

Senate Inquiry – Incidents at Manus OPC on 16-18 February 2014

Request 2 (h)

Copies of agreements including confidentiality deeds and agreements entered into by all DIBP staff, contractors, subcontractors and service providers concerning the operation of the Manus Island Detention Centre.

Response 2 (h)

Confidentiality agreements for contracted service providers at the Manus Offshore Processing Centre can be found within the service provider contracts:

IHMS – Schedule 11 - Confidentiality Deed

The Salvation Army – Schedule 3 – Deed of Confidentiality and Non Disclosure

G4S – Schedule 3 – Confidentiality Deed

TIS – Schedule 4 – Code of Ethics

Transfield – Schedule 3 – Confidentiality Deed

The service provider contracts have been provided in the department's response to the Senate Inquiry question 2 (k) – copies of contracts.

Staff deployed to the Manus Offshore Processing Centre are required to sign a Conduct Agreement prior to deployment – see Attachment A to 2 (h) response.



Illegal maritime arrival interpreting assignments

Interpreter expectations

Professional and appropriate behaviour is required at all times while you are on an Illegal Maritime Arrival (IMA) assignment. You are representing both your agency and the interpreting profession in Australia. You must comply with any reasonable direction of DIBP staff and other service providers.

Interpreters should

- ✓ Bring your Interpreter Identification (ID) card, closed shoes, a hat, sunscreen, lunch and drinks with you to work each day.
- ✓ Dress in a neat and appropriate manner at all times, and clearly display your interpreter ID. Interpreter dress code while completing an IMA assignment is smart-casual. Yellow T-shirts will be provided where available.
- ✓ Ensure you drink enough water throughout the day to keep hydrated.
- ✓ Regularly check the daily schedule displayed in the interpreter area, and ensure you are on time for your daily appointments.
- ✓ Be aware of your ethical duties while on site. You are expected to act in a professional manner to detainees, staff and your interpreter colleagues.
- ✓ Report to the Department of Immigration and Border Protection (DIBP) detention operations team if you feel you have been approached by a department staff member, contractor, or detainee requesting a service that you feel is inappropriate.
- ✓ Notify the detention operations team immediately if you have concerns for your safety, a detainee's safety or you suspect that a major incident may occur.
- ✓ Notify the detention operations team regarding behaviour of DIBP, SERCO, or IHMS staff, colleagues or detainees, which falls outside of the Australian Public Service Code of Conduct.
- ✓ Accept help. The department recognises that it can be difficult working in an immigration detention environment, and we encourage you to access counselling services which are available through the Employee Assistance Program (EAP).
- ✓ Be flexible. Each immigration detention facility may differ in some aspects of your daily work environment.
- ✓ Notify the detention operations team of any issues impacting your ability to conduct your duties.
- ✓ Resolve any disputes with colleagues in a respectful and cooperative manner in accordance with the principle of Professional Solidarity in the AUSIT *Code of Ethics and Code of Conduct*.

Interpreters should not

- ✗ Bring personal cameras on site.
- ✗ Talk to detainees without a DIBP, SERCO, AFP/State Police or IHMS officer present.
- ✗ Provide any informal advice to detainees.
- ✗ Engage in non-official interaction with detainees. Do not walk through client areas in an immigration detention facility unescorted unless directed to do so.
- ✗ Advocate for or provide advice to detainees. This compromises your impartiality under the AUSIT *Code of Conduct*.
- ✗ Engage in any activity that could be considered as sexual harassment. Sexual harassment may occur when a person makes an unwelcome sexual advance, an unwelcome request for sexual favours or engages in other unwelcome conduct of a sexual nature in relation to another person.
- ✗ Accept any telephone interpreting assignments whilst working on an IMA deployment.

AUSIT *Code of Ethics and Code of Conduct*

It is expected that interpreters will abide by the Australian Institute of Interpreters and Translators (AUSIT) *Code of Ethics and Code of Conduct* at all times while on IMA deployment.

The following principles are extracted from the AUSIT *Code of Ethics and Code of Conduct*. A full copy of this code is also available on the AUSIT website (www.ausit.org).

