JOINT SELECT COMMITTEE ON AUSTRALIA'S IMMIGRATION DETENTION NETWORK

Q219

Question: Are you able to table a copy of the confidentiality contract that you asked members to sign? Are you able to give us that contract on notice?

Answer: Please find the following documents attached for your reference:

- Copy of the Nomination Form, which states that the nominee agrees that "information discussed that has the potential to breach the privacy of people in immigration detention must not leave the meeting. Breaches of privacy requirements or other aspects of this protocol by a Community Consultative Group (CCG) member may lead the regional manager to reconsider the person's membership of the CCG".

- Copy of the Conflict of Interest declaration, which is signed by persons selected for appointment to the CCG.

- Copy of the CCG Protocol which, amongst other things, outlines the privacy and confidentiality protocols of the CCG.

NOMINATION FORM – INVERBRACKIE APOD COMMUNITY CONSULTATIVE GROUP

NOMINATION FOR APPOINTMENT TO THE COMMUNITY CONSULTATIVE GROUP (CCG)

I,

.....……

of,

.....……

request to be nominated as a person to be selected for appointment to the CCG at Inverbrackie immigration detention facility.

In requesting for this nomination I agree to the following

(a) Signature of a conflict of interest declaration,

(b) An appointment for one calendar year and may be replaced or re-appointed after that time, and

(c) Information discussed that has the potential to breach the privacy of people in immigration detention must not leave the meeting. Breaches of privacy requirements or other aspects of this protocol by a CCG member may lead the regional manager to reconsider the person's membership of the CCG.

.....

(Signature of nominee)

.....

(Full name of nominee)

.....

(Postal address of nominee)

.....

(Date)

CONFLICT OF INTEREST DECLARATION

DECLARATION OF PERSON SELECTED FOR APPOINTMENT TO THE COMMUNITY CONSULTATIVE GROUP (CCG)

IN RELATION TO CONFLICT OF INTEREST AND OTHER MATTERS

I,

.....……

of,

.....……

being a person selected for appointment to the CCG at …….. immigration detention facility, do solemnly and sincerely declare that:

(a) I am not aware of any factors that could affect adversely, or might be considered to affect adversely, my status as a fit person to serve on that CCG;

(b) I will advise the Chair of the Committee at the earliest possible time, should I become aware of any situation which may conflict with my service on the CCG or otherwise cause embarrassment to the CCG.

.....

(Signature of person making declaration)

.....

(Date)

Factors that could adversely affect, or might be considered to adversely affect, a person's status as a fit person to serve on a CCG:

- If a person has been or is engaged in criminal conduct.
- If a person has been involved in activities that have disrupted, harmed or threatened the community or a segment of the community.

Situations that may conflict with service on a CCG or otherwise cause embarrassment to the CCG:

- Any interest or activity that may be in conflict with the aims of the CCG and its terms of reference, for example business interests in areas of service delivery to people in immigration detention.

Please attach any declarations of conflicts of interest to this form.

COMMUNITY CONSULTATIVE GROUP PROTOCOL

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PURPOSE

The CCG has been established to allow CISSR, the department, the DSP, the HSP and key external stakeholders to meet and discuss any issues within the local immigration detention environment.

TERMS OF REFERENCE

To explore and consider issues relating to the range of services, activities and welfare opportunities available to people in immigration detention with a view to enhancing service delivery in compliance with:

- legal requirements and policy relating to immigration detention
- the DSP's policy and procedures manuals
- good order and security of IDFs.

MEMBERSHIP

CCG membership will generally comprise of:

- the Chair (member/s of the Council for Immigration Services and Status Resolution)
- the regional manager (or delegate)
- the detention service provider (DSP) centre manager (or delegate)
- other departmental or DSP officers involved in service delivery
- a representative from the Commonwealth Ombudsman's office
- up to ten community representatives, as determined by the regional manager, for a period of 12 months.

Community representatives will generally be drawn from local community support organisations or service providers who have an interest, knowledge and commitment to making a positive contribution to the effective operation of the IDF.

