



OFFICE OF THE INSPECTOR  
OF CUSTODIAL SERVICES

# **Recruitment and retention of Aboriginal staff in the Department of Corrective Services**

**April 2016**

The reviews undertaken as part of the Office of the Inspector of Custodial Services' *Snapshot Series* are designed to provide a brief summary of an issue or trend in the Western Australian custodial environment. This review examines the Department of Corrective Services' (the Department) effectiveness in attracting, employing and retaining Aboriginal people.

The information examined is obtained through the Department's offender database, Total Offender Management Solution (TOMS), and other open source data. The Department has reviewed this report and provided feedback which has been taken into consideration.

This report does not make any recommendations but does raise some important issues and presents key findings.

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This report is available on the Office's website and will be made available, upon request, in alternate formats.

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## **1 Inspector's overview**

Most Aboriginal employees choose to work for the Department of Corrective Services because they aspire to make a difference to the lives of others in the Aboriginal community. Given the gross over-representation of Aboriginal people in prison in this state – which is by far the highest in Australia - it heartens me that the Department has Aboriginal as well as non-Aboriginal employees who are so motivated and so dedicated to the rehabilitation of people who are incarcerated.

Over the years, our prison inspections have clearly demonstrated that Aboriginal prisoners will seek out Aboriginal staff for support and assistance. This has many benefits, including building communication, bridging the gap between staff and prisoners, reducing risks to both prisoners and staff, and improving the prospects of rehabilitation.

It is therefore of particular concern that the year 2015 saw the highest number of Aboriginal employees leave the Department over recent years. There were a number of reasons for this, but our consultations for this review strongly highlighted the need for Aboriginal staff to feel more valued, and for their skills to be better used. They believe their cultural, social and community knowledge base is not being fully recognised, and that they have little opportunity to provide genuine concrete input into new initiatives. It is devastating for them when initiatives or changes that are not sufficiently considerate of Aboriginal prisoners' needs, or are not culturally appropriate, are implemented.

Recruitment and retention of Aboriginal staff is critical if the Department is to meet its stated objectives of improving offender management and rehabilitation, and of creating a Department that is more responsive and innovative. This is also central to its key objective of reducing recidivism generally and specifically for Aboriginal people.

It is important, too, that the Department's strategies to improve recruitment and retention promote Aboriginal employment in all areas of the agency including policy, corporate services, and senior management. Aboriginal employees should not be limited to positions that are primarily focused on working with offenders. Increased diversity in the workplace will bring benefits to all staff, and will add innovation and value to business outcomes.

### **The Present**

The high rate of incarceration of Aboriginal people in Western Australia means that the needs and management of Aboriginal people is part of the core business of the Department. Improving Aboriginal staff representation rates will have a positive impact on offender management and rehabilitation.

This review has identified that in terms of its number of Aboriginal employees, the Department is performing well in comparison to its peers nationally, and to comparable Western Australian agencies. That said, there is always room for improvement and this report highlights both challenges and opportunities. In particular, while the Department's recruitment strategies appear to be reasonably effective in attracting and recruiting Aboriginal applicants, retention rates are poor.

There is no simple benchmark for the "ideal" level of Aboriginal employee representation, but work in other jurisdictions suggests that there is a need to ensure a critical mass to counter the effects of minority group isolation. The data in the report shows that the Department's overall rate of Aboriginal employment (7.9% of all staff) compared favourably with the proportions of working age Aboriginal people in Western Australia (2.8%) and the state's public sector average (2.8%). The proportion of permanent employees in the Department is much lower (4.6%), but still considerably higher than the public sector average.

The percentage of permanent employees drops further (to 3.4%) if you only look at staffing rates in Adult Prisons and Juvenile Detention Centres. The number of Aboriginal staff working in a strictly custodial role is lower again (2.8%). The low numbers of Aboriginal staff working in operational roles in prisons suggests that all of the potential benefits are not being fully realised.

The review also found noticeable differences in the rate of Aboriginal employment across prisons, even between prisons where you would expect to have similar rates given their locations and functions. For example, Acacia Prison only has 0.9 per cent Aboriginal staff compared with Casuarina Prison at 2.5 per cent and Hakea Prison at 2.0 per cent. Likewise Albany Regional Prison at 3.0 per cent and Greenough Regional Prison at 3.4 per cent were different from Bunbury Regional Prison at 1.5 per cent. There was also a stark contrast between Eastern Goldfields Regional Prison at 7.9 per cent and West Kimberley Regional Prison at 10.0 per cent compared to Roebourne Regional Prison at just 3.9 per cent. These data suggest that there is an opportunity for greater consistency of employment, or perhaps deployment, across all prisons so that the level of Aboriginal staff better reflects each prison's population demographic and needs.

## Retention

As stated above, the Department has generally been relatively successful in attracting and recruiting Aboriginal staff. The picture in relation to retention rates is not so positive and this is an area requiring greater attention. There are significant investments involved in the recruitment of staff, not just Aboriginal staff. These costs include the time and money it costs to run recruitment processes and the costs of induction and training, and also on the job training, supervision and mentoring of new employees.

There will always be a rate of separation for new and existing employees, but the data shows that between 2009 and 2015 the overall rate of separation for Aboriginal staff in the Department was 12.7 per cent. This was almost 60 per cent higher than the rate for non-Aboriginal staff (8.0%)

In 2015 the separation rate for Aboriginal staff peaked at 20.8 per cent; double that of the public sector average for the same period. Only time will tell if this is a developing trend or a one-off peak. Either way, it is clear that the retention rate for Aboriginal staff is a longstanding issue that needs to be addressed.

Our analysis of retention and promotion trends did not suggest that Aboriginal staff had poorer career progression opportunities. However, in order to improve retention, the Department should consider targeted incentives and initiatives. Examples of such initiatives include mentorship programs, culturally appropriate induction processes, support networks, greater leave flexibility, and the provision of a culturally inclusive workplace. This should not only improve the overall rate of Aboriginal employment but also the progression of Aboriginal people into more senior positions.

