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# Schedule 13

## MONITOR FUNCTIONS

As attached.

## **ROLE OF THE CONTRACT MONITOR**

### **1. LEGISLATIVE FRAMEWORK**

The appointment and responsibilities of the Monitor are specified in section 242 of the *Crimes (Administration of Sentences) Act 1999* (NSW).

### **2. DUTIES OF THE CONTRACT MONITOR**

In carrying out the responsibilities specified in section 242 of the *Crimes (Administration of Sentences) Act 1999*, the Monitor will:

- 2.1 provide the communication and management link between the Commissioner of Corrective Services and the Operator;
- 2.2 provide the communication link between the Chief Executive Officer, Justice Health and the Operator;
- 2.3 interpret and clarify issues impacting upon the management of the Correctional Centre and the Operator's obligations under the Management Agreement;
- 2.4 provide the Contract Manager advice on requests from the Operator for variations to the Management Agreement;
- 2.5 representing the Department's viewpoint in all discussions;
- 2.6 ensuring open communication between the Operator and the Department;
- 2.7 monitoring changes to Departmental policy and procedure which may impact upon the Management Agreement;
- 2.8 providing employment authorisations for the Operator's Personnel (as delegate of the Commissioner);
- 2.9 conducting performance audits on a random but regular basis to determine compliance by the Operator with the Management Specifications (refer Schedule 14, Annexure A of the Management Agreement);
- 2.10 represent the Minister and the Department on the Junee Advisory

Council.

### **3. PERFORMANCE AUDIT**

The performance audit will be carried out using such resources as the Monitor may require and will involve:

#### **3.1 Application of Test**

The audit test is applied in a number of ways which include personal observation, interviews with Operator's Personnel and Inmates, obtaining data and internal reports and gathering of information from other sources (eg. Official Visitors, Ombudsman)

#### **3.2 Recording**

Following the application of a test the Monitor will submit a report detailing the results of the test to the Commissioner and the General Manager of the Correctional Centre. A comprehensive performance audit will be conducted annually, the results of which will form part of the Department's Annual Report.

#### **3.3 Remedial Action and Follow-up**

If a deficit in performance is detected then the Monitor will initially discuss the issue with the General Manager at an exit interview. During this discussion a suitable timeframe for curing the deficiency will be agreed. At the completion of this timeframe, a further application of the audit test will be undertaken to assess the remedial action. If the deficiency has not been cured then the Commissioner may issue the Operator with a Default Notice (in accordance with the Management Agreement).