Management Support Manual

MSM Issue 65
Public Edition

Queensland Police Service

Issue 65 Public Edition
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Introduction

The Management Support Manual is issued pursuant to the provisions of s. 4.9: 'Commissioner's directions' of the *Police Service Administration Act*.

The aim of this Manual is to provide members with guidance and instruction for the management support aspects of policing. It provides links to associated Service policies, Manuals, instructions and resources and requires local procedures to be developed at regional, district and station or establishment level.

Members are to comply with the contents of this Manual so that their duties are discharged lawfully, ethically and efficiently and failure to comply with the contents may constitute grounds for disciplinary action.

However, it is recognised in policing, many decisions must be made quickly having regard to diverse circumstances and it is not possible to instruct members on every possible scenario. Therefore, in accordance with the section titled 'Use of Manual' of this Manual, the general policies and procedures may, where justified, be adapted to circumstances as they arise.

The contents of this Manual will be continually reviewed and updated to ensure currency and consistency with the law and community expectations.

Members are to make themselves familiar with the contents of this Manual in order to carry out the Service's functions and deliver an effective level of policing to the community.

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Use of Manual

The Management Support Manual (MSM) became effective on 26 June 2015 and contains Service policies in relation to the management matters of the Service and unless otherwise stated, the words and terms defined within the Service Manuals Definitions (SMD) apply to the contents this Manual.

Policy in this Manual that uses the terms:

(i) **are to**, **are not**, **is to** and **is not**, requires compliance with and **is not** to be departed from; and

(ii) **should**, is a term which outlines the Service attitude regarding a specific subject and **should** be complied with under ordinary circumstances but may be departed from if there is sufficient reason(s) for doing so. Members may be required to justify their decision to depart from the policy.

Where the term **ORDER** appears as a heading in this Manual, it is used to bring to a member's attention a specific **ORDER** requirement within that section.

The heading **ORDER** and the terms **are to, are not, is to** and **is not** require compliance with. Orders **are not** to be departed from, unless exceptional circumstances exist. Members will be required to explain and justify their decision to depart from such policy in subsequent investigations and/or court proceedings.

The MSM has been designed as a Service wide document and as such does not generally prescribe instructions unless applicable in all areas of the Service. In order to recognise the needs of local communities and policing requirements, it will be necessary for officers in charge of regions, districts, and stations/establishments to develop regional, district and station/establishment Instructions to give effect to the MSM at a local level.

Regional, district and station/establishment instructions are ancillary to and are not to conflict with this Manual which will have precedence over any instructions developed at the local level.

Each chapter in this Manual has an individual table of contents. The contents of this Manual are to be read in conjunction with other Service Manuals and relevant legislation.

ORDER

All members are to be familiar with the contents of this Manual and any amendments made to it.

Common abbreviations

Common abbreviations that may be used in this Manual:

Legislation

CC means the Criminal Code

CP(OROPO)A means the *Child Protection (Offender Reporting and Offender Prohibition Order) Act*

DFVPA means the *Domestic and Family Violence Protection Act*

PPRA means the *Police Powers and Responsibilities Act*

PSAA means the *Police Service Administration Act*

TO(RUM)A means the *Transport Operations (Road Use Management) Act*

YJA means *Youth Justice Act*

Manuals

DERIE means the Digital Electronic Recording of Interviews and Evidence Manual

MSM means the Management Support Manual

OPM means the Operational Procedures Manual

SMCD means Service Manuals Contact Directory

SMD means Service Manual Definitions

TM means the Traffic Manual

Appointments

DDO means district duty officer

OIC means officer in charge

RCC means regional crime coordinator

RDO means regional duty officer

Command/Division names

ERCC means Emergency Response and Coordination Command

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ESC means Ethical Standards Command

OGC means General Counsel, Office of the General Counsel

OSD means State Discipline

RDC means Recruiting and Development Command

SCTFSC means Security, Counter-Terrorism and Forensic Services Command

Unit names

CIB means criminal investigation branch

CPIU means child protection and investigation unit

FCU means forensic crash unit

ODPP means Office of the Director of Public Prosecutions

PSRT means Public Safety Response Team

SERT means Special Emergency Response Team

Requesting changes to this Manual

The Service strongly values and recognises its members and actively seeks input relevant to any problems or suggested changes within this Manual's content. The Inspector, Operational Policy and Improvement (OPI) is responsible for the development and publication of Service Manuals. Advice relevant to its contents, perceived problems or suggested changes should be forwarded to the Inspector, OPI.

On receipt of a proposal to develop or amend a policy, OPI will research the proposal and, if viable, develop Service policy. In researching the matter, all major stakeholders are consulted to ensure the proposal is congruent with present Government and Service policy and relevant legislation.

The Manual is subject to regular update by OPI and the latest amendments will be highlighted throughout. It remains the responsibility of the member of the Service accessing the Manual via other means (e.g. local copies) to ensure currency when viewing.

Interpretation information for this Manual

New or amended content in this amendment issue is highlighted in grey.

When reading this Manual, members should be aware that some content is located in other Service holdings:

Contact Directory: Contact details for:

(i) external organisations and agencies are contained within the Service Manuals Contact Directory (SMCD).

(ii) units within the Service are contained within the Staff and Work Unit Contact System on the Service Intranet.

Definitions: Definitions are contained within the Service Manuals Definitions (SMD).

Delegations and Authorities: Service delegations and authorities are published in the Delegations and Authorities Library SharePoint page.

Forms: Unless otherwise specified within this Manual, Service forms are available on QPS Forms Select. Where a form is available in QPRIME, a back-up version of the form is available in QPS Forms Select.

QPRIME: Assistance and further information in relation to QPRIME is available from the QPRIME User Guide.

QPS internet: Reference to QPS internet means the Queensland Police Service Corporate Internet.

Service intranet: Reference to Service Intranet means the QPS Corporate Intranet (Bulletin Board).

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1.1 Organisation structure

Organisational structure

In accordance with s. 4.8: 'Commissioner's responsibility' of the PSAA, the Service organisational structure is determined by the Commissioner.

Local police stations and work units are the base levels of the boundary or classification which become larger groupings at progressively higher levels. Regions comprise of districts, patrol groups and police stations. Commands and divisions comprise of groups and units.

The current organisational structure occurs generally through the Commissioner to deputy commissioners and then:

(i) regions;

(ii) commands; and

(iii) divisions (such as Legal Division).

The organisational structure, as determined by the Commissioner, identifies the top-level view chain of command and responsibility for the management, coordination and completion of tasks and activities. Changes to the organisational structure of the Service are circulated via an executive direction (see s. 1.2.1: 'Executive directions' of this chapter).

The current organisational structure of the Service is located on the Organisational Structure webpage of the Service internet.

Organisational boundaries (geographic)

The Service's geographic organisational boundaries and classifications, as part of the organisational structure, deliver operational functioning.

The Service's operational geographic organisational boundaries are aligned within regions, districts, patrol groups and local stations. Primarily these boundaries will conform with a statistical local government area and Australian Bureau of Statistics Census Data mesh block boundaries. Policy and procedure within s. 1.1.2: 'Amending/creating Service Operational Boundaries' of this chapter refers to exceptions.

Organisational classifications (non-geographic)

Commands (including groups and units) and other groupings, such as Legal Division and the Crime and Corruption Commission Police Group are Service organisational classifications that hold no geographic foundation, although have geographic considerations.

1.1.1 Standards for organisational boundaries (geographic)

Clear standards relating to the purpose, principles and hierarchy of Service geographic boundaries have been established and are to be maintained.

Purpose and principles of organisational boundaries (geographic)

Service geographic organisational boundaries are required to enable location-based statistics to be produced on a useful and comparable basis, in a cost-effective manner. To achieve this, geographic boundaries need to satisfy several requirements or principles, such as:

(i) geographic areas of organisational reporting are to align with those used for statistical reporting purposes;

(ii) individual geographical areas are to be:

(a) clearly defined written descriptions with precisely drawn boundaries;

(b) uniquely identified by name; and

(c) mutually exclusive;

(iii) any groupings of individual areas into intermediate levels of aggregation are to be adjoining and able to progressively sum to the whole.

Hierarchy standards of organisational boundaries (geographic)

Regional, district, patrol groups and station boundaries will comply with the following hierarchy standards:

(i) there is to be only one police station per area;

(ii) police beat and Neighbourhood Watch areas are to be entirely encapsulated within a single station;

(iii) multiple stations form a patrol group (if applicable) within a district. Station boundaries cannot be split by district boundaries; and

(iv) multiple districts form a region. District boundaries cannot be split by regional boundaries.

Any exception to this hierarchy is to be authorised by the Deputy Commissioner, Regional Operations.

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1.1.2 Amending/creating Service operational boundaries

When defining or making amendments to boundaries, the following apply:

(i) local government boundaries and Australian Bureau of Statistics Census Data mesh block boundaries will provide the basis for determining police operational areas; and

(ii) in the event a Service boundary does not follow a local government area or splits a mesh block boundary the Service boundary is to align with the following features, in order preference:

(a) suburb boundary;

(b) road casement boundary;

(c) property boundary;

(d) river/creek boundary (one side or the other);

(e) low tide level; or

(f) Australian territorial waters.

Procedures to amend or create a boundary

Any member considering amending or creating boundaries is to:

(i) prior to submitting a report to their assistant commissioner, contact the relevant frontline business/systems owners advising them of the proposed changes, for example:

(a) Core Systems (for QCAD, LCAD, QTasks, QPRIME, ITAS);

(b) GWN;

(c) Frontline Research and Information (for GIS Data/Analytics); and

(d) Communications group (for police communications centres).

(ii) submit a report seeking support for approval to their assistant commissioner (this report is to contain the required changes, including a detailed boundary description (both written and map-based) (i.e. which side of any local government area/mesh blocks/roads/creeks etc. the boundary follows));

(iii) forward the report to the relevant deputy commissioner for approval (see Delegation D 1.1); and

(iv) once relevant deputy commissioner approval is received by Geospatial Solutions, Research and Analytics, Policy and Insight Division and the changes have been completed, provide any future 'boundary requests' updates for QPRIME to Core Systems, Frontline and Digital Division (Geospatial Solutions do not determine when QPRIME or any other core systems updates occur).

Note: Any street segment is to lie in one and only one station's area. A street centreline is not the dividing boundary between two stations. This ensures that street locations in QPRIME (intersections, mid-blocks and street-in-suburb locations are clearly and unambiguously located in one station's area only). The only exception to this rule is where a boundary splits or divides separate carriageways of a multi-carriageway road.

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1.2 Directions (organisational)

Introduction

The Commissioner is responsible for the efficient and proper administration, management and functioning of the Service (see ss. 4.8: 'Commissioner's responsibility' and 4.9: 'Commissioner's directions' of the PSAA). Service arrangements for the purposes of assisting in the efficient and proper organisational discharge of this responsibility include:

(i) executive directions; and

(ii) commissioner's directions.

1.2.1 Executive directions

Executive directions:

(i) formally establish the resolve of the Commissioner, including the determination of organisational structure and priorities. The Commissioner determines the requirement for issuing an executive direction by considering functional changes, changes in organisational priorities, strategic objectives and as a response to internal or external factors;

(ii) are not usually operational in nature;

(iii) are used to establish the Service structure and are issued to:

(a) establish;

(b) disestablish;

(c) change the name of; or

(d) move,

an entity;

(iv) are only issued for entities at the level of:

(a) deputy commissioner;

(b) region;

(c) command;

(d) division (such as Legal Division);

(e) district; and

(f) groups; and

(v) are not required to amend the name of a section or unit.

Where a police station or establishment such as a police beat are established, ceases, or the name or boundaries are changed, approval is sought from the Deputy Commissioner, Regional Operations in accordance with s. 1.5: 'Declaration of stations/establishments' of this chapter.

1.2.2 Commissioner's directions

The Commissioner may give, and cause to be issued, such directions considered necessary or convenient for the efficient and proper functioning of the Service (s. 4.9: 'Commissioner's directions' of the PSAA).

Commissioner's directions are normally operational in nature and are used where a temporary process needs to be implemented for a limited time. Commissioner's directions are used where it is not appropriate to incorporate the direction into other Service Manuals, such as the OPM and TM. All directions should:

(i) use the template available from the Operational Policy and Improvement webpage of the Service Intranet;

(ii) number sequentially for ease of reference.

As a result of Delegation D 1.1, Commissioner's directions can be issued by a deputy commissioner.

1.2.3 Proposal of instruments of direction

Whilst usually led by the Commissioner and senior executive, any member of the Service may propose development of a new executive direction or Commissioner's direction. Where a member proposes a direction, that member should consult verbally with their immediate supervisor and, if approved for further development, undertake necessary research and consultation.

A report is then to be submitted through the chain of command to their assistant commissioner or executive director outlining:

(i) the background circumstances;

(ii) the reason for the proposed executive direction (including reference to this section);

(iii) the projected impact on the Service;

(iv) if applicable, any other circumstances relevant to the executive direction; and

(v) any other proposed conditions for inclusion.

Draft instruments of directions are to be completed from the relevant template located on the Directions webpage of the Service Intranet and forwarded with the report.

1.2.4 Issue and administration of instruments of direction

An original instrument of direction determined as necessary and signed by the Commissioner will be forwarded to Operational Policy and Improvement (OPI), for administration.

On receipt of the original direction document OPI will:

(i) allocate a direction number;

(ii) facilitate publication of the direction in the Police Gazette;

(iii) consider any nomination of, or requirement for, an end date and/or subsequent inclusion of the content within a Service manual, and ensure that preparatory actions are taken;

(iv) scan and index the direction electronically on the Directions SharePoint page; and

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(v) file and retain the original.

1.2.5 Creating and changing policy within Service manuals

The contribution of members is valued in relation to Service policy and their input is actively sought relevant to any problems or suggested changes within the Service manuals. The Inspector, Operational Policy and Improvement (OPI) is responsible for the development and publication of Service manuals, which are:

(i) this Manual;

(ii) OPM;

(iii) TM; and

(iv) DERIE.

Other publications maintained by OPI include:

(i) SMD;

(ii) SMCD;

(iii) Traffic Enforcement Handbook; and

(iv) First Response Handbook.

Advice relevant to its contents, perceived problems or suggested changes should be forwarded to the Inspector, OPI.

On receipt of a proposal to develop or amend a policy, OPI will research the proposal and, if viable, develop Service policy. In researching the matter, all major stakeholders are consulted to ensure the proposal is congruent with present Government and Service policy and relevant legislation.

The manuals are subject to regular update by OPI and the latest amendments will be highlighted throughout, and a list of amendments provided as approved by the Commissioner or delegate (see Delegation D 1.1). It remains the responsibility of the member of the Service accessing the Manual via other means (e.g. local copies) to ensure currency when viewing.

The current Service manuals are published on Service Manuals SharePoint page. Each new issue is given a new consecutive issue number. When a new issue is published a general notification will be sent to all members to ensure that they are made aware of the re-issue. Other appropriate platforms, such as Viva Engage will also be used to ensure a wide distribution of the information.

The Service manuals are issued pursuant to s. 4.9: 'Commissioner's directions' of the PSAA. Members are to comply with the contents of the manuals so that their duties are discharged lawfully, ethically and efficiently. Failure to comply with the contents may constitute grounds for disciplinary action. However, it is recognised in policing that many decisions must be made quickly having regard to diverse circumstances and it is not possible to instruct members on every possible scenario. Therefore, in accordance with the section titled 'Use of Manual' of the manuals, the general policies and procedures may, where justified, be adapted to circumstances as they arise. The contents of the manuals will be continually reviewed and updated to ensure currency and consistency with the law and community expectations. Members are to make themselves familiar with the contents of the Service manuals in order to carry out the Service's functions and deliver an effective level of policing to the community.

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1.3 Delegations

Introduction

Some legislation contains specific provisions enabling the Commissioner to delegate powers or functions to other members of the Service or to other Government Agencies. Where no specific provision for delegation exists, in accordance with the provisions of s. 4.10: 'Delegation' of the *Police Service Administration Act*, the Commissioner also holds a general legislated authority to delegate powers of the Commissioner under any Act.

Delegations do not nominate a particular officer or member of the Service, but rather assign relevant powers or functions to a specified classification of roles.

These may, for example, be:

(i) a commissioned officer;

(ii) the OIC of a station or establishment; or

(iii) the Director, Financial Accounting Services, Finance and Procurement Division.

Nominated classifications may also be less defined including, for example, 'All members of Covert and Specialist Operations, Crime Command'.

ORDER

To ensure that delegated powers or functions are lawfully exercised, members are to comply with any relevant delegation as contained in the Delegations and Authorities Library (available on the Service Intranet).

1.3.1 Proposing new or amended delegations

A member of the Service who identifies a need for a new or amended delegation is to submit a report to their OIC or manager requesting the delegation be authorised and outlining all relevant supporting information.

In proposing a new or amended delegation, members are to consider:

(i) if the power or function of the Commissioner has been granted under the relevant Act;

(ii) whether the Commissioner may delegate the power or function under:

(a) the relevant Act; or

(b) the *Police Service Administration Act*;

(iii) the proposed role classification necessary to perform and exercise the power or function; and

(iv) any conditions which would apply to the delegated member of the Service.

The delegation template located within the Delegations and Authorities SharePoint page provides the format for an instrument of delegation and is then to be completed in draft.

OICs or managers supporting the proposal should forward the report, any additional recommendations and the draft instrument of delegation to the Inspector, Operational Policy and Improvement.

1.3.2 Approval

ORDER

The OIC, Operational Policy and Improvement is to ensure that instruments of delegation:

(i) are prepared in compliance with Government and Service policy; and

(ii) enhance the efficient and proper administration, management or functioning of the Service in accordance with law.

Where the draft instrument of delegation is supported, the OIC, Operational Policy and Improvement will arrange for the draft instrument of delegation to be:

(i) distributed for consultation to all relevant stakeholders, including the Executive Director, Legal Division for validation;

(ii) amended as necessary following consultation; and

(iii) delivered to the Commissioner for consideration and signature.

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1.3.3 Publication

Following the approval and signing of a new or amended instrument of delegation by the Commissioner, the Inspector Operational Policy and Improvement is to, where:

(i) a new instrument of delegation has been created:

(a) amend the Delegations and Authorities Library to include the new instrument; and

(b) publish a notification in the Queensland Police Gazette;

(ii) an existing instrument of delegation has been amended:

(a) update the Delegations and Authorities Library to reflect the amended instrument; and

(b) consider the necessity to publish a notification in the Queensland Police Gazette;

(iii) an instrument of delegation is revoked:

(a) record the revocation within the Delegations and Authorities Library; and

(b) publish a notification in the Queensland Police Gazette.

In circumstances where the change also impacts community engagement with the Service, new, amended or revoked instruments of delegation are to be published within the Government Gazette. This publication should occur as soon as practicable following the approval and signing of a new, amended or revoked instrument of delegation.

1.4 Authorities

When legislation imposes accountabilities upon the Commissioner for particular outcomes it is not always appropriate to delegate full responsibility to others. The Commissioner may instead provide another member of the Service the authority to take the actions necessary to achieve these outcomes. In such circumstances, the Commissioner will ultimately retain accountability. By these means an authority differs from a delegation.

The Commissioner's authority in writing, or otherwise, can be inferred as a legitimate power or function by any person appointed or acting within the authority. An instrument of authority may be provided as a proof of the authority being so vested.

An instrument of authority does not nominate a particular officer or member of the Service but rather assigns relevant powers or functions to a specified classification of roles (see also s. 1.3: 'Delegations' of this chapter).

ORDER

To ensure powers of authority are lawfully exercised, members of the Service are to comply with the relevant authority as contained in the Delegations and Authorities Library (available on the Service Intranet).

1.4.1 Determining whether an authority should be created or amended

POLICY

A member of the Service who determines a need for a new or amended instrument of authority is to submit a report to their officer in charge or manager requesting the authority be issued and outlining all relevant supporting information.

PROCEDURE

When a member of the Service is determining whether an authority for a power or function may be authorised to be performed on behalf of the Commissioner, by a person within a nominated role or classification, they are to first consider whether:

(i) the power or function is one the Commissioner must exercise personally;

(ii) the power or function creates an obligation or duty parliament intended as a personal responsibility of the Commissioner;

(iii) the authorised person or position is able to exercise the power or function; and

(iv) that the power or function could instead be achieved through a delegation.

Where an authority is then warranted, members of the Service are to determine whether:

(i) the nominated role or classification is suitable and will result in member/s of the Service with the necessary skills and experience performing the actions relevant to the authority;

(ii) the circumstances will also require conditions be specified on the instrument of authority; and

(iii) that the language of the authority accurately reflects the relevant legislation.

The authority template located within the Delegations and Authorities webpage (available on the Service Intranet) provides the format for an instrument of authority and is then to be completed in draft.

Approval and Publication

Policy and procedure for approval and publication of instruments of authority is to comply with the provisions of ss. 1.3.2: 'Approval' and 1.3.3: 'Publication' of this chapter.

1.4.2 Administration

POLICY

The Officer in Charge, Operational Policy and Improvement, is responsible for maintaining:

(i) the master Delegations and Authorities Library containing a signed original instrument for all current, revoked and superseded instruments of delegation or authority; and

Where a signed original instrument is not available, copies (as available) of current, revoked and superseded delegations, suitably endorsed as copies, should be maintained.

1.5 Declaration of stations/establishments

Introduction

A declaration of a police station/establishment is to be prepared pursuant to s. 10.10: 'Police establishments' of the *Police Service Administration Act* and published in the Queensland Government Gazette. Such circumstances commonly apply where the physical location of a police station/establishment is subject to commencement or change.

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Section 10.10 of the *Police Service Administration Act* provides that the Commissioner may, declare:

(i) places or part thereof as stations/establishments;

(ii) the cessation of stations/establishments;

(iii) an assigned name, or changed name, to stations/establishments; or

(iv) defined limits to stations/establishments.

Delegation D 1.1 extends this power to deputy commissioners and is vested with the operational control of the regional operations deputy commissioner.

Delegation D 15.14 also extends authority, in limited cases, to assistant commissioners to declare police stations or their cessation but is limited to declaring temporary establishments for extraordinary or emergency reasons or to cater for significant and temporary increases in population in a local area.

1.5.1 Preparation for declaration

The Deputy Commissioner, Regional Operations (DCRO) is vested with the operational control of declarations of:

(i) places or part thereof as stations/establishments;

(ii) the cessation of stations/establishments;

(iii) an assigned name, or changed name, to stations/establishments; or

(iv) defined limits to stations/establishments.

Commencement of stations/establishments

For approval purposes, the DCRO is to be advised of circumstances relevant to the commencement of stations/establishments prior to project commencement.

Once approved, regions with the geographic responsibility for a station/establishment are to ensure the appointment of a suitable regional project representative to oversee completion.

In circumstances relating to the commencement of a station/establishment, Assets Division will send a request to the assistant commissioner of the geographic region to nominate a project representative. This project representative will:

(i) liaise with Assets Division until completion; and

(ii) ascertain a projected completion date; and

(iii) ensure the project status and progress is communicated regularly via the chain of command to:

(a) the relevant regional assistant commissioner; and

(b) the DCRO.

ORDER

The regional project representative is to specifically advise their relevant assistant commissioner and the DCRO in a timely manner of a forthcoming completion date requiring a declaration of commencement of a station/establishment.

Cessation of stations/establishments

Assistant commissioners with the geographic responsibility for a station/establishment likely to require a declaration of cessation of that station/establishment are to liaise with the relevant regional deputy commissioner.

The DCRO will assess and approve or reject the cessation, in consultation with both the Commissioner and Minister for Police. The DCRO will issue a declaration in accordance with s. 1.5.2: ‘Form of declaration’ of this chapter and facilitate the administration of the declaration to be published (if required) in accordance with the provisions of s. 1.5.4: ‘Publishing of declaration’ of this chapter.

If a cessation date is known prior to the original declaration of a station/establishment, it is desirable that this date be included in the original declaration to eliminate the need to have a subsequent declaration published.

Assigning/changing names or defining the limits of police stations/establishments

Assistant commissioners with the geographic responsibility for a station/establishment likely to require a declaration of an assigned name, changed name or defined limits of that station/establishment are to liaise with the DCRO.

The DCRO will assess and approve or reject the declaration and, if approved, issue a declaration in accordance with s. 1.5.2: ‘Form of declaration’ of this chapter.

Assistant commissioner declarations of temporary establishments

Assistant commissioners have been provided authority to declare police stations, or their cessation. This authority is limited to declaring temporary establishments for extraordinary or emergency reasons or to cater for significant and temporary increases in population in a local area or declaring the cessation of same.

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ORDER

When an officer becomes aware of extraordinary or emergency reasons relevant to the need for declaring temporary establishments for extraordinary or emergency reasons or to cater for significant and temporary increases in population the officer is to immediately inform their assistant commissioner.

1.5.2 Form of declaration of stations/establishments

Formatting of declarations of police station/establishments is in accordance with the form: 'Declaration (or cessation) of a police station/establishment', located on Forms Select.

1.5.3 Administration of declaration of stations/establishments

The administration of declarations of police stations/establishment is the responsibility of the Inspector, Strategy and Performance within the office of the Deputy Commissioner, Regional Operations (DCRO).

The Inspector, Strategy and Performance will prepare a formal declaration of station/establishment by:

(i) producing a form: 'Declaration (or cessation) of a police station/establishment' for signature of the DCRO;

(ii) allocating an index number to the original declaration, if approved;

(iii) publishing the declaration in the Queensland Government Gazette in accordance with the provisions of s. 1.5.4: 'Publishing of declaration' of this chapter;

(iv) scanning and uploading the completed declaration to the 'Declaration of stations/establishments' index; and

(v) filing the original.

Declarations prepared by assistant commissioners of temporary establishments are to be forwarded to Inspector, Strategy and Performance who will administer the declaration in accordance with subsections (ii) to (v) above.

1.5.4 Publishing of declaration of stations/establishments

Declarations of stations/establishment are to be published in the Government Gazette.

The Inspector, Strategy and Performance for the Deputy Commissioner, Regional Operations will prepare a formal declaration for publication by:

(i) scanning and emailing the original 'Declaration of a police station/establishment' together with a covering letter to Smart Service Queensland, Queensland Government Customer and Digital Group (see SMCD). This correspondence is to include a requirement that a 'proof' be returned for approval, prior to publication;

(ii) reviewing the content of the received 'proof' (text only);

(iii), forwarding a return email authorising publication and requesting a copy of the published notice be returned, if accepted; and

(iv) filing the published notice.

In circumstances where the publication relates to an event, procedure in compliance with this section is to be completed in sufficient time to enable the declaration to be published prior to the event.

1.5.5 Extraordinary publication of Gazettes

Circumstances may arise where a declaration is required urgently and publication within the Government Gazette is required on a specific date outside of the weekly publication date. In these circumstances officers are to refer to 'Queensland Government Gazettes' available on the Queensland Government publications webpage. Increased costs for publication applies.

1.6 Amending or creating Neighbourhood Watch and police beat boundaries

(See also ss. 1.1.1: 'Standards for organisational boundaries (geographic)' and 1.1.2: 'Amending/creating Service operational boundaries' of this chapter.)

1.6.1 Amending/creating Neighbourhood Watch areas

POLICY

The authorisation to add new and update current Neighbourhood Watch areas resides with the district officer in charge of the district in which the Neighbourhood Watch area is situated.

PROCEDURE

To add a new or update a current Neighbourhood Watch area:

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(i) approval from the relevant district officer is to be obtained, information provided is to include detailed boundary descriptions (both textual and map-based);

(ii) when approved the approval is to be forwarded to Information Resources Centre, Geographic Information Services and the boundaries will be updated. Updated boundary layers are then provided to QPRIME as part of the next update cycle. Neighbourhood Watch boundaries are to follow road casement, property and river/creek boundaries; and

(iii) all members are to ensure compliance with the QPS Standard Geographical Classification.

1.6.2 Amending/creating police beats

Where a police beat is to be established or the boundary amended, the following information may assist.

ORDER

The region where the police beat is or is to be located is responsible for amending or creating a police beat and subsequent boundary of that beat.

Proposals are to be developed in consultation with the Deputy Commissioner, Regional Operations who holds overarching ownership.

Once approval of the regional deputy commissioner has been obtained the approval and detailed textual and map-based boundary descriptions are to be forwarded to Research and Analytics, Geospatial Solutions, for updating. Updated boundary layers are then provided to QPRIME as part of the next update cycle. Beat boundaries are to follow road casement, property and river/creek boundaries.

1.7 Service governance

Corporate governance

The Service Corporate Governance Framework including the Board of Management, Executive Leadership Team and governance committees/sub-committees have been established by the Commissioner as appropriate channels to manage the performance of the Service's functions and operations. The principles, practices, policies, procedures and processes for the corporate governance of the Service are contained within the Corporate Governance Manual (CGM).

Operational and tactical layer governance

A range of other Service governance entities (committees, sub-committees, etc.) are also in operation and valued for their role throughout the State. These primarily operate within and support the operational and tactical layers of the Service but can report through corporate governance entities as may be required.

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1.8 Roles, functions and responsibilities for the management of the Service

The Service is committed to providing an effective and efficient policing service to the community. Additionally, in accordance with s. 4.8(1)(b): 'Commissioner's responsibility' of the PSAA, the Service is responsible for the efficient and proper administration, management and functioning of Marine Rescue Queensland and the State Emergency Service. To ensure proper and effective management of activities conducted by its members, strategic and operational planning processes have been adopted that are designed to ensure that the outcomes achieved meet the needs and expectations of the Service, stakeholders and community.

1.8.1 State Emergency Service and Marine Rescue Queensland management

The State Emergency Service (SES) and Marine Rescue Queensland (MRQ) are established under the *State Emergency Service Act* (SESA) and *Marine Rescue Queensland Act* (MRQA) respectively. Under s. 9: 'Functions' of the SESA and MRQA, the Commissioner is given particular functions. These functions are part of the Commissioner's responsibility under s. 4.8: 'Commissioner's responsibility' of the PSAA with respect to the administration, management and functioning of the SES and MRQ under the SESA and the MRQA, respectively. Any directions issued by the Commissioner to carry out the functions in s. 9 of each Act are issued under s. 4.9: 'Commissioner's directions' of the PSAA. Any member, including SES and MRQ members to whom a direction of the Commissioner is addressed is to comply in all respects with the direction.

The SES Practice Codes are issued by the Commissioner under s. 10: 'Commissioner may make code of practice' of the SESA and are not directions under s. 4.9 of the PSAA. Where there is an inconsistency between an SES Practice Code and a direction of the Commissioner under s. 4.9 including OPM and this Manual the provisions of the Practice Codes should apply to the extent of any inconsistency.

Management responsibilities

SES and MRQ members (see s. 8: 'Membership' of the SESA and MRQA) both paid and volunteer are to comply with all Service (QPS) orders, policies and procedures in all Service manuals and other published documents that are applicable to the roles and functions. This means in practicable terms a reference to:

(i) a member includes an SES and MRQ member (the chief officer, employee and volunteer);

(ii) supervisor includes an SES local controller, MRQ unit commander and MRQ duty officer;

(iii) an OIC of a station or establishment; or manager includes a local controller and MRQ unit commander;

(iv) a district officer includes a SES commander or MRQ regional coordinator;

(v) an assistant commissioner or executive director includes the SES and MRQ chief officer;

(vi) an establishment includes a SES and MRQ unit, whether the facility is leased, shared, permanent or temporary; and

(vii) Service equipment, vehicles, vessels, uniforms, assets, internal email, records, computer systems, databases, information, etc includes the SES and MRQ equivalent.

A roles and responsibilities equivalence above does not translate or apply to authorities or delegations unless specified in the relevant authority or delegation.

MRQ Manual

The MRQ Manual (MRQM) has been developed to cover both operational and management functions that are specific to the operation and functioning of MRQ. Where an equivalent policy is contained in the MRQM and the OPM and this Manual, MRQ members should be guided by the MRQM. Where a policy is not contained in the MRQM but guidance can be located in the OPM and this Manual, then that policy should be followed.

Standard of dress

ORDER

SES and MRQ members are to at all times while on duty (unless prior approval has been obtained):

(i) wear their approved uniform;

(ii) wear their name badge; and

(iii) carry their official identity card.

Use of SES and MRQ vehicles by relevant member

When members of the SES and MRQ are using SES and MRQ vehicles respectively they are to comply with the directions of their respective chief officer and are not required to comply with s. 15.2.3: 'Operation of Service vehicles by staff members and government employees' of the OPM unless using a designated police vehicle (marked or unmarked).

Development of SES agreements with local councils

Any agreement developed between SES and a local council is to be in accordance with s. 11: 'Agreements between commissioner and local government about SES and SES employees' of the SESA and is to comply with Chapter 8: 'Management of service arrangements and events' of this Manual.

Requirement to hold a valid blue card (SES and MRQ members)

Volunteers performing the functions of SES and MRQ are likely to engage with a child in the course of their operations. This engagement with a child can amount to regulated employment, see Schedule 1, Part 1: 'Regulated employment' of the *Working with Children (Risk Management and Screening) Act* (WWC(RMS)A).

The Commissioner must comply with the requirements of the WWC(RMS)A and is not to employ, or continue to employ, a person in regulated employment unless the person holds a working with children clearance (a **'Blue Card'**) or are otherwise exempted from the operation of the WWC(RMS)A. Exemptions do not extend to SES and MRQ volunteers or to SES local government employee's, see Schedule 1, s. 26: 'Person engaged in employment for the police service' of the WWC(RMS)A.

To ensure the discharge of the Commissioner's statutory responsibilities with respect to requirements relating to Blue Cards all SES local government employees and all other SES and MRQ volunteers (including other members performing SES or MRQ duties in a volunteer capacity) are to:

(i) hold a valid Blue Card when engaging in regulated employment;

(ii) ensure where they no longer hold a valid Blue Card;

(a) they do not attend an SES or MRQ facility;

(b) they do not undertake functions on behalf of SES or MRQ; and

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(c) if seeking to perform SES or MRQ functions, the member is to arrange for their application or renewal of a valid Blue Card status; and

(iii) familiarise themselves with individual rights and responsibilities of blue card offences and penalties (for further information, see Blue Card Services website).

The failure to hold a valid Blue Card may result in the revocation of a person's appointment as an SES or MRQ member.

ORDER

SES local government employees and all SES and MRQ volunteers are to maintain a valid Blue Card when performing functions for their respective organisation. Where a SES local government member or SES / MRQ volunteer member no longer holds a valid Blue Card, the member is not to attend any SES or MRQ facility or undertake any SES or MRQ functions.

1.8.2 Function of the SES

The functions SES units perform include:

(i) rescue or similar operations in an emergency situation, including:

(a) helping injured persons; and

(b) protecting persons, property or the environment from danger or potential danger associated with the situation;

(ii) search operations in an emergency or similar situation;

(iii) activities in response to severe weather event;

(iv) other activities to help communities or other entities prepare for, respond to, recover from and enhance resilience to, an event or a disaster;

(v) activities to raise the profile of the SES or raise funds to support the SES in the performance of its other functions;

(vi) services, and give help reasonably requested, in an emergency or another situation, as required of a member of the SES under any Act or law or the reasonable expectations of the community; and

(vii) any other functions given to the SES under law.