## The Future

The Department launched its Reconciliation Action Plan 2015-2018 (RAP) in December 2015. The RAP aims to improve how the Department works collaboratively with Aboriginal people in developing culturally appropriate services and initiatives that will underpin the broad objective of reducing recidivism rates. A key outcome set by the RAP is to increase the number of Aboriginal people employed by the Department across a range of positions and places.

The RAP lists a number of actions to address this outcome, including an action to investigate opportunities to increase Aboriginal employment to 7.5 per cent across the Department. The RAP also has a number of other actions and initiatives that aim to improve the Department's engagement and collaboration with Aboriginal people and to strengthen the cultural competency of the Department and individual staff.

All of these initiatives are laudable and the Department is to be commended for the development of the RAP. However, this is far from its first attempt at improving the rate of Aboriginal employment and retention. A number of previous plans and strategies have also been comprehensive, well intentioned, well-crafted and launched with fanfare. But they all failed for want of effective implementation.

The success of the RAP in improving Aboriginal staffing rates and its broader objectives will turn on effective and sustained implementation. And this must include retention as well as recruitment. Only time will tell whether the objectives and commitments set out in the RAP come to pass but the opportunity is there and the time is right for change. It is also important that future evaluations of the RAP will be rigorous and publicly reported.

Unfortunately, I have to report that despite our statutory powers of access to information (balanced with clear statutory criteria regarding confidentiality), we found it tiresomely difficult to access the information required for this review. For a large part of 2015, the Department refused to provide information to update what it had given us in 2014, questioning our right to even conduct the review and our right to information. This significantly delayed finalisation of the review. However, the information, once received, amply confirmed our key findings, especially in relation to the rate at which Aboriginal employees have been exiting the Department.

Eamon Ryan  
3 April 2016

## 2 Background

- 2.1 There is a substantial gap between Aboriginal and Torres Strait Islander people and other Australians on a broad range of measures.<sup>1</sup> Aboriginal people in Australia have shorter life-expectancies, higher rates of chronic disease, poorer educational outcomes, and higher levels of unemployment (Council of Australian Governments [COAG] 2012).
- 2.2 Aboriginal people are also massively overrepresented in Western Australia's criminal justice system. Aboriginal people constitute close to 40 per cent of the state's prison population despite constituting only 2.8 per cent of Western Australia's population (Australian Bureau of Statistics 2014). As a result, Western Australia has the highest Aboriginal imprisonment rate in the country. In juvenile custodial facilities the disparities are even greater, with over 75 per cent of detainees in December 2015 at Banksia Hill Juvenile Detention Centre being Aboriginal.
- 2.3 In 2008, COAG agreed to six targets to address the disadvantage of Aboriginal people (COAG 2012). One of those targets was to halve the gap in employment outcomes between Aboriginal and non-Aboriginal Australians by 2018. Part of the plan to improve Aboriginal employment was to increase the proportion of Aboriginal public sector employees across the country to 2.6 per cent. In Western Australia, a target of 3.2 per cent was set due to the higher proportion of working age Aboriginal people (Public Sector Commission 2011).
- 2.4 Public sector agencies across Australia are making efforts to improve Aboriginal staff representation. In most cases, the economic benefit to Aboriginal people and the reduction of disadvantage are cited as the primary reasons for improving Aboriginal representation. In the Department of Corrective Services (the Department) the benefits of improving Aboriginal staff representation extend far beyond this. With nearly 40 per cent of the state's prison population and over 75 per cent of juvenile detention centre population being Aboriginal, the needs and management of Aboriginal people is core business for the Department. The Department states that increasing Aboriginal staff representation will improve Aboriginal offender management and rehabilitation (Department of Corrective Services [DCS] 2012), and make the Department more responsive to the needs of Aboriginal people (DCS 2008).
- 2.5 Numerous other reports have espoused the benefits of improving Aboriginal staff representation in corrections. The Royal Commission into Aboriginal Deaths in Custody (RCIADIC) suggested that the employment of Aboriginal people in corrections enhanced the relationship between prisoners and officers, improved

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<sup>1</sup> References to 'Aboriginal employees or people' in this report should read as including 'Torres Strait Islander employees or people' where appropriate.

understanding of Aboriginal issues, and decreased racism (Johnston 1991). In their submission to the RCIADIC the Queensland Department of Corrective Services argued that the recruitment of Aboriginal people had numerous long-term benefits, including:

- providing a non-offending role model for Aboriginal people;
- assisting staff in appreciating that Aboriginal people can have roles other than that of prisoners;
- providing a line of communication between Aboriginal prisoners and correctional management; and
- improving communication between corrections and Aboriginal communities.

- 2.6 The RCIADIC recommended that all corrective services agencies make efforts to improve Aboriginal recruitment in all employment classifications.
- 2.7 The 2005 Inquiry into the Management of Offenders in Custody and in the Community (Mahoney Inquiry) stated that the employment of Aboriginal people was important in the provision of culturally appropriate interventions (Mahoney 2005). It too recommended improvements in the representation of Aboriginal correctional staff in Western Australia.
- 2.8 This Office has repeatedly noted the importance of Aboriginal staffing levels to reflect the profile of those in custody (OICS 2002, 2003a, 2003b, 2005a, 2006a, 2006b, 2006c, 2006d, 2011, 2014). Aboriginal offenders are known to specifically seek out Aboriginal staff for assistance and support. In areas such as health, non-Aboriginal staff may be culturally inappropriate and impede the communication of health concerns. Aboriginal staff may be able to discuss issues with prisoners in their own language if the prisoner's grasp of English is poor, and are able to take on a critical welfare role when a death in a prisoner's family occurs. Grieving periods and funeral obligations are considered to be extremely important among Aboriginal people (OICS 2013), and having Aboriginal staff on hand to organise support and respond to these cultural obligations in an appropriate manner can be crucial to a prisoner's wellbeing.
- 2.9 Aboriginal staff have stated to this Office that their knowledge of Aboriginal languages, family groups, and their ability to 'yarn' with offenders make them more adept at both counselling offenders and managing their behaviour. Many of these benefits of Aboriginal staff are not easily measurable or definable in monetary terms.
- 2.10 There is no evidence of clear national guidelines on the ideal level of Aboriginal employee representation. However, staffing reviews in other jurisdictions have recommended that representation should be sufficient to constitute a 'critical mass' (Barnett, Spoehr & Parnis 2008; State Services Commission 2003). A critical mass refers to having sufficient Aboriginal staff to counter the effects of

minority group isolation, thereby promoting the attraction and retention of Aboriginal staff. Having a sufficient number of Aboriginal staff also promotes the informal learning of culturally responsive behaviour among non-Aboriginal staff.

