

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-111

Subject: New Skilled Regional Visa - issues of shortage

Asked by: Kristina Keneally

Question:

How is the Government ensuring that only true issues of shortage are being addressed through this mechanism?

Answer:

There are a number of measures that ensure Skilled Employer Sponsored Regional visas are only used to fill genuine skill shortages in the Australian labour market:

- Employers must undertake mandatory Labour Market Testing and explain any redundancies or retrenchments that occurred during the labour market testing period.
- The Department of Education, Skills and Employment undertake a regular review of the Skilled Occupation List to respond to changes in the Australian labour market.
- Regional Certifying Bodies undertake assessments utilising local area knowledge to ensure that overseas workers are paid at the same salary rate as equivalent Australian workers through the Annual Market Salary Rate requirement.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-112

Subject: New Skilled Regional Visa - tri-partite body

Asked by: Kristina Keneally

Question:

Has the Government considered the appointment of a tri-partite body to play this role locally in various States and Territories?

- a. If so, why has this not be adopted?
- b. If not, why not?

Answer:

Regional Certifying Bodies (RCB) are expected to use their local area knowledge to provide informed advice to the Department of Home Affairs in relation to nomination applications made by employers seeking to fill job vacancies, in regional Australia where no Australian worker is available.

RCB advice is one of many factors a decision maker considers in determining the outcome of a nomination application. Positive RCB advice does not guarantee a positive employer nomination application outcome nor the grant of a skilled visa.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-113

Subject: New Skilled Regional Visa - applications to Chamber of Commerce

Asked by: Kristina Keneally

Question:

Given businesses could be providing applications to the Chamber of Commerce to approve - to a Chamber of Commerce they could be a paid member of - wouldn't they receive unfair advantage from an organisation that has the businesses interests first, not that of the local workers?

Answer:

The Department of Home Affairs provides ongoing training and support to the Regional Certifying Body (RCB) network to ensure they understand their role and responsibilities in the certification process. Each RCB has responsibility to ensure that there are no conflicts of interest in relation to requests for assessment from businesses.

RCB assessment advice regarding the Skilled Employer Sponsored Regional (Provisional) nomination is not binding on the decision maker, nor the only factor in determining the outcome of a nomination application.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-114

Subject: Regional Certifying Body - process for states

Asked by: Kristina Keneally

Question:

Does the process differ different states? For example, are there different approaches in Queensland?

Answer:

No, the process is consistent across all states and territories.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-115

Subject: Regional Certifying Body - consultation

Asked by: Kristina Keneally

Question:

Does the Department consult with other organisations, such as State Governments and Department, on which organisations to appoint to as a Regional Certifying Body?

- a. Are any Regional Certifying Bodies appointed by local councils? If so, why?
- b. Are any Regional Certifying Bodies appointed by local Chambers of Commerce? If so, why?
- i. Are there any potential conflicts of interest with this approach?
- c. What formal role or involvement do labour unions have in these consultations?

Answer:

The Department of Home Affairs consults with the appropriate state or territory government on whether the organisation that expressed interest in becoming a Regional Certifying Body (RCB) would be suitable for the role.

- a) No. RCBs are appointed by the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs.
- b) No. RCBs are appointed by the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs.
 - i. N/A
- c) None

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-116

Subject: Regional Certifying Body - requirements

Asked by: Kristina Keneally

Question:

What are the requirements for an organisation being appointed as a Regional Certifying Body?

Answer:

The requirements for an organisation being appointed as a Regional Certifying Body (RCB) are specified in *the Migration Regulations 1994*. In accordance with subregulation 2.72C(19) the appointed RCB must be specified by the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs in a legislative instrument, be located in the same State or Territory as the nominated position and have responsibility for the designated regional area in which the nominated position is located.

In considering a request for appointment of a non-government RCB, the regional development (or equivalent) agency within the relevant State or Territory government is contacted seeking their recommendation and support for appointing the prospective RCB.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-117

Subject: New Skilled Regional Visa - applicant

Asked by: Kristina Keneally

Question:

How does the Regional Certifying Body determine if a business requires an applicant under the New Skilled Regional Visa?

Answer:

It is not the role of a Regional Certifying Body to determine if a business requires an overseas worker under the Skilled Employer Sponsored Regional (Provisional) (subclass 494) visa program.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-118

Subject: New Skilled Regional Visa - Regional Certifying Bodies

Asked by: Kristina Keneally

Question:

As part of the establishment of the New Skilled Regional Visa, the Department has appointed a number of Regional Certifying Bodies. What role do they play, and what role are they currently playing during the COVID-19 Pandemic?

Answer:

The role of a Regional Certifying Body (RCB) is to provide advice to the Department of Home Affairs on nominations for the Employer Sponsored stream for the Skilled Employer Sponsored Regional visa. RCBs also provide the Department with information about local labour market conditions and other relevant regional matters.