SES units are able to assist with the following activities:

(i) vertical rescue;

(ii) flood boat rescue;

(iii) road crash rescue;

(iv) urban, rural and evacuation searches;

(v) emergency traffic management;

(vi) helping to manage pedestrian or vehicular traffic at a community event;

(vii) urban search and rescue;

(viii) missing person searches (land, air and water);

(ix) exhibit searches;

(x) agency support (communications, welfare, lighting, food handling, air observation or resupply);

(xi) operations requested by another entity providing emergency services in an emergency situation;

(xii) incident management; and

(xiii) community education.

ORDER

SES units are not to be deployed to:

(i) search for escaped or violent persons or the recovery of body parts at a major incident; or

(ii) perform functions which otherwise could have been reasonably sourced from local businesses.

1.8.3 Function of MRQ

The functions MRQ units perform include:

(i) marine search and rescue operations;

(ii) marine assistance to persons or vessels in difficulty;

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(iii) other marine assistance to any entity in the performance of its functions and to the community if the assistance is reasonably requested and another entity is not reasonably able to assist;

(iv) supporting other entities providing emergency services to help communities respond to and recover from an event or a disaster;

(v) activities to raise the profile of MRQ, promote marine safety or raise funds to be used to support MRQ in the performance of its functions;

(vi) providing services or assistance by a member of MRQ if required under any Act or law or the reasonable expectations of the community; and

(vii) any other function given to MRQ under this or another Act.

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2.1 Business management meetings

The purpose of conducting regular business management meetings is to ensure that current and future business strategies and activities are consistent with Service objectives, government priorities and legislated responsibilities (see s. 1.3: 'Regional operations performance review strategy' of the OPM).

The requirement to conduct monthly business management meetings extends across all functional areas of the Service, including corporate, command and operational areas. This section stipulates the minimum requirements for the conduct of meetings however provides scope for customisation depending on business area needs and idiosyncrasies. See s. 2.1.3: 'Discretion' of this chapter.

2.1.1 Responsibilities

Assistant commissioners and executive directors

Relevant to supporting Service strategies and goals, assistant commissioners (AC) and executive directors (ED) have the following responsibilities:

(i) overview the provision of effective and efficient delivery of services to the community of Queensland;

(ii) lead and supervise financial management of budgets and funds within their span of control;

(iii) ensure their management team actively contributes to the achievement and progression of Service goals;

(iv) guide all business strategies and activities within their area toward alignment to and measurement against strategic and operational imperatives; and

(v) initiate and/or endorse solutions which improve business strategies and thereafter actively progress their advancement.

ORDER

AC and ED are to:

(i) ensure that district officers, commanders and directors:

(a) conduct monthly business management meetings; and

(b) compile a documented account of the key issues; and

(ii) escalate any residual issues or risks to the appropriate governance committee for discussion and deliberation.

AC and ED maintain the discretion to conduct a combined 'command level' meeting if it is more practicable due to the command structure (i.e. the AC, Ethical Standards Command may determine it is more practicable to conduct a combined 'command level' meeting rather than conducting two separate group meetings).

District officer, commander and director

To assist in fulfilling their duties and responsibilities, district officers, commanders and directors are to conduct business management meetings as part of their district performance review structure (see s. 1.3.2: 'District performance review' of the OPM).

ORDER

District officers, commanders and directors are to conduct monthly business management meetings as part of their district performance review structure.

2.1.2 Conducting a business management meeting

There are two agenda categories within business management meetings:

(i) administration; and

(ii) operations.

The primary focus for the **administration** agenda is those business functions that support service delivery arrangements. Topics for discussion include:

(i) finance;

(ii) human resources;

(iii) compulsory training compliance;

(iv) resourcing;

(v) projects; and

(vi) risk management.

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The primary focus for the **operations** agenda is those processes and practices that enable the delivery of services. Topics for discussion include:

(i) significant event reviews;

(ii) taskings and coordination; and

(iii) operational issues such as use of force and pursuits.

(Refer to business management meeting terms of reference as discussed in s. 2.1.4: 'Recording and reporting' of this chapter).

ORDER

District officers, commanders and directors are to conduct monthly business management meetings, inclusive of an:

(i) administration management agenda; and

(ii) operations management agenda.

Standing agenda items for:

(i) administration management include:

(a) finance;

(b) human resources;

(c) compulsory training compliance;

(d) resources;

(e) projects; and

(f) risk management; and

(ii) operations management include:

(a) significant event reviews;

(b) taskings and coordination; and

(c) operational issues.

ORDER

All standing agenda items are to be recorded on the meeting agenda for consideration. Where an agenda item is not relevant for a business area, or for a particular meeting, an appropriate notation should be recorded in the minutes.

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2.1.3 Discretion

District officers, commanders and directors shall maintain discretion and autonomy to:

(i) conduct business management meetings more often as required;

(ii) include additional agenda items that reflect unique issues impacting their business area; and

(iii) split agenda items across multiple meetings, on the proviso that all 'standing agenda items' referred to in this document are considered at least once-a-month.

2.1.4 Recording and reporting

Where appropriate, district officers, commanders and directors may nominate a secretariat to perform the necessary administration functions.

The nominated secretariat for the business management meeting will be responsible for recording all agenda items, minutes and any subsequent action items, in accordance with s. 2.5: 'Information management' of this chapter.

The nominated secretariat for the business management meeting is to:

(i) maintain a terms of reference to support the minimum requirements for the conduct and membership of the business management meetings;

(ii) record all agenda items, minutes and action items on the approved Service meeting templates and in accordance with s. 2.5 of this chapter;

(iii) maintain an action item register that includes a responsible officer and due date; and

(iv) enter all official minutes on the Objective recordkeeping system.

2.1.5 Membership

The membership of the business management meetings should consist of standing members and invitees. The purpose of standing members is to ensure consistency in the process and continuity of decision making. Invitees may vary over time and will be determined by the need to have an individual with intimate knowledge of an agenda item present during the meeting.

ORDER

Business management meetings shall include the following standing members:

(i) district officer, commander, or director; or delegate as the Chair; and

(ii) management team.

Where the discussion of an agenda item requires intimate knowledge, a suitable representative shall be invited to participate in the meeting, for example, finance, human resources, professional practice manager.

2.1.6 Guides and forms

The following documents are provided to assist with preparation and conduct of business management meetings:

(i) QP 1161: 'Business management meetings—Business process document';

(ii) QP 1162: 'Business management meeting—Minute'; and

(iii) QP 1163: 'Business management meeting—Agenda'

(iv) QP 1164: 'Business management meetings—Terms of reference.

2.2 Human resource and roster management

The Service requires that the professional, personal and social wellbeing of our members is fostered at all levels within the organisation, and that the core principles of fair treatment, equal opportunity, equity and merit are applied.

Officers in charge of stations and establishments hold the responsibility to oversee all human resource management within their span of control.

For guidance relating to HR policies, guidelines, and other related information refer to HR Policies and Procedures SharePoint page.

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2.2.1 Member induction procedures

An OIC or manager is to ensure any new member commencing duties, temporarily or otherwise in the work unit, completes induction package QP 2022: 'Orientation and induction checklist for police and staff'. The induction package (QP 2022) is to be completed within 28 days from the member's commencement date at the new work unit.

Unless otherwise approved by the Assistant Commissioner ESC, all work units are to comply with this policy. Work units requiring occupation specific induction processes (e.g., FSG, PSRT) may incorporate workplace specific packages that will complement the QP 2022.

A signed copy of the QP 2022 is to be uploaded and recorded on the member's Development and Performance (DAP) record in ESS, a copy is also to be held on the member's personal file. For assistance in adding a DAP notification see DAP webpage on the Service Intranet.

2.2.2 Rostering rules

For guidance related to the rostering of police officers and staff members, refer to the Rostering SharePoint page.

ORDER

OICs or managers are responsible for recording all members shifts, overtime and leave on ITAS Rosters prior to publication of the roster. Any changes to members shifts, overtime, or leave is to be recorded on ITAS Rosters at the earliest opportunity and prior to publication of the next 28-day roster period.

See also ss. 2.2.4: 'Leave requirements' and 2.2.17: 'Overtime' of this chapter.

Branch managers and assistant branch managers at Queensland Police Citizens Youth Welfare Associations (QPCYWA) (excluding head office) may work a split shift arrangement where there is an agreement in writing between the officer and the Service (See clause 22: 'Hours of Work' of the QPS Certified Agreement 2025 available on the Workforce Management 'Extended Shifts and Compressed Hours' SharePoint page). To clarify, a Flexible Working Arrangement (FWA) cannot be used to implement a split shift arrangement for officers other than those specifically referenced at clause 22 of the QPS Certified Agreement 2025.

A FWA is to be in place for officers with an approved rostering arrangement outside of the normal rostered hours for a work unit (e.g. extended shifts, part-time work). FWAs are requested and decided via HR Connect. Applications for FWAs are to be decided by the delegate as prescribed in the HR Delegations.

See also Workforce Management 'Extended Shifts and Compressed Hours' SharePoint page.

Rostering principles

The following rostering principles reflect the current QPS Strategic Plan and are to be used as the foundation for rostering for all members in the Service.

Principle 1 'We will keep the community safe'.

Strategy—rosters will be developed to provide for the delivery of timely and professional responses to calls for service, so as to maintain and strengthen community confidence through a community-centred approach to policing, service delivery and crime prevention.

Principle 2 'We will focus and position our resources in the right place at the right time'.

Strategy—rosters will be determined by robust evidence-based analysis of service delivery requirements/demand. This will ensure sufficient and appropriately skilled personnel are available to manage anticipated demand for each shift. Demand will be regularly examined, reviewed and documented at the work unit, district and region/command level and be available for review when required. Rosters need to be responsive to changes in demand. The development of rosters will incorporate consideration of workforce structure and capability, service delivery requirement, prevention and disruption strategies and the relationship of crime across boundaries at divisional, patrol group, district and regional/command levels by all managers.

Principle 3 'We will be efficient'.

Strategy—rosters will be designed so that planned leave absences are scheduled, unplanned absences are managed, disruptions are minimised, and have sufficient resources to meet our service delivery requirements/demand.

Principle 4 'We will be safe'.

Strategy—rosters will be industrially compliant; meet our legislative requirements; our policy obligations; promote workplace health and safety; and reflect fatigue management guidelines. Rostering practices should be reasonable, fair (and equitable where applicable).

Principle 5 'We will be accountable'.

Strategy—governance and accountability frameworks will be used to provide oversight of roster planning, creation, approval, monitoring and reporting. We will provide the systems, training and guidance to assist our personnel to meet these principles. Rostering to demand is a part of our organisational performance management framework.

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2.2.3 Performance management

Performance management as a broad concept encompasses a range of activities from job analysis and recruitment to promotion and succession planning. It is widely accepted that good people management involves genuine two-way productive engagement between supervisors and staff. This should occur on a regular basis as part of normal workplace interactions. Managing and reviewing individual performance should reflect this common-sense approach.

Detailed information is located on the QPS Performance & Conduct SharePoint page.

Managing people performance

The QPS Performance & Conduct SharePoint page contains a list of conversation guides to aid staff and managers in communicating effectively.

Performance review and development

The Performance Review and Development framework supports an engaged, capable and effective workforce which is paramount to achieving the Service's vision of working with the community to stop crime and make Queensland safer.

Performance review and development has been established for the management and development of employee performance with a renewed emphasis on regular and constructive two-way conversations between supervisor and employee. HR Policies and Procedures 'Development and Performance' SharePoint page sets out a framework to assist employees to complete the planning, reviewing, assessment and reporting aspects of the Service's performance review and development process.

Managing unacceptable performance

The Service is committed to ensuring the timely and effective management of unacceptable performance in the workplace. Managing unacceptable performance is only one part of performance management.

Prior to initiating any unacceptable performance discussions review of 'Managing Unacceptable Performance Policy' available on the HR Policies and Procedures 'Unacceptable Work Performance' SharePoint page is recommended. The QPS Performance & Conduct SharePoint page provides resources to assist managers and employees.

2.2.4 Leave requirements

A comprehensive listing of information to assist OICs or managers with the conditions and requirements for the application and approval of leave is contained on the Leave webpage on the Service Intranet.

Recording of leave in ITAS

ORDER

OICs or managers are to ensure all:

(i) planned leave is approved in ESS by midnight on the day prior to the publication of the ITAS roster; and

(ii) unplanned leave taken, after the publication of the ITAS roster, is approved in ESS, prior to the end of the 28-day roster period.

In instances where the member is unable to submit the leave application in ESS prior to the end of the 28-day roster period, the OIC or manager is to ensure that the leave application is submitted and approved on the submitting members behalf.

Leave reconciliation

ORDER

OICs or managers are to ensure all approved leave in ESS, for their area of responsibility, is reconciled against all leave recorded on the ITAS roster.

Any anomalies are to be rectified prior to publication of the next 28-day roster period.

2.2.5 Volunteers in policing

The district crime prevention office should be the first point of contact for all volunteers in policing queries. The Volunteers in Policing Policies and Procedural Guidelines provides overall guidance and directions in volunteers in policing matters and is located on the Crime Prevention Programs Unit SharePoint page. These policies are intended for internal management guidance only and do not constitute a binding contractual or personnel agreement. Changes or exceptions from these policies may only be granted by the Executive Director, Media and Communications Division.

The Volunteers in Policing Agreement has been developed and approved by the Service. All participants of the volunteers in policing program must sign this agreement annually. The agreement can be found on the Crime Prevention Programs Unit SharePoint page.

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2.2.6 Vacancy management

To maintain and enhance the Service's capacity as a high-performance organisation, it is essential that members are highly skilled, knowledgeable and competent to perform the roles required of them. The process by which individuals are selected for positions is therefore a critical factor influencing job performance and, ultimately, the quality of services delivered to the community.

Vacancy-management processes differ for staff members and police officers. Relevant information for each category is provided below.

Staff members

Detailed information related to vacancy management for staff member roles can be accessed via the Recruitment—Non-Police Roles SharePoint page.

Police officers

Detailed information related to vacancy management for police officer roles can be accessed via the QPS Recruitment—Police Officers SharePoint page.

2.2.7 Human resource delegations

Human Resource Delegations devolve decision making to a more appropriate level in the Service which empowers managers to manage their employees to a greater extent. Delegations are grouped into topics and may be searched by frequently used delegations or by delegation level. The HR Delegations and Authorities Schedule is reviewed on a regular basis and can be located on the Service Intranet.

2.2.8 Flexible employment

Members may apply and be granted authority to work flexible hours. This arrangement is available to all members of the Service and aimed at enabling balanced work and life commitments. The QPS Flexible Working webpage on the Service Intranet contains guidance for OICs and delegated authorities.

2.2.9 Outside employment

To maintain professionalism and avoid conflicts of interest, a member of the Service intending to undertake outside employment is to make application and be granted approval prior to commencing that employment.

The Outside Employment webpage on the Service Intranet contains guidance for OICs/delegated authorities.

2.2.10 Conflict management services

The Service aims to provide all employees with supportive workplaces free of negative workplace behaviour and unmanaged workplace conflict. To realise this goal, QPS provides a workplace issues consultancy service providing advice, support and practical assistance to employees, their supervisors and managers seeking to resolve negative workplace behaviour, manage workplace conflict and restore positive, professional and productive workplace relationships. Any Service employee who feels aggrieved about negative workplace behaviour, or wishes to effectively manage workplace conflict, is encouraged to contact an employee relations consultant for confidential advice and support.

The QPS Performance & Conduct SharePoint page provides general information regarding the types of negative workplace behaviour deemed unacceptable in the Service, the support systems available to employees, supervisors and managers, and the strategies that can be employed to resolve inappropriate behaviour and manage workplace conflict.

2.2.11 Grievance

A grievance is a written, formal request to a supervisor or manager for an issue of concern (including complaints of negative workplace behaviour) to be resolved. Supervisors and managers who receive grievances are required to investigate and respond in a reasonable timeframe. How supervisors and managers respond to a grievance received will depend on what the grievance is about and the award or public service commission directive that is applicable. Where a member is unsure how to respond, advice is available from regional HR business support officers, the principal HR consultant or QPS.

If you are unable to resolve a grievance to an aggrieved employee's satisfaction, the employee should be advised that the grievance can be referred up the chain of command.

See also the QPS Performance & Conduct SharePoint page for further guidance.

2.2.12 Declarable associations

A **declarable association** includes any association that:

(i) is incompatible with (or could be perceived to be) or may compromise the member's role or duties as a Service employee to uphold the law;

(ii) may give rise to a perception in the mind of a reasonable person that the member is not upholding their obligations as a member of the Service;

(iii) reflects adversely on the member or the Service;

(iv) could lead to an actual, apparent or perceived conflict of interest (including financial conflict);

(v) could compromise the operational effectiveness of the Service; or

(vi) presents any other determined risk.

ORDER

All members of the Service are to uphold and protect the Service's reputation by advising of any declarable association and if applicable, managing the risk through a 'Management Action Plan' (available on the ESC Knowledge Hub).

It is the responsibility of all members to take reasonable steps to identify, assess and declare associations that may give rise to a conflict of interest (potential, actual, apparent or perceived).

Where a member is in doubt as to whether an association is declarable, they are to seek guidance from their supervisor or professional practice manager (PPM). Additionally, members are to be aware of the requirements of the Human Source Management (HSM) policy and assess if the association is one that can be appropriately managed by that policy. If the association does not meet the criteria for management under the HSM policy, the association must be declared as specified below.

Where a declarable association does exist, the member is to declare details of the association to their supervisor. Where the member does not feel comfortable discussing an association with their immediate supervisor, the member must inform another senior member or the local PPM. Members are to refer to 'Declarable Associations Policy and Procedures' (available on the ESC Knowledge Hub) when declaring an association.

Members are not to interrogate or be asked to interrogate their own associates in QPRIME or other systems. Access to and use of QPRIME or other systems by the supervisor must be justified and accounted for on each occasion.

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Supervisors are not to disclose information obtained from QPRIME or other systems to the associate or any other unauthorised person.

2.2.13 Injury management

The Injury/illness management policy available on the Safety and Wellbeing webpage of the Service Intranet and supplementary Injury Management and Rehabilitation Standard, applies to all employees of the Service for the management of work related and non-work related injury and/or illness.

Injury/illness management commences when an employee is identified as requiring support or contact during a period of injury or illness. Injury/illness management will commence when an employee:

(i) is absent, or is likely to be absent from work due to either a work related or non-work-related injury/illness for more than five consecutive working days;

(ii) advises management of a medical condition where the treating medical practitioner has specified that some work activities should be restricted or modified either temporarily or permanently;

(iii) advises management of an injury, illness or other condition that may adversely affect the member's ability to perform normal duties;

(iv) suffers a compensable injury/illness and a workers' compensation medical certificate has been issued; and/or

(v) displays a cumulative or repetitive pattern of sick leave/absence.

2.2.14 Managing absence

Managing absence is essential to maintaining a productive workforce and is beneficial to the organisation as a whole. Incentives include:

(i) greater staff morale;

(ii) better service;

(iii) reduced workers' compensation premiums;

(iv) effective and more timely reintegration of injured and ill staff returning to the workforce;

(v) reduced overtime payments;

(vi) reduced replacement staff fees and charges; and

(vii) reduced strain on other staff resulting from additional work demands including training and orientating replacement staff.

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The Service is committed to promoting the physical and psychological wellbeing of its members and has implemented a number of proactive initiatives to reduce the risk of work-related injuries and promote safe and healthy work practices. A range of support mechanisms is also available to members experiencing adverse health which are detailed in the HR Policies and Procedures 'Managing Absence Policy' on SharePoint.

2.2.15 Transfer entitlements

Police officers, police liaison officers and assistant watch-house officers

HR Policies and Procedures 'Relocations and Transfer Entitlements' SharePoint page details the transfer entitlements, including amounts in accordance with the Queensland Police Service Certified Agreement 2022 for officers who are transferred or promoted subsequent to an initial posting where the transfer or promotion necessitates a change of residence.

Where applicable, items are to be claimed through Transfer and Appointment Expenses form located in the HR Policy and Procedures 'Claims and Reimbursements' SharePoint page or on Forms Select (QP 0766 and QP 0766A).

All approvals must comply with the relevant HR delegation/approval authority.

Staff members

HR Policies and Procedures 'Relocations and Transfer Entitlements' SharePoint page details the reasonable transfer expenses that may be paid/reimbursed as specified in the Transfer and Appointment Expenses Directive for staff members that are transferred from one centre to another. Staff members transferred to a new location may be granted paid time off work necessary to attend to matters associated with the transfer. Public service officers and temporary employees appointed to the Service at a new location may be paid/reimbursed some expenses incurred by their appointment. Payment/reimbursement of transfer and appointment expenses will be paid upon presentation of documentary evidence.

2.2.16 Special services

Where a service is provided to an organisation or person and is not performed in the ordinary course of police business, the services are deemed to be special services (see also Chapter 10: 'Special Services' of this Manual).

ORDER

Where an officer in charge or delegate has approved an officer to complete a special service (see s. 10.10.2: 'Approval to be sought to perform special services' of this Manual), the officer in charge is to ensure when the officer is selected to perform a special service it is recorded in ITAS (see s. 5.5.3: 'Add overtime shift only' of 'ITAS Web Application—Roster Tab' of the ITAS User Guide).

2.2.17 Overtime

ORDER

Authorisation is to be obtained prior to working overtime from a supervisor with authority under the HR Delegations and Authorities Schedule.

When authorising overtime on any particular occasion consideration and justification must be given by the authorising officer that the duty:

(i) requires immediate attention;

(ii) is of such high priority that it cannot be deferred;

(iii) needs to be undertaken by a particular member on overtime and cannot be performed satisfactorily by another rostered officer on duty; and

(iv) cannot be performed by another person by a reallocation of duty.

Overtime, travelling time and penalty claims are to be submitted online through Employee Self Service (ESS) and is to contain sufficient detail to fully justify the claim. Should ESS be unavailable a QP 0040A: 'Claim for Overtime, Travelling Time and Penalty Payments (Police Officers)' should be completed.

OICs of stations and establishments are to treat their overtime allocation as a maximum to be used only under circumstances where other staffing arrangements cannot be implemented. The allocation of overtime hours does not confer an automatic right to utilise these hours regardless.

District officers and supervising commissioned officers are responsible for examining all major overtime expenditure and wherever possible reducing these claims by utilising better management practices.

Officers are to submit overtime claims through ESS in a timely manner unless exceptional circumstances exist.

OICs are to scrutinise all overtime, travelling time and penalty claims submitted to ensure that all relevant information is included. They are to approve the claim certifying that the duty roster (ITAS) has been checked and the claim found correct. In the case of an OIC incurring overtime the form is to be certified by the officer's supervising commissioned officer.

Assistance can be found on the Overtime & Claims SharePoint page.

Recording overtime in ITAS

ORDER

OICs are to ensure all planned overtime is recorded on ITAS (see s. 5: 'Building your Roster' of 'ITAS Web Application—Roster Tab' of the ITAS User Guide for further details).

Officers who complete approved unplanned overtime are to record approved overtime on the 'header panel' of an ITAS activity log prior to completing the shift (see s. 2.1: 'Header panel' of Chapter 4: 'ITAS—Activity Logs' of the ITAS User Guide for further details).

2.3 Physical asset management

An OIC of a station or establishment is responsible for the management and maintenance of all allocated Service properties and facilities.

This includes OIC responsibility for identification and actioning of all requirements in relation to:

(i) station and establishment security;

(ii) minor works improvements;

(iii) cleaning and pest control;

(iv) garden and vegetation management; and

(v) general maintenance.

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2.3.1 Properties and facilities management

ORDER

OICs are to cause or conduct regular checks to ensure their station or establishment and all Service property assets are secured, fit-for-purpose and are being capably maintained.

Minor Works

Minor works projects deliver greater efficiency, functionality or enhance facilities into a more desirable form, state or condition. Minor works include:

(i) alterations to buildings;

(ii) provision of new fences; and

(iii) construction of small structures.

The Minor Works team within Capital Assets and Facilities Management Group (CAFMG), Assets Division assist in achieving Service approvals, and the subsequent provision of minor works. Further information is located on the Minor Works SharePoint page.

Maintenance

The CAFMG Building Maintenance SharePoint page also includes information, and roles and responsibilities relating to maintenance.

See also s. 4.3: 'Service properties and facilities' of this Manual.

2.3.2 Vehicle assets and repairs

Vehicle assets

The Queensland Government policy 'Use of Government owned motor vehicles and parking of private vehicles on official premises' on the Public Sector Commission Policies internet site is to be considered when driving and parking a Service vehicle.

Maintenance

For maintenance of Service vehicles, members are to contact their local Fleet Workshop or Fleet Maintenance Call Centre.

Insurance

All insurance related damage to a Service vehicle, irrespective of severity or repair cost is to be reported through QPRIME and the departmental vehicle insurance claim process completed within seven days of the incident. The Direct Repair Method is an ELT endorsed process and is to be complied with. Repairs to Service vehicles are to be completed within 90 days of the claim being submitted to the insurer.

Claims not completed within 90 days of the incident will be reported to the Executive Director, Assets Division.

It is the responsibility of the OIC to ensure all equipment, including personal items, are removed from the vehicle prior to delivering the vehicle to the repair centre. In some instances, vehicles are assessed as a total loss and are subsequently decommissioned. Fleet Services Group will not be responsible for the loss of or damage to operational or personal equipment (see s. 5.14.4: 'Storage of vehicles awaiting inspection' of the TM and s. 4.2.1: 'Responsibilities and duties of officers' of this Manual).

For further information refer to Vehicle Insurance Claims SharePoint page. Alternatively, contact may be made via fleetclaims@police.qld.gov.au.

Out of scope repairs

Where a Service vehicle is damaged and the circumstances of the incident are unknown i.e. date, time, location, incident or driver, or there is insufficient detail from the reporting unit, the report will be assessed by Fleet Services Group, Assets Division and a decision made whether to proceed with an insurance claim.

2.3.3 Station equipment

Station/establishment instructions (see s. 1.5.3: 'Regional, District and Station/Establishment Instructions' of the OPM) should include provisions for the issue and return of operational equipment.

Section 14.22.2: 'General equipment' of the OPM provides that OIC should have station instructions to minimize the loss or damage of general equipment under their control (see s. 14.22.4: 'Reporting loss or damage or defect' of the OPM for detailed policy and procedure to be followed).

Operational equipment should be audited at least twice yearly by a nominated compliance or equipment officer. Additionally, all operational and general equipment of a non-covert nature is to be inscribed or labelled to clearly show the equipment belongs to the Service, and to which station or establishment it has been issued.

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See also s. 14.22.5: 'Equipment management strategies' of the OPM.

2.3.4 Registers

Finance registers

Section 11.1: 'Financial records & accountable forms policy' of the Financial Management Practice Manual provides guidance in the maintenance of Service financial registers.

Asbestos management register

Section 425: 'Asbestos register' of the Work Health and Safety Regulation (WHSR) requires OICs to maintain asbestos management registers. See 'Asbestos Management' on the Safety and Wellbeing Policies SharePoint page.

Hazardous chemicals register

A safety data sheet register is required under s. 346: 'Hazardous chemicals register' of the WHSR. The register lists the hazardous chemicals used, handled or stored and the current safety data sheet for each product. This register is to be readily accessible to anyone likely to be affected by the hazardous chemical.

Fire and evacuation instruction record and fire drill practice register

Officers in charge are to ensure an establishment complies with relevant legislation, to ensure the safety of any person in that building in the event of a fire or hazardous material emergency. Further information is available on the Queensland Fire Department website.

It is also an OIC responsibility to keep a 'fire and evacuation instruction record' and an 'evacuation practice record' in compliance with ss. 45: 'Fire and evacuation instruction record' and 46: 'Evacuation practice record' of the Building Fire Safety Regulation.

Service equipment registers

Officers in charge are to maintain a hardcopy or electronic register of issue and return for:

(i) oleoresin capsicum (OC) spray (see s. 14.21.6: 'Recording of oleoresin capsicum spray canisters' of the OPM);

(ii) conducted energy weapons (taser) and cartridges (see subsection 'Issue and return register' of s. 14.23.13: 'Officer in charge and district officer responsibilities of the OPM). A QPB 70: 'Taser issue and return register' is available from Supply Services;

(iii) station rifle. Officers in charge of stations or establishments issued with a Service rifle are to comply with s. 14.5.1: 'Service rifle' of the OPM, in relation to the completion of the issued QPB 72: 'Service rifle log book';

(iv) ballistic vests. Officers in charge of stations and establishments are also to record monthly inspections made to identify any signs of damage or unusual wear in compliance with s. 14.20.1: 'Protective body armour (Service-issued)' of the OPM;

(v) notebooks (see s. 2.3.6: 'Official police notebooks and diaries' of this chapter);

(vi) official diaries (see s. 2.3.6 of this chapter);

(vii) station equipment (alcometers, radios, lidars, torches, digital recorders, cameras); and

(viii) Service vehicles.

Approval is to be obtained in writing from the relevant district officer (or equivalent, as defined in SMD), for the use of electronic registers before implementation to ensure risk reporting requirements are met (see s. 3.3 of this Manual).

Station/establishment level strategies should include the development of station instructions with provision for the issuing and returning of (signing out and in) operational equipment. (see s. 14.22.5: 'Equipment management strategies' of the OPM).

Operational equipment includes weapons, ammunition, batons, handcuffs, handheld radios, field recorders, tyre deflation devices, torches, and speed detection devices (mobile and handheld). It excludes utility belts, load bearing vests, pouches, holsters or other uniform items.

Register of inspections

Officers in charge are to inspect or cause to be inspected:

(i) all Service weapons and handcuffs on issue to officers under their control or to their station/establishment in compliance with s. 14.6.5: 'Responsibilities of officers in charge of stations and establishments' of the OPM;

(ii) the official police notebook of each officer under their control (see s. 2.3.6 of this chapter); and

(iii) the official diary of each officer under their control (see s. 2.3.6 of this chapter).

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2.3.5 Accountable forms and documents

Accountable forms and documents include those which, because of their nature, require the receipt, issue and delivery to be recorded for accountability.

Where any doubt exists as to whether a particular form is an accountable form, clarification shall be sought from the relevant regional finance manager/officer or from the Director, Financial Accounting Services, Finance and Procurement Division.

A list of financial accountable forms is provided in s. 11.1: 'Financial records & accountable forms policy' of the Financial Management Practice Manual. The list is not exhaustive; an accountable form includes any other electronic or manual document that provides the evidence of or records the collection or payment of cash.

The Service has a number of accountable documents, which include:

(i) QPB 4: 'Official diary';

(ii) QPB 21: 'Official police notebook';

(iii) QP 32A: 'Field property receipts';

(iv) PT 56: 'Traffic infringement notice books';

(v) Form 157: 'Impounding notice (vehicle related offence)'/QP 0907: 'Towing authority for impounding motor vehicles';

(vi) Form 201: 'Immobilising notice'/QP 0960: 'Number plate confiscation notice'; and

(vii) infringement notices issued on behalf of other organisations (e.g. liquor infringement notices).

Official police notebooks and police diaries are subject to accountability within s. 2.3.6: 'Official police notebooks and diaries' of this chapter.

2.3.6 Official police notebooks and diaries

ORDER

An OIC of a station or establishment is to ensure that each officer under their control is issued with a:

(i) QPB 21: 'Official police notebook'; and

(ii) may be issued a QPB 4: 'Official diary' where appropriate, having regard to the nature of the duties being performed.

Refer to the Supply Operations Portal for sizes, options and cost.

Officers should carry an official police notebook or diary on duty to record:

(i) duties;

(ii) places visited;

(iii) particulars of observations;

(iv) conversations;

(v) versions of events;

(vi) names; and

(vii) addresses, etc.

Use of official police notebooks and diaries

ORDER

Officers using an:

(i) official police notebook or diary are to:

(a) use it for official purposes only;

(b) make handwritten entries in ink, commencing on the first page and making subsequent entries in chronological order until the notebook or diary is complete;

(c) commence each entry with the date and time;

(d) make entries neatly and concisely, ensuring that the notes are legible and clear;

(e) leave a one-line space between entries;

(f) if necessary, make alterations by ruling through the original, leaving it legible and making the new entry. If the alteration is likely to be of importance, bring it to the attention of, and obtain the signature of, a supervising or other officer, to verify the time and making of the alteration;

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(g) make a note at the relevant entry when a report is furnished or action taken including the date it occurred and any reference numbers;

(h) avoid making entries of a vague or general nature;

(i) not give it or a copy of any part to any person unless:

- authorised by Service policy; or
- where required by law;

(j) not duplicate information contained in official police databases into notebooks or official diaries;

(k) not remove any page or portion; and

(l) not erase any entry;

(ii) official police notebook are to draw a line diagonally through an entry without obliterating any particulars once all actions are finalised; and

(iii) official diary are to:

(a) make entries concerning arrests made by the officer in red ink including the nature of charges preferred; and

(b) complete diary entries by the end of each shift or at the first reasonable opportunity.

Storage of official police notebooks and diaries

Officers are to leave their notebooks and/or diaries at their station or establishment when absent on leave or for any lengthy period, so they are available for reference if required.

Information recording in official diaries

To avoid duplication of recording information whilst on duty, officers may make a brief reference in their diary to detailed information already contained within official Service indices such as QPRIME, IMAC, ITAS or station logs, for example:

- arrest of John Smith 10/05/70 2 x Trafficking QP161234565, refer Petrie CIB log;
- sudden death investigation QP161345678, 200 Roma Street Brisbane, refer City CIB ITAS log.

All other duties, incidents and occurrences such as phone conversations, supervisor or management tasks not captured in official indices are to be recorded in detail in the officer's official diary.

A district officer or supervising commissioned officer may exempt an officer from completing an official diary if the officer's daily duties are sufficiently recorded in an official Service index e.g. commissioned officers' electronic diary.

Register of official police notebooks and diaries issued

ORDER

An OIC of a station or establishment is to maintain a hard copy or electronic register of issue for:

(i) official police notebooks; and

(ii) official diaries,

the register will include all the following information:

(i) serial number;

(ii) receiving officer's name, rank and registered number;

(iii) date of issue;

(iv) date returned on completion;

(v) date the official police notebook(s), or official diary(ies) were removed from file;

(vi) date the official police notebook(s) or official diary(ies) were returned to file; and

(vii) purpose of removal.

Issuing of official police notebooks and diaries

ORDER

Officers issuing an official police notebook or diary are to:

(i) write the:

(a) issued officer's name, rank, and registered number;

(b) issuing station/establishment (for notebooks only);

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(c) date of issue; and

(d) issuing officer's name, rank and registered number; and

(ii) ensure that the officer receiving a notebook signs for it,

on the inside cover in the space provided.