- 2.11 Overall, an adequate representation of Aboriginal staff is crucial in getting Aboriginal prisoners engaged with prison operations, enhancing relationships between prisoners and staff, and promoting culturally sensitive custodial management.

### 3 Aboriginal staffing levels

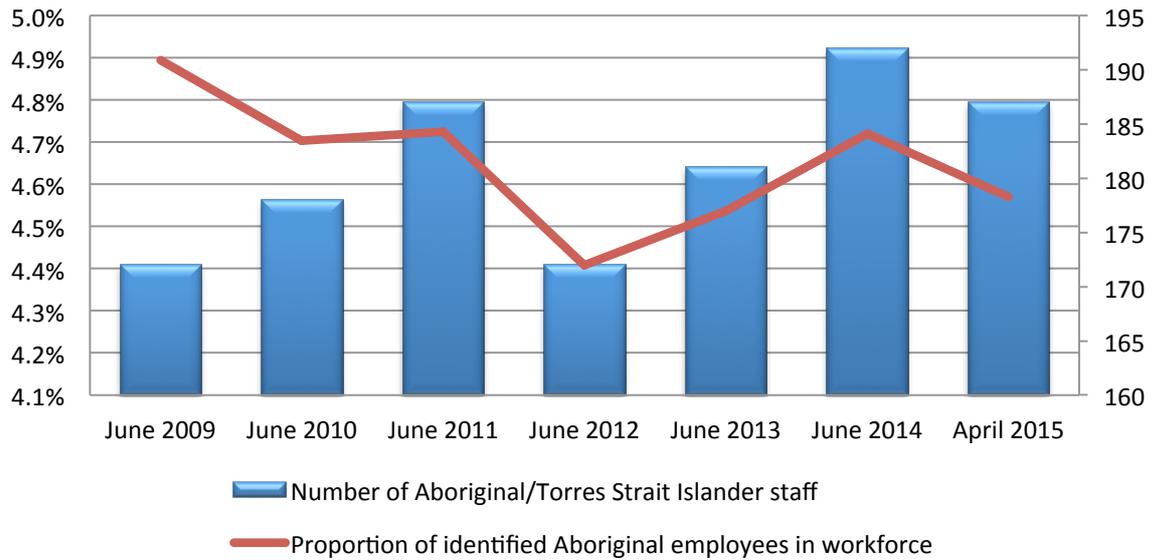
- 3.1 The absence of national standards makes it difficult to make a clear determination on the adequacy of the Department's Aboriginal staffing levels. What is known is that in the 2014/15 financial year the representation of Aboriginal staff in the Department was higher than the representation of Aboriginal people of working age in the community, and the Western Australia public sector agency average.

**Table 1**

*Aboriginal representation in the community, public sector, and the Department in 2014/15*

	<b>Aboriginal representation (%)</b>
Working age community population	2.8
Public sector agency average	2.8
Department of Corrective Services	7.9

- 3.2 The figures above for the WA public sector and for the Department include Aboriginal staff who are employed on a casual and contract basis (Public Sector Commission 2015a, 2015b). Data provided by the Department indicates that the proportion of Aboriginal staff falls to 4.6 per cent if only permanent employees are counted which is still above the public sector average.
- 3.3 Correctional agencies typically have a higher representation of Aboriginal staff compared to other public sector agencies and so the Department's Aboriginal staffing levels are not atypical for the sector. Correctional agencies in New South Wales, Victoria, and South Australia all have a higher representation of Aboriginal staff compared to their state public sector average and working age community population (Department of Correctional Services 2015; Department of Police and Justice 2014; Department of Justice 2014).
- 3.4 While the Department has experienced a substantial improvement in Aboriginal representation over the past decade, in 2005, only 2.8 per cent of Departmental staff identified as Aboriginal (OICS 2005b), improvement has stalled in recent years. More importantly, the increase in Aboriginal staff has not kept pace with the increase in non-Aboriginal staff since 2009 resulting in a decline in the overall proportion of Aboriginal staff representation compared to total staff numbers.



**Figure 1**

*Number and proportion of identified permanent Aboriginal employees 2009-2015.*

3.5 This decline in the proportion of staff identifying as Aboriginal from 2009 contrasts to the rest of the public sector, where Aboriginal representation slightly increased from 2.7 per cent in 2009 to 2.8 per cent in 2015 (Public Sector Commission 2012, 2015a).

## 4 Roles undertaken by Aboriginal staff

4.1 Aboriginal staff are distributed unevenly across the Department. In community corrections and youth justice roles (including Banksia Hill Detention Centre) they are highly represented. The lowest representation of Aboriginal staff is in Head Office, where less than one per cent of permanent staff identified as Aboriginal.