For example, a RCB is expected to use local area knowledge to advise whether the nominee for the position will be paid at least the annual market salary rate for the occupation. The role of RCBs has not changed during the COVID-19 Pandemic.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-119

Subject: COVID-19 in Detention Facilities - Brisbane facility

Asked by: Kristina Keneally

Question:

With regard to a report that a detention service provider staff member employed at a facility in Brisbane tested positive for COVID-19:

- a. To which service provider were they contracted?
- b. At what facility did they work?
- c. Over what period of time was the individual employed at the facility?
- d. When was this individual tested for COVID-19?
- e. Were they employed by the detention service provider at the time?
- f. When did this individual receive their positive result?
- g. Were they employed by the detention service provider at the time?
- h. How was the Department notified of their positive result?
- i. What steps were subsequently taken by the Department to communicate the diagnosis to co-workers to ensure those potentially exposed begun self-isolation and sought medical care?
- j. What steps were subsequently taken by the Department to 'deep clean' or sterilise work spaces and communal areas?
- k. Was contact tracing undertaken by relevant authorities as a result of this positive test?
- l. If so, how many of each of the following groups were subsequently tested for COVID-19:
 - i. Employees of the Department of Home Affairs?
 - ii. Detention service provider staff members?
 - iii. Detainees?
- m. What is the current employment status of the individual?

Answer:

- a. The Facility and Detainee Service Provider (FDSP), Serco
- b. Kangaroo Point Alternative Place of Detention (APOD)

- c. The Officer performed work for 21 days prior to testing positive to COVID-19 at the:
 - the Brisbane Immigration Transit Accommodation
 - the Meriton Suites Brisbane APOD and
 - Kangaroo Point APOD
- d. 16 March 2020
- e. Yes
- f. 18 March 2020
- g. Yes
- h. The FDSP advised the Department by phone on 18 March 2020. Formal written notification was provided to the ABF Commissioner via letter on 18 March 2020.
- i. The Australian Border Force (ABF) and its service providers provided advice to workers of the positive test result. In addition ABF:
 - contacted health authorities to outline the increased risk due to Officer's occupation, ascertain next steps and obtain contact details for IHMS
 - contacted the Officer involved to seek further information and conduct a welfare check
 - identified close/casual contact of detainees, workers and visitors
 - reviewed roster and duty logs to assist with tracing the DSOs movements
- j. In terms of meals/food preparation/service, the following is in place:
 - Cleaning of the dining areas is conducted twice a day 7 days a week.
 - the first clean is conducted at 6AM,
 - the second clean is completed after lunch service and prior to dinner service.
 - surfaces are wiped down after each use, so if a detainee eats at a table, the table area and the chair the detainee used are wiped down prior to the next use.
 - cleaning materials are made available in these areas for the use by detainees to do additional cleaning (if required).
 - The tasks completed during each clean of the dining areas consists of the following:
 - hard floors are vacuumed and mopped;
 - carpet areas are vacuumed;
 - door handles are wiped;
 - glass is spot cleaned;
 - dining room tables are wiped;
 - servery bench is wiped;
 - fridge door and handle are wiped;

- microwave(s) wiped;
- computer benches are wiped;
- computer keyboards are wiped; and
- all rubbish is removed.
- Catering staff
 - do spot clean for spills, etc. (as / if required).
 - catering staff remove all condiments from the dining area, these are returned to the fridge.
 - after meal service the kitchen area is cleaned down with all the dirty dishes including the meal service trays returned to the main kitchen for washing.
 - all dishes are hand washed before getting washed again within the dishwasher which cleans and sanitises
- k. Yes conducted by Queensland Health
- l. As a result of contact tracing the following cohort were tested for COVID-19:
 - Employees of the Department of Home Affairs – nil
 - Detention Service Provider staff – nine
 - Detainees - nil
- m. The officer is currently employed by Serco as a Detainee Services Officer.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-120

Subject: COVID-19 in Detention Facilities - details of cases

Asked by: Kristina Keneally

Question:

In each case outlined in IQ20-000174 (a)employees, b) FDSP, c) detainees), please outline:

- a. If in cohort outlined in 2a: Their role/position/job title?
- b. If in cohort outlined in 2b: Their employer, and their role/position/job title?
- c. The facility where they worked/were detained?
- d. When they were tested?
- e. The date on which they began self-isolation?
- f. If in cohort outlined in 2c: How this self-isolation was managed?
- g. When they received their results?
- h. Were they hospitalised?
- i. What 'deep cleaning' or sterilisation was undertaken to prevent the further spread of COVID-19 in the facility?
- j. How many additional staff, service providers or detainees were subsequently tested due to potential exposure?
- k. How many additional staff, service providers or detainees subsequently tested positive due to potential exposure?
- l. Was this case communicated to other staff, service providers or detainees in the facility?
- m. Was this case communicated to the Minister's Office?
- n. If in cohort outlined in 2a-b: Their current employment status?
- o. If in cohort outlined in 2c: Their current detention status?