Damage to official police notebooks or diaries

ORDER

Officers are to immediately report:

(i) the loss of;

(ii) any damage to;

(iii) any defect in; or

(iv) any unsatisfactory condition of,

their official police notebook or diary to their OIC, who will replace it with a new one.

Inspection of official police notebooks and diaries

An OIC of a station or establishment should inspect or cause to be inspected all official police notebooks and/or all diaries of each officer under their command monthly to ensure that Service requirements are being met. District officers may authorise alternate time intervals in conjunction with local risk management practices. The commissioned officer who has direct line command of another commissioned officer is to inspect the official diary of that officer monthly to ensure Service requirements are being met.

The inspection of official police notebooks and/or diaries will identify whether an officer has more than one notebook and/or diary. Where an officer has more than one notebook or diary on issue, the inspecting officer should establish whether the notebook or diary should be returned to file.

ORDER

Officers who inspect an official police notebook or diary are to:

(i) endorse within the book the date of inspection and initial that entry;

(ii) enter the serial number and date of inspection in the register of notebook inspections or official diary inspections and initial that entry;

(iii) make random checks of entries within the book to ensure their correct use; and

(iv) for official diaries only, enter the date of inspection and initial the entry on the inspection page inside the back cover. For an electronic diary, record details of their inspection in their own official diary.

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Return of official police notebooks and diaries

ORDER

Officers are to return their official police notebook and/or diary for filing to the OIC of the station or establishment where they are performing duty:

(i) when completed;

(ii) on transfer unless a first year constable; or

(iii) on termination of employment,

as soon as practicable after finalisation of all actions on entries and are to write the following particulars on the inside cover in the spaces provided:

(i) name of station or establishment where the official police notebook is handed in;

(ii) date on which it is handed in; and

(iii) signature of officer.

Receiving returned official police notebooks and diaries

ORDER

An OIC of a station or establishment who receives an official police notebook or diary is to verify that all actions on entries have been finalised and if actions are:

(i) outstanding (example, 'imminent' court matters):

(a) return it to the issued officer and monitor (see 'Inspection of official police notebooks and diaries' of this section) until finalised; or

(b) arrange for them to be finalised; or

(ii) finalised and:

(a) for official police notebooks only, write in the spaces provided on the inside cover:

- their name and registered number;
- their signature; and
- the date received;

(b) not from the issuing station forward it to the issuing station or establishment officer in charge; and

(c) from the issuing station, ensure:

- the register of issue is completed; and
- it is securely filed in numerical order.

Removal of official police notebooks and diaries from file

ORDER

An OIC of a station or establishment who receives a request for a returned official police notebook or diary is to:

(i) ascertain the reason for the request (usually for court purposes or to refer to an entry);

(ii) note in the appropriate register of issue the:

(a) date it is removed from file;

(b) date it is returned to file; and

(c) purpose of removal from file; and

(iii) maintain a check until it is returned.

2.3.7 Use of Service assets for private purposes

The purpose of this section is to provide direction regarding the use of Service assets to ensure they are managed consistently, appropriately and in a manner that maintains public confidence. This policy is to be read in conjunction with:

(i) s. 14.22.2: 'General equipment' of the OPM;

(ii) s. 4.2: 'Service vehicles' of this Manual; and

(iii) the 'Use of Government owned Motor Vehicles and Parking of Private Vehicles on Official Premises' on the Queensland Government website.

For policy relating to the private use of information, communication technology, facilities and devices, members should refer to s. 4.11: 'Use of ICT facilities and devices' of the Information Management Manual.

This policy applies to all Service members and for the purpose of this section, Service asset means any asset, property, facility, vehicle, equipment, issued item or other resource owned, leased, controlled or managed by the Commissioner on behalf of the Service (see SMD).

ORDER

Except as provided in this section, Service assets are to be used for official purposes only.

The use of Service asset for private purposes, including use associated with secondary employment, is prohibited.

Service assets are not to be used:

(i) for personal gain;

(ii) in return for gifts or benefits; or

(iii) in a manner that may create an actual or perceived conflict of interest.

An OIC is not to approve the use of Service assets for private purposes unless:

(i) there is an emergent reason directly related to operational or organisational necessity; or

(ii) the use is to support an approved community or charitable event and has been authorised in accordance with Service policy or delegated authority.

Where approval is granted under subsections (i) or (ii) above, the OIC is to ensure:

(i) the approval is documented;

(ii) the use is limited in scope and duration; and

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(iii) reasonable steps are taken to minimise the risk of loss, damage or reputational harm to the Service.

This section does not apply to QPS supplied residential housing. For matters relating to the use of QPS housing, see s. 15.13: 'Use' of this Manual.

2.4 Financial obligations

2.4.1 Financial resources

The Budgetary Services—Activity Catalogue on the 'Business Services Division' webpage on the Service Intranet provides internal procedures and related documents to assist with:

(i) budget management;

(ii) financial performance reporting; and

(iii) external reporting.

2.4.2 Financial accounting

The Accounting Services—Activity Catalogue on the Business Services Division webpage on the Service Intranet provides:

(i) aide memoires;

(ii) forms;

(iii) internal procedures; and

(iv) related documents,

to assist with the delivery of financial, asset and statutory reporting, setting and monitoring compliance services and delegations in accordance with whole-of-Government prescribed requirements relating to activities such as:

(i) asset accounting including:

(a) asset register;

(b) disposals and transfers;

(c) losses;

(d) plant and equipment;

(e) portable and attractive items; and

(f) stocktake;

(ii) banking and receipting including:

(a) banking;

(b) bank reconciliations;

(c) collections account receipting system (CARS); and

(d) receipting;

(iii) expenses;

(iv) corporate card;

(v) general purpose expenditure voucher;

(vi) petty cash;

(vii) fees and charges;

(viii) financial delegation;

(ix) financial policy;

(x) financial training;

(xi) Crystal and SAP access;

(xii) revenue including:

(a) debt management;

(b) exhibit refunds and found money; and

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(c) special services;

(xiii) registers and financial compliance including:

(a) accountable forms;

(b) chart of accounts;

(c) financial management compliance;

(d) gifts and benefits;

(e) losses register;

(f) portfolio assurance statement;

(g) National Disaster Relief and Recovery Arrangement claims; and

(h) systems appraisals;

(xiv) taxation including:

(a) fringe benefits tax return; and

(b) goods and services tax compliance.

2.5 Information management

Information management is important as the Service must comply with a number of legislative and regulatory requirements under the *Public Records Act* impacting on recordkeeping. Properly maintained records:

(i) comply with legislative requirements;

(ii) maintain appropriate accountability;

(iii) enable record accessibility; and

(iv) promote administrative and corporate efficiency.

Properly maintained records contribute substantially to administrative and corporate efficiencies. Records are an important corporate asset.

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2.5.1 Records management

Recordkeeping is one of the most fundamental and necessary activities of any organisation. The 'Online Learn Product—Records Management Fundamentals' (QC0201_02) available on Ignite provides information to give members a basic understanding of the role and importance of recordkeeping within the Service.

Replacement correspondence index

The records management 'replacement correspondence index' (RCI) was developed to replace the correspondence index. Based on Objective software, the index meets the Service's requirements under the *Right to Information Act*. The RCI Project webpage on the Service Intranet contains guides to using the system.

Sections 5.1: 'Records management' to 5.5: 'Records retention and disposal' of this Manual contain detailed policies and information relating to Service record management.

2.5.2 Correspondence handling

All records of continuing value to the Service (including incoming correspondence, facsimile, email) are to wherever possible be placed on a file prior to distribution and tracked via the 'Corporate Records Management System' and the movement log on the back of the file cover.

See also s. 5.2: 'Corporate records management' of this Manual.

The 'Primary Point Mail Opening Handbook' available on the Document Management Services webpage of the Service Intranet should be consulted for detailed instruction relating to handling of mail at Service establishments including:

(i) information security of incoming correspondence;

(ii) incoming mail;

(iii) receipt of cheques and money;

(iv) registered mail and valuables;

(v) facsimiles and email; and

(vi) movement tracking of records.

2.6 Service delivery requirements

2.6.1 Divisional and crime/support unit performance review

Section 1.3.1: 'Divisional and crime/support unit performance review' of the Operational Procedures Manual requires that district officers conduct a performance review of divisions and crime/support units under their control twice yearly. The review periods are January to June and July to December. The regional operations performance review strategy process is aimed toward providing the district officer (or delegate), with a platform for structured discussion with the officer in charge.

2.6.2 Station instructions

Officers in charge of station/establishments may implement station/establishment instructions for administrative matters for the effective and efficient operation of that station/establishment. Instructions are to comply with the provisions of s. 1.5.3: 'Regional, District and Station/Establishment Instructions' of the Operational Procedures Manual.

2.6.3 Risk management

The Service is required to maintain and record risks at a service wide level. To comply with this requirement the OIC of a station/establishment is responsible for maintaining a local version of the Service Enterprise Risk Register (ERR).

Assistance with risk management may be located on the Strategic Risk and Business Continuity Team webpage of the Service Intranet.

2.6.4 Business continuity

OIC and unit managers are to comply with the provisions of s. 3.5: 'Business continuity planning' of this Manual.

2.6.5 Station inspections

The 'Compliance Performance Toolkit' has been developed by Ethical Standards Command's Inspections Teams to assist an officer in charge, supervisors and their delegates to monitor and action compliance within their establishment. The toolkit is located on the Inspection Teams webpage of the Service Intranet. This toolkit can assist the review of current documents, systems and processes to ensure compliance with policy and procedures, and to provide a benchmark for day-to-day policing operations.

Inspections can be conducted by the officer in charge or another member from the selected station/establishment (self-inspections), or may be conducted by a member external to the selected station/establishment (independent inspection). Independent inspections are considered more objective, however inspection types can also be determined locally.

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2.6.6 Calls for service analysis

Crystal Reporting is used to build reports using the VISION Oracle database using QCAD data. Below is a list the available reports:

(i) query activity by time (time spent on various activities);

(ii) query incidents (list of results);

(iii) query incidents (numerical count of results);

(iv) query incidents (top 'N' result);

(v) repeat incidents (list of results);

(vi) repeat incidents (top 'N' report);

(vii) incident drilldown; and

(viii) address drilldown.

See QCAD User Support webpage on the Service Intranet for detailed information on Crystal Reporting on QCAD data.

2.6.7 Neighbourhood Watch

Information in relation to Neighbourhood Watch, including guides, publications and resources can be located on the Crime Prevention Programs Unit webpage of the Service Intranet.

2.6.8 Designation of private area for domestic and family violence matters

ORDER

Every police station or establishment is to have designated a private, safe and secure area, or areas, for members to use for all enquiries, discussions, reports, interviews and investigations with persons presenting to the station or establishment for domestic and family violence matters.

Identification of private area

An OIC of a station or establishment is to identify for all members the designated area or areas through a station/establishment instruction (see s. 2.6.2: 'Station instructions' of this section).

Notice of private area

An OIC of a station or establishment is to ensure the approved notice produced by the Vulnerable Persons Group advising of the availability of the designated area is prominently displayed at the front of every police station or establishment.

2.6.9 Domestic and family violence related documents, policies and procedures

Domestic and family violence (DFV) is a gendered issue which is grounded in structural issues and power imbalances.

ORDER

All QPS documents, policies and procedures relating to DFV are to prominently and clearly acknowledge the following:

> *Domestic and family violence can affect any person regardless of race, gender, age, beliefs, religion or socio-economic or cultural background. The causes of domestic and family violence are complex, multi-faceted and influenced by broad and intersectional criminal justice, health and social issues. While any individual can be a victim of domestic and family violence and domestic and family violence can occur in any relationship, the evidence clearly demonstrates domestic and family violence is overwhelmingly a gendered issue embedded in structural inequalities and power imbalances, and the rate of domestic and family violence committed against women and children of all ages is significantly higher than against men.*

2.7 Problem solving

The Service's problem-solving process supports operational police by encouraging and recognising innovative responses to identified problems.

The Problem-Oriented and Partnership Policing (POPP) program consists of support materials designed to provide operational police with the tools they needed to implement problem-oriented policing, and to share ideas, experience and results.

The word 'partnership' has been included in the name of this initiative because so many crime problems can be addressed most effectively as community problems. It should not, however, be seen as community policing, nor is a partnership essential in all cases. Problem-oriented and partnership policing has to involve a deliberate problem-oriented process.

Problem-oriented policing is a systematic approach to identifying, analysing and addressing the causes of crime, calls for service and associated community problems. The core objective of problem-oriented policing is to manage, or reduce, the level of calls for service.

One of the problem-solving techniques commonly used by police services is the SARA problem-solving model. The essential elements of SARA are:

(i) **Scanning** (problem identification);

(ii) **Analysis** (pinpointing the underlying causes of the problem);

(iii) **Response** (addressing the problem); and

(iv) **Assessment** (measuring the effectiveness of the response).

SARA is not the only model that can be used for problem solving, however it has been widely accepted as a sophisticated, yet simple, aid to problem-oriented policing and offers a number of benefits for the problem solver, namely:

(i) it is uncomplicated and can easily be followed, with each stage naturally leading to the next;

(ii) prompts the user to work systematically through every stage; and

(iii) is sufficiently flexible to suit any problem.

2.8 Environmental scanning

Environmental scanning should be the first step of the planning process (see s. 1.5.1: 'Strategic and operational planning' of the Operational Procedures Manual). This involves the collection and analysis of information about trends in an organisation's operating environment that can help inform the development of priorities. The QPS Environmental Scan, available on the Environmental Scanning webpage on the Service Intranet, can be used as a broad guide for local level scanning.

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The key objectives for conducting an environmental scan include:

(i) detecting trends and events, their interrelationships, and potential impacts;

(ii) defining the potential strengths, weaknesses, threats and opportunities that arise from those trends and events; and

(iii) encouraging staff to look ahead and operate proactively rather than reactively.

Further guidance for environmental scanning is contained within the QPS Guide to Strategic & Operational Planning (available on the Operational Planning webpage on the Service Intranet). Additional support can be obtained from the Environmental Scanning team via email at qps.enviroscan@police.qld.gov.au.

Statistical Services

The Statistical Services webpage on the Service Intranet contains demographic, crime and social data relating to the state of Queensland, as well as information about statistics that can assist with the development of plans.

2.8.1 Environmental scanning process

In undertaking an environmental scan, it is important to identify key drivers from the:

(i) external or macro-environment;

(ii) internal environment; and

(iii) stakeholder environment.

2.8.2 External factors

External factors are those things outside the control of the organisation that have the potential to impact on it. A common approach is to start with a broad overview through the conduct of a PESTELC analysis that is fundamentally a structure for collecting and analysing information. Once analysed, it can be presented in whatever format or structure is most relevant. The QPS Environmental Scanning team use the PESTELC framework. The framework is available here.

The PESTELC framework comprises:

(i) political;

(ii) economic;

(iii) social;

(iv) technological;

(v) environmental;

(vi) legal; and

(vii) crime.

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Political

This area highlights the role of government, including policy direction and agenda and propensity to intervene in activities to influence the policing environment. It covers issues such as:

(i) what services does a government want to provide;

(ii) to what extent does it believe in subsidising private bodies and non-government organisations; and

(iii) what are its priorities in terms of community support?

Political decisions can impact on many vital areas such as the quality of the road and rail system and infrastructure. Sources of information include ministerial and departmental websites, especially those of the other criminal justice agencies and their ministers, and local members of national, state and local government.

Economic

The nature of economic activities will influence the affluence of an area, the speed and degree of growth and development, rates of employment, etc. For police, these will usually be considered in conjunction with social factors that shape the area under consideration. There are also direct impacts on police arising from rising labour and utility costs.

Social

Social influences include evolving demographics and psychographics. How people live can be as important as where they live in forecasting the range of services expected and how they can be best delivered. Not only are these factors relevant to the consumers of the services provided, they also are important in understanding the composition, aspirations and attitudes of the workforce.

Technological

New technologies impact on the way services are delivered and can create new areas for service delivery to reduce costs, improve quality and facilitate innovation. The ways people communicate, exchange information, and make business transactions, affect the operating environment. Technological factors under consideration should not be limited to ICT. Composite materials, forensic technologies, biometrics and other advances may also impact on the way services can be delivered.

Environmental

Environmental factors include the weather patterns and climate change, pollution and waste. Changes in temperature can impact on many industries including farming, tourism and insurance. These can have flow on implications for service delivery. With major climate changes occurring due to global warming and with greater environmental awareness, this external factor is becoming a significant issue for consideration. The growing desire to protect the environment is having an impact on many industries such as the travel and transportation industries (for example, more taxes being placed on air travel and the success of hybrid cars). The general move towards more environmentally friendly products and processes is affecting the cost of operating infrastructure and vehicle fleets and the way services are delivered.

Legal

Legal factors comprise legislative constraints or changes. Relevant considerations include the introduction of new legislative powers, changes to health and safety legislation, changes to the criminal justice process to support therapeutic jurisprudence initiatives and streamlining administration of court process.

Crime

Crime factors include analysing key changes occurring within crime types such as domestic and family violence, youth crime, sexual violence, illicit drug use and organised crime. Other factors can include emerging crime types, new research relating to offending, victimisation and policing. It can also consider the current security environment and the changing crime landscape in relation to cybercrime and new forms of evidence.

2.8.3 Internal factors

Analysing internal influences involves reviewing the organisational environment to identify the strengths and weaknesses of the organisation. Internal influences include:

(i) organisational capacity such as:

(a) training;

(b) support services;

(c) funding;

(d) staffing;

(e) leadership;

(f) policy;

(g) planning;

(h) industrial environment;

(i) information; and

(j) assets;

(ii) structure such as:

(a) organisational chart;

(b) reporting arrangements; and

(c) decision making and approval processes;

(iii) culture such as:

(a) values;

(b) complaints and compliments; and

(c) survey data;

(iv) practices, policy, and procedures such as:

(a) legislation;

(b) organisational and local procedures; and

(c) business processes;

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(v) corporate governance such as:

(a) boards and committees; and

(b) internal controls;

(vi) performance management such as:

(a) personal performance management;

(b) organisational performance management; and

(c) performance reporting.

Sources of information on these include:

(i) *Police Service Administration Act*;

(ii) *Police Powers and Responsibilities Act*;

(iii) *Weapons Act*;

(iv) corporate, regional, district and station plans;

(v) Service Manuals; and

(vi) Commissioner's Circulars.

2.8.4 Stakeholders

In undertaking an environmental scan, it is important to identify the stakeholders that currently impact on the agency, changes in those relationships, and the potential for new relationships.

Considerations include:

(i) who are the current stakeholders;

(ii) are these relationships likely to change in the future and if, yes, what might be the likely impact of these changes;

(iii) are there likely to be new and emerging relationships of interest in the future;

(iv) what are the issues of interest to these stakeholders;

(v) what is the nature and degree of their interest; and

(vi) what is the nature and degree of their influence?

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2.9 Portfolio management

Officers in charge of stations or establishment may assign portfolios to Service members under their control as a means of assisting with station management and as a method of aiding skills development. Where practicable, a system of portfolio should be proactively utilised in this respect.

When assigning and managing portfolios, an officer in charge should also consider the assignment of a secondary, or reserve officer, to assist when the primary officer is on leave, transfer etc.

Officer in charge responsibility for management of the station is not diminished by assignment of portfolios to subordinate officers.

(See s. 1.4.5: 'Responsibilities of officers in charge of stations or establishments' of the Operational Procedures Manual)

A wide range of portfolios may be assigned to subordinate officers and may, for example, include:

(i) accoutrements/equipment on issue checking;

(ii) risk management;

(iii) station/establishment equipment;

(iv) station/establishment security.

Communication of portfolio structures

The officer in charge should ensure that the list of assigned portfolios is communicated to all Service members under their control and is prominently displayed to members of the Service within the station/establishment.

2.10 Miscellaneous

2.10.1 Station implementation of 'Look to the Stars'

The 'Look to the Stars' artwork was created in collaboration with a cross section of the Aboriginal and Torres Strait Islander community and the Service to form a collective narrative of past, present and create a united message for the future.

As part of the 'Look to the Stars' engagement strategy all OICs of stations and establishments are encouraged to engage with their local communities and elders to identify ways in which to display the artwork on or near Service buildings or on a Service vehicle.

Officers in charge of stations and establishments wishing to participate in the 'Look to the Stars' strategy should initially make contact with First Nations Division on their Service intranet webpage and fill in the web-based form.

The policies and procedures in relation to the operation of the 'Look to the Stars' strategy are contained on the First Nations Division webpage on the Service Intranet.

2.10.2 Gifts or benefits offered to members of the Service

Where members of the Service are offered any cash, gifts or benefits see s. 11.4: 'Gifts or benefits offered to members of the Service' of this Manual.

2.10.3 Pets in the workplace

ORDER

Members are not to bring animals onto Service premises, unless it is a police dog, police horse or guide, hearing or assistance dog (see *Guide, Hearing and Assistance Dogs Act*).

See also s. 15.30: 'Pets' of this Manual.

2.11 Station and establishment security

2.11.1 Management of station and establishment security

OICs of stations and establishments are responsible for the physical security of their station or establishment and any other associated facilities. They are to ensure members under their control are aware of all processes and procedures in place for the physical security of the station or establishment and the persons within.

Responsibilities of members in stations and establishments

It is the responsibility of all members within a station or establishment to ensure all processes and procedures are followed and adhered to, to ensure the physical security of the station or establishment and the persons within.

Members who observe a person (uniformed or otherwise) not wearing or appropriately displaying Service identification or a visitor pass may challenge the person to produce for inspection any Service identification or visitor pass (see s. 4.4.1: 'Displaying of Service identification' of this Manual).

Visitor and contractor access to stations or establishments

Capital Assets and Facilities Management Group, Assets Division is responsible for engaging with QBuild, Department of Housing and Public Works and advising the OIC whether an approved and appropriately vetted contractor will be attending a station or establishment to undertake approved work or maintenance and the identity of the contractor, including name, date of birth and contact details.

Where there is a need for a visitor or contractor to have access to a station or establishment, the OIC or their delegate is to ensure, the person is:

(i) appropriately vetted, which includes:

(a) having been issued a current and in date Service-issued identification, including contractor identification (see s. 4.4.2: 'Service-issued identification' of this Manual);

(b) being deemed suitability as a contractor to be engaged by the Service by an assistant commissioner or executive director (see the section 'Vetting procedures for contractors' below); or

(c) being advised by Capital Assets and Facilities Management Group that a person has been vetted to work at Queensland Government agencies; or

(ii) escorted and under observation at all times,

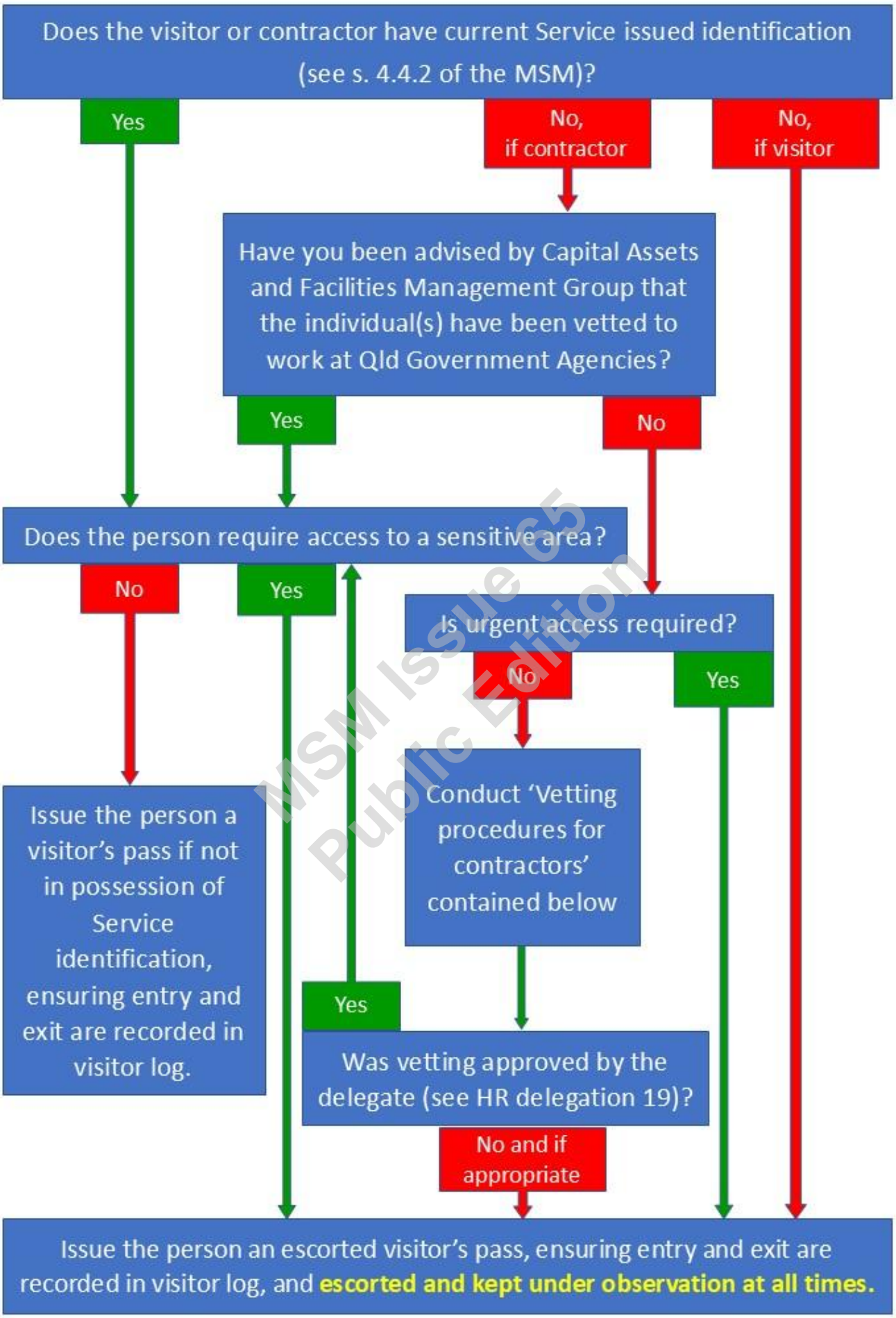
(see flowchart below).

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Where a contractor has been appropriately vetted but requires access to a sensitive area, consideration should be given to escorting the person as appropriate.

All visitors and contractors accessing a station or establishment are required, as a condition of entry and remaining, to wear the locally issued visitor identification.

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Vetting procedures for contractors

Where contractors require appropriate vetting, this is to be conducted in compliance with Part 5AA: 'Assessment of suitability of persons seeking to be engaged, or engaged, by the service' of the PSAA. Under HR Delegation 19 the determination of suitability is delegated to assistant commissioners and executive directors.

A contractor would be classed as a person performing functions at a station or establishment under a contract for services (see s. 5AA.3: 'Meaning of *engaged by the service*' of the PSAA).

To vet a contractor, the OIC of the station or establishment is to:

(i) ensure the contractor is supplied with a copy of 'Guidelines for dealing with relevant information', contained in the QP 0534: 'Assessment of suitability form';

(ii) conduct appropriate checks of QPRIME in accordance with 'Persons performing, or seeking to perform, functions for the service under a contract for services' of Schedule 1: 'Relevant information' of the PSAA; and

(iii) submit a report through the chain of command to the OIC's assistant commissioner or executive director outlining:

(a) if there are any issues of concern; and

(b) a recommendation.

Where a delegated officer receives a request for a decision on suitability for a contractor to be engaged by the Service and determines the person is unsuitable, they are to ensure the person is informed of the reasons why they are unsuitable and given the opportunity to address the concerns, unless s. 5AA.12(2): 'Particular persons to be advised if person unsuitable' of the PSAA applies.

Visiting foreign delegations and officials

For policy regarding security arrangements for visiting foreign delegations and officials see s. 18.1.4: 'Station and establishment security for visiting foreign delegations and officials' of the OPM.

2.12 Enterprise portfolio governance

All Service programs and projects on the Service Portfolio are to be managed by the Transformation Delivery Office (TDO).

Purpose

The TDO was established to support and coordinate transformation, strategic and business improvement related change and provides transformation leadership within the Service whilst driving a collaborative, whole-of-service approach to design, planning, coordination and implementation of change.

For further information refer to the TDO SharePoint page.

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Chapter 3 Risk Management

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3.1 Introduction

The Service has adopted an enterprise risk management approach for the identification, management and evidencing of risks affecting the Service, in compliance with the current Queensland Government requirements and internationally recognised standard (AS/NZS ISO 31000:2018).

Risk is the effect of uncertainty on core objectives. These objectives can be stated in strategic, operational or project plans. The Service operates in a dynamic environment exposed to external and internal influences, some of which the Service is unable to control. This generates uncertainty and therefore risk.

Risk management is an integral part of all planning processes and should be applied to all activities. It is an ongoing activity that includes identification of new risks, and the mitigation or elimination of previous risks.

The Service has adopted the enterprise risk management approach whereby risk management is fully integrated into the management of the organisation.

The Risk Management Framework, Procedure, Risk Appetite Statement, Risk Assessment Tools and access to the Service Risk Management System can be found within the Office of the Chief Risk Officer SharePoint page.

3.2 Roles and responsibilities

Commissioner

The Commissioner is the accountable officer under the *Financial Accountability Act* and has the ultimate legislative responsibility for establishing and maintaining appropriate systems of internal control and risk management.

Board of Management (BoM)

The purpose of the BoM is to set strategy, vision, tone, culture and risk appetite and drive performance for the Service.

The role and responsibilities of the BoM are contained within the Corporate Governance Manual (CGM).

Members of the BoM can establish risks or endorse escalation of material risks to the Enterprise Risk Register for ongoing oversight.

Audit, Risk and Compliance Committee (ARCC)

The purpose of the ARCC is to scrutinise, challenge and oversee the Commissioners legislated management responsibilities.

The role and responsibilities of the ARCC are contained within the CGM.

Office of the Chief Risk Officer (OCRO)

The Chief Risk Officer (CRO) is the Executive Sponsor for Risk and Business Continuity Management as delegated by the Commissioner of Police. The CRO is responsible for overseeing the risk and business continuity management programs, establishing the frameworks, ensuring adequate resourcing for successful risk performance, and continuous improvement of the risk management program.

The OCRO operates as an advisory service and has been established to provide risk and business continuity management expertise, support risk identification and reporting, and provide governance for risk and business continuity across the Service. A primary obligation of the OCRO is to provide training and a supportive learning environment to embed knowledge and uplift risk management maturity across all levels of Service leadership and staff. The OCRO is also accountable to implement and support a 'fit for purpose' risk management system, incorporating access to training, user guides and best practice advice to enable use by work units in the Service.

The OCRO provides quarterly reporting to the BoM and ARCC on the Service strategic, enterprise and operational risks. Similarly, a quarterly update on the current work activities related to Business Continuity Management across the Service is provided to the BoM and ARCC.

The CRO meets bimonthly with each of the deputy commissioners and members of the ELT to discuss their current (operational) risk registers, emerging risks and any risk themes that have been realised across operational areas of the Service that may impact their strategic objectives.

Executive Leadership Team (ELT)

The purpose of the ELT is to inform and operationalise strategy, and monitor organisation wide risk and performance through coordinating effort in alignment of our values to achieve more together.

The role and responsibilities of the ELT are contained within the CGM.

Each ELT member is responsible for ensuring that material risks to meeting service objectives are captured in the risk management system and managed within the Services' appetite. All ELT members have been allocated a risk register to record and track risks within their span of control. ELT members may request escalation of risks to the Enterprise Register through engagement with a deputy commissioner, deputy chief executive, or the Commissioner. The OCRO can provide further assistance and training on the risk management system use as required.

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Senior Leadership Team (SLT)

Each member of the SLT has been allocated a risk register and sub registers as required. Within their area of responsibility, district officers, superintendents, or directors are to:

(i) ensure there is an accurate evidence base of recorded risks within the Service's risk register. This management activity should occur once a month as a minimum as part of the monthly business management meeting (administration);

(ii) ensure all employees that report to them (including new starters) are aware of and comply with the Enterprise Risk Management Framework, and are familiar with the Risk Management Procedures;

(iii) ensure that risk management is integrated into any planning, reviewing or reporting processes and that a risk coordinator is established for each risk register;

(iv) establish an environment where risk management is a regular agenda item at management meetings. This further allows for staff to discuss and escalate high or very high risks;

(v) consider escalation of risks to a relevant division, command or region or the ELT if it is unable to be managed locally or carries a significant risk to the whole of Service;

(vi) ensure that active risks are managed and that details are recorded in the risk management system;

(vii) review the adequacy and effectiveness of the controls and treatments, particularly for high or very high risks; and

(viii) ensure relevant staff are appropriately trained in the risk management process.

Inspectors, Managers and OICs

Issues and low-level risks that can be managed within the capabilities and resources of the division or unit and/or locally with support of the inspector/district officer need not be recorded within risk management systems. Risks identified within a patrol group or station are to be recorded in district registers where appropriate, with approval from the district officer.

Inspectors, managers, and OICs are accountable in their area of responsibility for:

(i) escalating risks or issues that cannot be managed within their delegation, to the relevant superintendent or equivalent (SLT member);

(ii) maintaining a record of any risk that has been identified and escalated to be actioned. It is not advocated to record normal management and/or compliance matters within a local risk register;

(iii) escalating significant non compliances to the risk management system as risks following approval from the relevant superintendent if they pose a future and ongoing material threat to Service values, vision or objectives;

(iv) determining whether a local issues risk register is required to track and support:

(a) escalated issues being managed at superintendent or equivalent level;

(b) issues that require additional actions to be applied; and

(c) ongoing issues to operations that require evidence of management.

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3.3 Reporting requirements

The Service is required to maintain and record risks at a Service wide level. It is the responsibility of the senior officer to ensure that all risks are recorded and managed within the risk management system in accordance with the Enterprise Risk Management Framework. The risk management system does not replace methods of escalation including briefing notes and conversations.

Risks are to be escalated to appropriate levels of leadership through chain of command meetings and briefings if they cannot be mitigated or treated at the current level.

The Chief Risk Officer (CRO) will coordinate with the ELT to ensure accurate recording, management and reporting of all strategic risks.

The CRO will also facilitate escalation of risks from registers to the enterprise register oversighted by the Board of Management (BoM) by ensuring that appropriate engagement has occurred across the chain of command.

It is advised not to record normal management and/or compliance matters within the risk management system.

It is imperative that all identified business risks are recorded, managed, treated, controlled or escalated and evidenced within the risk management system.

Risk reviews and updates should occur as part of monthly business management meetings. The risk management system is to be updated and managed in accordance with the risk response timeframes as outlined in the Risk Management Framework.

3.3.1 Conflicts of interest

The purpose of this policy is to ensure all members of the Service including volunteers are aware of their obligations to identify, declare and resolve or manage conflicts of interest in favour of the public interest.