1. Professional conduct

Interpreters and translators act at all times in accordance with the standards of conduct and decorum appropriate to the aims of AUSIT, the national professional association of interpreting and translation practitioners.

- ✓ Interpreters and translators maintain their integrity and independence at all times.
- ✓ Interpreters and translators undertake appropriate preparations for all assignments.
- ✓ Interpreters and translators complete assignments they have accepted, unless they are unable to do so for ethical reasons (also refer to competence and impartiality principles below).
- ✓ Interpreters and translators adhere to appointment times and deadlines, or advise clients promptly of any hindrance.
- ✓ Interpreters and translators do not exercise power or influence over their clients.
- ✓ Interpreters and translators do not solicit or accept gratuities or other benefits. They may, however, accept typical small gifts in specific cultural contexts.

2. Confidentiality

Interpreters and translators maintain confidentiality and do not disclose information acquired in the course of their work.

- ✓ Interpreters and translators are bound by strict rules of confidentiality, as are the parties they work with in professional or business fields.
- ✓ Where teamwork is required, the ethical obligation for confidentiality extends to all members of the team and/or agency.
- ✓ Practitioners do not seek to take advantage of information acquired during or as a result of their work.
- ✓ Disclosure of information may be permissible with clients' agreement or when disclosure is mandated by law.

3. Competence

Interpreters and translators only undertake work they are competent to perform, in the languages for which they are professionally qualified through the National Accreditation Authority for Translators and Interpreters (NAATI).

- ✓ The acceptance of an interpreting or translation assignment is an implicit declaration of an interpreter's or translator's competence to carry out that assignment.
- ✓ Interpreters and translators are familiar with the varied contexts, institutional structures, terminology and genres of the areas in which they accept work.
- ✓ Interpreters and translators clearly state their qualifications in particular languages or language directions if requested by the client.
- ✓ If it becomes apparent in the course of an assignment that expertise beyond their competence is required, interpreters and translators inform the client(s) immediately and work to resolve the situation, either withdrawing from the assignment or following another acceptable strategy.
- ✓ If a client wishes to change the language of the interpretation or translation to a different language, this can only be done if the interpreter or translator has relevant competence in the other language.

4. Impartiality

Interpreters and translators shall observe impartiality in all professional contracts. Interpreters remain unbiased throughout the communication exchanged between the participants in any interpreted encounter. Translators do not show bias towards either the author of the source text or the intended readers of their translation.

- ✓ Professional detachment is required for interpreting and translation assignments in all situations.
- ✓ Where impartiality may be difficult to maintain because of personal beliefs or other circumstances, interpreters and translators do not accept assignments, or they offer to withdraw from the assignment.
- ✓ Interpreters and translators are not responsible for what clients say or write.
- ✓ Interpreters and translators do not voice or write an opinion, solicited or unsolicited, on any matter or person during an assignment.
- ✓ Interpreters and translators frankly disclose all conflicts of interest, for example, in assignments for relatives or friends and those affecting their employers.
- ✓ Interpreters and translators do not recommend to clients any business, agency, process, substance or material matters in which they have a personal or financial interest, without fully disclosing this interest to the clients.

5. Accuracy

Interpreters and translators use their best professional judgement in remaining faithful at all times to the meaning of texts and messages.

- ✓ Interpreters and translators provide accurate renditions of the source utterance or text in the target language. Accurate is defined for this purpose as optimal and complete, without distortion or omission and preserving the content and intent of the source message or text. Interpreters and translators are able to provide an accurate and complete rendition of the source message using the skills and understanding they have acquired through their training and education.
- ✓ Interpreters and translators do not alter, add to, or omit anything from the content and intent of the source message.
- ✓ Interpreters and translators acknowledge and promptly rectify any interpreting or translation mistakes.
- ✓ Where circumstances permit, interpreters and translators ask for repetition, rephrasing or explanation if anything is unclear.

6. Clarity of role boundaries

Interpreters and translators maintain clear boundaries between their task as facilitators of communication through message transfer and any tasks that may be undertaken by other parties involved in the assignment.