**Table 2**

*Number of permanent Aboriginal staff in major occupational groupings in the Department of Corrective Services as at April 2015*

	Aboriginal employees	Non-Aboriginal employees	Aboriginal representation
<b>Adult Prisons</b>	<b>82</b>	<b>2556</b>	<b>3.1%</b>
Management and Corporate Support	15	339	4.2%
Community Corrections Officer	0	2	0.0%
Group Program Officers	4	42	8.7%
Prison Officer	47	1722	2.7%
Specialist Staff	10	156	6.0%
Vocational Support Officers	6	295	2.0%
<b>Juvenile Detention</b>	<b>19</b>	<b>290</b>	<b>6.2%</b>
Management and Corporate Support	8	22	26.7%
Community Corrections Officer	0	3	0.0%
Miscellaneous Staff	0	2	0.0%
Specialist Staff	1	24	4.0%
Youth Custodial Officers	10	239	4.0%
<b>Head Office</b>	<b>3</b>	<b>355</b>	<b>0.8%</b>
Management and Corporate Support	3	322	0.9%
Community Corrections Officer	0	4	0.0%
Specialist Staff	0	29	0.0%
<b>Training Academy</b>	<b>4</b>	<b>36</b>	<b>10.0%</b>
Management and Corporate Support	3	32	8.6%
Prison Officer	1	3	20.0%
Vocational Support Officers	0	1	0.0%
<b>Community</b>	<b>79</b>	<b>672</b>	<b>10.5%</b>
Management and Corporate Support	44	198	18.2%
Community Corrections Officer	16	314	4.9%
Group Program Officers	2	22	8.3%
Specialist Staff	0	44	0.0%
Youth Justice Officers	17	94	15.3%
<b>Total</b>	<b>187</b>	<b>3909</b>	<b>4.6%</b>

- 4.2 A low proportion of Aboriginal staff is also evident in adult prisons, particularly in operational roles with direct and regular contact with Aboriginal prisoners, such as prison officers and vocational support officers. While the high proportion of Aboriginal staff in community and youth justice positions is commendable, the low numbers of Aboriginal staff in operational roles in prisons suggests that the benefits of improving communication with the disproportionately large Aboriginal prison population are not being realised.
- 4.3 Aboriginal staff representation also differs considerably between individual prisons. While some prisons have a high representation of Aboriginal staff, most prisons don't, with even fewer employed in custodial roles. Aboriginal staff are particularly under-represented in many of the metropolitan prisons such as Boronia Pre-release Centre (0.0%), Acacia Prison, (0.9%), Bandyup Women's Prison (2.0%) and Wandoo Reintegration Facility (1.4%). While Acacia Prison has over 500 Aboriginal prisoners it has only four Aboriginal staff. As a result, Acacia has only one Aboriginal staff member for every 133 Aboriginal prisoners.

**Table 3**

*Proportion of permanent staff based in adult prisons who identify as Aboriginal*

Facility	Aboriginal staff	Aboriginal prison officers	% of workforce who are Aboriginal	Aboriginal prisoners per Aboriginal staff member
Acacia Prison	4	1	0.9%	133
Albany Regional Prison	6	4	3.0%	15
Bandyup Women's Prison	4	3	2.0%	38
Boronia Pre-Release Centre	0	0	0.0%	-
Bunbury Regional Prison	3	1	1.5%	22
Casuarina Prison	11	5	2.5%	22
Eastern Goldfields Regional Prison	8	4	7.9%	7
Greenough Regional Prison	6	5	3.4%	37
Hakea Prison	12	5	2.0%	24
Karnet Prison Farm	5	4	3.1%	7
Pardelup Prison Farm	1	1	2.0%	9
Roebourne Regional Prison	4	3	3.9%	35
Wandoo Reintegration Facility	1	0	1.4%	17
West Kimberley Regional Prison <sup>2</sup>	18	10	10.0%	11
Wooroloo Prison Farm	4	2	2.2%	15
<b>Total</b>	<b>87</b>	<b>48</b>	<b>3.1%</b>	<b>28</b>

<sup>2</sup> Includes Broome Regional Prison, which is considered an annex of West Kimberley Regional Prison.

- 4.4 Aboriginal staff are also under-represented in some regional prisons with high numbers of Aboriginal prisoners. Roebourne Regional Prison and Greenough Regional Prison both have a high proportion of Aboriginal prisoners yet few Aboriginal staff. As a consequence, they have in excess of 30 Aboriginal prisoners for each Aboriginal staff member.
- 4.5 West Kimberley Regional Prison and Eastern Goldfields Regional Prison present a stark contrast. Both these prisons have a similar proportion of Aboriginal prisoners but have a far lower Aboriginal staff to Aboriginal prisoner ratios. The capacity of these prisons to respond to Aboriginal issues in a culturally appropriate manner is therefore much higher.

## 5 Recruitment of Aboriginal staff

- 5.1 The Department is successful in attracting Aboriginal staff. Recruitment drives in the past year for the key frontline positions of prison officer, youth custodial officer, youth justice officer, and community corrections officer received approximately five per cent Aboriginal applicants. This is higher than the proportion of Aboriginal people of working age in the community (2.8%). While there is room for improvement, these results indicate that the Department's practices to attract Aboriginal staff to these positions are effective.
- 5.2 The recruitment process for these positions did not appear to significantly disadvantage Aboriginal applicants. Aboriginal applicants demonstrated a similar likelihood of success after applying for these positions as non-Aboriginal applicants.

**Table 4**

*Overall recruitment success in key frontline positions in recruitment drives from 2014*

<b>Role</b>	<b>Non-Aboriginal applicants</b>	<b>Aboriginal applicants</b>	<b>Successful non-Aboriginal applicants</b>	<b>Successful Aboriginal applicants</b>
Prison Officer	1100	34	13.4%	17.6%
Youth Custodial Officer	555	33	9.7%	6.1%
Youth Justice Officer	249	14	17.7%	13.6%
Community Corrections Officer	309	22	18.8%	21.4%
<b>Total</b>	<b>2213</b>	<b>103</b>	<b>13.6%</b>	<b>13.7%</b>

- 5.3 This Office has previously raised concerns regarding Aboriginal applicants being disadvantaged during some stages of the recruitment process. Problematic recruitment stages have been said to include literacy and aptitude testing, fitness testing, medical testing, and integrity screening (OICS 2006c, 2012). While there was some evidence that fitness testing remained an issue and that Aboriginal applicants were more likely to not attend an assessment, other stages of the recruitment process did not appear to specifically disadvantage Aboriginal applicants.