A conflict of interest occurs when a member has a personal interest (including a duty) that conflicts or may conflict with the discharge of the member's duties. A conflict of interest may arise from:

(i) an interest (actual conflict);

(ii) when it might reasonably appear to others that personal interests could impact the performance of official duties (perceived conflict); or

(iii) a current interest where it is foreseeable that a conflict may arise in the future (potential conflict).

Having a conflict of interest is, in itself, not unusual or wrong. However, failing to declare and manage the conflict appropriately may expose the member and Service to risk. A conflict of interest includes a situation that may cause or may be perceived as having the ability to cause a member to put their personal interests, whether consciously or not, ahead of the interests of their duties.

Members are responsible for disclosing their interests that create an actual, perceived or potential conflict of interest. A member who has an interest that creates an actual, perceived or potential conflict of interest are to:

(i) disclose the circumstance of the conflict of interest to their manager as soon as practicable after the relevant facts come to the member's knowledge;

(ii) not take action or further action concerning a matter that is, or may be affected by the conflict unless authorised by the member's manager; and

(iii) work with the Service to put appropriate mitigation strategies in place to manage the conflict or potential conflict.

The Service is required to have appropriate governance provisions in place for the storage of, and access to disclosures made in accordance with s. 89: 'Conflicts of interest—public sector employee' of the *Public Sector Act* (PSA) and Directive 03/24: 'Declaration of interests—public sector employees excluding chief executives' from the Public Sector Commission (PSC).

Existing local reporting processes

The following local processes exist for the declaration, reporting and recording of conflicts of interest and personal knowledge.

Procurement process

The QPS Procurement Framework ensures the expenditure of public monies is undertaken fairly and with integrity, probity and efficiency. Members are to declare an Acknowledgement of Obligations which includes inviting, evaluating, negotiating and acceptance or rejection of offers/proposals for the supply of goods and/or services. See Three Gate Procurement Process Map.

Financial management

Financial delegates are not to exercise a delegation where a conflict of interest arises. In such circumstances, the delegate is to seek authorisation from another delegate at an equivalent or higher level. See Financial Management Practice Manual.

When a delegate steps aside due to a conflict of interest, they are to record:

(i) the nature of the conflict;

(ii) the fact they did not exercise the delegation; and

(iii) who the alternate delegate was (and their decision).

This record is to be retained or referenced with the relevant financial approval documentation.

Merit selection guidelines (police officers) and recruitment and selection guidelines (staff members)

Panel members are to declare any actual, potential or perceived conflicts of interest which may be seen to unduly advantage or disadvantage an applicant. Each panel member is to complete the Selection Panel Conduct and Personal Knowledge Declaration that are to be kept with panel documentation.

If a panel member is related to or has a close personal or commercial relationship with an applicant, the member is to declare this and step down from the panel.

See Merit Selection Guidelines (Police Officers) and Recruitment and Selection Guidelines (Staff Members).

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Outside employment guideline

Members are to declare and manage any private interests that may conflict with their official duties and ensure the preservation of the integrity of the Service. Outside employment includes other paid employment, unpaid work and volunteering. See Outside Employment Guideline.

Workplace investigation—conflict of interest declaration

Members assigned a workplace investigation are to be free from any conflict of interest or bias where the member could be influenced by their private interest, including perceived or potential. See Workplace Investigation – Conflict of Interest Declaration.

Declarable associations

Members are to identify and declare those associations that do or have potential to give rise to conflict of interest where the relationship may be characterised by an inherent conflict of interest between the member's private interests and their public duty as a member of the Service. See Declarable Associations—Policy and Procedures.

Recording of other conflicts of interest

For the purposes of this policy, where there is not an existing established process to manage conflicts of interest or personal knowledge declarations, members are to declare and manage conflicts of interest in accordance with the QPS Standard of Professional Practice and Appendix 2: 'Flowchart for managing conflicts of interest'.

Should a member identify a conflict that could arise from their duties, the member is to take appropriate action to resolve the conflict in the public interest. Appendix 2: 'Flowchart for managing conflicts of interest' provides a process for members to manage and deal with a conflict of interest through a conversation with their supervisor and recording the declared interest through the HR Connect portal Appendix 3: 'Conflicts of Interest Guideline Declaration and Management Plan'.

Appendix 1: 'Situations where conflicts of interest can arise' provides situations where conflicts of interest can arise where the member is required to put the public interest before their private interests, whether on or off duty.

3.4 Document retention

Risk management documents, including supporting and draft papers are to remain at the relevant work unit and stored electronically where practicable. The documents are to be retained in a secure location for seven years in accordance with the General Retention and Disposal Schedule. Where risks are raised within the risk management system, reference documents may be saved within the relevant risk record as required.

The seven-year retention period commences on the date that the newest version of the document(s) is submitted and recorded. Previous versions should also be retained to demonstrate the rationale for the change in the risk and as electronic working papers.

The Chief Risk Officer is responsible for managing the retention of data maintained in the risk management system.

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3.5 Business continuity planning

Business continuity considerations in risk management planning

To ensure a minimum consistent level of readiness throughout the Service, it is essential that business continuity risks are addressed by all.

Executive Leadership Team members and Senior Leadership Team members should maintain a Business Continuity Plan (BCP) relevant to their core function or service delivery. BCPs should be based on supporting the critical functions of an area that is at risk.

The Office of the Chief Risk Officer (CRO) is assisting work units to develop or review BCPs. While new BCP's are in development, work units should use existing plans which are stored on the Office of the Chief Risk Officer SharePoint page.

Annually, before each severe weather season, supervisors and unit managers are requested to evaluate whether the plans support an effective response during loss of the following dependencies for more than 4 days:

(i) accommodation;

(ii) energy;

(iii) information technology/communications (phone/radio/computer network);

(iv) staff; or

(v) transport (where appropriate to the work unit).

In evaluating the BCP, leadership members should:

(i) consider losses due to natural disasters and extreme weather conditions, including cyclone and inundation;

(ii) consider other specific resources, assets or infrastructure critical to their ability to deliver work unit objectives and activities; and

(iii) test these scenarios against the BCP.

Accessibility of business continuity plans

The CRO has developed a Business Continuity Management section on their intranet page to store latest copies of all QPS areas BCPs. The plans are accessible by all QPS staff. Your updated BCP must be forwarded to the CRO at QPSRiskManagement@police.qld.gov.au to ensure latest versions are always available centrally. Prior to updating BCPs consider any 'lessons learnt' from previous exercises or tests to be included in the updated BCP.

Leadership members are to ensure that BCPs are stored locally (e.g. in hard copy and saved in a shared common drive that can be accessed by staff within areas during protracted work outages) and off site where possible, where it is readily accessible by the next level manager.

Testing and maintenance of business continuity plans

Testing and maintenance of the recovery process documented in a BCP provides management with assurance that the plan is effective. It is important that each component is individually tested, however it is not recommended the BCP be tested as a whole as this would be resource intensive and may affect normal operations.

ORDER

OICs and managers are to undertake testing of potential identified disruptions in their individual BCP annually.

The following considerations should be applied when periodically testing BCPs:

Type 1	Walkthrough self-assessment	Discussion stepping participants through each part of the BCP during development, review or update.
	A Type 1 test should be facilitated by the OIC, manager or designated member.	
Type 2	Supervised walkthrough	Facilitated scenario-based discussion to test the BCP.
	A Type 2 test requires direct supervision by the BCP Coordinator or delegate.	
Type 3	Process or plan simulation	Simulated 'real life' environment scenario
	A Type 3 test should be conducted by a facilitator who develops a relevant and believable scenario conducted in 'real time' with unfolding information throughout the test. Scenarios in a Type 3 test are to be relevant, realistic and conducted in 'real time' with unfolding information throughout the test.	
Type 4	Full end-to-end simulation	Full scale test under a simulated 'real life' environment or activation of a BCP during an actual disruptive event.
	A Type 4 test exercise requires approval from an assistant commissioner and is only recommended for fully mature BCPs.	

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3.6 Work health and safety considerations

Legislative compliance

The *Work Health and Safety Act* (WHSA) establishes a requirement for the Service to provide a balanced and nationally consistent framework to secure the health and safety of workers and workplaces. Sections 17: 'Management of risks', 19: 'Primary duty of care' and 27: 'Duty of officers' of the WHSA impose numerous responsibilities on persons involved with the management or control of a workplace, including, but not limited to:

(i) eliminating or minimising risks to health and safety, so far as is reasonably practicable; and

(ii) ensuring appropriate systems and processes are provided and maintained within the workplace to support the elimination or minimisation of health and safety risks.

An integrated approach to work health and safety risk assessment should be adopted with all management or operational requirements.

All members are to be mindful of their duties and obligations under the WHSA and adhere to the WHS policy and any of the relevant procedures outlined in the Health and Safety Hazard Management System (HMS). WHS hazards and

their associated risks are to be identified and addressed by OICs, managers and supervisors in line with their established risk management processes. WHS hazards that are not addressed, that pose a significant risk to station/establishment, should be recorded and managed in accordance with s. 3.3: 'Reporting requirements' of this Manual.

Reporting procedures

OICs and managers are to address work health and safety risks as part of the normal risk management process and liaise with their local health and safety network to ensure that health and safety issues are appropriately identified, managed and recorded.

When managing health and safety hazards and their associated risks, OICs and managers should consult with relevant work groups, local health and safety advisors and refer to the HMS for additional guidance.

If a hazard is identified as having a potential for significant risk at an organisational level, then the hazard it is to be escalated and managed via the QPS Risk Management System in consultation with the Office of the Chief Risk Officer.

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4.1 Service computer and database systems

The Service uses many computer systems including:

(i) QPRIME;

(ii) QLiTE;

(iii) ITAS;

(iv) IMAC; and

(v) ACIC databases.

Service policy about the appropriate use of these and other systems are contained in Chapter 4: 'Information Security' of the Information Management Manual and s. 10: 'Information and resources' of the 'QPS Standard of Professional Practice' (see also ESC Knowledge Hub SharePoint page).

4.1.1 QPRIME

QPRIME includes officer entered occurrences and other entries in addition to Policelink entered occurrences.

For a list of offences recorded by officers see the QPRIME User Guide.

All other occurrences not entered by officers are recorded by Policelink.

Officers who are likely to be assigned tasks in QPRIME are to:

(i) check their work list, at least once per shift; and

(ii) complete assigned tasks by the nominated due date or, if sufficient reason exists, seek their supervisor's approval for a due date extension.

OIC of stations or establishments and supervisors are to monitor and supervise officers under their control and are responsible for efficient and effective management practices in this regard. (See ss. 1.4.5: 'Responsibilities of officers in charge of stations or establishments' and 1.4.6: 'Responsibilities of regional duty officer, district officer, district duty officer and shift supervisor' of the OPM). This is to include monitoring their own task list and regular supervision of task lists of officers under their control in accordance with 'Tasking' of the QPRIME User Guide.

When QPRIME is unavailable, members are to refer to 'QPRIME Unavailable' document on the Service Intranet.

ORDER

Where inconsistencies exist between QPRIME requirements and current Service policy and procedures, members are to comply with the processes outlined in QPRIME training and the QPRIME User Guide.

4.1.2 Archived Service computer system information

The Police Information Centre, Information Management Services, Legal Division (PIC) is able to retrieve information from the Legacy Data Archives for some previous systems.

Archived data can be requested from PIC, via a QPRIME task request to Data Investigation Team [3270]. If QPRIME is unavailable, a request can be submitted by email to 'PIC Data Investigation Team'.

The following information is available from PIC:

(i) CO (Criminal Offence) index, crime reports 1986 to 1993; and

(ii) POLARIS, person records, arrest warrants, criminal and traffic history, September 1995 to October 2008;

(iii) ARI & ARIyy (activity report) index (annual index e.g. ARI99) January 1990 to May 2006. The information was not suitable for transfer into QPRIME, but may still be relevant to historical investigations;

(iv) CRISP (Crime Reporting Information System for Police), crime reports including persons of interest 1994 to 2007;

(v) CUSTODY/SEARCH index:

(a) CUSTODY index January 1992 December 1998;

(b) CUSTODY (annual index e.g. CUSTODY 99) January 1999 to October 2008;

(vi) DOMESTIC index:

(a) DOMESTIC index August 1989 to March 2003;

(b) DV index March 2003 to September 2007;

(vii) DRUG index:

(a) DOPE index November 1987 to January 1992;

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(b) DRUG index January 1992 to September 2007; and

(viii) SEARCH WARRANT, SEARCHWAR index January 1992 to October 2008.

Weapons Act (WA) system

January 1991 to November 2010. Most information in the WA system has been transferred into the Weapons Licensing Management System (WLMS) which updates into QPRIME. If historical information cannot be located after searching QPRIME, inquiries are to be conducted through Weapons Licensing.

4.1.3 Key holders

New entries of key holder details are to be recorded in QPRIME.

False alarms

A false alarm may be defined as the false operation of an alarm due to mechanical failure, faulty operation of the system or human error (e.g. pressing alarm buttons by mistake). This does not include lightning strikes or power failures.

OIC of a station and establishment that attends a false alarm is to ensure calls for service at residences/premises are recorded against the relevant address entry 'Alarm tab' in QPRIME and brief particulars about the call for service are entered in the 'Remarks' field.

Where records indicate that officers have attended false alarms at particular premises on more than two occasions in the previous 28 days, the OIC is to ensure that the owner of the premises is notified, and a request made to have the alarm fault rectified.

Notwithstanding the outcome of requests for the repair of alarm systems, officers are to continue to attend all alarms at premises.

Officers attending alarms where key holder details are not recorded are to make suitable arrangements to ensure full particulars of key holders are obtained and entered into QPRIME at the first available opportunity.

4.1.4 Requests for stolen vehicle information

Information in relation to motor vehicles reported as stolen outside Queensland are held in the ACIC database National Vehicle of Interest (NVOI) system. Access to the NVOI system can only be gained by those members with direct ACIC database access passwords (authorised members). See s. 7.2.2: 'ACIC databases (systems for the national exchange of police information)' of this Manual.

Authorised members who are requested by a member of the public or licensed motor vehicle dealer to check whether a vehicle is stolen may provide that information in accordance with the provisions of s. 5.6.7: 'Requests by members of the public for information concerning vehicle/property suspected stolen' of this Manual.

Such a request is to be responded to by an authorised member making an inquiry through the NVOI system. For each separate vehicle checked the following three fields, where available, are to be completed:

(i) registration number;

(ii) engine number; and

(iii) chassis number.

Due to the time lapse of the relevant data being transferred to the NVOI system, a 'Detailed find: Vehicle' search in QPRIME should also be completed.

When searches are completed, the inquirer is to be advised to the effect:

> *'I have conducted a search using the identifying particulars you have supplied. As at ....(time).... on ....(date).... the vehicle registration/engine/chassis number(s) you have provided do not appear as reported stolen on our computer records. This does not guarantee that other information which may affect this vehicle is yet to be recorded.'*

4.1.5 QLiTE use and management

This section outlines the policy and guidelines for the use and management of all QLiTE devices provided under the managed service contract. It excludes corporate devices purchased independently by the Service. The Mobile Capability Centre (MCC), Digital Strategy Group is responsible for managing QLiTE devices for the Service that are provided under the managed service contract.

A QLiTE device includes the iPad, or iPhone, SIM card and any accessories supplied.

This policy is read in conjunction with QPS Mobile Device Security Standard and External Devices and Mobile Computing Procedure.

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Responsibilities of officers allocated QLiTE devices

QLiTE devices are individually allocated to officers for their exclusive use. Officers are to adhere to the following responsibilities:

(i) always ensure the security and care of the QLiTE. Where a QLiTE is lost or stolen the allocated officer is to:

(a) immediately contact the Telstra Service Desk on 1300 772 428. Telstra will lock the device to prevent further use and will determine the last known location to assist in its recovery;

(b) notify their supervisor and OIC as soon as practicable. The supervisor or OIC is to conduct or oversee an investigation into the circumstances of the loss (see s. 14.22.4: 'Reporting loss or damage or defect' of the OPM); and

(c) a completed QPRIME occurrence report is required to be completed and provided to the Service Desk in order for a replacement device to be issued (see ss. 1.11: 'QPRIME occurrences' and 14.22.4 of the OPM);

(ii) familiarise themselves with the QLiTE Guides and training material available on the Mobile devices and applications SharePoint page prior to using the QLiTE;

(iii) QLiTE devices should not be used while operating a moving vehicle or a vehicle stationary in traffic. Officers should park in a safe location before using the device;

(iv) officers are prohibited from accessing any computer system unless authorised as part of their official duties. All QLiTE device usage is auditable to ensure compliance with Service auditing requirements and are to comply with the same information security requirements applicable to all Service computers, in accordance with Chapter 4: 'Information Security' of the Information Management Manual, in particular:

(a) s. 4.11.4: 'Authorised use';

(b) s. 4.11.5: 'Unauthorised use';

(c) s. 4.13.4: 'System access principles'; and

(d) s. 4.13.5: 'User responsibilities';

(v) exclusively use the Apple ID ending in @police.qld.gov.au on the QLiTE device, which is not to be used on any personal device;

(vi) not share the QLiTE device or allow another officer to access it including the sharing of their User IDs and passwords other than for audit, maintenance and compliance purposes;

(vii) only install approved (whitelisted) applications via Apps@Work;

(viii) have all applications from Apps@Work that support the function of the QLiTE device and the safety of officers recommended by MCC installed;

(ix) ensure that all Service applications are granted device permissions "always" when installing or updating;

(x) avoid using the QLiTE device to store images or video for intelligence or evidentiary purposes as the data captured outside of the QLiTE Apps is not suitably backed up on the device and cannot be recovered if lost or the device is wiped (see s. 2.5.5: 'Use of digital devices' of the OPM and DERIE Manual);

(xi) when absent on any leave, retain and secure the QLiTE at a safe location;

(xii) not take the QLiTE out of Queensland unless the officer is on official interstate duties or deployment;

(xiii) comply in a timely manner with requests from MCC, pertaining to return or other action for QLiTE devices;

(xiv) where a device is replaced as part of an asset refresh in accordance with contractual arrangements, return the original QLiTE device using the provided courier satchel supplied with the new QLiTE. The original QLiTE is not to be reallocated to another officer and will be disconnected one week after the new device is allocated;

(xv) officers transferring to another role, are to retain their QLiTE device and not returned to their OIC; and

(xvi) verify the accuracy of the information recorded in QPRIME following a QLiTE entry. Where a correction is needed, they are to ensure a correction is requested via a 'QPS Request correction to record(s)' task workflow.

Responsibilities of OIC regarding QLiTE devices

The OIC of a station or establishment is responsible for the management of QLiTE devices supplied to their officers.

Where an OIC identifies an officer under their control who requires a QLiTE device they should contact MCC and request assistance in locating an available device.

See Device Management and OIC Information SharePoint page.

An OIC may reallocate a QLiTE device:

(i) when an allocated officer:

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(a) retires or leaves the Service;

(b) is subject to stand down or suspension from Service (see ESC Guideline: 'Suspension and Stand Down' on the ESC SharePoint page); or

(c) the need for a QLiTE device is no longer valid; or

(ii) when a device is being underutilised as identified in an MCC usage report.

Non-return fees will apply should the QLiTE not be returned as directed.

MCC will provide information to districts regarding penalties that will apply for late return of QLiTE devices.

The OIC of a station or establishment is responsible for ensuring data handling and sanitisation procedures are met when a QLiTE device is returned or reallocated (see s. 5.5.6: 'Ensuring records are retained when an information and communications technology system is replaced or decommissioned' of this Manual).

QLiTE Bail App

Where an officer accesses a bailees information via a QLiTE's Bail App, the officer is to:

(i) ensure the reporting bail condition, variation or direction is current; and

(ii) if a breach has occurred, where practical commence a breach of bail occurrence via the Bail App (see s. 16.20: 'Bail' of the OPM);

Unless otherwise authorised, an officer is not to:

(i) set up a new bailees profile;

(ii) vary a bail condition; or

(iii) sign-in a bailee contrary to a reporting condition unless there are extenuating circumstances.

See the QPS Bail App & Bail Statewide Dashboard SharePoint page for further information.

4.1.6 Viva Engage

Viva Engage is a stand-alone communication platform used by the Service for internal collaboration, engagement and communication. Use of Viva Engage represents an agreement to the 'Viva Engage Terms of Use'.

As with all access to work-related data, use of Viva Engage is subject to the relevant terms of use and the policies contained in Chapter 4: 'Information Security' of the Information Management Manual and s. 10: 'Information and resources (All Members)' of the 'QPS Standard of Professional Practice' (see ESC Knowledge Hub SharePoint page).

A Cyber Security Threat and Risk Assessment (TRA) was conducted prior to the launch of Viva Engage to evaluate the platform's logical controls and safeguards. The assessment confirmed that Viva Engage is capable of hosting information classified up to the Protected level.

In alignment with Queensland Government Information Security Classification Framework (QGISCF), members are not post, share or store any content classified above 'Sensitive' on Viva Engage.

All information on Viva Engage can be subject to the *Right to Information Act* (see also s. 5.7: 'Right to information and privacy' of this Manual).

Use of Viva Engage

Use of Viva Engage is to be:

(i) respectful of others;

(ii) for the purpose of a productive and safe environment for all members;

(iii) used in a manner which:

(a) protects the Service; and

(b) represents the organisational values of integrity, respect and courage;

(iv) for internal discussions and sharing of business information related to the Service; and

(v) not used in connection with personal matters.

Misuse of Viva Engage or violation of the terms of use may result in disciplinary action, including suspension or termination.

Posting information to Viva Engage

When posting information to Viva Engage, members are to ensure that:

(i) the content has a security classification of sensitive or lower. No data classified as protected should be discussed or posted on Viva Engage;

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(ii) where any information is from another source outside of the Service (such as in the public domain or a member of the public) that permission has been obtained from the sender or poster;

(iii) all applicable laws are complied with;

(iv) any information, image or document is posted with the expressed permission of the owner of the information to use and publish the material throughout the Service;

(v) they understand that they should have no expectation of privacy;

(vi) no matter or document subject to a legal hold notice (i.e. a legal matter or litigation) is to be discussed or posted; and

(vii) whilst encouraged to express themselves and their point of view, are not to post content that is inappropriate and could be deemed to be:

(a) libellous, defamatory, derogatory, demeaning, malicious, abusive, offensive, or hateful towards any individual or group (including members of the public);

(b) obscene, profane, pornographic, or sexually explicit;

(c) depicting graphic or gratuitous violence;

(d) making threats of any kind or intimidating, harassing, bullying or showing disrespect for anyone;

(e) violating the intellectual property, privacy or publicity rights of another; or

(f) violating any Service policy.

Viva Engage auditing solution

The Viva Engage auditing and archive system images Viva Engage to ensure the Service meets the reporting function under the *Auditor-General Act* and enables use by ESC where appropriate for the investigation of breaches of this and other Service policy.

Community administrators' responsibilities

Users assigned elevated QPS Viva Engage permissions as a community administrator are responsible for monitoring content within their community in accordance with the Terms of Use.

Viva Engage community administrators must appropriately monitor their assigned community and report content violating the Terms of Use.

Members seeking to have a community created must complete a Community Request Form and submit it to QPS.VivaEngageSupport@police.qld.gov.au.

Community administrators are responsible for community membership and managing requests to join.

QPS Viva Engage Support retain the right to archive and remove communities that have been inactive for longer than 12 months.

Viva Engage Support Team (CCE)

The Viva Engage Support Team manages and moderates Viva Engage and maintains the Viva Engage platform standards that are to be complied with in relation to the administration and management of users, communities, personas and reporting.

All inquiries regarding platform standards or any questions concerning appropriate use of Viva Engage should be directed to the Viva Engage Support Team via email QPS.VivaEngageSupport@police.qld.gov.au.

Where a member is concerned about a violation of the QPS Viva Engage Terms of Use (2025) they should contact their direct line manager or the Viva Engage Support Team.

4.2 Service vehicles

This section contains the responsibilities and duties of Service personnel regarding the selection, procurement, fit out, use and maintenance of Service vehicles and reporting mechanisms regarding compliance, damage and personal use of a Service vehicle.

For the purpose of this section, a Service vehicle is a motor vehicle including a motorcycle, quad bike or similar. Service vehicles can include loaned vehicles (see s. 4.2.6: 'Use of loan vehicles for Service purposes' of this section). This section does not relate to Service bicycles or other motorised devices, i.e. Segways.

Service policy in relation to the operation of Service vehicles and vessels is contained in Chapter 15: 'Driving of Service Vehicles' of the OPM.

Service vehicles are purchased and maintained by Fleet Services Group (FSG), Assets Division. FSG leverage the QFleet whole-of-Government Standing Offer Arrangement (SOA) QF1211 and applies the same principles wherever

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possible, as outlined within the QFleet Utilisation Standard for the Queensland Government Motor Vehicle Fleet. The key principles of fleet selection are:

(i) preferably has a five-star ANCAP rating;

(ii) meets the minimum fit for purpose requirements;

(iii) provides value for money; and

(iv) addresses environmental considerations.

Vehicles purchased that do not comply with the above standards are by exception only, with consideration given to the service delivery role and operational requirements of the vehicle.

Service vehicles are scheduled for replacement either on a time or kilometres travelled basis as follows:

(i) passenger vehicles at four years or 80,000 km;

(ii) commercial and SUV vehicles at four years or 120,000 km;

(iii) motorcycles at four years or 96,000 km; and

(iv) heavy commercial vehicles at 10 years or 500,000 km.

It should be noted that the above are target replacement parameters however in some circumstances vehicles may be replaced outside those parameters due to commercial or operating factors.

Service vehicles are acquired, managed, and disposed of in accordance with ss. 7.1: 'Procurement Policy' and 8: 'Assets' of the Financial Management Practice Manual (FMPM) available on the FMPM SharePoint page.

Deviation of this policy for vehicles considered off fleet vehicles or covert plated fleet vehicles, may only be approved by the Detective Superintendent, CSOG, Crime Command.

4.2.1 Responsibilities and duties of officers

Fleet Services Group (FSG), Assets Division

The Director, FSG, Assets Division is responsible for the acquisition, registration, insurance, fit out, maintenance and disposal of all Service approved fleet vehicles.

Further information including procurement, servicing, maintenance, and insurance repair processes is located on the FSG SharePoint page.

Assistant commissioners/executive directors

Assistant commissioners and executive directors are to:

(i) ensure all Service vehicles allocated to the region or command under their control are used strictly for official purposes;

(ii) ensure all accessories, tools and equipment supplied for Service vehicles are not interchanged with items supplied to other Service vehicles, unless prior authorisation has been obtained from the Director, FSG, Assets Division or the Executive Director, Assets Division;

(iii) ensure no extra items are fitted to any Service vehicle without the authority of the Director, FSG, Assets Division or the Executive Director, Assets Division. These items include, but are not limited to: tyres, wheel suspension components and ancillary warning devices. GPS and digital video recording devices are permitted to be fitted providing they do not interfere with the operation of the vehicle and are fitted in compliance with Australian Design Rules;

(iv) advise the Director FSG, Assets Division of the reallocation of Service vehicles within their region or command;

(v) ensure the compilation of fringe benefits tax (FBT) records of all Service vehicles authorised to be garaged at private homes; and

(vi) ensure that all Service vehicles authorised to be garaged at private homes are operated/stored in accordance with QPS Home Garaging policy.

For further information on fleet processes and delegates for approvals, members should refer to the Fleet Services Group Approval Matrix on the FSG SharePoint page.

Responsibilities of district officers

District officers are to ensure:

(i) all Service vehicles are used for official purposes only;

(ii) Service vehicles are properly maintained, serviced and kept in a clean condition;

(iii) Service vehicles are properly and regularly housed at the establishment to which they are attached;

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(iv) Service vehicles are not taken home by members unless authorised by the Commissioner, assistant commissioner or executive director;

(v) all Service vehicles due for replacement are replaced as soon as possible after advice is received from the Fleet Operations, FSG, Assets Division a replacement Service vehicle is available; and

(vi) if the vehicle being replaced has damage as a result of a departmental traffic accident i.e. panel damage, complete QPRIME requirements as per the QPRIME Departmental Vehicle Insurance Claim Guide on the FSG Vehicle Insurance Claims SharePoint page, or contact FleetClaims@police.qld.gov.au for assistance. FSG will not accept damaged vehicles with open claims/unrepaired damage for changeover. Exceptions may be approved by contacting FleetClaims@police.qld.gov.au prior to changeover. Unrepaired damage may be charged to owning unit, fair wear and tear will be accepted.

Traffic crashes involving Service vehicles are investigated in accordance with s. 5.13: 'Investigation of traffic crashes involving Service vehicles' of the TM.

Responsibilities of officers in charge of stations or establishments

OICs of a station or establishment are to ensure:

(i) Service vehicles are used strictly for official purposes and only where the use of the Service vehicle is necessary and authorised;

(ii) a QPB 20: 'Motor vehicle register' (only available in hard copy from Supply Services) or a recognised and approved electronic register (i.e. Requip) is properly used and maintained. For Service vehicles subject to FBT, a QPB 20A: 'FBT motor vehicle register logbook' (hard copy from Supply Services or a QPB 20B: 'FBT vehicle logbook (from Forms Select)' should be maintained daily. Where it is impracticable to use the 'FBT vehicle logbook' daily, the 'Motor vehicle logbook' or electronic register is to be maintained with separate FBT recording as required;

(iii) a regular inspection is made of the station/establishment QPB 20: 'Motor vehicle register' or electronic register to ensure that all relevant particulars are recorded correctly;

(iv) a daily inspection is made of all Service vehicles under their control for damage, cleanliness and need for maintenance;

(v) Service vehicles are ready for immediate use when required;

(vi) regular checks that all accessories, tools and equipment supplied to Service vehicles are not interchanged with similar items supplied to other Service vehicles (unless authorisation has been obtained). When equipment is missing or damaged a report is to be furnished;

(vii) members under their control correctly record odometer readings when fuel is purchased with a fuel card;

(viii) where damage is observed or reported, inquiries are made as to the driver at the time of the incident and the circumstances under which the damage was sustained;

(ix) where damage has occurred to a Service vehicle, the OIC is to ensure the driver or a nominated officer records the incident in QPRIME (see s. 5.13: 'Investigation of traffic crashes involving Service vehicles' of the TM);

(x) for damaged vehicles requiring off-site repairs, including off-site storage of vehicles waiting for assessment, the OIC is to ensure all operational Service equipment is removed from the vehicle (see s. 14.22.1: 'Operational Equipment' of the OPM). Additionally, any vehicle fitted with:

(i) GWN radios are to be inhibited from operation (see guide here);

(ii) digital encrypted radios are to be disabled via:

(a) where a local RES workshop is accessible, arrange for the vehicle to attend the RES workshop and remove the digital radio; or

(b) where a local RES workshop is not accessible, ensure the radio control head has been removed;

(iii) regional radios are to be deactivated as per RES operating procedures, for guidance on radio deactivation see Guides and Information on the RES SharePoint page);

(iv) ANPR equipment are to have the Toughbook removed from vehicle and remaining ANPR equipment deactivated (see s. 9.5.1 'Use of automatic number plate recognition system' of the TM);

(v) in-vehicle cameras (IVC's) and other dash camera systems are to have the removal of the camera unit itself or removal of the memory storage devices associated to the unit (see s. 4.5: 'In-vehicle cameras' of the DERIE and s. 5.9: 'Investigation of major incidents by Forensic Crash Unit' of the TM;

(vi) vehicles fitted with mobile road safety cameras, require:

(a) the Panasonic laptop to be removed from the vehicle; and

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(b) consideration for removal of certain camera components as instructed by the on-call officer at Speed Camera Operations (SCO) in order to disable the camera system. The components to remove differ from one scenario to another, based on the type of damage sustained to vehicle (see also s. 9.4.4: 'Management of speed camera systems and vehicles' of the TM);

(xi) Service vehicles are housed at the station/establishment to which they are attached except where alternative housing is authorised by the Commissioner, assistant commissioner or executive director;

(xii) ensure members under their control are thoroughly conversant with the relevant owner's manuals for the Service vehicles driven;

(xiii) scheduled servicing is carried out promptly and efficiently when specified by the number of kilometres travelled and in the manner indicated in the relative instructions, and that the vehicle is given regular maintenance;

(xiv) odometer readings are correctly recorded when fuel is purchased with a fuel card;

(xv) repairs and maintenance to Service vehicles have been performed to an acceptable standard, notwithstanding that members are generally not qualified to assess the quality of the workmanship connected with the maintenance to motor vehicles;

(xvi) where accessories are being fitted as a replacement or repair, they are to be the same brand or model as the original accessories. Where this is not practicable, the replacement accessories are to be of similar quality and appearance or as approved by FSG as per the Fleet Services Group Approval Matrix available on the FSG SharePoint page;

(xvii) no extra fittings of any kind are fitted to any Service vehicle without the prior authorisation of the Director FSG or the Executive Director, Assets Division as per the Fleet Services Group Approval Matrix available on the FSG SharePoint page. This includes tyres, wheels, suspension component upgrades, roof racks, side steps, bull bars and ancillary warning devices;

(xviii) drivers deliver the keys of the Service vehicle to the OIC of such station or establishment or a place designated by the OIC immediately upon returning to the station or establishment to which the driver is attached; and

(xix) items likely to cause damage to a vehicle are not placed on paintwork.

OICs may allocate some or all of these duties to officer/s under their control.

Responsibilities of drivers/riders of Service vehicles

Prior to using any Service vehicle the driver/rider should:

(i) ensure Service vehicles are used strictly for official purposes and only where the use of the Service vehicle is necessary and authorised;

(ii) familiarise themselves with the information contained in the owner's handbook for that particular model of vehicle, especially the section covering the location and operation of all controls and the warranty provisions applicable;

(iii) inspect the vehicle for any damage and if any is detected report such damage to the OIC or delegated officer;

(iv) where damage has occurred to a Service vehicle, the driver or a nominated officer is to record the incident in QPRIME (see s. 5.13: 'Investigation of traffic crashes involving Service vehicles' of the TM);

(v) if the vehicle is to be used for extended purposes, ensure the vehicle has been properly serviced and all necessary tools and equipment are carried;

(vi) check the fuel supply and if necessary fill the tank, ensuring the correct fuel type approved for the vehicle is used;

(vii) ensure all tyres (including the spare) are correctly inflated and in satisfactory condition;

(viii) ensure all items of equipment are in proper working order; and

(ix) correctly record odometer readings when fuel is purchased with a fuel card.

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While using any Service vehicle every driver/rider will:

(i) ensure the vehicle is not used for purposes it is not designed or suitable for, i.e. sedan or SUV driven on a beach, off road track, through water over the height of the transmission breather pipe or like circumstances. If due to exceptional circumstances the responsible officer determines it necessary to use a vehicle for purposes it was not designed or suitable for, the officer is to ensure that all necessary steps are taken to have the vehicle cleaned and inspected by an authorised service provider at the first opportunity;

(ii) ensure any spillage or soiling of the vehicle interior is cleaned immediately; and

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(iii) ensure the vehicle is clean and tidy at the end of shift. On each occasion a vehicle is driven on the beach or in salt water it is to have an underbody wash as soon as practicable.