- ✓ Interpreters and translators do not, in the course of their interpreting or translation duties, assume other roles such as offering advocacy, guidance or advice. Even where such other tasks are mandated (for example, by specific institutional requirements for employees), practitioners insist that a clear demarcation is agreed on by all parties between interpreting and translating and other tasks.
- ✓ Interpreters and translators respect the professional boundaries of other participants involved in an assignment.
- ✓ Interpreters and translators draw attention to any situation where other parties misunderstand the interpreter or translator role or have inappropriate expectations.
- ✓ Interpreters and translators understand, and help their clients understand, the difference between professional and personal interactions. They assume responsibility for establishing and maintaining appropriate boundaries between themselves and the other participants in the communicative interaction.

7. Maintaining professional relationships

Interpreters and translators are responsible for the quality of their work, whether as employees, freelance practitioners or contractors with interpreting and translation agencies. They always endeavour to secure satisfactory working conditions for the performance of their duties, including physical facilities, appropriate briefing, a clear commission and clear conduct protocols where needed in specific institutional settings. They ensure that they have allocated adequate time to complete their work, they foster a mutually respectful business relationship with the people with whom they work and encourage them to become familiar with the interpreter or translator role.

- ✓ Practitioners follow this Code whenever they are interpreting or translating—as employees, as freelancers, as agency contractors or as supervisors or employers of other interpreters and translators.
- ✓ When working as freelancers, interpreters and translators deal with detainees and agencies honestly and transparently.
- ✓ When working through agencies, interpreters and translators maintain the same professional standards as when working with individual clients.
- ✓ Interpreters and translators request briefing and access to reference material and background information before their work commences.
- ✓ In interpreting assignments, interpreters endeavour to secure a physical work environment that enables optimal message transfer in the given context. This includes the use of any devices and aids which participants typically require for hearing and speaking, such as appropriate physical arrangements for confidentiality, or security measures in cases of physical risk. It also includes provision of seating and reasonable breaks to avoid interpreter fatigue.
- ✓ In acknowledging the shared responsibility to provide effective language services, interpreters and translators can expect that agencies, employers or clients who stipulate this Code as mandatory for interpreter or translator behaviour have appropriate procedures in place that recognise the professional obligations of the practitioners, and that they support interpreters and translators in securing the conditions outlined in the previous two points.

8. Professional development

Interpreters and translators continue to develop their professional knowledge and skills.

- ✓ Interpreters and translators enhance their skills and knowledge through continuing education and professional development throughout their professional career.
- ✓ Interpreters and translators maintain proficiency in the languages and familiarity with the cultures for which they offer professional interpreting and translation services.
- ✓ Interpreters and translators support and encourage professional development within the profession and among their colleagues.
- ✓ Interpreters and translators endeavour to keep themselves informed about new trends and developments and the results of research in the field to improve their competence and practice.

9. Professional solidarity

Interpreters and translators respect and support their fellow professionals and they uphold the reputation and trustworthiness of the profession of interpreting and translating.

- ✓ Interpreters and translators support and further the interests of the profession and their colleagues and offer each other assistance.
- ✓ Interpreters and translators resolve any disputes with their interpreting and translating colleagues in a cooperative, constructive and professional manner.
- ✓ AUSIT members refer any unresolved disputes with other AUSIT members to the National Council. The conclusive direction of the Council is binding on members, with the provision of appeal or review in the interests of natural justice.

From: Short Term Missions
Sent: Wednesday, 14 May 2014 10:44 AM
Subject: Manus/Nauru Placement Confirmation [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning/afternoon **Employee**

This is to confirm that you have been offered a placement on **Manus Island/ Nauru** at the **APSX/ELX** level for the period **XXXXXXXXXX to XXXXXXXXXXXX**.

Role

ROLE TITLE (POSITION NUMBER)

It will be necessary for you to work over a number of functions, roles and teams, depending on operational requirements. It is imperative that you are flexible and adaptable to operational requirements. On completion of your placement, your manager will provide a brief report regarding your performance.

During your placement you will need to actively model and comply with duty of care obligations on behalf of the department under the Work Health and Safety Act 2011, APS Values and the APS Code of Conduct. You will also need to comply with any DIBP instructions and to cooperate with any reasonable policy or procedures relating to your work whilst on the Island.