Answer:

- a. N/A
- b. The person who contracted COVID-19 is employed by the Facility and Detainee Services Provider (FDSP) – Serco, as a Detainee Services Officer (DSO)
- c. Kangaroo Point Alternative Place of Detention (APOD)
- d. 16 March 2020
- e. 11 March 2020
- f. N/A
- g. 18 March 2020
- h. N/A
- i. As a mitigation and in response to COVID-19 dedicated teams of cleaners within each facility have been deployed to clean and disinfect high traffic areas since 10 March 2020. The DSO who tested positive on 18 March 2020 had not been on duty since 11 March 2020. The extra cleaning already in place was deemed sufficient.
- j. As a result of the DSO testing positive to COVID-19 on 18 March 2020, 9 FDSP officers were identified as either close or casual contact with the officer and were tested for COVID-19 on the advice of the public health unit.
- k. Nil
- l. Yes
- m. Yes
- n. The person is currently employed as a DSO
- o. N/A

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-121

Subject: COVID-19 in Detention Facilities - positive tests

Asked by: Kristina Keneally

Question:

How many individuals in the following cohorts have tested positive for COVID-19?

- a. Employees of the Department of Home Affairs who work in onshore detention facilities?
- b. Detention service provider staff members who work in or regularly visit onshore detention facilities?
- c. Individuals held in onshore detention facilities?

Answer:

As at 30 June 2020:

- a. Employees - Nil
- b. Facility and Detainee Service Provider officers - One
- c. Detainees - Nil

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-122

Subject: COVID-19 in Detention Facilities - cohorts tested

Asked by: Kristina Keneally

Question:

How many individuals in the following cohorts have been tested for COVID-19 from 1 January 2020 to 26 June 2020?

- a. Employees of the Department of Home Affairs who work in or regularly visit onshore detention facilities?
- b. Detention service provider staff members who work in onshore detention facilities?
- c. Individuals held in onshore detention facilities?

Answer:

- a. 14 employees of the Department have been tested
- b. 134 Facility and Detainee Services Provider officers have been tested
- c. 152 detainees have been tested

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-123

Subject: PPE in Detention Centres - complaints

Asked by: Kristina Keneally

Question:

Have there been complaints received about shortages of equipment from either staff or detainees? If so:

- a. How many complaints have been received?
- b. When was each complaint received?
- c. What was the nature of the complaint?
- d. At which centre did the complaint imminent from?
- e. How was the issue resolved?

Answer:

To answer this question fully would require an unreasonable diversion of resources due to the largely manual procedure for receipt and management of complaints in Immigration Detention Facilities (IDFs) and the number of potential sources from which complaints are received.

The following is provided as background on the use and application of personal protective equipment (PPE) in immigration detention facilities:

The Department of Home Affairs has implemented measures in accordance with the Communicable Diseases Network Australia *Guidelines for the Prevention, Control and Public Health Management of COVID-19 Outbreaks in Correctional and Detention Facilities in Australia*. Infection control and outbreak management plans have been developed and tested, these plans include the use of PPE by staff and detainees.

General access to PPE in immigration detention facilities is not required. Where the use of PPE is recommended it is available and used. Additional cleaning and access to hygiene and cleaning products for detainees is in place at facilities.

The Australian Border Force is not aware of any situations in which any supply disruptions in PPE led to detainees not being provided with PPE when it was required.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-124

Subject: PPE in Detention Centres - shortages

Asked by: Kristina Keneally

Question:

Have there been shortages or supply chain or replenishment issues in sourcing and replacing this equipment during the COVID-19 Pandemic?

Answer:

There was supply chain issues for Serco and International Health and Medical Services in January 2020. Initially the Australian Border Force was asked to assist in supply of face masks, gloves and hand sanitiser. In March 2020, this extended to gowns, coveralls, glasses, goggles and surface wipes.

In May 2020, Serco and IHMS advised that they were able to meet supply again from their providers.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-125

Subject: PPE in Detention Centres - supplied

Asked by: Kristina Keneally

Question:

Please detail the standard personal protective equipment (personal masks, hand sanitizer, etc) supplied to immigration detention centres during the COVID-19 Pandemic?

Answer:

The following standard Personal Protective Equipment is available in all Immigration Detention Centres:

- Surgical Masks
- P2/N95 Masks
- Protective Glasses
- Protective Goggles
- Nitrile Gloves
- Hand Sanitiser (Small bottles - 60-75ml, large bottles - 200-500ml, 1 litre bottles)
- Antibacterial Wipes
- Surgical Gowns
- Coveralls
- Tissues

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-126

Subject: Ruby Princess - tactical operational reporting

Asked by: Kristina Keneally

Question:

1. With reference to answers provided to Question CV19-90:
 - a. What documents are created by the Department in preparation to brief the Minister on “tactical operational reporting”?
 - i. Please provide copies of these documents to the committee insofar as they relate to the Ruby Princess.
 - b. What documents are kept as part of the records of “tactical operational reporting” after the briefing has occurred?
 - i. Please provide copies of these documents to the committee insofar as they relate to the Ruby Princess.

Answer:

Tactical operational reporting is made up of verbal and written briefs, which can include dashboards, maps, spreadsheets, phone calls and video conferences.

The letter from the Secretary of Home Affairs to the Acting Secretary of Health on 16 March 2020, copied to the Chief of Staff to the Minister for Home Affairs, formalised advice relating to the broader Cruise Ship Ban. This letter was tabled as part of QoN CV19-11.