At the termination of each shift, every driver/rider of a Service vehicle will:

(i) ensure the Service vehicle is properly secured and housed at the station or establishment to which it is attached;

(ii) ensure that the Service vehicle has sufficient fuel for an emergency call-out if required;

(iii) deliver the keys to the OIC or a place designated by the OIC; and

(iv) enter all relevant particulars in a QPB 20: 'Motor vehicle register' (only available in hard copy from Supply Services) or a recognised and approved electronic register.

Use of Service vehicles generally

All Service members are to ensure any request or arrangement they make for the use of Service vehicles is necessary, authorised and only for an official purpose.

4.2.2 Home garaging of Service vehicles

This policy should be read in conjunction with the Queensland Government policy 'Use of Government owned motor vehicles and parking of private vehicles on official premises'.

This policy does not apply to members who have vehicles in accordance with specific conditions of their employment such as:

(i) executive officers (see Schedule 1: 'Ranks and categories of officer' of the Police Service Administration Regulation);

(ii) senior executives (see Chapter 5, Part 3: 'Senior executives' of the *Public Sector Act*);

(iii) members of the Covert and Specialist Operations Group who have been granted permission by the Assistant Commissioner, Crime Command in accordance with local instructions; or

(iv) chaplains.

Service vehicles used by approved members are to be fitted out in accordance with the designated purpose of the vehicle i.e. car pool vehicles will have no operational equipment installed whereas vehicles used by members on call may be fitted with a radio, lights/siren if operationally required.

'Operational effectiveness' in the context of this policy refers to the operational effectiveness of the whole of the Service (not only front-line effectiveness), and where justified, can include administrative functions such as Service senior psychologists and social workers providing support to members.

To obtain approval to home garage a Service vehicle, members are to submit a QP 1048: 'Service vehicle home garaging request', available on the Service Intranet, and complete the benefits analysis to demonstrate that there is improved operational effectiveness by the member home garaging a Service vehicle.

The QP 1048: 'Service vehicle home garaging request' provides two options:

(i) individual members seeking short term (equal to or less than 7 days) or long term (greater than 7 days) home garaging approval are to complete the standard QP 1048: 'Service vehicle home garaging request'; and

(ii) individual members or stations and work units seeking on call long term home garaging approval for one or more on call positions or multiple Service vehicles are to complete the 'On Call – Long Term Vehicle Request' which is accessed by the Service Intranet link located in the introductory sentence of the QP 1048: 'Service vehicle home garaging request'.

The approval levels for home garaging in the applicable subsections below cannot be delegated to a person of lower rank than specified.

Unless authorised by this section, members are only to use Service vehicles whilst acting in the performance of their duty.

In accordance with the Queensland Government policy, all approvals for use of Service vehicles (including as specified in the subsection 'Approved use of Service vehicles for increased operational effectiveness' below), are subject to annual review as required in the subsection 'Annual review of home garaging approvals' of this section. Where deemed not justified, the approval for home garaging and use of Service vehicles to travel to and from a place of residence for any officer or position may be withdrawn by the relevant assistant commissioner or the Deputy Commissioner, Regional Operations, or by the Deputy Commissioner, People and Assets.

Approved use of Service vehicles for increased operational effectiveness

To increase operational effectiveness, the following members may use Service vehicles for travel between the member's principal place of residence and workplace (less than seventy-five kilometres in each direction), as well as short incidental detours for day-to-day necessities:

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(i) chief superintendents (who have not opted to access the applicable SES Executive Vehicle Allowance);

(ii) superintendents;

(iii) authorised police motorcyclists who utilise a Service motorcycle as part of their normal operational duties (see s. 15.11.1: 'Service motorcycles' of the OPM);

(iv) dog squad members responsible for housing a police dog at their residence, to transport the dog; and

(v) home garaging authorisation for senior psychologists and social workers does not constitute an entitlement to a vehicle which will need to be sourced or supplied by the owning command.

If the distance between a member's principal place of residence and their workplace exceeds 75 kilometres, approval must be obtained from the relevant assistant commissioner or executive director. The relevant section of the QP 1048: 'Service vehicle home garaging request' is to be completed by the member and be available for inspection.

Members undertaking higher duties relieving in an executive position, and also using a service vehicle for home garaging, are to ensure vehicle allowance is not paid during the relieving period.

'On call' positions

For a member to be considered 'on call' they are to be in receipt of on call allowance or required to be available to attend 'police related incidents' as defined in s. 1.16: 'Fatalities or serious injuries resulting from incidents involving members (police related incidents)' of the OPM.

Where a specific position requires a member to be 'on call', the member or OIC of the relevant section is to submit a QP 1048: 'Service vehicle home garaging request' and complete the 'On Call – Long Term Vehicle Request' section for approval to their assistant commissioner or executive director who is to conduct a benefits analysis to determine if it is operationally effective for the member or relevant position performing these duties to home garage a Service vehicle. Approvals are subject to annual review.

Where a region, command or division has multiple vehicles that the assistant commissioner or executive director approves for home garaging, only one QP 1048: 'Service vehicle home garaging request' needs to be submitted for each member or position.

Where approval to home garage a Service vehicle has been given for the purpose of being 'on call' or for operational effectiveness, short incidental detours for day-to-day necessities are permitted.

Approval for detours for day-to-day necessities in remote locations is to be obtained from the district officer or patrol group inspector prior to commencing any detour.

As part of their role, a commissioned officer may be required to be on call. There is no additional payment made when a commissioned officer is required to be on call. Recall to duty and overtime provisions do not apply to commissioned officers.

Vehicle logs are to be maintained and made available for inspection.

Use of Service vehicles for covert operations and specialist operations

To increase operational effectiveness, the Assistant Commissioner, Crime Command is to determine the applicable home garaging of Service vehicle guidelines for members engaged in covert operations and specialist operations. A benefits analysis is to be conducted and records of approvals are to be maintained by Crime Command and be available for inspection.

Regions and commands are to ensure the details of any covert plated vehicle under their control and used for home garaging have been provided to the Covert Support Unit for recording. Covert plated vehicles being home garaged are not to be recorded on the general Service home garaging system.

An annual review is to be conducted of all home garaging approvals (see 'Annual review of home garaging approvals' of this section).

Irregular or provisional home garaging of Service vehicles

In certain circumstances, a member may be authorised to home garage a Service vehicle for irregular or provisional reasons where the period of need is 15 days or less. This may include unplanned situations or where the member is required to travel to another location for training, court etc. Any approved authorisation is only applicable for the circumstances in which the approval was given.

To obtain approval to home garage a Service vehicle for an irregular or provisional reason, members are to submit a QP 1048: 'Service vehicle home garaging request'.

Approval can only be provided by a supervising superintendent, equivalent or above where:

(i) improved service delivery or operational effectiveness can be demonstrated;

(ii) any additional costs accruing to the Service by way of additional fuel, FBT or other expenses associated with its use are to be borne by the authorising member's region, division, district, branch or section, which is to consider:

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(a) usage is to be restricted to a specific vehicle; and

(b) FBT exemptions are to be considered and where appropriate, noted in the approval process;

(iii) there is a requirement to work outside normal hours or for emergencies and other official purposes and:

(a) the availability, efficiency, practicality and cost of the use of taxis or public transport is inappropriate; or

(b) the agreed use of an employee's private motor vehicle, subject to an allowance is inappropriate; and

(iv) the vehicle is garaged in accordance with 'Security of home garaged Service vehicles' of this section.

Regular home garaging of Service vehicles

To obtain approval to home garage a Service vehicle for a regular or reoccurring reason over a period longer than 15 days, members are to complete and submit a QP 1048: 'Service vehicle home garaging request' to their relevant superintendent, equivalent or above.

Any authorisation to home garage a Service vehicle only applies to the days applicable to the reasons and justification for the approval. Where approval has been sought and authorised and on review it has been determined that the reasons are unfounded, the approval should be withdrawn. An authorisation might include approval to home garage a Service vehicle once a week to attend an early off-site meeting over the period of one year, in this circumstance an officer would seek approval for regular home garaging of a Service vehicle.

Senior members eligible for a motor vehicle allowance as part of their employment are to ensure a motor vehicle allowance claim is not made if home garaging a Service vehicle.

Annual review of home garaging approvals

Where approval has been granted for any home garaging of Service vehicles, by members for:

(i) covert and specialist operations;

(ii) approvals where the member is not on call; or

(iii) on call positions,

an annual review of the approval is to be conducted to ensure home garaging remains appropriate.

Annual reviews by an assistant commissioner or executive director are to be conducted and reported to the Deputy Commissioner, People and Assets through the chain of command by 30 September each year.

The report to the Deputy Chief Executive, People and Assets is to include:

(i) details of long-term use of a Service vehicle for the purpose of home garaging which has been approved in the previous 12-month period by an assistant commissioner or executive director and is sought to be continued;

(ii) justification and certification of demonstrated operational efficiency; and

(iii) records of the actual number of times the vehicle was used for the officer to return to duty out of hours, annual confirmation for continuing approvals will be made by the Deputy Chief Executive, People and Assets on advice from an assistant commissioner or executive director.

In addition, the adequacy of home garaging business cases will form part of ESC, Inspections Teams' reviews of any location.

Recording home garaging of a Service vehicle

Members who use and home garage a Service vehicle are to maintain records of the use of the vehicle in the electronic version of a QPB 20B: 'FBT vehicle logbook' (on Forms Select) or if using a handwritten logbook, an FBT compliant QPB 20A.

Security of home garaged Service vehicles

Where approval is given for a member to travel to and from work using a Service vehicle and the member is to home garage the vehicle at a private residence, the member is to ensure:

(i) the vehicle will be:

(a) adequately protected; and

(b) securely parked behind the property line and not left in the street;

(ii) all journeys undertaken are accurately recorded; and

(iii) vehicles are securely locked when not in use.

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Vehicle pooling

ORDER

Service vehicles are to be made available for official use when not home garaged including returning keys to relevant centralised location i.e. car pool.

Use of ride booking services or Cabcharge

Where appropriate, senior members should consider the use of ride booking services or Cabcharge vouchers (see s. 5.6.1: 'Taxi and ride booking services practice' of the Financial Management Practice Manual), for officers whose long-term home garaging needs could be more effectively met by these means.

4.2.3 Fuel cards

All Service vehicles are issued a fuel card specifying the approved fuel to be used (as per minimum specified requirement of the manufacturer). This fuel card also authorises the purchase of engine top-up oils and carwash. The fuel card is only to be used for the vehicle it is issued to.

Fuel cards are not to be used for the purchase of any other goods.

Officers entering the incorrect fuel type in error to a Service vehicle will have to pay for the petrol themselves. The officer should advise their supervisor or OIC to arrange a refund if possible.

Refunds are at the discretion of the OIC.

ORDER

If petrol is added to a diesel vehicle or vice versa, the officer is to, upon recognising the problem immediately stop the vehicle and switch the engine off. They must contact their relevant communications centre to arrange for the vehicle to be towed.

A vehicle must not be driven once the incorrect fuel has been added.

For more information regarding fuel cards see s. 5.5.1: 'Using Fuel Card Practice' of the Financial Management Practice Manual.

4.2.4 Planned service and maintenance of Service vehicles

All Service vehicles have scheduled service intervals set by the manufacturer. The OIC of a station or establishment, or the OIC's delegate, is to be notified of upcoming service intervals for all vehicles allocated to the station or establishment. Arrangements are then to be made, ensuring a vehicle is properly maintained.

OICs have the authority to arrange servicing for the Service vehicles allocated to their area of control.

For further information regarding planned servicing and maintenance of Service vehicles members should refer to the Fleet Services Group Fleet Maintenance SharePoint page.

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4.2.5 Miscellaneous

For information and procedures relating to the reporting of damage, insurance claims process or replacing damaged windscreens members should refer to the QPRIME Departmental Vehicle Insurance Claim Guide available on the Fleet Service Group Vehicle Insurance Claims SharePoint page. Members are to comply with reporting requirements. The QP 1104 is to be submitted within seven days of the incident.

4.2.6 Use of loan vehicles for Service purposes

ORDER

Where a non-Service vehicle is used, whether for ad-hoc, short or long-term period, for Service purposes, the vehicle while being used by the Service is to be considered a Service vehicle and all relevant policies apply. The use of non-Service vehicles is to comply with the requirements of s. 14.28.7: 'Borrowing or using non-Service property for operational purposes' of the OPM.

Any contractual arrangement or agreement made for use of the vehicle should be in writing and in compliance with the relevant section of Chapter 8: 'Management of Service Arrangements and Events' of this Manual. Where use of a vehicle involves signage associating a non-government entity with the Service this may be considered sponsorship and consultation should be undertaken with the Service's Sponsorship Responsible Officer, Policy Insight Division (see s. 8.3: Sponsorship of this Manual).

4.2.7 Electric vehicles (EVs) and Service EV charging stations

Definitions

For the purposes of this section:

EV Charging station

means a charge point, charging location, or electric vehicle supply equipment, or a power supply device for recharging plug-in electric vehicles.

Electric vehicle (EV)

includes cars, trucks, motorbikes, e-bicycles, e-scooters and other vehicles equipped with a battery powered motor.

For further information on types of EVs, see Australian Government Green Vehicle Guide.

Management of Service EV charging stations

ORDER

Members are not to:

(i) charge privately owned or commercial vehicles (taxis, ride booking services, delivery, or any other commercial venture) electric or plug in hybrid, at a Service EV charging station. Members could be liable under s. 235: 'Unlawful taking of electricity' of the *Electricity Act*;

(ii) charge privately owned e-scooters or e-bikes at stations or establishments;

(iii) park a motor vehicle other than a Service EV, in a parking bay designated for an EV;

(iv) charge a Service EV while parked in a bay not designated for EVs;

(v) use charging cables that are damaged or stretched. Cables and other equipment are to be inspected for damage prior to use. Any damage is to be reported through the appropriate channels;

(vi) interrupt a charging session, or alter or interfere with a Service EV charging station (including the cable) while being used, unless operationally required;

(vii) allow Service EV charging stations to be used for any other purpose than their intended use. Unless the Service EV charging station is being used by another Queensland Government EV or hybrid (approved by the facility manager, or OIC of a station or establishment); and

(viii) charge a Service EV at a non-Service EV charging station unless previously approved.

Members are to comply with any additional local instructions for the use of and charging of Service EVs.

Members should comply with the provisions regarding use of vehicles in s. 4.2.1: 'Responsibilities and duties of officers' of this chapter.

Charging EVs

There are three main ways (levels) to charge an EV. Charging time and range will vary depending on the vehicle. For further information see DTMR—Electric Vehicles and charging.

Refer to the Service MG HS + EV Charging Guide on Fleet Services intranet page.

EV safety

ORDER

Prior to the installation of any Service EV charging station, inquiries are to be conducted through email to qps.sustainability@police.qld.gov.au.

Members are to be aware of the following for EV safety:

(i) driving and charging of EVs, including hybrids, built or modified after 1 January 2019 are to meet DTMR labelling requirements with an EV sticker on the vehicle's registration plates;

(ii) Service EV charging stations are to be installed by qualified electrician ensuring units and cables are electrically compliant and meet Australian Standards;

(iii) facility managers, or OICs of a station or establishment should consider the installation of interconnected smoke alarms in the area where the EV is being charged indoors; and

(iv) caution is to be exercised when charging an EV in wet weather, it is recommended EVs are not charged during electrical storms.

4.2.8 Management of Service grey fleet

Grey fleet is the term used to describe registerable and insurable motor vehicle and trailer assets, purchased by regions and commands, independent to the centralised acquisition and disposal program managed by Fleet Services Group (FSG), Assets Division.

Regions and commands:

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(i) are not to acquire Service non-grey fleet motor vehicles independent to the approved growth vehicle application process as prescribed in the Fleet Services Group Approval Matrix;

(ii) planning to purchase any form of all-terrain vehicle (ATV) or trailer to be used in the delivery of frontline services are to consult with FSG, Assets Division prior to commencing any purchase process; and

(iii) that procure vehicles through a forfeiture process or local level purchase, are to dispose of the vehicle as prescribed in s. 8.6.1: 'Assets – Transfer and disposal practice' of the Financial Management Practice Manual (FMPM).

If the following asset categories are purchased directly or otherwise acquired (e.g. by donation) by regions or commands they are considered grey fleet:

(i) motorcycles or quadbikes;

(ii) all-terrain vehicles (ATV);

(iii) golf buggies;

(iv) trailers; and

(iv) horse floats.

Regions and commands are responsible for ensuring grey fleet assets are:

(i) acquired, managed, and disposed of in accordance with s. 7.1: 'Procurement policy' and Chapter 8: 'Assets' of the FMPM;

(ii) declared to FSG, Assets Division annually when requested;

(iii) maintained to a lawful, safe and roadworthy condition by adhering to manufacturer's logbook service requirements and undertaking unplanned maintenance in a timely manner; and

(iv) reporting insurance related incidents and the insurance claim is completed within seven days of an incident occurring.

FSG are responsible for ensuring grey fleet assets are:

(i) registered (including renewal) to the Commissioner; and

(ii) comprehensively insured (including renewal) by the current Service insurer.

4.3 Service properties and facilities

Introduction

The broad operational remit of the Queensland Police Service (Service) underpins a strategic need for the provision of resilient fit-for-purpose properties and facilities that will enable continuity of service across all relevant geographies and conditions. Service properties and facilities, includes land, and relates to a broad network of operational, administrative and specialised properties and facilities—both owned and leased. These are to be suitable, strategically located and operationally resilient.

For this section, these are further broken down into:

(i) Service **owned** properties and facilities; and

(ii) Service **leased** properties and facilities.

The Service operates as an embedded service within the community and operational presence is determined by service demand. This is influenced by factors such as population growth and distribution, crime trends, community expectations, and evolving priorities and objectives of government.

When a need arises to establish, expand, or adjust QPS presence, the availability of suitable land or premises within a desired location may be limited or constrained by budget, market, timing, or planning factors. In such circumstances, the Assets Division will evaluate the most suitable tenure model to support operational delivery and responsiveness.

Where appropriate, the Service will rely on leased accommodation solutions to ensure frontline and other operational services are delivered. Refer also to heading 'Service accommodation lease agreement process' in s. 4.3.2: 'Service leased properties and facilities' of this chapter.

Capital Assets and Facilities Management Group

The Director, Capital Assets and Facilities Management Group (CAFMG), Assets Division under the overview of the Executive Director, Assets Division holds Service operational oversight of all Service property and facility assets (owned and leased), and the authority required to support relevant operations of the Service. This includes the authority to sign documents related to property dealings including leases, contracts of purchase etc. (see Delegation D 15.31), noting

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that the approval of contracts will occur through the Service governance system including the Assets Subcommittee and the Board of Management.

CAFMG maintains strong relationships with other government agencies to strategically manage the diverse building, construction, maintenance and leasing activities across Queensland.

ORDER

Members of the Service are to ensure all planning, programming, design, acquisitions, delivery and disposals of Service property and facilities (owned and leased) are delivered to the operational oversight of the Director, CAFMG.

4.3.1 Service owned properties and facilities

For Service owned properties/facilities, the Director, Capital Assets and Facilities Management Group (CAFMG), Assets Division holds and delivers oversight for:

(i) capital works programming and delivery, including major capital works and minor works;

(ii) all Service property management and lifecycle management, including periodic asset utilisation reviews, maintenance and accommodation planning;

(iii) due diligence investigation in the need and design options of new properties and facilities or in upgrading or refurbishment of existing properties and facilities;

(iv) consultative planning and design in construction and maintenance of Service properties and facilities;

(v) acquisition and disposal of properties and facilities (including the conduct and probity of need and due diligence investigation);

(vi) Service residential property management, including the management of Service housing owned residences (see also to Chapter 13: 'Queensland Police Service Residential Housing Policy' of this Manual);

(vii) development of relevant external approvals (including infrastructure designations and property lot reconfigurations); and

(viii) delivery of built environment sustainability through quality design, construction and oversight of building operations and fit outs.

This oversight is to be delivered with the view to achieving compliance with government and Service governance (including financial approvals). Alignment is also required with Service strategic asset management planning, life cycle planning and other service responsibilities, including building condition assessments. This is necessary to ensure statutory compliance around work health and safety, other legislation and government policy.

The Director, CAFMG also undertakes facilities management for major facilities including at Oxley, Wacol, Townsville Academy and Police Headquarters.

Facilities management at other locations is the responsibility of the OIC (see s. 2.3.1: 'Properties and facilities management' of this Manual).

Further information is located on the CAFMG SharePoint page.

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4.3.2 Service leased properties and facilities

Introduction

A lease is a contractual arrangement which may be used to acquire or use assets. This may involve significant costs and potentially contain provisions weighted heavily in favour of the lessor. Lease arrangements are occasionally characterised as being arrangements of another sort, however this does not preclude them from relevant approval and reporting requirements. The specifics of the actual arrangement must be considered in determining whether it is a lease arrangement.

Members seeking a Service lease are to first be able to justify and demonstrate a related need including through all necessary contact with Capital Assets and Facilities Management Group (CAFMG). The Service lease agreement process and a 'Request for Accommodation' is to then be applied for within formalisation for Service advancement, a situation requiring prior approval of the relevant assistant commissioner or executive director. See also 'Service accommodation lease agreement process' of this section.

ORDER

Relevant to all properties or facilities leases, Service members are not to:

(i) make contact with property owners or real estate agents;

(ii) commence or negotiate commercial terms;

(iii) make commitments or representations;

(iv) express interest; or

(v) indicate Service approval.

The only exception to the above order is the authority provided to the Director, CAFMG, Assets Division, and in operational terms CAFMG members working on behalf of the Director, CAFMG.

Lease management—key principles

The Service adheres to the following leasing principles:

(i) financial management—Service accountability for ensuring leased operations are efficient, effective and economical - with regular utilisation audits. Value for money is key and competitive rental rates are to be achieved and space is to be used effectively and efficiently. Competitive market analysis is to be conducted. Option analysis and decision making is undertaken that considers cost/benefit evaluation of the lease and Service priorities, community benefit, staff welfare and budgetary considerations;

(ii) governance—decisions are to be transparent, documented and defensible to ensure public trust and compliance with Service procurement policies, financial management responsibilities, delegations and approvals;

(iii) integrity, probity and accountability—a leasing process which is fair, transparent, avoids conflicts of interest and ensures that ethical conduct is maintained;

(iv) legal compliance—ensuring that all new and existing leases comply with all relevant legislation, government policies and guidelines; and

(v) data management and reporting—the Service will ensure that complete, current and accurate information is maintained.

Queensland Government Accommodation Office

The Queensland Government Accommodation Office (QGAO) is typically the Service lease managers and also adhere to contemporary leasing principles. The QGAO will be engaged for all leases, with some potential exceptions i.e., specialist operational leases, and are responsible for administering the Queensland Government Office Accommodation Management Framework (OAMF).

The OAMF applies to all government departments. In accordance with Section 1 of the OAMF, agencies are to be represented in office accommodation matters by one authority—the Department of Housing and Public Works (DHPW) and must not compete in the marketplace. As a result, the DHPW, through the QGAO, are the managing authority for all government **office** accommodation (both owned and leased from the private sector) and Service is bound by this.

As the QGAO act as lease managers on behalf of the Service and assume the role of lessee in a legal sense for accommodation leased from the private sector.

Accordingly, QGAO will, in part:

(i) develop and monitor office accommodation guidelines;

(ii) develop, review, and implement standard government leasing documentation;

(iii) negotiate all new leases and manage existing leases in non-government-owned office buildings, including all new lease negotiations and lease management functions (e.g. options/renewal and termination) and in consultation with appointed legal representation;

(iv) manage associated procurement activities in establishing/managing accommodation leases including in compliance with the Queensland Procurement Policy;

(v) assume the role of lessee in a legal sense for space which has been leased from the private sector;

(vi) provide advance information to the Treasury Budget Division for financial advice and comment for inclusion in Deputy Directors-General Accommodation Group submissions that have an overall budget impact;

(vii) formulate, audit and review workplace guidelines and standards in terms of content and quality; and

(viii) undertake financial management of the government office accommodation portfolio, including the invoicing of rent, on-charging for accommodation services, make contractual payments for accommodation leased from the private sector (including accommodation services), and undertake the on-charging those costs to agencies.

Queensland Leasing Approval Policy for Public Sector Entities

Queensland Treasury has formulated the Queensland Leasing Approval Policy for Public Sector Entities (the Leasing Approval Policy) which is applicable to public sector entities and must be complied with. The Leasing Approval Policy is mandated under the Financial and Performance Management Standard (FPMS) and must be read in conjunction with the Queensland Procurement Policy (QPP).

The Leasing Approval Policy directs the Service asset leasing and related issues, including:

(i) in defining a lease;

(ii) outlining the powers of public sector entities to enter into lease arrangements, including the necessary approval requirements;

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(iii) the necessity to ensure prudent financial management with regard to the lease vs buy decision;

(iv) bundling of services in lease transactions; and

(v) lease documentation and other associate issues.

Within the Leasing Approval Policy AASB 16 leases became effective for reporting periods beginning on or after 1 January 2019. The AASB 16 introduced a single lease accounting model, where there is no longer a distinction between finance leases and operating leases for lessees.

In their accounts, lessees are required to recognise right-of-use of the asset and a lease liability (i.e. the obligation to make future lease payments) with two exemptions:

(i) short-term leases of 12 months or less, without a purchase option, noting short-term leases with extension options may not be exempt; and

(ii) leases of low value assets may be applied on a lease-by lease basis, noting this threshold is at AUD $10,000.

Service members may identify initial needs relevant to leasing Service properties and facilities. Where a (properties and facilities) lease is likely to be considered—chain of command reporting at least to the level of the relevant assistant commissioner or executive director is to be submitted seeking approval for progression.

Capital Assets and Facilities Management Group

The capabilities and outcomes of Capital Assets and Facilities Management Group (CAFMG), Assets Division (AD) are as detailed on the CAFMG SharePoint page and linked unit pages. Consultation may be undertaken with CAFMG through liaison with the relevant or nominated key points of contact.

For Service leased properties and facilities, the Director, CAFMG holds and delivers oversight for:

(i) lease programming and delivery, including as relevant to major and minor works;

(ii) all Service leased property management, lifecycle management and accommodation planning;

(iii) ensuring probity in need identification and due diligence investigations;

(iv) early engagement with Finance and Procurement Division, including to ensure necessary legislative approvals prior to entering into an agreement;

(v) formalising selection of new leased properties and facilities for progression;

(vi) formalising leases and arrangements, or upgrading current or refurbishment of existing, properties and facilities;

(vii) undertaking necessary engagements relevant to all third-party arrangements; and

(viii) Service residential property management, including the management of Service housing leased residences—refer also to Chapter 13: 'Queensland Police Service Residential Housing Policy' of this Manual.

This oversight is to be delivered with the view to achieving all necessary compliance with legislation, government policy and Service corporate governance and financial approvals, and includes oversight in the performance of some aspects of properties and facilities maintenance.

Queensland Treasury Corporation engagement

In accordance with s. 3.0: 'Approval required' of the Leasing Approval Policy, the Director, CAFMG is to ensure that the Service seeks financial advice from the Queensland Treasury Corporation (QTC) prior to commencing any lease approval process where:

(i) the lessor is not a statutory body, a department or a government owned corporation; and

(ii) the total net present value (NPV) of the rental payments exceeds $2 million. "Net present value of the rental payments" is to be determined in accordance with the calculation for a lease liability at commencement of the lease as outlined in Australian Accounting Standard AASB 16 *Leases* (as amended, updated and replaced from time to time).

Approvals required

As leases are 'on-balance sheet', they are akin to a borrowing, therefore, pursuant to s. 71: 'Borrowings by accountable officers' of the *Financial Accountability Act* (FAA), the Service Accountable Officer must obtain the Treasurer's approval, before entering into a lease. Section 3.0: 'Approval required' of the Leasing Approval Policy further details the relevant approvals which must be obtained by the Service prior to entering into a leasing arrangement.

These are:

(i) substantive approval—the transaction must be approved by the Service accountable officer (or delegate) and depending on the nature and size of the proposed lease transaction, approval must also be obtained from Cabinet or the Cabinet Budget Review Committee; and

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(ii) legislative approval—the Service must explain the business case for entering into the lease transaction in accordance with the provisions of the Queensland Leasing Policy and the Treasurer's approval will be required. Noting a Treasurer's general approval is in place for certain situations (refer below).

Where substantive approval and legislative approval have been received, for leases where the total net present value of the rental payments exceeds $2 million and the lessor is external to government, approval under the state borrowing program is required for the particular financial year.

Where a lease comprises part of a project as defined in the Queensland Treasury Project Commencement Approval policy, additional approvals under this policy may be required.

General approvals

General approvals, which in certain circumstances negate the need for a specific approval, have been granted by the Treasurer under the FAA and the *Statutory Bodies Financial Arrangements Act*. General approvals for borrowings, being taking a lease, are in place for departments and statutory bodies where either:

(i) the lessor is a statutory body, a department or a GOC; or

(ii) the total net present value of the rental payments does not exceed $2 million; or

(iii) the lease being taken is for office premises.

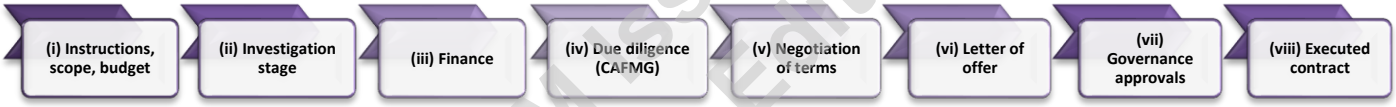
The approvals were gazetted on 25 October 2019 in Queensland Government Gazette No. 56 (pages 277 and 278). Where a proposed lease arrangement is covered by this general approval, the Service's approval process will still otherwise apply.

ORDER

For Service leases, consultation and compliance with the 'approval required' provisions of the Leasing Approval Policy, and with the FAA, must occur, before any commitment to the lease.

Service accommodation lease agreement process

The Service has defined a process for Service accommodation leases (i.e. assistant commissioner or executive director level support must first be achieved prior to progression).



The Service accommodation lease process is:

(i) **instructions, scope, budget**—members from a business unit will complete a Request for Accommodation (RFA), supported by the relevant Assistant Commissioner/Executive Director, and email it (as relevant) to:

(a) QPS.Leasing@police.qld.gov.au;

(b) SES.Leasing@police.qld.gov.au; or

(c) MRQ.Leasing@police.qld.gov.au.

(ii) **investigation stage**—CAFMG will acknowledge receipt of the RFA, undertake a pre-lease meeting with the capital planning team to review the RFA and determine the appropriate accommodation pathway (e.g. to utilise an existing owned or leased premises or progress a new lease). All RFAs are to be endorsed by the Director, CAFMG, the Executive Director, Assets Division and the Deputy Commissioner, People and Assets. CAFMG will advise the business unit of the outcome and provide an estimated expenditure based on general market rental rates and fit-out estimates to obtain preliminary budget approval;

(iii) **finance**—the business unit will identify a dedicated budget source confirmed in writing by Finance and Procurement Division (FPD). Without a funding source covering the full life of the lease, the proposal will be returned for the relevant assistant commissioner or executive director to consider a submission to the Asset Subcommittee or submission for CBRC funding;

(iv) **due diligence (CAFMG)**—CAFMG will upon receipt of a confirmed funding source then investigate options with the Queensland Government Accommodation Office (QGAO) and will advise further. All other members must not make any representations or commitments on behalf of the Service under any circumstances (including, but not limited to engaging directly with landlords, real estate agents, or external representatives) and are not to imply interest, negotiate terms, or indicate approval. CAFMG will forward a market scan of suitable properties to the business unit who will assess the short-list of options provided. The relevant member is to advise CAFMG of a preferred option. CAFMG will undertake further due diligence and instruct the QGAO to provide condition assessments and their recommendations to CAFMG. A summary and recommendation are then provided to the business unit. Business units will then review the due diligence findings and provide approval to progress with a preferred option with assistant commissioner or executive director support to be confirmed;

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(v) **negotiation of terms**—CAFMG will then instruct the QGAO to seek a formal offer from the landlord and negotiate favourable terms including appropriate diligence conditions. QGAO will carry the responsibility to ensure that any offer is legally sound and represents best value for money and affordability;

(vi) **letter of offer**—QGAO will present CAFMG with a letter of offer. CAFMG will review the letter of offer to ensure alignment with agreed negotiation terms and endorsed budget approvals. If correct and in order, CAFMG will then develop and provide the lease brief and letter of offer from QGAO (or an agreement) to the internal Service business unit and FPD, who will review the offer. If the budget amount contained in the letter of offer is above any previously approved amount, a revised budget approval process will be required for the revised amount;

(vii) **governance approvals**—subsequent to the business unit review and prior to contract execution, CAFMG will prepare a submission to the Assets Sub-Committee to include a firm recommendation to the Board of Management or relevant governance entity in accordance with Service corporate governance provisions, the Leasing Approval Policy, and any relevant legislative provisions. The submission will demonstrate due diligence by providing detailed advice of stakeholder consultation undertaken, FPD confirmation of financial approval for all expenditure (rent, outgoings, fit-out, IT and make-good costs) and approvals from relevant internal parties and external government entities. Refer further to headings 'Queensland Treasury Corporation engagement'; Approvals required'; and 'General approvals' within this Section. Importantly, any relevant statutory approvals (e.g., under the FAA) must be obtained before any representation of commitment are made to the prospective lessor. Where applicable, state borrowing program approval is also required for leases where rental payments exceed $2 million, and the lessor is external to government. The Board of Management, or other relevant corporate governance entity (financial delegation level), will provide clear direction on the approval. Noting: low cost/risk (e.g. peppercorn) leases may be dealt with by way of CAFMG operational governance oversite and will also involve demonstration of all due diligence via appropriate record keeping;

(viii) **executed contract**—if the approval is for a value which requires expenditure approval from the Minister, Cabinet or Governor in Council (consistent with the Project Commencement Approval policy), that approval will need to be received prior to a contract being executed (which included a conditional offer to lease). On approval by the relevant governance entity, CAFMG will sign the lease, licence or legally binding agreement on behalf of the State, track the full execution of the legal agreement and will update Service records accordingly. FPD and CAFMG will hold a copy of the lease.

CAFMG is also to be engaged to contribute and oversee all actions relating to lease extension options and lease end/termination and makegood obligations.

4.3.3 Service corporate/office accommodation planning

Capital Assets and Facilities Management Group (CAFMG), Assets Division delivers the corporate and office accommodation planning capability for the Service and is available to assist with inquiries from members.

Service corporate and office accommodation planning relates to both Service owned and leased properties and facilities and is mandated by the Queensland Government Office Accommodation Management Framework (OAMF). Relevant Service planning must incorporate the OAMF.