**Table 5**

*Number of applicants knocked out at each stage of the recruitment process from 2014*

<b>Recruitment Stage</b>	<b>Prison Officer</b>	<b>Youth Custodial Officer</b>	<b>Youth Justice Officer</b>	<b>Community Corrections Officer</b>
<b>Aboriginal Applicants</b>				
Not shortlisted	7 (20.6%)	9 (27.3%)	15 (68.2%)	9 (64.3%)
Literacy and Aptitude Assessment (EPA)	0 (0.0%)	4 (12.1%)	NA	NA
Panel Interview	9 (26.5%)	6 (18.2%)	2 (9.1%)	0 (0.0%)
Medical	0 (0.0%)	1 (3.0%)	NA	NA
Fitness	5 (14.7%)	3 (9.1%)	NA	NA
Integrity Screening	1 (2.9%)	1 (3.0%)	0 (0.0%)	0 (0.0%)
Withdrew	2 (5.9%)	3 (9.2%)	1 (4.5%)	1 (7.1%)
Failed to attend an assessment	4 (11.8%)	4 (12.1%)	0 (0.0%)	1 (7.1%)
Decision Panel	0 (0.0%)	0 (0.0%)	1 (4.5%)	0 (0.0%)
<b>Non-Aboriginal Applicants</b>				
Not shortlisted	557 (50.6%)	288 (51.9%)	142 (57.0%)	202 (65.4%)
Literacy and Aptitude Assessment (EPA)	113 (10.3%)	61 (11.0%)	N/A	N/A
Panel Interview	135 (12.3%)	66 (11.9%)	50 (20.1%)	38 (12.3%)
Medical	8 (0.7%)	2 (0.4%)	N/A	N/A
Fitness	21 (1.9%)	12 (2.2%)	N/A	N/A
Integrity Screening	6 (0.5%)	4 (0.7%)	0 (0.0%)	0 (0.0%)
Withdrew	64 (5.8%)	26 (4.7%)	8 (3.2%)	5 (1.6%)
Failed to attend an assessment	33 (3.0%)	31 (5.6%)	2 (0.8%)	1 (0.3%)
Decision Panel	16 (1.5%)	11 (2.0%)	3 (1.2%)	5 (1.6%)

- 5.4 The Department has room for improvement in recruiting Aboriginal staff to non-frontline roles, particularly in Head Office positions. Only three permanently employed Aboriginal staff worked in the Department's Head Office in April 2015. While recognising the small number of employees involved, this still represented a decrease of 67 per cent over the last five years.
- 5.5 One method to improve the recruitment prospects of Aboriginal applicants in these positions is through exceptions to the Equal Opportunity Act 1984. The Equal Opportunity Act 1984 has two provisions that enable the specific recruitment of Aboriginal people without contravening unlawful discrimination laws:

- Section 50(d) – permits organisation to advertise and recruit someone from a specific race if clients from that racial group are best served by someone from the same race. In 50(d) positions, Aboriginality is considered a required occupational qualification to perform the role.
- Section 51 – permits organisations to recruit someone from a specific race to achieve equality. Applying this section of the Act would permit a position to be filled by an Aboriginal person so as to increase the representation of Aboriginal people.

5.6 Section 50(d) positions represent a critical recruitment pathway for Aboriginal people. As of April 2015, 121 positions in the Department have been specified as 50(d). Sixty-nine Aboriginal people are permanently employed in these positions, representing over half (53%) of all staff in non-custodial positions and 31 per cent of Aboriginal staff overall.

5.7 There has been no change over the past five years in the number of 50(d) positions, despite the overall number of staff in the Department increasing by over 300 in that time. Importantly, 50d positions are nearly twice as likely to be vacant as non-50(d) positions in the Department.<sup>3</sup> Funding for 50(d) positions is also being used to fund non-Aboriginal staff in non-50(d) positions. Specifically:

- 12 (10%) of these positions are temporarily filled by Aboriginal people
- 33 (27%) are vacant
- 7 (5.8%) are filled by people who do not identify as Aboriginal

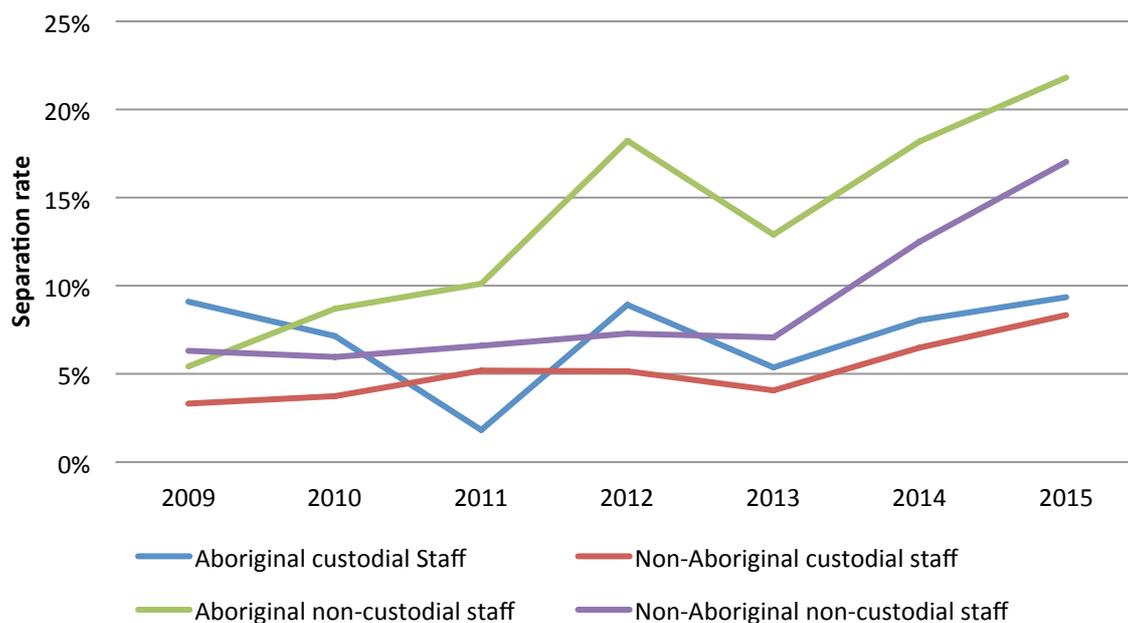
5.8 Simply filling these vacant 50(d) positions would improve the Department's Aboriginal representation from 4.6 per cent to 5.3 per cent.