Community representation should endeavour where possible to reflect the profile of the detention population, with representatives or advocates from relevant ethnic and religious community organisations.

Criteria for membership will include how the person will add value to the group and enhance the group's ability to provide balanced and constructive input to improve service delivery. If members represent a particular community or religious group this should be declared.

CCG members can propose nominations for membership. Membership will generally be by invitation from the regional manager after consultation with the Chair. Persons interested in joining the CCG should contact the regional manager at the relevant IDF.

From time to time other persons with specialist knowledge or contributions may be invited as guests to attend CCG meetings. Attendance of guests at CCG meetings must be agreed to by the Chair in advance.

Members will be appointed for one calendar year and may be replaced or re-appointed after that time.

Prospective CCG members will be required to sign a Conflict of interest declaration and disclose any matter that could adversely affect, or might be perceived to affect their CCG membership. The CCG Chair and the regional manager will consider such declarations before confirming membership. A written record of the declaration and decision should be stored with the signed conflict of interest declaration form.

Where situations arise that breach the declarations signed by the member, the seriousness of the situation will be assessed by the regional manager. If warranted and in consultation with the Chair and other CCG members, the regional manager may consider termination of membership.

INFORMATION SESSION FOR COMMUNITY REPRESENTATIVES

In the interests of safety and security the regional management team will arrange for all community representatives to take part in an information session at the IDF prior to attending their first meeting. This session will provide instruction on occupational health and safety requirements within the IDF, including, but not limited to, fire safety and security requirements.

ACCESS TO FACILITIES

Before their first visit to an IDF, new members will be asked to complete and acknowledge visits documentation, which includes the DSP's visits application and conditions of entry form.

The DSP will issue all CCG members with frequent visitor passes in order to facilitate access to the IDF. A meeting room will be provided for CCG meetings and members should not access other areas of the IDF without permission from the regional manager.

All visitors are asked to abide by the conditions of entry form which aims to protect the safety, welfare and security of all people within IDFs.

PRIVACY/CONFIDENTIALITY

Deliberations of the CCG are in-confidence and this confidence should be respected when communicating with external parties.

Documentation provided at CCG meetings should not be circulated outside membership of the group without prior written approval from the regional manager. This does not apply to representatives of the Commonwealth Ombudsman's Offices who are at liberty to circulate documentation obtained at CCG meetings to relevant staff within the Commonwealth Ombudsman's office. The prior written approval of the regional manager is required for representatives of the Commonwealth Ombudsman's offices to circulate documentation to persons outside their offices.

Information discussed that has the potential to breach the privacy of people in immigration detention must not leave the meeting. Breaches of privacy requirements or other aspects of this protocol by a CCG member may lead the regional manager to reconsider the person's membership of the CCG.

If issues raised in the presence of a particular member of the CCG present a potential conflict of interest, the member concerned should exclude themselves from discussion of that issue. The Chair may elect to exclude a member from a discussion where there is a potential conflict of interest.

CCG SECRETARIAT

The regional management team is responsible for organising and preparing meeting venues, issuing invitations, distributing the agenda and preparing and distributing meeting records and papers. Agendas will be distributed to members at least ten working days in advance of each meeting.

MEETINGS

CCG meetings will occur on a frequent and scheduled basis, but at a minimum of twice a year.

TABLING MINUTES OF CLIENT CONSULTATIVE COMMITTEE (CCC) MEETINGS

CCC meetings enable persons in immigration detention to raise and discuss issues of concern relating to services provided within IDFs. The minutes from the previous CCC meeting should be tabled at each CCG meeting.

For privacy reasons, the minutes of CCC meetings must be tabled without including the names of persons in immigration detention involved in the meetings or who raised specific issues.

MEETING AGENDA AND MINUTES

All CCG meetings are required to have documented agendas and minutes.

The CCG Secretariat will distribute meeting records promptly. Records of meetings should be distributed to:

- CCG Chair
- CCG members
- CISSR Secretariat Section, National Office
- the regional manager of the state or territory in which the IDF is located.