It should be noted that efficiency, cost effectiveness and front-line benefit will guide Service corporate and office accommodation decision making.

Additional Service and OAMF aligned principles include:

(i) Service accommodation space is never considered internally 'owned' by a Service entity (e.g. by a command or division). All Service accommodation is instead simply coordinated and allocated on a service-wide current or emerging needs basis (including geographic needs) by the Assets Division, with Assets Sub-Committee oversight;

(ii) modifications and fit outs will only be undertaken where efficiency, cost effectiveness and front-line benefit can clearly be demonstrated;

(iii) maximising efficiency and enabling the future functioning of the Service—open plan design principles will apply;

(iv) Service staff have equal entitlement to amenities which support their role including meeting rooms, quite rooms and collaborative spaces;

(v) accommodation should be multi-purpose and are to be used flexibly. Single-use space and facilities are discouraged and facilities are to be shared as necessary across units, commands, divisions etc.;

(vi) agile ways of working should be adopted, where practical, including in the sharing of work points; and

(vii) Service accommodation must be safe, legislatively compliant and accessible. This includes compliance with all relevant building, fire safety legislation and codes. Accommodation is to promote and deliver access for people with a disability and enable cultural safety.

Further information can be located via the CAFMG SharePoint page.

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4.4 Service identification and other identity cards

Capital Assets and Facilities Management Group, Assets Division are responsible for production, issue and replacement of Service identification and identity cards.

4.4.1 Displaying of Service identification

ORDER

All Service members, which includes:

(i) police officers;

(ii) police recruits;

(iii) staff members whether temporary or permanent including:

(a) watch-house officers;

(b) police liaison officers; and

(c) police pipes and drums band officers; and

(iv) other members including:

(a) volunteers in policing; and

(b) police chaplains,

and other persons conducting business or other functions of their employment, whilst inside a Service occupied building are to clearly and prominently display their issued identification at all times.

All Service members are to upon exiting Service occupied buildings:

(i) remove their issued identification (which includes the lanyard) from display; and

(ii) ensure their identification is available for production as required for duty.

There may be certain operational policing situations where these responsibilities may not apply.

See also s. 12.11: 'Service identification and lanyards' of this Manual.

Security in police stations and establishments

Officers or protective security officers who observe a person (uniformed or otherwise) not wearing or appropriately displaying Service identification or a visitor pass may challenge the person to produce for inspection any Service identification or visitor pass.

4.4.2 Service-issued identification

Withdrawn from public release.
Any inquiries to be referred to the Inspector, Operational Policy and Improvement.

4.4.3 Return of Service identification

ORDER

Upon permanent separation from the Service, a member:

(i) is to surrender all Service-issued identification to their officer in charge or supervisor (see also the HR Policy: 'Separations from the Service' SharePoint page); or

(ii) they are to:

(i) comply with subsection: 'Lost or stolen identification' of s. 4.4.2: 'Service-issued identification' of this chapter;

(ii) complete a statutory declaration outlining the full circumstances; and

(iii) provide both the declaration and a copy of the police report to their officer in charge or supervisor.

The officer in charge or supervisor is to forward the:

(i) surrendered service identification card, wallet and badge; or

(ii) provided documents,

to the Manager, Building Services.

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4.4.4 Obtaining retired officer Service identification upon separation

ORDER

Staff Members or members of the public are not entitled to retain a Service identification card or name tag on separation from the Service.

To obtain a retired officer Service identification card police officers may:

(i) make written application, when:

(a) an officer retires due to age under subsections (a) and (c) of s. 8.2: 'Retirement' of the *Police Service Administration Act* (PSAA); or

(b) an executive officer retires at the end of their contract; or

(ii) obtain approval from their assistant commissioner or executive director, when an officer retires on medical grounds under s. 8.2(b) of the PSAA.

Where a retired officer Service identification card issued is subsequently lost, stolen or damaged, a replacement identification card will not be provided.

The retention of any wallet, badge (including gold detective badge) or name tag by a separated police officer is not authorised under this policy.

Application for retired officer Service identification

Officers requesting retired officer Service identification card are to complete a QP 0979: 'Application for retired officer Service identification card'. Completion of the QP 0979 is an acknowledgement that:

(i) any Service identification card issued after separation remains the property of the Commissioner;

(ii) they undertake to return the identification to the Service upon request at any time in the future; and

(iii) all Service-issued identification presently issued to the applicant is:

(a) attached to the application; or

(b) will be surrendered on permanent separation.

On completion of the QP 0979 requesting officers are to forward the QP 0979 to their OIC (senior sergeant or above) to verify that the application may be made in accordance with the policy. Where approval is required under this policy forward the QP 0979 through the chain of command to their assistant commissioner before forwarding to the Manager, Building Services for processing.

Once the completed QP 0979 is received by Building Services the retired officer's Service identification card will only be produced and forwarded to the retiring officer once the old Service identification card, wallet and badge have been received.

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4.4.5 Application by collectors and members of the public

ORDER

Service-issued identification is not to be provided to collectors or members of the public.

4.4.6 Duplication or copying of Service-issued identification

ORDER

Service-issued identification is not to be duplicated or copied for unofficial purposes unless prior permission has been obtained from a deputy commissioner.

No permission should be sought or granted for duplication or copying of any Service-issued identification if there is any chance that:

(i) it may compromise the safety, security or operational status of any Service member; or

(ii) the Service may be adversely affected.

4.4.7 Issue of images for official purposes

When the image of a member is required for any official purpose other than a service identification card, the request is to be forwarded to the Manager, Building Services who may authorise the production of the image. The request is to include:

(i) the details of the member whose image is required;

(ii) the reason for the supplying of the image; and

(iii) written permission from the member whose image is required, to supply the image.

The Manager, Building Services may decline to supply any image if they believe, on reasonable grounds, that:

(i) the person to whom the image applies has not given permission for the release of that image;

(ii) to release the image may compromise the safety, security or operational status of any member; or

(iii) the Service may be adversely affected by the release of the image.

4.4.8 Special constable identification

The production of either identification cards or suitable documentation for use interstate for special constables rests with the Manager, Building Services. Application for appointment as a special constable is in accordance with the HR Policies & Procedures SharePoint page.

Issue and return of special constable identification

When special constable identification is required application is made through Human Resource Officer (Special Constables), Human Resource Consultancy, who will consult with the Manager, Building Services for the production of an identification card or supply of an image for the special constable.

ORDER

When the appointment as a special constable expires or is revoked, the special constable identification card is to be returned to the Human Resource Officer (Special Constables), Human Resource Consultancy.

Replacement of special constable identification

ORDER

When a special constable requires replacement identification:

(i) which has been lost or stolen, they must submit a copy of the QPRIME occurrence (lost or stolen) to the Human Resource Officer (Special Constables), Human Resource Consultancy;

(ii) due to wear and tear or change of name, they are to advise the Human Resource Officer (Special Constables), Human Resource Consultancy and return the identification which is to be replaced.

4.5 Supply of Service uniform

Supply Services, Operational Equipment and Capability Management are responsible for the supply of Service uniforms.

For further information relating to the supply of uniform, see Requisition of Uniforms on the Supply Services SharePoint page.

Service members are to take appropriate precautions to ensure that the Service property is safeguarded and not carelessly or negligently exposed to loss, theft, or damaged beyond normal 'wear and tear'.

See s. 10: 'Information and resources' in the Standard of Professional Practice QPS on ESC SharePoint page.

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4.6 Disposal and swapping of uniform

Disposing items of Service uniform, badges, etc.

Due to the current threat levels against police in Australia, members are to dispose of unwanted items of Service uniform (operational, day dress and ceremonial) in line with this policy.

Members disposing of personal issue items of Service uniform (operational, day dress and ceremonial) are to effectively destroy those items, ensuring that they cannot come into the control of persons not entitled to possess them.

Swapping items of Service uniform to external persons or organisations

Members may swap obsolete Service patches or other items not contained within the current Police Uniform Catalogue (operational, day dress and ceremonial) with private persons, organisations or members of other police services.

ORDER

Members are not to sell current Service issue uniform articles or parts thereof as listed in the Police Uniform Catalogue (operational, day dress and ceremonial).

Members who wish to swap current Service issue uniform articles (including Service patches) are to obtain written authority from a commissioned officer, prior to any exchange occurring.

The provisions of this section and:

(i) s. 10.13: 'Surrender of equipment' of the *Police Service Administration Act*; and

(ii) s. 2: 'Return of QPS property' of HR Policy: 'Separations from the Service Guidelines' SharePoint page,

are to be complied with.

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5.1 Records management

Service members routinely create records in a variety of paper-based and electronic formats as part of their work. As a public authority, the Service is bound by the requirements of the *Public Records Act* and must create 'full and accurate records' as evidence of its operational and business activities.

The *Public Records Act*, along with whole-of-government policies detailed in s. 5.2: 'Corporate records management' of this chapter, outlines how the Service and similar public authorities must meet recordkeeping obligations within business processes and information technology systems.

This chapter provides a framework to facilitate compliant management of Service records.

5.2 Corporate records management

Members are to retain all records regardless of format for the full duration of the authorised retention period. Throughout this period, records are to remain interpretable, searchable, accessible, complete, accurate and intact.

Once the authorised retention period has expired and where disposal is permitted, members are to immediately arrange disposal of all records in accordance with applicable legislative, regulatory and policy requirements. Disposal actions are to be properly documented and auditable.

If public records are lost or damaged, members are to report the incident and take all necessary steps to rectify the issue and prevent further occurrences. Immediate written notification is to be provided to the Director, Records Management via email at records@police.qld.gov.au.

The Service will comply with the *Public Records Act* and relevant whole-of-government information management policies and frameworks, including:

(i) Queensland Government Records Governance policy;

(ii) Queensland Government Information Governance policy;

(iii) Queensland Government Information and Cyber Security policy—IS18;

(iv) Queensland Government Information Security Classification Framework—QGISCF;

(v) Metadata schema for Queensland Government data assets guideline;

(vi) Queensland Government Metadata management principles.

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5.2.1 Classification of records

The Service will use the QPS Retention and Disposal Schedule as the primary classification system for records captured and managed. The General Retention and Disposal Schedule (GRDS) is to be used for classification of general and administrative records and which do not have an entry in the QPS Schedule.

5.2.2 Managing administrative records

Members are to ensure complete and accurate administrative records of the Service are created, stored, secured, managed and preserved in accordance with relevant legislation, government policy, standards, frameworks and other regulations relevant as detailed in s. 5.2: 'Corporate records management' of this chapter.

5.2.3 Mail receipt and management

ORDER

All mail received at Service establishments is considered official police business and is to be opened at a Primary Point (a unit which has responsibility for maintaining corporate records). This applies to all correspondence and even that addressed to individuals by name, other than mail specifically exempted.

The use of Service business addresses for the receipt of private mail is not permitted.

5.3 Use of Service email

The Service internal email system is to be used for the routine transfer of information and correspondence.

5.3.1 Use of private email accounts

The use of private email accounts or systems (such as Gmail, Hotmail or similar) and messaging applications (such as Facebook Messenger, SnapChat and WhatsApp), for Service-related business poses a risk to information security and appropriate management of records. A member is not to use such accounts or applications for Service business.

The email system is monitored by persons authorised by the Commissioner.

The Queensland Government's 'Responsibility for managing and capturing public records' requires that any records made or received in a private account, or messaging app are migrated into an official government account within 20 calendar days of creation or receipt.

5.3.2 Email as public records

Email of continuing value to the Service is a public record under the *Public Records Act* and includes all messages concerning:

(i) business activity of the Service;

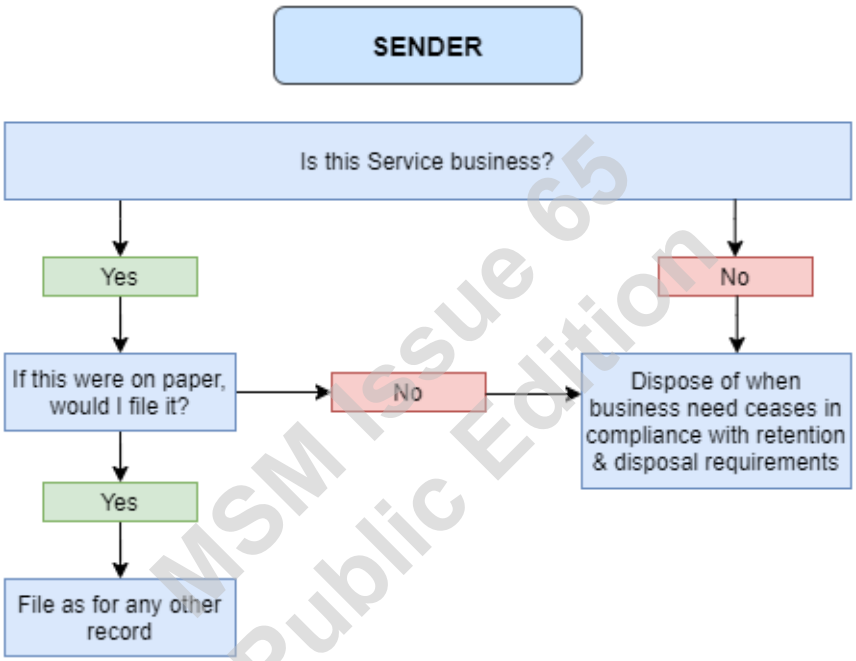
(ii) decisions (administrative and operational);

(iii) reasons for decisions; or

(iv) context for business activity, transactions and decisions.

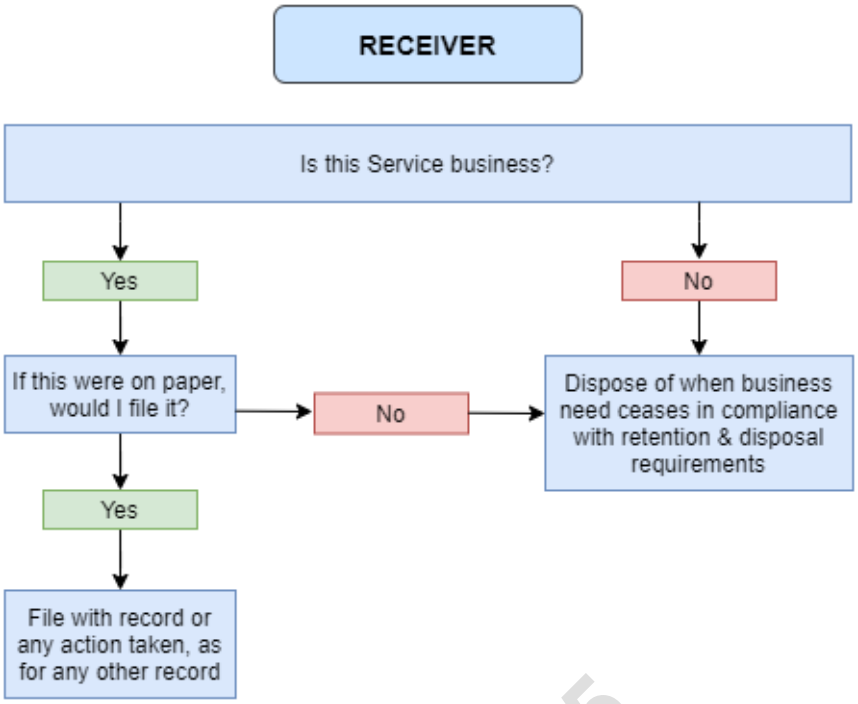
The sender is the primary decision maker on what email messages are public records. They must ensure these messages are captured in the applicable Service business system or application (e.g. Objective, QPRIME, ITAS, SAP) and is dependent on the operational or business function to which the email relates.

An email containing highly protected or confidential information is to be captured within a records management system holding appropriate security restrictions and auditing capability.



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The receiver is responsible for actioning the email message, ensuring that appropriate records management action is taken.



5.3.3 Email of no continuing value

Email messages of ephemeral (short-term) interest and no continuing value to the Service are not public records. They are not required to be captured with Service business systems or applications and do not require formal authorisation for their disposal (once their short-term operational or business use has ceased).

Examples of transitory and short term records are listed within General Retention and Disposal Schedule (GRDS).

5.3.4 Acceptable use policy

Details of acceptable and appropriate use of email (and other Service systems) are contained within the Service Acceptable Use Policy for accessing and use of information assets.

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5.4 Location, storage and disaster management of Service records

ORDER

Members are to properly preserve Service records of continuing value in an accessible format for their entire lifespan.

Original electronic records must be retained within the applicable Service system (e.g. Objective, QPRIME, ITAS, SAP) dependent on the operational or business function.

All Service systems, along with any fixed or mobile devices used—including optical and other electronic media technologies—must implement backup procedures to meet security and recoverability requirements.

Original physical records must be stored in an environment that prevents damage, minimises physical deterioration, and preserves the information security of the records.

When determining the storage location of Service records, requirements for accessibility need to be balanced with requirements for preservation and security.

Disaster management plans must be established to minimise the risk to Service records (particularly vital records).

See Records preparedness and oversight in disaster scenarios SharePoint page for more information and procedures.

5.5 Records retention and disposal

5.5.1 Records of continuing value

ORDER

Members are to assess all Service records for continuing value in accordance with the Records Retention and Disposal Handbook.

Where a record type is not listed in the General Retention and Disposal Schedule or Queensland Police Service Retention and Disposal Schedule the Director, Records Management is to be notified in writing to records@police.qld.gov.au.

Detailed procedures for assessing records for continuing value are contained in the Records Retention and Disposal Handbook.

5.5.2 Retention of records

ORDER

Members are to retain all Service records for the minimum period documented in the approved QPS Records Retention and Disposal Schedule or General Retention and Disposal Schedule. Minimum retention periods reflect the value (i.e. importance) of the record.

When records are to be retained for periods of time that are longer than the retention period, the reasons for this decision are to be documented and the Director, Records Management notified in writing to records@police.qld.gov.au.

Records may, under special circumstances, be retained for potential value unrelated to the original intended purpose or current use. Generally, records are not to be retained for a potential secondary value that may only be realised with a technological breakthrough.

5.5.3 Disposal of records

ORDER

A member is not to dispose of a record unless in accordance with timeframes detailed in the:

(i) QPS Records Retention and Disposal Schedule; or

(ii) General Retention and Disposal Schedule.

Authorisation is to be obtained from Records Management via records@police.qld.gov.au before any record or file series is destroyed or transferred to Queensland State Archives (QSA).

To initiate this process, a QP 0380 is to be completed, documenting the records intended for disposal or transfer. The QP 0380 is to then be processed by Records Management and approved at the appropriate managerial level, typically the Director, Records Management (see Delegation D 135.1).

Records may not be disposed of until the business owner, as specified on the QP 0380, has received notification of disposal approval for each listed record.

Unauthorised disposal of a public record is an offence under the *Public Records Act* and liable to penalty.

A listing of all records disposed of or transferred to QSA is to be made and a copy forwarded to Records Management via records@police.qld.gov.au for permanent retention.

The information security of records must be preserved during disposal.

All records requiring destruction (whether they are paper, electronic, audio visual, magnetic etc.) are to be destroyed in accordance with Records Retention and Disposal Handbook.

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5.5.4 Conducting a retention and disposal project instruction

Processes necessary for conducting a retention and disposal project of physical records in compliance with relevant legislation, whole-of-government and Service policy is located within the Records Retention and Disposal Handbook.

5.5.5 Transfer of record ownership into or out of the Service

ORDER

Members transferring record ownership into or out of the Service are to comply with the *Public Records Act*, the QPS Records Retention and Disposal Schedule (QPS Schedule) and the General Retention and Disposal Schedule (GRDS). Transfers are to ensure the integrity, security and accessibility of records throughout the process.

Members transferring record ownership into or out of the Service are to take the following steps in order:

(i) notification and approval:

(a) for outgoing records—the initiating business unit is to notify the Director, Records Management via records@police.qld.gov.au of the intent to transfer records; or

(b) for incoming records—the receiving business unit is to confirm classification and retention requirements using the QPS Schedule or GRDS;

(ii) assessment of record value:

(a) records are to be assessed for continuing value using the Records Retention and Disposal Handbook; or

(b) if a record type is not listed—notify the Director, Records Management for appraisal;

(iii) transfer repository and compliance review:

(a) records nominated for transfer are to be placed in the designated employee transfer repository; and

(b) a compliance scan is to be conducted to identify sensitive or protected content. Records flagged as excluded from transfer are not to be transferred;

(iv) endorsement and documentation:

(a) the Commissioner, or authorised delegate (see Delegation D 135.1) is to review and consider endorsement of the transfer list; and

(b) a formal report listing all nominated files and their transfer status is to be submitted to Records Management for permanent retention;

(v) security and information control:

(a) transfers of electronic records is to comply with s. 4.12: 'Electronic Information Transfer' of the Information Management Manual and the Acceptable Use Policy; and

(b) security audit logging and inventory controls are to be applied to all transferred systems and media;

(vi) post-transfer validation:

(a) a post-transfer review is to confirm successful migration and accessibility of records; and

(b) any discrepancies or data loss must be reported immediately to Records Management; and

(vii) special considerations—transfers involving sensitive or classified information is to be coordinated with the Chief Risk Officer and comply with enterprise risk protocols outlined in s. 7: 'Escalation—identification of a risk' of the Risk Management Procedure.

5.5.6 Ensuring records are retained when an information and communications technology system is replaced or decommissioned

ORDER

When an information and communications technology (ICT) system is replaced or otherwise decommissioned, the Service must ensure that all records created, stored or managed within the system are retained in accordance with the QPS Records Retention and Disposal Schedule (QPS Schedule) or General Retention and Disposal Schedule (GRDS).

Members responsible for replacement or decommissioning of an ICT system are to take the following steps in order:

(i) system audit and record identification:

(a) conduct a full audit of the ICT system to identify all record types and formats (e.g. structured databases, unstructured files, logs, emails); and

(b) classify records using the QPS Schedule as the primary reference. Where record types are not listed, consult the GRDS or notify the Director, Records Management via records@police.qld.gov.au;

(ii) assessment of continuing value—apply the criteria outlined in the Records Retention and Disposal Handbook to determine which records are to be retained and for how long;

(iii) migration and preservation:

(a) migrate records of continuing value to an approved Service system (e.g. Objective, QPRIME, ITAS, SAP) ensuring metadata integrity and accessibility;

(b) validate that migrated records remain interpretable, searchable, complete and secure;

(iv) backup and redundancy—prior to decommissioning, ensure that backup copies of all retained records are created and stored in accordance with s. 5.4: 'Location, storage and disaster management of Service records' of this chapter;

(v) documentation and reporting:

(a) document the migration and retention actions taken, including system name, record types, retention periods and responsible officers; and

(b) submit a copy of this documentation to Records Management for permanent retention;

(vi) system sanitisation and disposal—once all records have been securely migrated and validated, sanitise or destroy the ICT system and associated media in accordance with approved guidelines in the Acceptable Use Policy; and

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(vii) loss or inadvertent disposal—any loss or inadvertent disposal of records during system transition must be reported immediately to the Director, Records Management via written notification to records@police.qld.gov.au, in accordance with s. 5.2: 'Corporate records management' of this chapter.

5.6 Release of information

In accordance with community expectations of transparency and accountability, and the legislative requirements of the *Right to Information Act* (RTIA) and the *Information Privacy Act* (IPA), the Service subscribes to a philosophy of endeavouring to satisfy, where possible, any reasonable request for information made by a member of the public, or external body. When responding to requests for information the Service must have regard to the efficient and effective discharge of law enforcement obligations, the proper administration of justice, the privacy of individuals, and statutory compliance.

Where the information requested includes personal information—that is, information or an opinion about an identified individual or an individual reasonably identifiable—the Service must comply with applicable legislation including the IPA Queensland Privacy Principles (QPPs) and any applicable exemptions, including the requirement to disclose only the minimum amount of personal information reasonably necessary for the stated purpose.

Section 10.1: 'Unauthorised use of confidential information' of the *Police Service Administration Act* (PSAA) creates an offence in respect of any officer or staff member or a person who has been an officer or staff member who improperly discloses official information unless the:

(i) disclosure is authorised or permitted under the PSAA;

(ii) disclosure is authorised by a member pursuant to Delegation D 15.46;

(iii) disclosure is made:

(a) to the extent the use is required or permitted under the PSAA or under another Act; or

(b) in compliance with lawful processes requiring the production of documents or giving evidence before a court or tribunal;

(iv) information is not of a confidential or privileged nature; or

(v) information would normally be made available to any member of the public on request; or

(vi) information is about a person offered an opportunity to attend a drug diversion program under s. 379: 'Initial drug diversion assessment program' of the PPRA and the disclosure is made to the chief executive of the department within which the *Medicines and Poisons Act* is administered (see s. 10.1(4)(d): 'Unauthorised use of confidential information' and s. 10.2B: 'Disclosure of criminal history for assessing suitability for diversion program' of the PSAA).

Section 10.2: 'Authorisation of disclosure' of the PSAA outlines that the Commissioner may, in writing;

(i) authorise disclosure of information that is in possession of the Service; and

(ii) impose conditions with authorised disclosure.

Under s. 10.2(5) of the PSAA, it is an offence for a person to breach any condition that was expressly attached to the disclosure of information.

Disclosure authorised under s. 10.2 of the PSAA may also be limited by other legislation, including the:

(i) *Criminal Law (Rehabilitation of Offenders) Act*;

(ii) *Right to Information Act*

(iii) *Penalties and Sentences Act*;

(iv) *Youth Justice Act*;

(v) *Child Protection Act*;

(vi) *Crimes Act* (Cwlth);

(vii) *Drugs Misuse Act*; and

(viii) *Domestic and Family Violence Protection Act*.

Relationship between the IPA and other laws

Under s. 7(2): 'Relationship with other laws regulating personal information' of the IPA, the IPA operates subject to other laws regulating the collection, storage, handling, accessing amendment, management, transfer, use, and disclosure of personal information. Where another Act imposes a specific disclosure obligation or restriction, that Act prevails to the extent of any inconsistency. In such cases, members must apply the relevant legislative provision rather than the IPA.

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The QPS Standard of Professional Practice available on the ESC Knowledge Hub SharePoint page outlines the expectations of police regarding 'public comment', 'personal conduct' and 'improper access or use of QPS information'.

Pursuant to the RTIA the Service proactively discloses information through the following schemes:

(i) publication schemes (see ss. 5.7.3: 'Accessing policy documents', 5.7.4: 'Publication schemes' and 5.7.5: 'Viewing Service policy documents' of this chapter);

(ii) disclosure logs (see s. 5.7.2: 'Disclosure logs' of this chapter); and

(iii) administrative access schemes.

Administrative access schemes are generally created to give individuals access to their own information. The Service administrative access schemes include the supply of:

(i) criminal histories;

(ii) police certificates;

(iii) copies of charges;

(iv) details contained in crime reports and QPRIME occurrences;

(v) details contained in court briefs;

(vi) audio and video tapes;

(vii) photographs; and

(viii) details contained in traffic incident reports and traffic crash occurrences.

Members are to note that ss. 53: 'Access to investigation documents for research purposes' and 54: 'Access to investigation documents for other purposes' of the *Coroners Act* provide schemes whereby persons may apply to the Coroners' office for access to coronial and investigation documents for research and non-research purposes.

Applications for information available through an existing structured scheme are not to be referred to the Right to Information and Subpoena Unit, Right to Information and Privacy Services (RTIPS). Members should instead consult the Service Publication Scheme for access guidelines. Any request for information in relation to a coronial matter should be referred to the Office of the State Coroner together with a copy of the requested document or material unless such documentation or material has already been supplied to that office (see SMCD).

ORDER

Members are not to release or disclose information unless:

(i) in accordance with a structured scheme;

(ii) in accordance with Service policy;

(iii) with the authority in writing of the Commissioner, the relevant deputy commissioner or a member empowered to authorise disclosure of information pursuant to Delegation D 15.46;

(iv) in compliance with:

(a) s. 602U: 'Distribution of imaged order or police banning notice' of the PPRA;

(b) s. 623: 'Right to inspect seized documents' of the PPRA;

(c) s. 681: 'Persons to be given copy of information in register' of the PPRA;

(d) s. 432: 'Provision of information relating to a relevant person of the PPRA; or

(e) s. 169F: 'Police officer may refer person to specialist DFV service provider' of the DFVPA;

(v) in accordance with the legislative requirements of the RTIA;

(vi) in accordance with any other statutory authority; or

(vii) the release is consistent with the principles of data minimisation and proportionality under the QPP 6, ensuring only the minimum amount of personal information necessary to achieve the lawful purpose disclosed.

The authority of a member to approve the disclosure of information does not take away an individual's right to make application for access to documents under the RTIA.

Members are to only refer inquiries to RTIPS when:

(i) the information sought cannot be supplied in accordance with Service policy or through an existing structured scheme; or

(ii) the application for information is made specifically under the provisions of the RTIA;

All members are to ensure that any disclosure of personal information complies with the QPS privacy policy, as outlined in ss. 5.7: 'Right to information and privacy' to 5.9: 'Queensland Privacy Principles' of this chapter. Members requiring

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advice on the application of the QPPs or IPA may contact the Privacy Unit via privacy@police.qld.gov.au. For further procedural guidance, see s. 5.7 of this chapter.

5.6.1 Public requests—own police certificate or criminal history particulars

The supply of information to members of the public concerning their own police certificates or criminal history is the responsibility of the Manager, Police Information Centre.

ORDER

Members are not to release details to persons requesting information about their own criminal history unless:

(i) authorised to do so by the Commissioner;

(ii) authorised to do so by the Manager, Police Information Centre; or

(iii) authorised by Service policy.

Where persons are requesting copies of a police certificate or a copy of their own criminal history, see s. 5.10: 'Documents available to the public from Police Information Centre' of this chapter.

Persons making application for their traffic history should be advised to contact Department of Transport and Main Roads (TMR) through:

(i) online via the TMR website;

(ii) in person at a TMR customer service centre; or

(iii) by mail.

5.6.2 Third party requests for personal information contained in Service records

Personal information contained in Service records can include:

(i) paper documents such as court briefs and reports;

(ii) electronic databases such as information contained in QPRIME;

(iii) photographic and video images;

(iv) audiotapes;

(v) digital information; and

(vi) body samples and biometric data.

Examples of third-party requests can include:

(i) employers seeking character information about prospective and current employees;

(ii) community groups and organisations seeking character information about potential members and leaders (scouting groups, etc.);

(iii) other government departments seeking information about members of the public for official purposes;

(iv) legal firms seeking information about clients and witnesses; or

(v) private inquiry agents, commercial agents and insurance companies seeking information with respect to claims and processes.

The Queensland Privacy Principles (QPP) contained in Schedule 3: 'Queensland Privacy Principles' of the *Information Privacy Act* (IPA) details the circumstances under which personal information may be collected, used, stored and disclosed by agencies including the Service.

Unless an exception applies, under QPP 6, the Service should not use or disclose personal information for a purpose other than the primary purpose for which the information was collected.

The Service is generally exempt from QPP 6 when carrying out operational law enforcement activities, provided it has reasonable grounds to believe that non-compliance is necessary for performing a law enforcement function. This exemption does not apply to administrative activities.

Except in accordance with s. 5.6.6: 'Requests for Queensland vehicle registration and driver licence details' of this chapter and release of information to local government relating to abandoned vehicles (see s. 4.12.5: 'Abandoned vehicles (as distinct from being stolen and abandoned)' of the OPM), information owned by other agencies should not be released to third parties. Inquiries of third parties about information owned by other agencies should be referred to the other agency (e.g. driver licences, vehicle registration details).

Any request for information held on Service records by third parties should be referred to the relevant section (e.g. weapons licensing inquiry referred to Weapons Licensing). For government department requests for information refer to s. 5.6.14: 'Requests for information from other government departments, agencies or instrumentalities' of this chapter.

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Personal information contained in criminal history records

Criminal history records should only be released to third parties by the Manager, Police Information Centre (PIC) unless otherwise authorised by Service policy, these include:

(i) to defendants and legal representatives through police prosecutors, see ss. 3.4.15: 'Supply of defendant's criminal or traffic history' and 3.14.4: 'Mandatory disclosure' of the OPM;

(ii) to the court through the police prosecutor, see ss. 3.4.16: 'Disclosure to courts of spent convictions' of this chapter;

(iii) to Queensland Corrective Services and the Department of Justice through police prosecutors and watch-house staff, see ss. 3.4.18: 'Supply of information where court outcome requires action by Queensland Corrective Service or Department of Youth Justice and Victim Support' and 3.4.36: 'Notification of Chief Executive, Queensland Corrective Services, regarding committal, conviction, etc. of relevant person' of the OPM;

(iv) to sheriffs from courts outside the Brisbane Metropolitan area under the *Jury Act* through OIC of stations, see s. 5.6.20: 'Release of information under provisions of Jury Act' of this chapter;

(v) to the ODPP (State) through police prosecutors and investigating officers, see ss. 3.7.9: 'District/Supreme Court hearings', 3.8.18: 'Committals conducted by the Office of the Director of Prosecutions (State)' and 3.4.21: 'Ex officio indictment' of the OPM;

(vi) to the Queensland College of Teachers, see s. 3.4.28: 'Notification of Queensland College of Teachers of a committal, conviction, or end of prosecution involving an approved teacher' of the OPM;

(vii) to the Office of Fair Trading through police prosecutors, see s. 3.4.29: 'Notification of Office of Fair Trading regarding Debt Collectors (Field Agents and Collection Agents) Act and Security Providers Act' of the OPM;

(viii) to the Queensland Parks and Wildlife Service of convictions of conservation related offences through police prosecutors, see s. 3.4.33: 'Notification of Queensland Parks and Wildlife Service of convictions of conservation related offences' of the OPM;

(ix) to Health Practitioner Registration Boards through the OIC of the region or command, see s. 5.6.21: 'Release of information to health practitioner registration boards and Health Ombudsman' of this chapter.

PIC members may disclose information contained in criminal history records to third parties when:

(i) complying with a statutory requirement;

(ii) the information is sought by a law enforcement agency (see also QPP 11 of the IPA);

(iii) under approved arrangements dealing with national third-party criminal history checking; or

(iv) authorised under s. 10.2: 'Authorisation of disclosure' of the PSAA.

ORDER

Members who receive a third-party application for the supply of traffic history particulars of another should advise the inquirer to contact the Department of Transport and Main Roads.

Members are not to express to a third party any opinion orally or in writing as to the character, moral conduct or private affairs of any person based on criminal history records or any other records held by the Service, unless otherwise provided by Service policy (i.e. completing a QP 0215A: 'Objection to bail affidavit annexure' in accordance with s. 16.20.1: 'Arresting officer's responsibilities' of the OPM).