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<sup>3</sup> Five per cent of positions in the Department are temporarily filled and eight per cent are vacant.

## 6 Retention and promotion of Aboriginal staff

- 6.1 The high separation rate of Aboriginal staff is a key obstacle to improving their representation in the Department. Between 2009 and 2015, the separation rate of Aboriginal staff (12.7%) has been higher than that of non-Aboriginal staff (8.0%). In 2015 the separation rate of Aboriginal staff peaked, with one in five Aboriginal staff (20.8%) leaving the Department. The separation rate of Aboriginal staff was over double the public sector average of 9.4 per cent (Public Sector Commission 2015b).
- 6.2 Although there were a large number of voluntary severances in 2015 as part of the Department's structural reform process, these severances do not explain the high separation rate of Aboriginal staff. If voluntary severances are excluded, the Aboriginal staff separation rate was still 18.3 per cent in 2015.
- 6.3 Some staffing groups are more likely to leave the Department than others. In particular, there is a large disparity in the separation rate of Aboriginal staff in custodial roles and those in non-custodial roles, such as Head Office staff.<sup>4</sup>



**Figure 2**

*Separation rate of Aboriginal and non-Aboriginal staff 2009-2015 (voluntary severances excluded)*

- 6.4 Aboriginal non-custodial staff are more likely to leave the Department compared to other staff groups. The separation rate of Aboriginal non-custodial staff

<sup>4</sup> Custodial staff includes prison officers and youth custodial officers. Non-custodial staff includes those in community corrections, youth justice, admin, HR, programs, and other miscellaneous roles not including the direct supervision of prisoners or detainees.

steadily increased between 2009 and 2015, reaching 21.8 per cent in 2015. Non-Aboriginal non-custodial staff also experienced an increase in their separation rate over the past two years, reaching 17 per cent in 2015. In contrast, the separation rates of Aboriginal and non-Aboriginal custodial staff were more closely aligned, stable, and lower during this timeframe.

- 6.5 There are substantial differences in the manner in which Aboriginal staff leave the Department compared to non-Aboriginal staff, with Aboriginal staff far more likely to leave the Department through resignation or dismissal. A primary contributor to the elevated Aboriginal separation rate in 2015 were 27 staff resignations, while absenteeism was the primary factor contributing to most dismissals.

**Table 6**

*Reasons for leaving the Department among Aboriginal and non-Aboriginal staff 2009-2015<sup>5</sup>*

<b>Reason for leaving</b>	<b>Aboriginal</b>	<b>Non-Aboriginal</b>
Resigned	65.4%	57.7%
Retired	7.6%	23.6%
Transfer within Public Sector	9.2%	5.9%
Dismissed	11.4%	2.7%
Voluntary severance	5.4%	8.1%
Deceased	0.0%	1.5%

- 6.6 The Department is not alone in having a higher Aboriginal staff separation rate. The likelihood of separations being due to resignations or dismissals mirrors that seen in Commonwealth public sector agencies (Australian Public Service Commission 2013).

### **Career development opportunities**

- 6.7 The Department compares well to other government departments when it comes to the equitable distribution of Aboriginal employees at all levels of the organisation. The Public Sector Commission (2015b) has developed an 'equity index', which measures the extent to which staff from diversity groups are distributed across salary levels. An ideal equity index is 100 – scores lower than 100 indicates that the diversity group is concentrated among lower salary levels, while an index above 100 indicates that the diversity group is concentrated at higher salary levels. The Department's Aboriginal staff equity index is 59.7, indicating that Aboriginal staff tend to be in lower salary positions. While demonstrating room for improvement, the Department's equity index is higher

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<sup>5</sup> Reasons for leaving that occurred in less than 1% of cases were not included in the table.

than the public sector average of 41.6 and outperforms similar government departments such as the WA Police (27.5).

- 6.8 Analysis of retention and promotion trends among the two largest occupational groups in the Department indicate that the higher separation rates among Aboriginal staff contributed to their lower representation at senior levels within the Department. Generally Aboriginal employees are promoted as often as non-Aboriginal employees in the work areas examined, however they are less likely to remain in their positions for long periods.<sup>6</sup>

**Table 7**

*Public Service Employees Retention and Promotion 2009-2015<sup>7</sup>*

<b>Years elapsed</b>	<b>Non-Aboriginal retention</b>	<b>Aboriginal retention</b>	<b>Non-Aboriginal promotion</b>	<b>Aboriginal promotion</b>
1 Year	85.4%	82.8%	10.4%	11.6%
2 Years	76.3%	68.9%	14.7%	17.4%
3 Years	69.2%	57.5%	17.1%	24.4%
4 Years	62.8%	50.5%	18.6%	32.9%
5 Years	56.0%	44.9%	22.2%	33.2%
6 Years	49.7%	40.7%	23.8%	34.3%

**Table 8**

*Prison Officer Retention and Promotion 2009-2015*

<b>Years elapsed</b>	<b>Non-Aboriginal retention</b>	<b>Aboriginal retention</b>	<b>Non-Aboriginal promotion</b>	<b>Aboriginal promotion</b>
1 Year	93.9%	93.0%	4.7%	5.1%
2 Years	89.4%	86.7%	6.7%	5.6%
3 Years	85.1%	80.2%	8.5%	7.5%
4 Years	81.2%	76.1%	9.6%	8.4%
5 Years	77.8%	75.5%	10.6%	8.0%
6 Years	75.0%	72.5%	10.6%	10.3%

- 6.9 Aboriginal and non-Aboriginal prison officers demonstrated near-identical retention and promotion trends. This was not observed in public service

<sup>6</sup>The analysis examined the proportion of current employees who were working for the Department in previous financial years, and the proportion of these employees who were promoted in that time. The analysis examined movements within the same occupational group. Employees were unable to be tracked if they moved between different occupational groups as ranking systems are not comparable.