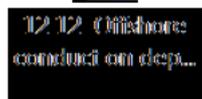
Health and Safety Wellness Program

Under the newly implemented Professional Support Framework, candidates can only be deployed when Medical report and/ or Resilience Assessment and Vaccinations program have been received by Work Health & Safety Section clearing the candidate for travel . **You will not to deploy until all assessments are completed.** Health and Safety will liaise with you regarding your medical examination, resilience assessment and vaccination screening program. If you have any queries relating to these processes, please contact Organisational Health/IMMI/AU.

Code of Conduct

Prior to your departure you must complete the attached Conduct Agreement form and return to the Short Term Missions mailbox via scanned email to Short Term Missions/IMMI/AU

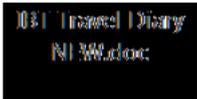
If you do not return the above form for any reason your placement offer may be withdrawn.



Travel Diary

Upon your return you will need to complete the attached travel diary. Please complete Part A if your itinerary was unchanged and the amount of your Travel allowance was correct. Complete Part B if there were any changes to your itinerary or there are claims to be made to your trip details (meals provided to you at no cost or miscellaneous expenses). You will receive more information regarding the travel diary once you receive your TA calculation.

Please note: You must return either Part A or B of the travel diary – all trips need to be acquitted.



Travel and Visas

The Overseas Workforce Management Team will be arranging your travel and appropriate visas; they will provide you with any supporting information. Travel plans can occasionally vary at late notice due to unforeseeable circumstances. In this event, the Overseas Team will consult you and endeavour to place you on a future flight.

Estimated travel time to Nauru and Manus Island is four to six hours. Please note changes to an itinerary will not be accepted unless operationally required or under exceptional personal circumstances.

Taxis

If you require travel to and from the airport and you do not hold a DIBP Travel Card you will need to collect Cabcharge vouchers from your local finance area or branch coordinator. Please provide the appropriate cost centre number (Manus Island 11479/ Nauru 11487) when collecting the vouchers.

Mandatory myLearning courses

It is a requirement before undertaking a short term mission that you complete all mandatory myLearning courses – including the necessary renewals. These include:

- Code of Conduct
- Fraud Awareness
- Records Awareness
- Security Essentials
- Work Health and Safety Laws
- Aboriginal and Torres Strait Islander Cultural Awareness

Personal Property and Effects - Insurance

When proceeding on placement, DIBP recommends that if you are taking personal items of value with you, that you take out your own personal effects insurance. The department, through its provider Comcover, does not cover insurance of personal belongings or effects whilst on deployment. To ensure your personal property and effects are covered, particularly if you have items of value, you should consider obtaining your own private insurance whilst on deployment.

The cost of private insurance is not met by DIBP, however Travelling Allowance and Reviewed Rate Travel Allowance includes an "incidentals" component which can be used to cover the cost of personal insurance.

Using Commonwealth Vehicles

Please ensure, if utilising Commonwealth vehicles, you lock and secure these at all times when they not in use. Also remember if you have access to storage areas and equipment ensure they are kept locked when not in use.

Early Cessation of Placement

Placements may be ceased at any time. You will be responsible for arranging and paying for your accommodation in your home State/location if your placement is ceased early. DIBP will not provide you with financial assistance for temporary accommodation if your placement is ceased early, even if you are unable to return to your usual place of residence at that time.

You will also be responsible for paying for other commercial arrangements if your placement ceases early. DIBP does not provide financial assistance for any commercial arrangements after placements cease. These commercial arrangements may include, but are not limited to, storage of furniture and car leasing.

Support on Placement

The department is committed to ensuring employees are supported to maintain emotional health and wellbeing. Davidson Trahaire Corpsych (DTC), the departmental Employee Assistance Provider is available 24 hours via telephone on 61 2 8295 2292.

Support after placement

The department is committed to ensuring employees are supported in the work they do. As part of your placement, you are required to undertake a post mission debrief with a DTC counsellor in either:

1. face to face during your final week of placement (where on-site counsellors are available);
2. over the phone within one week of returning to your nominal role.