Other personal information

Members have an obligation to protect personal information from unauthorised access, modification, use and disclosure. QPP 6 provides that personal information is not to be disclosed for a purpose other than the purpose for which the information was collected unless one of the following exceptions apply:

(i) the person concerned is reasonably likely to have been aware, or made aware that information of that kind is usually passed to that third party, e.g. the passing on of relevant personal details to drivers after a traffic crash;

(ii) the person concerned expressly or impliedly consents for disclosure, e.g. see s. 9.3.16: 'DFV referral agencies' of the OPM;

(iii) disclosure is considered necessary on reasonable grounds to lessen or prevent a serious threat to the life, health, safety or welfare of an individual, or to public health, safety or welfare;

(iv) the disclosure is required or authorised by or under law, e.g. a written notice by Centrelink under ss. 192, 194 and 196 of the *Social Security (Administration) Act* (Cwlth) requiring certain information. See s. 5.6.18: 'Requests for information from Centrelink' of this chapter;

(v) a 'permitted general situation' (Schedule 4, Part 1 of the IPA) exists, for example:

(a) where it is unreasonable or impracticable to obtain the individual's consent for the collection, use, or disclosure of personal information and the Service reasonably believes the collection, use, or disclosure is

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necessary to lessen or prevent a serious threat to life, health, or safety of an individual, or to public health or safety, e.g. releasing the identity of a missing person to the media, see s. 12.3.3: 'Authority for media release' of the OPM;

(b) where the Service suspects that unlawful activity or misconduct of a serious nature that relates to its functions has been, is being, or may be engaged in, and the Service reasonably believes the collection, use, or disclosure is necessary to take appropriate action in relation to the matter; or

(c) where the collection, use, or disclosure is reasonably necessary to establish a legal defence or for use in an alternative dispute resolution process;

(vi) the agency reasonably believes the information is necessary for a law enforcement function of a law enforcement agency;

(vii) the information will be disclosed to ASIO, and all the relevant criteria are satisfied;

(viii) the information is necessary for research, analysis, or statistical purposes, and personally identifiable information will not be published;

(ix) the disclosure is authorised by Service policy, e.g. the supply of copies of statements, see s. 5.6.4: 'Requests for copies of statements' of this chapter; or

(x) the disclosure is authorised in writing under s. 10.2 of the PSAA.

Members receiving a request

The PIC only holds records relating to:

(i) warrants;

(ii) court briefs (QP9s);

(iii) criminal offence reports (pre-CRISP hard copy reports, not CRISP or QPRIME Occurrences); and

(iv) criminal histories.

Members should inform inquiring third parties seeking personal information from records only available from the PIC to contact that establishment for further advice.

Members who receive a request for personal information not contained in records available from the PIC should, before releasing the information, ensure:

(i) any handling or disclosure of personal information complies with QPP 6 and QPP 11, including ensuring reasonable protection against unauthorised access, use or disclosure;

(ii) the information is in the custody of the member or the member's OIC in their absence and is not otherwise accessible through an existing information release scheme within the Service or elsewhere; and

(iii) any disclosure complies with Service policy.

Members who receive a request for personal information which is held or managed by another member or section, should check for a specific policy related to the inquirer in this chapter or other areas or refer the inquirer to that source, i.e. weapons licensing inquiry referred to Weapons Licensing. In all other instances where:

(i) members are unable to satisfy requests for personal information, having regard to the provisions of this chapter; or

(ii) members have any doubts as to the appropriateness of disclosing personal details,

are to seek the advice of their OIC or the Privacy Unit, Right to Information and Privacy Services.

ORDER

Members are not to disclose the personal details of any person to a third party if such disclosure is:

(i) in contravention of any statute;

(ii) likely to interfere with the proper discharge of law enforcement duties;

(iii) likely to interfere with the fair administration of justice; or

(iv) likely to cause unnecessary interference with that person's privacy.

5.6.3 Requests for information contained in QPRIME occurrences

For Service policy on release of information relating to traffic crash occurrences, see s. 5.6.5: 'Requests for information related to traffic crashes' of this chapter.

Except as listed below, CITEC Confirm provides information contained in QPRIME to persons and organisations. CITEC Confirm receives requests for information relating to QPRIME occurrences and refers any request for information which

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requires assessment and adjudication to the Client Liaison Officer (CLO), Police Information Centre (PIC), Legal Division.

The CLO may make requests for information relating to a QPRIME occurrence from the OIC of the reporting station or establishment, or the reporting officer.

The Service will supply particulars of QPRIME occurrences to interested third parties, providing the:

(i) reference to personal particulars of any person is deleted in cases where the inquirer has not been granted privileged access status by the Commissioner;

(ii) reference to any proposed action or opinion is deleted; and

(iii) disclosure is not likely to compromise or prejudice any investigation.

ORDER

Upon receiving such a request from the CLO, the relevant officer is to ensure that available requested information is forwarded as soon as practicable.

Persons or organisations requesting information from QPRIME should be advised to contact CITEC Confirm (see SMCD) except where:

(i) particulars contained in a QPRIME occurrence and any other material associated with that occurrence may be verbally given to a person who has previously supplied that information to the Service, provided that reference to any proposed action or opinion is not disclosed;

(ii) officers may verbally disclose information contained in QPRIME occurrences providing such disclosure is necessary for the effective conduct of an investigation;

(iii) where the release of the information is sought by a government department, agency or instrumentality, see s. 5.6.14: 'Requests for information from other government departments, agencies or instrumentalities' of this chapter;

(iv) where the release of information is sought by a law enforcement agency, see s. 5.6.15: 'Requests for information from other law enforcement agencies' of this chapter;

(v) where the release of information is sought by a victim of crime, see s. 2.12: 'Victims of crime' of the OPM;

(vi) when a request for a copy of an entry in the register of directions in relation to a move-on direction is made, which in this case is a copy of the relevant QPRIME occurrence, see s. 13.23.5: 'Inspection of the Register of directions given' of the OPM; or

(vii) where the release of the information sought is in accordance with some other statutory provision or Service policy.

Other circumstances where Service policy allows for the release of information contained in QPRIME occurrences that is forwarded to the appropriate law enforcement agency or government entity as the matter is within another jurisdiction for investigation, include:

(i) complaints regarding counterfeit money, see s. 11.9.1: 'Investigations regarding counterfeit money' of the OPM;

(ii) complaints regarding breaches of film and video copyright, see s. 11.10.1: 'Investigations of breaches of film and video copyright' of the OPM;

(iii) complaints regarding fraud related offences committed against the Commonwealth department responsible for education or employment related funding, see s. 11.20.6: 'Commonwealth department responsible for education or employment' of the OPM;

(iv) complaints regarding fraud related offences committed against Medicare or the pharmaceutical benefits scheme, see s. 11.17: 'Offences against Services Australia legislation' of the OPM;

(v) complaints regarding fraud related offences committed against the *Excise Act* (Cwlth) in relation to tobacco, see s. 11.22.1: 'Seizure of illicit tobacco products' of the OPM; and

(vi) complaints regarding organised or individual criminal activity on a large scale in relation to wildlife, see s. 13.25.3: 'Reporting wildlife offences' of the OPM.

5.6.4 Requests for copies of statements

ORDER

On taking the statement of any person, officers are, wherever practicable, to immediately supply a copy to that person.

Personal statements are not to be supplied to interested third parties unless authorised by Service policy. The policies that allow the release of statements to third parties include:

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(i) disclosure to a law enforcement agency (see s. 5.6.15: 'Requests for information from other law enforcement agencies' of this chapter);

(ii) disclosure to another government department, agency or instrumentality (see s. 5.6.14: 'Requests for information from other government departments, agencies or instrumentalities' of this chapter);

(iii) disclosure to a defendant or legal representative (see ss. 3.4.13: 'Supply of copies of Court Brief (QP9), particulars, statements and reports' and 3.14.5: 'Disclosure that must be made on request' of the OPM);

(iv) disclosure to a court (see s. 5.6.16: 'Documentation required by the courts' of this chapter);

(v) disclosure to an assessing psychiatrist under the *Mental Health Act* (see s. 3.4.31: 'Supply of information under Mental Health Act' of the OPM);

(vi) disclosure to the Office of the Director of Public Prosecutions (State) (see s. 3.8.18: 'Committals conducted by the Office of the Director of Public Prosecutions (State)' of the OPM);

(vii) disclosure to the Office of the Director of Public Prosecutions (Cwlth) (see s. 3.7.9: 'District/Supreme Court hearings' of the OPM);

(viii) Department of Families, Seniors, Disability Services and Child Safety (see s. 7.9: 'Information Exchange' of the OPM);

(ix) Department of Transport and Main Roads in relation to a Marine Infringement Notice defended action (see s. 13.8.3: 'Issue of Marine Infringement Notices under the Transport Operations (Marine Safety) Act and the Transport Operations (Marine Safety) Regulation' of the OPM); and

(x) disclosure in compliance with the *Victims of Crime Assistance Act* (see s. 5.6.25: 'Release of information under the Victims of Crime Assistance Act' of this chapter).

A third party request for a copy of a statement, other than those permitted to be supplied pursuant to the previous order, should be dealt with under the provisions of the *Right to Information Act* or the *Information Privacy Act*.

5.6.5 Requests for information related to traffic crashes

Managing requests

Members who receive requests for traffic crash occurrence information, whether relating to a fatal or non-fatal traffic crash, that do not fall within the criteria set out below are to direct the requester to CITEC Confirm by telephone or online (see SMCD).

Requests for photographs taken by a Service photographer should be directed to the OIC, Forensic Imaging Section, Forensic Services Group.

Where a request for traffic crash occurrence information falls within the criteria set out below, members may disclose relevant information to a third party, such as an insurer or legal representative, who has a legitimate interest in the incident. Such disclosure may assist in the resolution of insurance claims or civil proceedings and may be made where consistent with the TO(RUM)A and the IPA.

Any such disclosure is to be limited to circumstances where:

(i) the information disclosed is limited to what is relevant and reasonably necessary for the resolution of disputes or claims arising from the incident;

(ii) the recipient is directly affected by the incident or is responsible for managing, assessing or resolving a related claim; and

(iii) a record of the disclosure, and where appropriate the reason for disclosure.

Traffic crash information authorised for release

Without further approval, members may release the following information, for fatal or non-fatal traffic crashes which would ordinarily have been supplied in accordance with s. 93: 'Duties of drivers involved in crashes—stopping and providing information' of the TO(RUM)A:

(i) basic information:

(a) time, date, location of the crash; and

(b) QPRIME occurrence number;

(ii) details of involved parties:

(a) drivers;

(b) vehicles; and

(c) investigating officer details,

(iii) statements and records:

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(a) witnesses, drivers, passengers and injured persons may be provided with copies of their own statements, versions or records of interviews previously supplied to the Service, provided reference to any proposed action or opinion is not disclosed; and

(b) body worn camera footage, but only where the interaction is directly related to the requester; and

(iv) verbally disclose information relating to traffic crashes, provided such disclosure is necessary for the effective conduct of investigations.

Persons or organisations not directly involved in the crash, including insurers, are to be referred to CITEC Confirm, unless this section provides otherwise.

Traffic crash information not authorised for release

Requests for fatal traffic crash information not authorised for release under this section, including notebook entries, witness versions and electronic recordings, are to be referred to the Coroners Court of Queensland while the coronial matter is ongoing or before findings are released. Requests relating to finalised coronial matters may be made under the RTIA or through the appropriate right to information process (see SMCD and ss. 53: 'Access to investigation documents for research purposes' and 54: 'Access to investigation documents for other purposes' of the *Coroners Act*).

Traffic crash information releasable with commissioned officer approval

For non-fatal traffic crashes, the commissioned officer supervising the owning station is responsible for determining what additional information may be released.

For the purposes of this section:

(ii) an authorised requestor includes:

(a) an insurer or agent acting on behalf of the Service where the Service is a party to an action;

(b) a Compulsory Third Party insurer or their agent, the Motor Accident Insurance Commission or the Nominal Defendant under s. 31(2): 'Disclosure of Information—Act, s 92' of the Motor Accident Insurance Regulation (MAIR));

(c) another government department, agency or instrumentality, or law enforcement agency, (see ss. 5.6.14: 'Requests for information from other government departments, agencies or instrumentalities' or 5.6.15: 'Requests for information from other law enforcement agencies' of this chapter); and

(d) an involved person or organisation; and

(iii) authorised traffic crash information includes:

(a) notebook entries;

(b) electronic recordings, including body worn camera recordings of statements;

(c) copies of versions of involved persons and witnesses;

(d) sketches;

(e) photographs taken by members of the Service (requests should be made directly to the OIC, Forensic Imaging and Electronic Recording Sections);

(f) court briefs (QP9);

(g) body worn camera footage; and

(h) all other relevant documents and records relating to the incident.

ORDER

Requests for authorised traffic crash information not available through CITEC Confirm, are to be managed by the owning station. With the approval of the responsible commissioned officer, members may provide authorised traffic crash information to an authorised requestor where the disclosure:

(i) is for a legitimate purpose;

(ii) is not likely to interfere with Service operations or the administration of justice;

(iii) is not likely to unduly interfere with the efficient and effective discharge of law enforcement duties; and

(iv) is not contrary to any Act, including Schedule 3, 'QPP 6—use or disclosure of personal information' of the *Information Privacy Act*.

When the request for information is made:

(i) by an insurer acting in the matter on behalf of the Service, the requested information and documentation is to be forwarded to Fleet Services, who will then forward this material to the relevant insurer or agent; or

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(ii) under s. 31(2) of the MAIR, the applicant is to pay any applicable copying or media duplication costs in accordance with the Fees & Charges Schedule (see Finance & Procurement SharePoint page).

Applications for access to non-fatal traffic crash information not covered by the preceding sections are to be referred to the Right to Information and Subpoena Unit (RTISU), RTIPS. Where a request includes both authorised traffic crash information and other information, the authorised traffic crash information is to be managed by the owning station, wherever practicable, and is not to be referred to RTISU.

As soon as practicable after receiving such requests, members are to submit a report to their OIC outlining the nature of the request and attaching all relevant documents.

The OIC is to forward the report to the responsible commissioned officer, who is to decide what information, if any, may be released. Any release remains subject to the restrictions applying to fatal traffic crash information.

Where a request for information is received by a station or establishment, other than the 'owning station', the OIC of the receiving station or establishment should:

(i) forward the request for information to the OIC of the 'owning station'; and

(ii) include copies of any relevant documents held by the receiving station or establishment.

Where the responsible commissioned officer identifies an issue affecting release of the requested information, the district officer or director should send the RTI application to RTISU. Any referral is to include:

(i) the nature of the request;

(ii) the relevant issues identified; and

(iii) all relevant reports and documents.

Release of traffic crash information by Right to Information and Subpoena Unit

Where a person or organisation properly serves or gives formal action for the discovery of material in the possession or under the control of the Commissioner (including subpoenas, Notice to non-party Disclosure, requests under s. 134A: 'Production of documents by agencies in relation to civil proceedings' of the *Evidence Act*) the OIC of the station or establishment receiving the documentation is to:

(i) scan and email the documentation to the RTISU for their attention as soon as reasonably practicable; and

(ii) forward the original documents to the RTISU by mail (see ss. 5.6.16: 'Documentation required by the courts' and 6.5: 'Subpoena of documents for production before a court' of this Manual).

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5.6.6 Requests for Queensland vehicle registration and driver licence details

Requests for Queensland vehicle registration and driver licence particulars should be referred to the Department of Transport and Main Roads. Authorised agencies can obtain the information via CITEC Confirm (on application by completing a F3563: 'CITEC Confirm Client User Application'). Alternatively, an authorised representative may attend a TMR Customer Service Centre in person with a completed F3522: 'Release of Information Request for Vehicle/Queensland Regulated Ship Registration Records'.

5.6.7 Requests by members of the public for information concerning vehicle/property suspected stolen

Where Service records indicate that property has been reported as stolen, members may disclose that fact to members of the public.

However, details associated with the property (name of owner, informant etc.) should not be disclosed other than through a structured scheme.

Before any indication is given as to the status of the property query, officers are to record the following information in their official police notebook, occurrence sheet or an approved register:

(i) the time and date of the inquiry;

(ii) the details of the information supplied; and

(iii) the reason for the inquiry.

Staff members should record this information in an occurrence sheet or approved register. In cases where no occurrence sheet is completed, the OIC is to ensure that a register is maintained where the details are to be recorded.

Where the property is confirmed as being stolen, the member receiving the inquiry is to ensure:

(i) the property is collected and dealt with in accordance with Chapter 4: 'Property' of the OPM;

(ii) if applicable, the investigating officer is notified; and

(iii) the relevant QPRIME occurrence is updated.

Members should be aware that the Personal Property Securities Register, *Personal Property Securities Act* (Cwlth), is a Commonwealth data base of all registered interests in personal property including motor vehicles.

5.6.8 Requests by victims of crime for investigational information

Officers who are detailed to investigate criminal offences are, upon request of victims of crime, to supply information in accordance with s. 2.12: 'Victims of crime' of the OPM.

ORDER

Information pertaining to investigations may be supplied in the following order, depending on the type of information requested:

(i) authorised by the Commissioner under s. 10.2: 'Authorisation of disclosure' of the *Police Service Administration Act* (PSAA);

(ii) by the Manager, Police Information Centre; and

(iii) making application to the Right to Information and Subpoena Unit (RTISU), Right to Information and Privacy Services.

The Police Information Centre, Legal Division provides a range of information management services to Queensland and Interstate Police Officers, external government agencies and members of the public relating to;

(i) updating and maintaining Queensland criminal histories;

(ii) providing Queensland, National and New Zealand criminal histories;

(iii) providing finalised Court Briefs (QP9);

(iv) providing criminal offence reports (pre-CRISP hard copy reports not CRISP or QPRIME occurrences);

(v) performing Domestic and Family Violence (DFV) data entry and cleansing in QPRIME;

(vi) updating and maintaining records relating to warrants; and

(vii) analysing and quality checking QPRIME and traffic crash data.

All other information is to be obtained through either s. 10.2: 'Authorisation of disclosure' of the PSAA or by application to RTISU.

Copies of criminal histories, charges, QPRIME occurrence reports, court briefs (QP9), audio and video tapes, photographs and traffic crash reports pertaining to investigations may be obtained through the structured schemes in place, see also s. 5.6: 'Release of information' of this chapter.

During the course of an investigation members are not to disclose personal information of individuals who may be connected with the matter of inquiry to a victim of crime unless the disclosure is otherwise allowed by s. 5.6.2: 'Third party requests for personal information contained in Service records' of this chapter (e.g. the authority of the individual concerned is obtained).

It is also permissible, in accordance with the provisions of this chapter, to disclose certain information to a victim of crime with respect to an offender following a court appearance.

Information pertaining to an inquiry should not be transmitted over the telephone unless the member dealing with the inquiry is satisfied as to the identity of the caller.

Where a request for information is received from a party purporting to act on behalf of or in the interests of the victim (e.g. counselling support services, legal representatives), members should first confirm with the victim that the inquirer is in fact acting in that capacity. The wishes of the victim should be respected.

Before disclosing any information pertaining to an investigation, members should satisfy themselves that such disclosure is not likely to:

(i) compromise or jeopardise any aspect of an investigation or Service operation;

(ii) interfere with the administration of justice; or

(iii) endanger the life or safety of any person.

5.6.9 Requests by persons other than victims of crime for investigational information

Members may disclose information pertaining to investigations if:

(i) such disclosure is necessary for the effective conduct of the investigation;

(ii) the information is of such a nature that it would be normally released in the public interest to media organisations and the like; or

(iii) such disclosure is in accordance with Service policy.

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ORDER

Unless disclosure is authorised by the Commissioner under s. 10.2: 'Authorisation of disclosure' of the PSAA (i.e. Service policy or Delegation D 15.46), copies of reports and notes pertaining to investigations may only be supplied:

(i) by the Right to Information and Subpoena Unit (RTISU), Right to Information and Privacy Services after due consideration of an application made in the prescribed manner;

(ii) by the Manager, Police Information Centre (PIC) but only where the records are held by that establishment. The PIC holds records relating to:

(a) warrants;

(b) court briefs (QP9s);

(c) criminal offence reports (pre-CRISP hard copy reports, not CRISP or QPRIME Occurrences); and

(d) criminal histories; or

(iii) in accordance with s. 5.6.14: 'Requests for information from other government departments, agencies or instrumentalities' of this chapter where the request is from a government department, agency or instrumentality.

Copies of criminal histories, records of charges, QPRIME occurrence reports, court briefs, audio and video tapes, photographs and traffic crash reports pertaining to investigations may also be obtained through the structured schemes in place. See also s. 5.6: 'Release of information' of this chapter.

Before disclosing any information pertaining to an investigation, members should satisfy themselves that such disclosure is not likely to:

(i) compromise or jeopardise any aspect of the investigation or Service operation;

(ii) interfere with the administration of justice; or

(iii) endanger the life or safety of any person.

Members should also ensure that the confidentiality of personal particulars is not unnecessarily breached.

Investigational information (coronial matters)

Where a person seeks access to a coronial document or another type of investigation document, for purposes other than research, and such document is in possession of a coroner, the person may only access the document with the consent of the coroner (see s. 54: 'Access to investigation documents for other purposes' of the *Coroners Act*).

Members should not release investigational information to any person, other than the basic facts, on matters likely to be the subject of a coronial inquiry. Requests for details other than basic facts should be referred to the relevant coroner. Persons or organisations requesting information relating to an investigation for which a Coronial inquest has been held should be advised to contact the Office of the State Coroner, Department of Justice (see SMCD).

See also 'Release of information—coronial matters' in s. 5.6.11: 'Information sought by the media for public broadcast' of this chapter.

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5.6.10 Requests for historical information and research projects

OIC of stations and establishments may disclose historical information pertaining to the Service provided the release of such information is of a nature that it would normally be released in the public interest to media organisations, historical societies and the like (see procedures in the following section relating to information able to be released to the media).

OIC have a discretion to refuse or restrict supply of any historical information sought by any outside person or agency. Inquiries may also be referred to the Curator, Police Museum. The Curator may supply copies of documents, maps, photographs etc., to inquiring third parties in relation to requests for historical profiles on stations and establishments.

The Curator is also responsible for:

(i) compiling and supplying of station/establishment historical profiles;

(ii) satisfying telephone inquiries for basic historical information;

(iii) providing access to historical information contained in Queensland Police Gazettes outside the restricted access period of 65 years;

(iv) acting in a liaison/consultative capacity with respect to historical inquiries, biographical requests and research projects requiring historical information; and

(v) granting access to the museum library and historical files compiled by museum staff.

ORDER

Members are not to release historical information to outside persons or agencies which is:

(i) likely to disclose the personal particulars of any person whether currently employed by the Service or not, unless such member has been specifically authorised to do so by the Commissioner or is acting under the direction and authority of the Director, HR Services, Workforce Management and Wellbeing Division;

(ii) likely to interfere with the proper administration of justice;

(iii) likely to interfere with the efficient and effective discharge of law enforcement duties;

(iv) in contravention of any statute; or

(v) of a confidential nature.

Members, other than those expressly provided for in this chapter, are to restrict the disclosure of details to verbal information only. Under no circumstances are copies of reports, notes or photographs to be released to inquiring third parties unless specifically authorised to do so by the Commissioner.

Requests for the supply of station or establishment histories are to be referred to the Curator, Police Museum.

Persons seeking historical information relating to stations and establishments are to be advised to fully detail the nature of their request in writing, including any relevant names, dates and places, and forward same to:

The Curator
Police Museum
Police Headquarters
GPO Box 1440
BRISBANE 4001

Archived material

It is not the responsibility of members to arrange for the retrieval of material from the State Archives in response to requests from members of the public or outside organisations for historical information relating to the Service or its members. Special requests (e.g. overseas inquiries) are to be directed to Ministerial Services.

Where members become aware that a Service document has been forwarded to the State Archives in accordance with the *Public Records Act* and the Service is no longer in possession of any copies of that document, inquirers seeking access to information contained in that document are to be advised to contact the State Archivist.

Where the State Archivist advises that the information sought by the inquirer is subject of a 'restricted access period' and a release authority is sought from the Service, the matter is to be dealt with as follows:

(i) personnel files—refer to the Director, HR Services, Workforce Management and Wellbeing Division; or

(ii) other files—refer to Ministerial Services (restricted access period).

Police Gazettes

Access and inspection of Queensland Police Gazettes will be permitted after the expiration of a period of 65 years from the date of issue.

Requests for access to or information from Queensland Police Gazettes are to be in writing to:

(i) the Curator, Police Museum (open period); or

(ii) the Director, HR Services, Workforce Management and Wellbeing Division (restricted access period).

Members of the Service

Requests for historical information concerning current or past members of the Service are assessed and managed by the Director, HR Services, Workforce Management and Wellbeing Division.

ORDER

Members receiving any requests for historical or biographical information concerning current or former members of the Service are to refer the inquirer to the Director, HR Services, Workforce Management and Wellbeing Division.

Research requests

Research includes substantial inquiries, investigations or studies.

It usually involves applications by persons undertaking academic studies to access Service data and records.

It does not include requests for information that is readily accessible in official publications held by the Service, nor does it include research undertaken as part of Service internal training courses.

Requests from members of the public and outside organisations for research assistance are assessed by the Research Committee.

The responsibility for research sits with the Executive Director, Policy and Insight Division as Chair of the QPS Research Committee. Inquiries for research assistance are to be addressed to the Secretariat, QPS Research Committee via QPS.research@police.qld.gov.au who will arrange a copy of the Research Application Guidelines and application form to be forwarded to the inquirer.

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ORDER

Other than supplying brief historical facts where permitted from readily accessible records, members, other than the Curator, Police Museum on a consultative basis are not to engage or assist in research arising from outside requests unless directed to do so as a result of a Research Committee determination.

Fees

Photocopying fees for supply of materials associated with requests for historical information will be charged according to official Service rates as outlined in the Service Publication Scheme (see the Service Intranet). However, no fees will apply to simple requests from primary and secondary school students.

5.6.11 Information sought by the media for public broadcast

In considering the release of information to the media, members are to ensure they do not compromise a subsequent court process. Release of prejudicial information could result in a trial being aborted with the possibility of those who released the information being held in contempt of court.

Facts relating to occurrences of public interest may be released to the media provided the release:

(i) does not unnecessarily disclose the personal particulars of any person involved;

(ii) does not interfere with the proper administration of justice;

(iii) is not likely to unduly interfere with the efficient and effective discharge of law enforcement duties; and

(iv) is not in contravention of any law.

In the interests of promoting the support and good will of the public and maintaining accountability, members are to be positive in their approach to media relations by actively presenting public information where possible rather than providing limited and selected responses.

Service goals are to reduce fear and improve safety by combating crime and protecting lives and property. These can be enhanced by positive media coverage.

The OIC of an investigation or incident is responsible for determining the nature of any information released. While a general discretion exists as to what information is released, any disclosure is to be restricted to brief, factual details only.

Prior to the public release of media material relating to an incident or investigation, including:

(i) media releases;

(ii) photographs; and

(iii) audio or visual recordings,

the investigating officer is to consider the potential impacts of such release on any victim of crime connected to the matter. Where practicable, the investigating officer is to ensure affected victims are notified prior to the public or broadcast of such material.

Notification should occur where the material may reasonably be expected to:

(i) identify the victim, relate directly to the circumstances of the offence; or

(ii) otherwise cause distress, trauma or reputational harm to the victim if released without prior awareness.

Once notification has occurred, the investigating officer is to advise Media and Public Affairs that the victim has been informed prior to the material being publicly released.

The OIC of an investigation or incident may:

(i) release the information;

(ii) nominate another officer; or

(iii) request Media and Public Affairs,

to release the information. Media and Public Affairs are to be advised of information released to the media to ensure consistent messaging.

Members are to refer to the relevant guidelines which address the specific issue before releasing information or seek advice from Media and Public Affairs before making comment to the media.

ORDER

Regardless of if a criminal investigation has been instigated, members are not to make statements to the media which in any way assign fault or blame to any person.

Media and Public Affairs

Media and Public Affairs provides liaison with various media agencies and operates the Media Operations Room on a 24 hour basis.

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Members who are unsure as to what information may be released to the media are to contact Media and Public Affairs for advice.

Members are to promptly advise and consult with Media and Public Affairs:

(i) about any operational matter which is likely to be of significant media interest;

(ii) where a major incident or incident of a protracted nature has occurred;

(iii) where comments from the media on issues of State or National interests are requested;

(iv) where requests for interviews are made; or

(v) prior to submitting a written article for public dissemination.

In issues of state or national interest, Media and Public Affairs can advise on appropriate comment.

OICs of investigations may request Media and Public Affairs to attend incident scenes to provide assistance in preparing media releases and organising media conferences.

For major incidents, those of a protracted nature or likely to attract significant media interest, it is recommended a member of Media and Public Affairs be contacted to attend, even when travel is required.

Officers are to direct media inquiries to Media and Public Affairs only after ensuring the unit has all the relevant details.

Where an officer requests a Media and Public Affairs member to attend and they are unable to, refer to subsection 'Media liaison officer' of s. 1.12.6: 'Support Functions and roles' of the OPM.

Information not to be released

ORDER

Members are not to supply information to the media which:

(i) is critical of the Service, its policies, procedures or members;

(ii) is critical of the government, government policies or other government departments and agencies (including courts);

(iii) does not relate to their specific area of responsibility;

(iv) may interfere with or compromise a police operation or investigation;

(v) may constitute contempt of court or in any way interferes with the course of justice;

(vi) expresses an opinion of culpability;

(vii) pertains to the criminal history record, character, or reputation of a person;

(viii) identifies a person's medical condition or drug taking behaviour;

(ix) relates to admissions, confessions or statements;

(x) relates to particulars of a serious crime which, in all likelihood, would only be known to the offender;

(xi) relates to any physical or forensic examination or test, or identification line-up or the refusal by any person to submit to such tests, examinations and line-ups;

(xii) reflects upon the credibility of a suspect or person who may be expected to give evidence in court;

(xiii) suggests a person's guilt, state of mind, motive for committing an offence, or the penalty which could be imposed;

(xiv) may identify a juvenile;

(xv) may identify deceased or injured persons before their next of kin has been notified and consent for disclosure obtained, unless publicity is the only effective means of tracing the next of kin;

(xvi) may identify victims of crime and witnesses without their permission;

(xvii) may identify an informant;

(xviii) may place a person's life or safety in jeopardy;

(xix) identifies the type and value of drugs stolen from pharmacies, doctors' surgeries, hospitals etc.

(xx) discloses amounts of money obtained from armed hold-ups and robberies unless the OIC of the investigation believes disclosure will assist police inquiries;

(xxi) is descriptive of security installations on premises;

(xxii) concerns the affairs or activities of a law enforcement agency of another state or the Commonwealth. Such matters are to be referred to the district officer or commissioned OIC who may, after consideration, release the details sought if the matter affects the Service, or refer the inquirer to the law enforcement agency concerned;

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(xxiii) relates to Australian Defence Force incidents (e.g. defence force aircraft accidents) or matters associated with national security, unless approval for disclosure has been given by the agency concerned (refer to s. 5.6.12: 'Information released by police seeking public assistance in the investigation of incidents and crimes' of this chapter regarding release of information for urgent police messaging for public safety matters to protect life and property);

(xxiv) reveals the intended approach of the prosecution (for example applying for a discontinuance, ex-officio indictment appeal or adjournment);

(xxv) reveals the content of medical, psychological or psychiatric reports of offenders or victims;

(xxvi) consists of images of any person unless the person's, or in appropriate cases, the next of kin's consent has been obtained, or there is a justifiable operational reason (see also s. 5.6.12 of this chapter); or

(xxvii) is otherwise confidential.

In accordance with the Director of Public Prosecutions (State) Guidelines 58(vi), the media are not to be given copies or access to any recorded interviews, re-enactments, demonstrations or identifications.

Release of information following arrest

Following the arrest of a person, the OIC of the investigation or a member nominated by that officer may only release:

(i) the defendant's gender, age and suburb or town of residence. Officers are to ensure that no information is issued which may directly or indirectly identify the person;

(ii) the identity of the investigating or arresting officer; and

(iii) the factual circumstances immediately surrounding the arrest, including the time and approximate location.

Release of information following charging

When prosecution has been commenced against a person (charged but has not appeared in court), the following additional details only may be released:

(i) the general nature of the charge(s) laid;

(ii) the court where the defendant is to appear and the date of appearance; and

(iii) the bail status of the defendant.

The term 'alleged' is to be used when describing the actions of a charged person.

Release of information following appearance in court

In addition to the above information the following may be provided, but only if the information has been disclosed in open court:

(i) any matters put before the presiding justice by the prosecution and defence representatives—This may include name and other personal particulars, wording of the charge(s) and allegations if stated. Criminal history details or character-related submissions in support of a bail argument are not to be released. When considering what information (if any) to release, consideration is to be given to Queensland Privacy Principles and public interest;

(ii) any decision of the court—This may include, for example, decisions relating to penalty, remands and bail applications. However, no opinion is to be given as to the correctness or otherwise of any judicial decision or on the likely outcome of proceedings.

In responding to media requests for information of this nature, officers are to remember that as the appearance is in open court, members of the public, including media representatives, are entitled to attend and hear the details.

ORDER

Members are not to disclose details of the defendant where:

(i) a court order prohibiting disclosure has been made by the presiding justice;

(ii) disclosure is prohibited by law; or

(iii) the defendant is a juvenile.

Members are not to disclose information about any part of a district or supreme court trial that was conducted in the absence of the jury.

Release of information (coronial matters)

Members are not to release information to the media, other than basic facts, on matters likely to be the subject of a coronial inquiry. Requests for details other than basic facts are to be referred to the coroner. Media requesting information relating to an investigation for which a coronial inquest has been held are to be advised to contact the Coroners Court of Queensland, Department of Justice (see SMCD).

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Where it is unclear that the information sought may become the subject of a coronial inquiry, members are to seek the advice of their OIC or Media and Public Affairs.

Members are to refrain from expressing personal opinions, as distinct from fact, to the media on any matter the subject of a coronial inquiry. Where a member has expressed an opinion whilst giving evidence in a coronial inquiry (see s. 8.16.3: 'Giving evidence in coronial inquests' of the OPM), the opinion is not to be expanded upon outside the court for the media.

Release of information following a crime or incident

Factual information about a crime or incident may be released to the media and may include:

(i) the general nature of the crime or incident, e.g. assault, stealing, bus accident;

(ii) the date, time and location of the crime or incident. Where the event occurs at a private premises, the precise location must not be disclosed to ensure the privacy of the victim (e.g. street and suburb may be released but not the number);

(iii) the gender, age and suburb of the victim, except in circumstances which could cause embarrassment such as sexual offences (members are to take particular care that no information is released which could identify the victim);

(iv) the name of the investigating officer and section/establishment; and/or

(v) description of any suspect and any items which officers need to locate (e.g. motor vehicles, stolen equipment, property).

Members are to avoid offering opinions about incidents and occurrences ensuring in all cases that only clearly stated facts are provided.