<sup>7</sup> Public service employees constitute employees in community corrections, youth justice, general administration, HR, programs, case planning and various support roles.

employees. Around a third (34.3%) of all currently employed Aboriginal public service employees who have worked for the Department since 2009 have been promoted. A lower proportion of non-Aboriginal staff who have worked for the same amount of time have been promoted (23.8%). Non-Aboriginal staff were however, considerably more likely to remain employed by the Department over this timeframe.

- 6.10 This analysis did not find any evidence to suggest that Aboriginal employees had poorer career progression opportunities however, there were far fewer of them, and they were less likely to remain in their roles compared to non-Aboriginal employees. Initiatives to improve the retention of staff therefore should not only improve the overall representation of Aboriginal staff but also their representation in senior positions.

### **Job satisfaction**

- 6.11 A survey targeted at Aboriginal staff was undertaken by the Office in early 2014 to assess the level of satisfaction, motivation, and engagement among staff. Ideally, the survey should have been undertaken in 2015 when the Department experienced the highest separation rate of staff in the past five years. Unfortunately due to time and resource constraints it was not possible to repeat the survey. It is therefore likely the survey results such as satisfaction rates would differ if the survey was undertaken in 2015. Nevertheless, the survey did suggest that the poor retention of non-custodial staff was likely to continue.
- 6.12 Staff survey respondents indicated that they were generally satisfied with working at the Department, although staff working in non-custodial roles were less satisfied and more likely to report an intention to leave:
- Approximately 60 per cent of Aboriginal employees were satisfied with their job at the Department, compared with 23 per cent reporting that they were dissatisfied. The majority of custodial staff were satisfied (81%) compared to approximately half of non-custodial staff (53%).
  - More than twice as many Aboriginal employees (52%) would recommend working for the Department compared to not recommending it (19%). Non-custodial staff were less likely to recommend working for the Department and were twice as likely to not recommend it.<sup>8</sup>
  - A minority of staff (14%) reported an intention to leave the Department in the next three years.<sup>9</sup> Most respondents were either unsure (44%) or were not

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<sup>8</sup> 59% of custodial staff would recommend working for the Department to others, and 9% would not recommend it. 49% of non-custodial staff would recommend working for the Department to others and 21% would not recommend it.

<sup>9</sup> This is lower than the Aboriginal intention to leave figures reported by the Australian Public Sector Commission. See Australian Public Service Commission (2013).

considering leaving (41%). Ten out of the twelve staff indicating an intention to leave were in non-custodial roles.

- 6.13 The staff survey results indicate that it is within the Department's control to address intention to leave among Aboriginal staff. For employees indicating an intention to leave, the most commonly reported reasons were:
- feeling undervalued (n = 11).
  - poor management (n = 9).
  - feel as though I'm not making a difference (n = 8).
- 6.14 Overall, it was negative aspects of the work environment (otherwise referred to as 'push factors') that primarily predicted intention to leave among Aboriginal staff. 'Pull factors', such as health reasons, family commitments, or inability to meet community expectations while expected to be more of an issue among Aboriginal people were not reported as frequently as the push factors.
- 6.15 The survey results indicated that improvements to the workplace to make Aboriginal staff feel more valued and supported should benefit retention rates, particularly for non-custodial staff. Best practice guidelines stipulate that mentorship programs, culturally appropriate inductions, support networks, flexible leave practices (e.g. leave for cultural reasons), and the provision of a culturally inclusive<sup>10</sup> workplace are all important in retaining Aboriginal staff (Victorian State Services Authority 2011; Public Sector Commission 2011).
- 6.16 Aboriginal staff perceptions of the Department's performance in these areas were generally negative:
- Mentoring: only 8 per cent of staff regarded the mentoring of Aboriginal staff as 'good' or 'very good'. Over half of respondents (55%) considered mentoring to be 'poor' or 'very poor'.
  - Induction: the Department provides an Aboriginal induction guide; however, staff were either not aware of it or perceived it negatively. Only 16 per cent of staff regarded the provision of a culturally appropriate induction as 'good' or 'very good', and 47 per cent regarded it as 'poor' or 'very poor'. Non-custodial staff perceived the induction process more negatively.
  - Cultural inclusiveness: A little over a third of survey respondents (38%) considered that their workplace was inclusive. Survey respondents reported a desire for increased involvement in Departmental decision-making.
  - Support networks: Aboriginal staff indicated a desire to connect with other Aboriginal staff who may work in different areas of their facility or the Department in order to provide support to one another and get a better idea

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<sup>10</sup> A 'culturally inclusive' workplace values, supports, and includes Aboriginal staff. The WA Public Sector Commission regards a culturally inclusive workplace as critical to the success of any Aboriginal employment strategy. See Public Sector Commission (2011).

of what was happening in the Department. Nearly half of survey respondents (46%) rated the Department performance in this area as 'poor' or 'very poor'. Non-custodial staff perceived the provision of support networks more negatively.

- Flexible work conditions: staff more positively appraised the Department's performance in providing flexible work practices. Less than a third of staff (27%) perceived the Department's performance as 'poor' or 'very poor' and approximately the same (24%) perceived the Department's performance as 'good' or 'very good'.

6.17 Many of these areas are targeted by recently launched initiatives to improve Aboriginal staff representation (see next section).