A DTC counsellor will contact you to arrange an appropriate time to conduct the debrief.

Please note: You will not be considered for further short term missions unless this is completed.

Smart Traveller

The Department of Foreign Affairs and Trade encourages you to register your plans with them before you leave Australia. The registration information you provide will help them to contact or find you in an emergency - whether it is a natural disaster, civil disturbance or family emergency. It may also be used to pass other information to you such as important travel advice updates, notice of elections and information on other matters relevant to travellers and expatriates.

Please see the following link:

<http://www.smarttraveller.gov.au/>

Living & Working Guides

A copy of the Living and Working Guide is attached for your information. The guide has been collated from information obtained from various sources including DFAT, DIBP colleagues who have previously worked on Island and various Sections across the Department. In order to improve the guide and have the most update practical information for staff, we would in due course appreciate your feedback and contributions.



Manus - Nauru - Living and Working Guide
Nauru - Living and Working Guide

Deployment Appraisal Process

As part of the placement process all staff are required to complete a Deployment Appraisal with their supervisor on Manus/Nauru. All Deployment appraisals will need to be completed through OurPeople prior to the cessation of a deployment. Please read the Quick Reference Guide below for instructions on how to access the form in OurPeople.



Deployment Appraisal - Quick Reference Guide

End of Deployment – Manager Debrief

As part of the placement process all staff are required to complete a reintegration debrief with their substantive manager upon return to their nominal role. The debrief is to be completed on the attached form within two weeks of recommencing work.

Completed forms need to be returned to Organisational Health/IMMI/AU. You should also keep a copy of the completed document for your own records.

Please note: You will not be considered for further placements unless this is completed.



Manager Debrief
Templates - Fin...

Allergies and Dietary Requirements - Nauru

This form only needs to be completed if you have a particular allergen or any specific dietary requirements. Could you please email the completed form to short.term.missions@immi.gov.au and CC in regional.processing.operations@immi.gov.au prior to your departure.



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UNCLASSIFIED



Australian Government

Department of Immigration and Citizenship

APS Code of Conduct

By accepting a placement overseas you will be representing the department at all times. In your role, it is likely you will be known or readily identifiable as a DIAC employee in settings outside of the work environment. In this regard, the expectations regarding appropriate conduct extend beyond your place of employment, and include representing the department outside of working hours. As such it's expected that you will at all times behave in a way that upholds the values and good reputation of the APS, you display professionalism and courtesy at all times, and you adhere to the APS Code of Conduct.

The APS Code of Conduct requires that you:

- behave honestly and with integrity in the course of APS employment
- act with care and diligence in the course of APS employment
- when acting in the course of APS employment, treat everyone with respect and courtesy, and without harassment
- when acting in the course of APS employment, comply with all applicable Australian laws
- comply with any lawful and reasonable direction given by someone in the employee's Agency who has authority to give the direction
- maintain appropriate confidentiality about dealings that the employee has with any Minister or Minister's member of staff
- disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent) in connection with APS employment
- use Commonwealth resources in a proper manner
- not provide false or misleading information in response to a request for information that is made for official purposes in connection with the employee's APS employment
- not make improper use of inside information, or the employee's duties, status, power or authority in order to gain, or seek to gain, a benefit or advantage for the employee or for any other person
- at all times behave in a way that upholds the APS Values and the integrity and good reputation of the APS
- while on duty overseas, at all times behave in a way that upholds the good reputation of Australia
- comply with any other conduct requirement that is prescribed by the regulations.

EMPLOYEE UNDERSTANDING

Consequences of inappropriate behaviour whilst working overseas.

I understand the expected behaviours whilst working overseas and that any potential breaches of the APS Code of Conduct may result in the immediate cessation of my deployment pending a full investigation. I note that if there is prima facie evidence of a serious breach of the APS Code of Conduct, I may be suspended with or without pay until a decision is made on the allegation. In this event, I would be advised of the reasons behind the decision prior to cessation of the deployment and/or suspension of duties. A formal APS Code of Conduct Investigation would then be undertaken by the department's Workplace Relations and Conduct Section in accordance with departmental processes.

Employee Signature:	Date:
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people our business