on the performance of the Bimberi Work Health and Safety Management system to Centre Management
- Supporting the successful operation of the WHS committee and meetings
- Supporting the successful conduct of internal CSD WHS inspections and required follow-up from inspections
- Supporting WHS incident reporting, notification to the regulator and investigations
- Support the delivery of WHS training
- Provide reports and information on WHS as required to centre management
- Support the external independent review of WHS in Bimberi currently conducted by WorkScience.
- CSD Internal Audit and Risk Management team and People Management Branch will establish a process to monitor results and establish quality assurance mechanisms to achieve independent oversight and provide advice to the Director General of any issues or areas for further development to continue to provide a safe environment for staff in Bimberi.

**Timeframe**

Action	Timing	Deliverable and Evidence of Completion
Support the independent review of WHS of Bimberi	To be completed by February 2022	
Work Health and Safety Management System defined and implemented	To be completed by April 2022.  Quarterly	WHS Management Framework Document  WHS Committee Meeting Minutes documented  Compliance Checks authorised and approved by EGM CYF and EGM Corporate Services
Performance monitoring – Work Health Safety Risks and issues Management Report	Quarterly	Report submitted to EGM Corporate Services

**Safety Outcome**

- Increased capability for CSD to meet its work health and safety obligations to staff in a high-risk environment so that the risks arising from the conduct of the workforce undertaking to be managed as far as reasonably practicable.
- Improved reporting through use of Riskman and internal review arrangements monitored by EBM Bimberi and EBM PMB.
- The Directorate's Audit and Risk Management Committee will monitor the implementation of the strategies committed above for the period of the Enforceable Undertaking.

Total amount to be spent on benefits to workers

**\$ 1,460,000.00**

**f) Strategies that will deliver industry benefits**

**Strategy 1 – Interjurisdictional Forum**

**Estimated Cost \$ Within current resources but estimate cost \$30,000**

To deliver a presentation and paper on lessons from the 2019 major incident at Bimberi including an assessment of the recommendations and findings from the external reviews conducted of the incident. The Australasian Youth Justice Administrators (AYJA) facilitate a biannual international conference for youth justice stakeholders which would be the preferred forum for the presentation of this paper.

**Tangible Outcome**

- National learning and sharing of information for the benefit of youth justice stakeholders.

**Beneficiaries / audience**

- AYJA and other youth justice stakeholders

**Delivery method**

- Develop a paper and presentation for the next AYJA forum in 2021-22. Paper to be published and distributed to all AYJA representatives and on AYJA website

**Timeframe**

Action	Timeframe	Deliverable
Present findings and lessons paper at AYJA biannual international conference	November 2021	Conference paper and presentation material

**Safety Outcome**

- Lessons regarding safety and security in youth justice facilities to be shared with youth justice stakeholders.

Total amount to be spent on Industry benefit

**\$30,000.00**

**g) Strategies that will deliver community benefits**

**Strategy 1 – Therapeutic Specialist Services**

**Estimated Cost - \$ 318,000**

- Principal Policy Officer position for 2 years

**Scope**

Undertake policy and service design work to enable therapeutic specialist services to be embedded across the youth justice service system with consideration of all other relevant work such as:

- Therapeutic Care Policy
- Restorative practice
- Trauma recovery
- Therapeutic Care Court
- Mental Health
- Drug and Alcohol

This will include an end-to-end view of how young people are supported while in Bimberi using a Positive Behaviour Support platform and will include young people on Community Orders and in youth justice residential services as part of an integrated therapeutic and trauma informed practice framework.

**Tangible Outcome**

- The outcomes of this initiative will be the design of new approaches that will result in young people being better supported with individualised and targeted interventions and effective transition plans that address their criminogenic risks; and, to support their rehabilitation and positive participation in the community.

**Beneficiaries / audience**

- Reduction in recidivism will benefit the community.
- Young people transitioning from Bimberi back into the community.
- Community partners delivering services to young people engaged with the youth justice system.

**Delivery method**

- Government and community co-designed through care model.

**Timeframe**

Action	Timeframe	Deliverable
Undertake current research and jurisdictional better practice review	March 2022	Scoping paper
Undertake consultation with young people, families, key stakeholders, practitioners, service providers (government and non-government), oversight agencies and therapeutic specialists	December 2022	Output Report – Stakeholder Input
Develop service model and system hypotheses to test and validate with key critical people to form an assessment of most suitable arrangements for the ACT	March 2023	Options Analysis paper

**Safety Outcome**

- Better supports leading to improved through care practices to support young people in life post youth justice involvement.

Total amount to be spent on benefits to the community \$318,000.00

Total amount to be spent on activities \$1,800,000.00

**Total cost of all the strategies proposed (rectification and benefits)** \$ 4,793,000.00

**h) A commitment regarding linking the promotion of benefits to the enforceable undertaking**

The Territory is committed to linking the benefits arising from the execution of the enforceable undertaking and will do so in CSD’s annual report.

**i) A commitment to establish and maintain (or maintain if a system already exists) a work health and safety management system (WHSMS)**

The Territory will maintain the new work health and safety system it implements at Bimberi and will operate an occupational health and safety committee and undertake audits of its risks.

**j) A commitment to ensure the WHSMS is audited by third party auditors**

The Territory is committed to having its work health and safety system at Bimberi audited by an independent auditor, which may be undertaken by an auditor from another Directorate.

**k) A commitment to provide a copy of each finalised WHSMS audit report to WorkSafe ACT**

The outcomes of the audit will be provided to the Work Health and Safety Commissioner.

**A commitment to implement the recommendations from these audits**

The Territory commits that any recommendations arising from the audit will be considered and assessed in a timely manner.

SECTION 3 – OFFER OF UNDERTAKING

I offer this undertaking and commit to the terms herein.

Signed [Signature]

Name Jo Wood

Position Director-General; CSD.

Dated at CIVIC this 26th (suburb)

day of May 20 21

OR

As a duly authorised person of

[Empty box]

I offer this undertaking and commit to the terms herein.

Signed (duly authorised person) [Empty box]

Name [Empty box]

Position [Empty box]

Dated at [Empty box] this [Empty box] (suburb)

day of [Empty box] 20 [Empty box]

SECTION 4 – WORKSAFE ACT ACCEPTANCE OF UNDERTAKING

The duration of an enforceable undertaking is determined by the content of the agreed terms. An enforceable undertaking commences and is enforceable once accepted by the regulator. The enforceable undertaking will be concluded on written advice from the regulator when all requirements of the undertaking have been satisfactorily executed.

I accept this undertaking as an enforceable undertaking under section 216 of the WHS Act.

Signed [Signature]

Name AMANDA GREY

Position WHS COMMISSIONER A/G

WorkSafe ACT

Dated at CIVIC this 26TH (suburb)

day of MAY 20 21

The full undertaking and general information about enforceable undertakings is available at www.worksafe.act.gov.au