## **7 Planning for Aboriginal staff recruitment and retention**

- 7.1 The Department launched its first Reconciliation Action Plan (RAP) in December 2015 (DCS 2015). The broad objectives of the RAP are supported by a number of actions and initiatives, notably in the context of this report are:
- investigating opportunities to increase Aboriginal employment across the Department, including achieving 7.25% Aboriginal employment;
  - establishing an Aboriginal Services Committee in each prison and detention centre to focus on the appropriate management and delivery of services to Aboriginal prisoners and detainees; and
  - ensuring Department employees engage in cultural competency programs to increase understanding and appreciation of different cultural backgrounds.
- 7.2 The endorsement of a RAP and the high profile afforded to its launch by the Department's executive is commendable.<sup>11</sup> This is a significant improvement compared to the Department's previous attempt at a RAP in 2011, where a draft document was developed but never endorsed by the executive.
- 7.3 The current RAP is preceded by a number of well-intentioned initiatives to improve Aboriginal staff representation. Previous initiatives to improve Aboriginal representation were contained in the Department's Workforce Plan (DCS 2012b). The Workforce Plan included numerous initiatives to achieve workforce planning goals, many of which are related to improving Aboriginal staff representation. The Aboriginal staffing initiatives aligned with best practice guidelines and what had been implemented in other jurisdictions (ACT Public Service 2011, Office of the Commissioner of Public Employment, Department of Premier & Cabinet 2009; Public Sector Commission 2011; Australian Public Service Commission 2011; Department of Health 2009; Victoria State Services Authority 2011). They included:
- developing an Aboriginal cadetship program;
  - reviewing the Aboriginal induction guide;
  - developing a culturally appropriate support program;
  - developing an Aboriginal mentorship program; and
  - reviewing exit interview processes.
- 7.4 The Workforce Plan initiatives were never supported nor implemented and a systematic approach to improve Aboriginal staff representation has historically been lacking. Many of the initiatives in the Workforce Plan were derived from the non-implemented initiatives of the Department's previous Aboriginal

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<sup>11</sup> The launch of the RAP was a large-scale event attended by over 100 Departmental stakeholders. Proceedings could be viewed on the Department's YouTube channel.

Employment Strategy and non-implemented recommendations from staff surveys conducted as early as 2007.

- 7.5 No evaluation of the Department's previous Aboriginal Employment Strategy ever occurred and accountability mechanisms put in place were not followed. It is perhaps understandable why the Aboriginal staff survey results were poor in many areas given the failure to implement previous initiatives designed to promote Aboriginal employment.
- 7.6 The RAP includes a wide range of measures and initiatives that will have a flow on effect to many of the issues raised in this report. Initiatives include cultural competency programs for all employees, providing opportunities for Aboriginal staff to engage with their culture and community and developing statewide networks with Aboriginal organisations and individuals. In addition, a position titled Assistant Director Reconciliation has been created and will be responsible for the collaboration with stakeholders to develop policy in response to emerging Aboriginal issues. The position will also take carriage of developing and delivering an Aboriginal Workforce Development Strategy.
- 7.7 The implementation of the RAP will be led by the Commissioner together with members of the Corporate Executive. It outlines timelines for tracking the progress of initiatives; however, clear performance measurement indicators are yet to be developed. The RAP initiatives will require ongoing commitment from the Department's Corporate Executive leadership to ensure that implementation is successful and improvements are sustained on a long-term basis.

## 8 Appendix A: Key findings

- The Department has a much higher representation of Aboriginal staff compared to the rest of the Western Australian public sector or their numbers in the community.
- There has been a substantial improvement in representation over the past decade. However, improvement has stalled in recent years. Since 2009 the increase in Aboriginal staff has not kept pace with the increase in other staff levels resulting in a decline in the overall proportion of Aboriginal staff representation.
- Aboriginal staff are unevenly distributed across the Department. They are overrepresented in the community and youth justice division and under-represented in adult prisons and in Head Office.
- The Department has not made any progress in improving Aboriginal staff representation in the past five years. Indeed the decline in Aboriginal staff representation over the past five years is largely due to the high separation rate of staff in non-custodial positions.
- The Department has been successful in attracting Aboriginal staff to advertised positions, and the recruitment process did not appear to disadvantage Aboriginal applicants.
- The Department has room for improvement in recruiting Aboriginal staff to non-frontline roles, particularly in Head Office, which has suffered a proportional decrease of 67 per cent over the last five years.
- The Department has implemented a Reconciliation Action Plan that is commendable and, if successful, has potential to improve recruitment and retention of Aboriginal staff.

## **9 Appendix B: Table of abbreviations**

AWDU	Aboriginal Workforce Development Unit
Department	Department of Corrective Services
RAP	Reconciliation Action Plan
RCIADIC	Royal Commission into Aboriginal Deaths in Custody
VSO	Vocational support officers

## **10 Appendix C: Methodology**

A dataset containing the details of all Departmental employees from 2009 until April 2015 was requested from the Department. The dataset included information on positions held by each employee, appointment type, location, staff separation data, and Aboriginal status. This dataset was analysed, with findings incorporated into the review. Policies, strategies, and documents aimed at improving Aboriginal attraction, recruitment, and retention were also requested from the Department and incorporated in the review.

A staff survey was distributed to all Departmental staff who identify as Aboriginal and who were on the Aboriginal Workforce Development Unit's (AWDU) mailing list. The survey covered a number of areas including job satisfaction, workplace inclusiveness, their perception of the recruitment process, and the Department's overall performance in attracting, recruiting, and retaining staff. A total of 92 Aboriginal staff responded to the survey.

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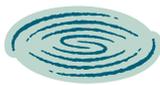
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OFFICE OF THE INSPECTOR  
OF CUSTODIAL SERVICES

**Level 5, Albert Facey House, 469 Wellington Street  
Perth, Western Australia 6000  
Telephone: +61 8 6551 4200  
Facsimile: +61 8 6551 4216**

**[www.oics.wa.gov.au](http://www.oics.wa.gov.au)**