5.6.12 Information released by police seeking public assistance in the investigation of incidents and crimes

The support of the general public in solving crime by releasing particulars of offences when considered necessary is to be used, provided such disclosures:

(i) are not likely to interfere with or jeopardise the efficient and effective discharge of law enforcement duties;

(ii) are not likely to compromise the proper administration of justice;

(iii) are not in contravention of any statute; and

(iv) do not unnecessarily reveal the personal particulars of any person.

Although the protection of the confidentiality of personal particulars is a general policy principle, disclosure in this context becomes necessary for law enforcement purposes in identifying and describing wanted persons.

Crime Stoppers and Policelink have the resources to manage feedback from the public generated by media releases.

Officers who authorise a media release which seeks information from members of the public are to ensure the Crime Stoppers and Policelink reporting information is included in the release.

See also s. 1.15.3: 'Media releases including comfits' of the OPM.

Images (including photographic)

The term 'image' is to be interpreted as any:

(i) photographic (including official offender identification photographs i.e. 'mugshots');

(ii) videotape/print; or

(iii) computer generated,

means of depicting persons.

Generally, images, whether requested or otherwise, of any person including victims, witnesses, suspects or defendants are not to be released unless:

(i) the person's, or where appropriate, the next of kin's consent has been obtained;

(ii) there is a justifiable operational reason; or

(iii) is otherwise in accordance with this chapter.

Operational reasons for the release of information under s. 10.2: 'Authorisation of disclosure' of the PSAA are to:

(i) be consistent with the functions of the Service outlined in s. 2.3: 'Functions of service' of that Act; and

(ii) have a demonstrated legitimate or valid reason for such release.

The release of images or mugshots for media interest/entertainment value is not considered a valid operational reason.

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The image and description of an escapee/person unlawfully at large may be released where:

(i) the person has been imprisoned for a serious crime;

(ii) the person has a background of violence, sexual offences or child molestation etc.; or

(iii) there is a likelihood that the person will commit further offences.

Comfit composite images or photographs of wanted persons may be released where it is necessary to obtain public assistance or to warn of danger.

A person named or described is only to be referred to as a person:

(i) who can assist police with inquiries (no details which may prejudice future inquiries are to be released); or

(ii) wanted for arrest if a warrant has been issued.

Officers are to consider the provisions of the:

(i) s. 288: 'Preservation of confidentiality' of the *Youth Justice Act*; and

(ii) s. 189: 'Prohibition of publication of information leading to identity of children' of the *Child Protection Act*.

ORDER

Before releasing images and details of suspects, escapees or persons unlawfully at large to the media, officers are to obtain the authority of a commissioned officer.

Commissioned officers, before authorising the release of images of suspects and associated details to the media, are to ensure the:

(i) images have been edited to conceal the identity of victims or witnesses; and

(ii) consent of the victims or witnesses or their next of kin to release images to the media is obtained where the identity of victims or witnesses in such images cannot be concealed.

In the case of images and associated details of persons wanted for escaping or being unlawfully at large from Queensland Corrective Services (QCS), commissioned officers are to ensure that before authorising the release of such images and associated details:

(i) a member of the Corrective Services Investigation Unit (CSIU) has verified the information as being correct and has forwarded a copy of the images and associated details to QCS;

(ii) a copy of the images and associated details are forwarded to:

(a) Media and Public Affairs;

(b) Crime Stoppers; and

(c) Policelink

prior to release; and

(iii) that the Crime Stoppers and Policelink reporting information is included in the release.

In the case of releasing images or relevant information about missing persons to the media, see s. 12.3.3: 'Authority for media release' of the OPM.

Messages

ORDER

Where the need arises for an urgent police message to be broadcast over public radio or television, members are to immediately advise their OIC who may approve the request after verification of the details.

Officers in charge authorising the release of an urgent message are to immediately transmit a copy of the message to the duty officer, Police Communications Centre, Brisbane, and advise the district officer or commissioned OIC or equivalent as soon as practicable.

If the message relates to an occurrence involving child abduction, see s. 12.6: 'Amber alerts' of the OPM.

5.6.13 Requests for statistical information

Official statistics may be supplied by an OIC from the annual report and the annual statistical review on the request of any person or organisation.

An OIC receiving requests for localised statistical information is to refer the inquiry to the relevant local area (e.g. if the information sought relates to the Bundaberg area and cannot be readily provided from official publications, the inquirer should be referred to the OIC, Bundaberg Station).

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ORDER

Requests for local statistics are to be referred to the OIC. If statistical information cannot be supplied from official Service sources the following disclaimer is to be clearly endorsed on the data released:

> 'Disclaimer—these figures are not official Service statistics. Official Police Service statistics are released only through Research and Analytics, Policy and Insight Division after available data is collected, classified and collated in accordance with nationally accepted rules.'

Requests which cannot be dealt with at the local station/establishment level, or relate to a corporate nature, are to be referred to the Director, Research and Analytics.

5.6.14 Requests for information from other government departments, agencies or instrumentalities

Information disclosure requirements

Subject to any restriction applying to the disclosure of criminal history records, the Service may, on request, provide information to another government department, agency or instrumentality, including the nominal defendant, where the disclosure is:

(i) for legitimate purposes of the requesting department, agency or instrumentality;

(ii) not likely to interfere with the administration of justice;

(iii) not likely to unduly interfere with the efficient and effective discharge of law enforcement duties;

(iv) not in contrary to any statute;

(v) consistent with s. 7(1)(b): 'Relationship with other laws regulating personal information' of the IPA; and

(vi) permitted under QPP 6, such as but not limited to:

(a) the individual has consented to the disclosure;

(b) the disclosure is required or authorised by or an Australian law or a court or tribunal order; or

(c) the prevention, detection, investigation or remedying of seriously improper conduct where the requestor is investigating an employee for offences or breach of law where a penalty or sanction may be imposed (i.e. discipline procedures). See s. 5.9.3: 'Interpretation and implications of the Privacy Principles for the Service' of this chapter).

Before approving the release of information, the member authorised under Delegation D 15.46 is to:

(i) confirm the authority relied upon by the requesting department, agency or instrumentality;

(ii) assess whether the requester has lawful authority to obtain the information;

(ii) ensure the proposed disclosure is necessary and proportionate to the stated purpose; and

(iii) limit the disclosure to the minimum amount of personal or sensitive information reasonably necessary for that purpose.

When information is supplied, members should include an appropriate caveat advising the recipient that the information is not to be further disclosed to a third party without the prior approval of the Commissioner or delegate (see Appendix 5.2: 'Example of caveat when responding to requests for information by government departments, agencies or instrumentalities' of this Manual).

Where requests for information are to be directed

The Police Information Centre, Legal Division (PIC) provides a range of information management services to Queensland and interstate police officers, external government agencies and members of the public relating to:

(i) updating and maintaining Queensland criminal histories;

(ii) providing Queensland, national and New Zealand criminal histories;

(iii) providing finalised court briefs (QP9s);

(iv) providing criminal offence reports (pre-CRISP hard copy reports, not CRISP or QPRIME occurrences);

(v) performing domestic and family violence (DFV) data entry and cleansing in QPRIME

(vi) updating and maintaining records relating to warrants; and

(vii) analysing and quality checking QPRIME and traffic crash data.

ORDER

Members receiving requests from another government department, agency or instrumentality for information are to direct the inquirer or advise them to make a written application directly to the responsible person. The responsible person for information:

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(i) held by PIC (as described above) is the Manager, PIC;

(ii) held by other areas such as:

(a) watch-house records;

(b) witness statements;

(c) notebook entries,

and unless there is specific policy relating to the release of the information, is the assistant commissioner (AC) or executive director responsible for the operation of that area;

(iii) concerning a government employee of the requesting department, agency or instrumentality who has been investigated or is subject to current investigation in relation to a criminal offence is the AC responsible for the area where the investigation occurred or is occurring. Where a request is made for investigational information in relation to a criminal offence concerning an employee of another Queensland Government department, agency or instrumentality, the AC should ensure the investigational information is released only for the use in a discipline process by that person's employer; or

(iv) that are photographs:

(a) the OIC, Forensic Imaging and Electronic Recording Sections, Forensic Services Group; or

(b) where the photographs relate to a current investigation of a government employee, the AC where the investigation is occurring.

The table below lists specific policies relating to the sharing of information with other government departments, agencies or instrumentalities.

Manual	Section	Title
MSM	5.6.20	Release of information under provisions of Jury Act
	5.6.21	Release of information to health practitioner registration boards and Health Ombudsman
	5.6.22	Release of information to the Public Guardian
	5.6.25	Release of information under the Victims of Crime Assistance Act
	5.6.27	Requests for information from the Department of Housing and Public Works
	5.6.29	Release of information to the Australian Defence Force
OPM	2.5.10	Telecommunications interception
	2.22.11	Drug diversion assessment program outcomes
	3.4.16	Disclosure to courts of spent convictions
	3.4.18	Supply of information where court outcome requires action by Queensland Corrective Services or Department of Youth Justice and Victim Support
	3.4.28	Notification of Queensland College of Teachers regarding an approved teacher
	3.4.29	Notification of Office of Fair Trading regarding Debt Collectors (Field Agents and Collection Agents) Act and Security Providers Act
	3.4.30	Supply of information to the Parole Board Queensland
	3.4.31	Supply of information under Mental Health Act
	3.4.32	Prosecuting authority to notify Chief Executive about committal, conviction etc. under the Public Sector Act
	3.4.33	Notification of Queensland Parks and Wildlife Service of convictions of conservation related offences
	3.4.36	Notification of Chief Executive, Queensland Corrective Services, regarding committal, conviction, etc. of relevant person
	3.4.38	Supply of information to the department responsible for education regarding State school students
	4.12.5	Abandoned vehicles (as distinct from being stolen and abandoned)
	5.6.1	Police referral to a restorative justice conference
	6.6.8	Effect of mental illness on matter before the court
	7.9	Information exchange

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Manual	Section	Title
	7.16.1	Information sharing with Blue Card Services
	8.3.2	Responsibility for investigating and reporting on deaths
	8.5	Deaths of children
	8.13.2	Fatal mining incidents
	10.4.15	Transfer of and taking charge of persons in custody
	10.9.5	Urgent arrest required prior to approval by Federal Attorney-General
	10.10.3	Documentation required for extradition from New Zealand
	10.12.4	Action following approval to seek transfer of prisoners from interstate
	11.15.3	Deportation and removal
	13.4.6	Security Providers
	13.5.6	Supply of information impacting on the security classification, protection or security of prisoners to Queensland Corrective Services
	13.8.3	Investigation of offences and marine incidents under the Transport Operations (Marine Safety) Act or Regulation
	13.8.4	Fisheries management (offences detected)
	13.10.2	Classification Act offences
	13.22.5	Proceeding for an explosives offence
	13.26	Racial, religious, sexuality, sex characteristics or gender identity vilification (Anti-Discrimination Act)
	16.8.7	Notification to the Aboriginal and Torres Strait Islander Legal Service
	16.15	Medical information regarding a prisoner
	16.16.2	Additional responsibilities of investigating officers
	16.17.2	Arrest of children
	16.19.1	Transfer of sentenced prisoners
	16.19.8	Prisoners held in watch-house awaiting transfer to Corrective Services centres or youth detention centres
	16.19.10	Children held in watch-houses awaiting transfer to Youth Detention Centres
	16.19.11	Temporary transfer of child to DYJVS custody
	16.23.3	Additional responsibilities of officers investigating deaths in police custody
	16.23.5	Australian Institute of Criminology and Cultural Engagement Unit to be notified
	16.23.6	Coroner's findings and response to Coroner's findings
	17.2.2	Declaration of a disaster situation
	17.2.5	Exotic diseases in animals
	17.2.8	Space debris
	17.3.3	Aircraft incidents
	17.3.4	Rail incidents
	17.3.18	Chemical, biological and radiological (CBR) incidents
	17.3.19	Critical incidents involving Education Queensland
	17.3.21	Public health emergencies
	17.3.22	Restriction of the flight of aircraft in air space or the declaration of a danger area due to incident
	17.5	Search and rescue

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5.6.15 Requests for information from other law enforcement agencies

ORDER

On request for information by a law enforcement agency, the OIC of a station or establishment is to:

(i) supply any information on record provided that:

(a) it is in accordance with any relevant specific Service policy (see table below);

(b) where the information belongs to some other agency, subject to that agency's prior approval or any formalised national agreements;

(c) the request meets the following conditions, that is:

- for official purposes of the law enforcement agency;
- not likely to interfere with the administration of justice;
- not likely to unduly interfere with the efficient and effective discharge of law enforcement duties or compromise any investigation;
- not in contravention of any statute; and
- where information is released by the Service for the law enforcement purpose of another entity (under QPP 6.2(e)) a written note to that effect should be made as required by QPP 6.5. Schedule 3: 'Queensland Privacy Principles', 'QPP 6—use or disclosure of personal information' of the *Information Privacy Act* (see s. 5.9.3: 'Interpretation and implications of the Privacy Principles for the Service' of this chapter).

(d) when supplied, they indicate to the inquirer, in the form of a caveat that the information is only to be used for law enforcement purposes by the requesting agency and is not to be further disclosed to a third party unless permission is first obtained from the Commissioner or Commissioner's delegate (see Appendix 5.4: 'Example of caveat when responding to requests for information by other law enforcement agencies' of this chapter);

(e) where information is sought that is contained in records only available from the Police Information Centre (PIC), being:

- warrants;
- court brief (QP9);
- criminal offence reports (pre-CRISP hard copy reports, not CRISP or QPRIME occurrences); and
- criminal histories,

they refer the inquiring agency to the Manager, PIC and not supply such information;

(f) where the information is sought by an international law enforcement agency, it is to be authorised and organised through Interpol. Where a request has not been authorised by Interpol, the request is to be assessed in terms of 'Potential death penalty situations' prior to any information being disseminated (see s. 7.3.1: 'International inquiries through Interpol' and subheading 'Potential death penalty situations' of this Manual); or

(ii) where conditions 2 and 3 of (i)(c) above are not met, forward the request and all the relevant details to the OIC of the region or command who will make a determination as to whether the material will be released to the inquiring law enforcement agency.

Should the OIC of the region or command determine that the information sought should not be released, that officer is to forward the appropriate advice to the inquiring law enforcement agency.

The table below lists specific policy relating to the sharing of information with other law enforcement agencies.

Manual	Section	Title
MSM	5.6.2	Third party requests for personal information contained in Service records
	5.6.4	Requests for copies of statements
	5.6.29	Release of information to the Australian Defence Force
	7.3.1	International inquiries through Interpol
OPM	2.6.11	Workplace and electrical incidents
	2.25.21	Requesting interstate law enforcement agency for a DNA person/DNA crime scene profile or to perform a DNA comparison
	5.5.11	Confidentiality

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Manual	Section	Title
	10.8.1	Action prior to approval for extradition
	10.9.3	Action prior to approval to seek extradition
	10.10.2	Extraditions from New Zealand
	10.10.3	Documentation required for extradition from New Zealand
	10.11.2	Extraditions to another State or Territory of Australia
	10.12.3	Transfer of prisoners from other States
	11.9.1	Investigations regarding counterfeit money
	11.10.1	Investigations of breaches of film and video copyright
	11.15.2	Assistance to officers of the Department of Home Affairs and Australian Border Force
	11.20.6	Commonwealth department responsible for education or employment
	11.22.1	Seizure of illicit tobacco products
	17.8.1	Notification responsibilities following a Suspect Illegal Entrant Vessel incident
	17.8.3	Release of information relating to a Suspect Illegal Entrant Vessel incident

5.6.16 Documentation required by the courts

The Service may make available for production in court any document in its possession, provided such document:

(i) is deemed necessary for undertaking an effective prosecution and is not considered to contain privileged information; or

(ii) is the subject of a court summons or subpoena and is not considered to contain privileged information.

Notes made by police during investigations

In the course of giving evidence in court proceedings, officers generally, upon application to the court, are permitted to refresh their memory by reference to notes made at the material time.

Parties to the proceedings may be permitted by the court to inspect the notes to which reference has been made, and the relevant portion of a notebook may in such cases be admitted as an exhibit.

A claim of privilege is not made in respect of notes made by a police officer at the material time and so used to refresh the officer's memory at the time of testifying in the relevant case.

Statements and police documentary records

ORDER

Unless authorised by the prosecutor, officers giving evidence in magistrates courts are not to make available for production to the court any statements (other than those required by the prosecution to be produced in support of the charge(s) before the court) or Service documentary records.

Where the question of the admission of any such statement or document arises, officers are to seek the direction of the prosecutor who will determine whether or not privilege should be claimed in respect of any or all of the material.

A prosecutor who considers it beneficial to produce in evidence a Service document for the effective conduct of the prosecution case, is to, before tendering the document, carefully consider the implications of disclosing any of the contents contained therein and whether or not privilege should be claimed.

A prosecutor who considers the contents of a document to be privileged is not to tender the document as evidence, and where necessary, seek the permission of the court to refrain from producing a document requested.

Where prosecutors intending to produce a Service document in court, or are required to consider the admissibility of such document or statement, have some doubt as to the question of privilege, the prosecutor concerned is to refrain from producing the document and refer the matter to the district officer or where appropriate, the Inspector in Charge, Brisbane Police Prosecution Corps, for determination and referral to QPS Legal Services, Office of the General Counsel if necessary.

Documents and information required for evidence in civil proceedings

Members do not have authority to produce documents to a court that are the property of the Commissioner. Members can be authorised by the Commissioner to produce documents to the court in circumstances where the Commissioner is served with a subpoena or summons to produce such documents.

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ORDER

Members who are served with a subpoena or summons to give evidence as a witness in any civil proceedings are to furnish a report briefly setting out the evidence they are able to give in relation to the matter. This report is to advise as to the amount of any expenses tendered in respect of the subpoena or summons by way of conduct money and, together with a copy of subpoena or summons, is to be forwarded to their district officer or commissioned OIC who will authorise that member's attendance. A further report is to be submitted upon conclusion of the proceedings.

Where time is limited due to imminent court proceedings, members should expedite the transmission of the required material by use of facsimile or email.

ORDER

Where documents are required to be produced in any civil proceedings by subpoena or summons served upon the Commissioner, such documents are to be checked by the investigating officer for a claim of privilege. If a district officer or commissioned OIC considers that a claim of privilege should be made in respect of such documents, all relevant material is to be submitted to the Right to Information and Subpoena Unit, Right to Information and Privacy Services for consideration and advice before the documents are tendered to the court. Officers producing documents are to ensure arrangements are made for their return. Documents are not to be produced where a subpoena or summons is served on a member only and not the Commissioner.

Officers are to deliver documents to the court and not directly to the parties or legal representatives in the civil proceedings.

Members taking private legal action

ORDER

Unless approved by the Commissioner, members are not to disclose any information contained in any Service document or record to any person or court in relation to private legal action taken by that member against any person or organisation.

Members who have or are intending to take private legal action against any person or organisation may apply in writing to the Commissioner for permission to disclose information or produce Service documentation relevant to the case.

Documents and information required by defence representatives

The Service may make available to any defendant or legal representative any information or document which those persons would normally be lawfully entitled to access in connection with any court proceedings.

The matter of police prosecutors supplying particulars and documentation to defendants and legal representatives concerning details of charges preferred is generally governed by provisions under the Criminal Code and *Justices Act*, as well as established legal precedent and guidelines set down by the Director of Public Prosecutions (Refer to Guideline 27: 'Disclosure' of the Director of Public Prosecutions (State) Guidelines).

Reference should be made to Chapter 3: 'Prosecution Process' of the OPM for information on specific guidelines and requirements.

ORDER

Police prosecutors in possession of a defendant's criminal history are to supply that history to the defendant or the defendant's legal representative upon request.

In relation to the disclosure of a prosecution witnesses' previous criminal history for a relevant proceeding, see ss. 3.14.5: 'Disclosure that must be made on request' and 3.10.12: 'Disclosure of prosecution witnesses' previous convictions to the defence' of the OPM.

Prosecutors are not expected to examine the records to verify whether there exists any matter which might affect the character of the witness.

5.6.17 Requests by members for information about themselves

It is recognised that information contained in documents such as personal files should be provided to members with restriction only in very limited cases.

Members wishing to access information contained on their personal files should refer to 'Access and Disclosure of HR Information Policy' within Records of the HR Policies and Procedures SharePoint page.

5.6.18 Requests for information from Centrelink

This section is to be read in conjunction with s. 5.6.2: 'Third party requests for personal information contained in Service records' of this chapter.

Pursuant to ss. 192: 'General power to obtain information', 194: 'Obtaining information about a person who owes a debt to the Commonwealth' and 196: 'Written notice of requirement' of the *Social Security (Administration) Act* (Cwlth), Centrelink may require the Service to provide personal information in relation to a person, including details of being in custody at a watch-house.

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Where Centrelink requires information in relation to persons in custody, or who have been in custody at a watch-house, they will by written notice specify:

(i) how to give the required information or produce a required document;

(ii) the period in which to give the required information or produce a required document;

(iii) the person to whom the required information or document is to be produced; and

(iv) the section under which notice is given.

Where such written notice is given that requires personal information in relation to a person in custody or who has been in custody at a watch-house, officers are to ensure to provide the information or document:

(i) in the manner the written notice specifies;

(ii) in the period specified; and

(iii) to the person specified.

Where there is any doubt about the source of the request, officers are to confirm the validity of the request by telephoning the Centrelink office specified, prior to the forwarding of any information.

5.6.19 Requests for interviews with members of the Service

This policy applies to the release of information by members, concerning an investigation in which they have been involved, following a request from an individual, agency or organisation external to the Service.

Requests from insurance companies

Officers in charge may allow representatives of insurance companies making inquiries with respect to claims made upon that company to interview members under their control, provided:

(i) applications for any such interviews are made in writing to the OIC of the member concerned;

(ii) any such interviews are conducted in person at a time convenient to all parties; and

(iii) the incident does not involve cases concerning Service property or a claim involving the Service.

Subject to the approval of the member's OIC, a member may participate in such an interview.

Members who choose to participate in such an interview should comply with the provisions of this chapter relating to release of information, and in particular, s. 5.6.9: 'Requests by persons other than victims of crime for investigational information' and, where applicable, s. 5.6.3: 'Requests by members of the public and external organisations for information contained in QPRIME occurrences' or s. 5.6.5: 'Requests for information related to traffic crashes'.

In certain cases, subsequent to a member participating in an interview as described above, a sworn affidavit may be requested from the member for presentation in court or other dispute resolution forum. In such instances, members may supply an affidavit provided that:

(i) the affidavit is prepared by a representative of the insurance company making the request;

(ii) the member concerned examines the contents of the affidavit for accuracy and completeness and ensures any necessary changes are made prior to swearing the affidavit; and

(iii) the contents of the affidavit are based on the member's records of the incident.

The time taken for an interview or in examining and swearing an affidavit is to be charged to the applicant as special services in accordance with the Financial Management Practice Manual with the exception of the minimum period of 3 hours to be charged. The charge out rate shall be calculated using a minimum of one hour for the first hour or part thereof, plus one half hour for every subsequent half hour or part thereof.

Requests from other persons, agencies or organisations

Requests for interviews with members for reasons other than those outlined above should be considered, and if deemed appropriate, approved by the OIC of the region or command of the member concerned prior to any such interview taking place. If a government department, agency or instrumentality has requested the interview in relation to a current investigation of a government employee for disciplinary purposes, the assistant commissioner responsible for the area where the investigation is taking place should be consulted before any approval is given.

The process outlined herein relating to insurance companies, with any necessary adaptation, applies in cases where an OIC of a region or command approves an interview with a member.

5.6.20 Release of information under provisions of Jury Act

This section is to be read in conjunction with s. 5.6.14: 'Requests for information from other government departments, agencies or instrumentalities' of this chapter.

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Section 12: 'Arrangements with commissioner of the police service' of the *Jury Act* places a duty on police to assist the sheriff by:

(i) making inquiries reasonably required for the keeping of a jury roll; or

(ii) giving other reasonable help relevant to keeping a jury roll.

The sheriff will normally request assistance by forwarding a list of potential jurors to the OIC at police stations where district and supreme court sittings are held. (An exception to this is that in the Brisbane Metropolitan area, most requests are sent direct to the Police Information Centre, Legal Division for processing.)

Duties of officers in charge of stations

Officers in charge of stations who receive a request from the sheriff for assistance under the provisions of s. 12 of the *Jury Act* are to ensure those inquiries are completed and forwarded to the appropriate area(s) within 14 days of receipt of the request.

Conditions for qualifications to serve as a juror are contained in s. 4: 'Qualification to serve as juror' of the *Jury Act*. Where a potential juror is a person described in s. 4(3)(a) to (j) advice is to be forwarded to the sheriff. If necessary, supporting information is to be attached.

In relation to the provisions of s. 4(3)(k) to (l), all potential jurors are to be checked in QPRIME for a criminal history. A list of all persons having a criminal history that is contained on microfilm is to be compiled and forwarded by email to the Manager, Police Information Centre. Where a person has a criminal history other than in Queensland, the name of that person and a request for a criminal history check outside Queensland is also to be included on the list forwarded to the Police Information Centre. Police Information Centre will return any criminal histories located on microfilm or outside of Queensland to the OIC of the relevant station who will then ensure they will be forwarded together with any other histories located through computer checks to the relevant sheriff. See Appendix 5.3: 'Request for criminal history check of potential jurors pursuant to Jury Act' for suggested format of a request to the Police Information Centre for criminal history contained on microfilm or outside of Queensland of potential jurors.

The following details are required by the Police Information Centre, when receiving a request for a criminal history:

(i) name and date of birth of the person with a criminal history;

(ii) person number and microfilm number for a Queensland criminal history; and

(iii) ACIC database (previously Crimtrac) reference number and relevant State or territory for an interstate criminal history.

The list is to be returned by or on behalf of the OIC of the relevant station to the relevant sheriff with appropriate correspondence indicating the existence of any of the following situations:

(i) a potential juror is a person described in s. 4(3)(a) to (j) of the *Jury Act*. The applicable subsection is to be indicated on the list and if necessary supporting information attached; or

(ii) a potential juror is a person described in s. 4(3)(k) to (l) of the *Jury Act* and that a list of all potential jurors with a criminal history and a copy of their criminal history including full details of dates and penalties imposed, are to be forwarded by email.

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Duties of Manager, Police Information Centre

The Manager, Police Information Centre, is to ensure criminal history checks for histories held on microfilm or for outside of Queensland which are requested on behalf of a sheriff are completed and forwarded to the OIC of the relevant station requesting same within 7 days of receipt of the email from or on behalf of an OIC of a station.

Criminal histories, including full details of dates and penalties imposed, are to be forwarded by email directly to the OIC of a station requesting same.

The Manager, Police Information Centre, is to ensure any criminal history checks of potential jurors that are requested directly by a sheriff in the Brisbane Metropolitan area are completed, including full details of dates and penalties imposed, and forwarded within 14 days of receipt of the email directly to the requesting sheriff.

5.6.21 Release of information to health practitioner registration boards and Health Ombudsman

National Health Practitioner Registration Boards

The Health Practitioner Regulation National Law (Queensland) (National Law) establishes a national scheme for the regulation of health practitioners (See SMD) and students. The National Law includes registration and accreditation; which are managed by the Australian Health Practitioner Registration Agency (AHPRA) and related health profession National Boards (see SMCD).

Health Ombudsman

The Office of the Health Ombudsman (OHO) is Queensland's health service complaints management agency which receives all complaints in relation to health service providers in Queensland (see SMCD). The provider can be an organisation or individual, registered or otherwise.

Voluntary notifications (complaints)

Voluntary notifications can be made by any entity, including individual persons, to the OHO. The grounds for voluntary notification to the Health Ombudsman about a:

(i) registered health practitioner includes:

(a) poor professional conduct;

(b) sub-standard knowledge, skill or judgment, or care;

(c) not being considered a fit and proper person to be registered in the profession;

(d) having an impairment;

(e) contravening the National Law;

(f) contravening a condition of their registration or an undertaking they gave to a National Board; or

(g) improperly obtaining registration; or

(ii) health student includes:

(a) being charged, convicted, or found guilty of an offence punishable by 12 months imprisonment;

(b) having an impairment; or

(c) contravening a condition of their registration or an undertaking they gave to a National Board.

(See s. 144: 'Grounds for voluntary notification' of the National Law)

Members receiving a complaint in relation to the conduct of a health service provider should advise the informant or victim of the existence of the OHO to deal with the complaint (see SMCD).

Discretionary release of information

Members may receive or investigate a complaint relating to the conduct or behaviour of a health service provider. In addition to any police investigation, the circumstances of the complaint or report may provide grounds for a voluntary notification to the OHO, if:

(i) due to the health service provider's conduct, performance or health, the provider poses a serious risk to persons; and

(ii) it is necessary to take immediate action to protect public health or safety;

the member may consider it appropriate to disclose details of the complaint or investigation to the OHO. The member must ensure the release of any information is not contrary to other statutory prohibitions (e.g. Chapter 2A, Part 6: 'Confidentiality' of the *Child Protection Act*).

Members who consider it appropriate to disclose information to the OHO should submit a report to their OIC of the region or command outlining the details of the complainant, including any investigation and charges against the health service provider and what information the member considers appropriate for release.

The OIC of the region or command has been delegated the authority to authorise in writing the disclosure of information in possession of the Service pursuant to s. 10.2: 'Authorisation of disclosure' of the *Police Service Administration Act*. See Delegation D 15.46.

In considering disclosure of the information, the OIC of the region or command should, in consultation with the Right to Information and Subpoena Unit (RTISU), Right to Information and Privacy Services, consider:

(i) the use to which the information will be put following release;

(ii) the confidentiality or privacy of all persons involved;

(iii) the impact of other statutes on the potential release, for example, statutory prohibitions;

(iv) ability for conditions to be placed on the use of the material to protect the Service and its investigations;

(v) the status of any investigation or inquiries being conducted;

(vi) the seriousness of the impact of release upon the medical practitioner involved;

(vii) the degree to which the release may prejudice or otherwise affect inquiries by the Service;

(viii) the attitude of the complainant or informant with respect to release; and

(ix) any other exceptional circumstances that would warrant release to a body who otherwise may have the power to require it.

Any authority for release of information to the OHO related to a registered health practitioner should include an authority to release to the AHPRA, to allow referral of matters without requiring further approval. See SMCD for contact details of

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the OHO. See also s. 5.6.14: 'Requests for information from other government departments, agencies or instrumentalities' and s. 5.6.15: 'Requests for information from other law enforcement agencies' in this chapter.

Mandatory release of information

It may be necessary at times for the OHO, a National Board or AHPRA to require from the Service certain information relating to a health service provider for use in an investigation, disciplinary action or proceedings.

For the purposes of an investigation under a relevant Act, an investigation committee, inspector or investigator appointed under the relevant Act may give a written notice requiring the giving of stated information or the attendance before the committee, inspector or investigator to answer questions or to produce a stated thing. All statutory requests for production of documents must be addressed to the Commissioner of the Queensland Police Service and are managed by the Legal Liaison Team, RTISU.

Whenever members are given such notices, they are to forward a copy of the notice together with a report to the OIC of the region or command for a decision to be made as to the information to be provided, questions to be answered or thing to be produced. The report is to outline details of the subject matter relating to the notice and where appropriate include details of any circumstances whereby compliance with the written notice may:

(i) prejudice or otherwise hinder an investigation to which the information may be relevant;

(ii) affect the safety or wellbeing of a police officer, complainant or other person; or

(iii) be contrary to statutory prohibitions (e.g. be considered sensitive evidence under s. 590AF: 'Meaning of 'Sensitive Evidence' of the Criminal Code).

The National Law and *Health Ombudsman Act* create offences for failure to comply with a requirement of a written notice without reasonable excuse. The reasons outlined above as well as other reasons prevailing in particular cases may well amount to a 'reasonable excuse'.

Inquiries regarding health practitioner registration boards or the provisions of the relevant Acts may be made to the OHO or AHPRA (see SMCD).

Health Ombudsman Liaison Officer, Information Management Services

The Health Ombudsman Liaison Officer (HOLO), Police Information Centre, Information Management Services acts as a liaison between the Service and OHO. The position is funded by OHO and reports directly to the Manager, PIC. The primary function of the HOLO is to facilitate information sharing between the Service and OHO in respect to matters involving criminal charges against registered and unregistered health practitioners. The HOLO can be contacted for advice regarding referral of matters to the OHO (see also s. 7.1.4: 'Requesting information from Queensland Health' of this Manual).

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5.6.22 Release of information to the Public Guardian

See s. 6.3.12: 'Public Guardian' of the OPM for an overview of the Public Guardian's establishment, functions, and powers under the *Guardianship and Administration Act* (GAAA) and the *Public Guardian Act* (PGA).

Mandatory release of information

There are a number of statutory provisions which provide an avenue for the Public Guardian to require certain information from persons who have custody or control of the information.

Section 210A: 'Right to information' of the GAAA provides the Public Guardian has a right to all information necessary to investigate a complaint or allegation or to carry out an audit and may by written notice given to a person who has custody or control of the information, require the person to:

(i) give the information to the Public Guardian; and

(ii) if the information is contained in a document, allow the Public Guardian to inspect the document and take a copy of it.

Section 44: 'Right of guardian or administrator to information' of the GAAA provides a guardian or administrator who has power for a matter for an adult has a right to all the information the adult would have been entitled to if the adult had capacity and which is necessary to make an informed exercise of the power. At the guardian's or administrator's request, a person who has custody or control of the information must give the information to the guardian or administrator, unless the person has a reasonable excuse.

Section 81: 'Right of attorney to information' of the *Powers of Attorney Act* (POAA) provides an attorney has a right to all information that the principal would have been entitled to if the principal had capacity and that is necessary to make, for the principal, informed decisions about anything the attorney is authorised to do. At the attorney's request, a person who has custody or control of the information must disclose the information to the attorney on request.

All statutory requests for production of documents held in possession of the Service must be addressed to the Commissioner.

Upon receiving a notice or request under ss. 210A or 44 of the GAAA, or s. 81 of the POAA, members are to forward a copy of the notice or request (if applicable) together with a report to the OIC of the region or command for a decision to

be made as to the information to be provided, questions to be answered or thing to be produced. The report is to outline details of the subject matter relating to the notice or request and where appropriate include details of any circumstances whereby compliance with the written notice or release of the information may:

(i) prejudice or otherwise hinder an investigation to which the information may be relevant;

(ii) affect the safety and wellbeing of a person with impaired capacity or other person;

(iii) in the case of notices under s. 210A or requests under s. 44, tend to incriminate the member (see ss. 210A(4) and 44(5) of the GAAA).

Failure to comply with a notice under s. 210A of the GAAA is an offence unless the person has a reasonable excuse. A person must also comply with a request under the provisions of s. 44 of the GAAA unless the person has a reasonable excuse. The reasons outlined above as well as other reasons prevailing in particular cases may well amount to a 'reasonable excuse'.

Where the release of information is approved, members are to ensure such release complies with the relevant provisions of the GAAA.

Discretionary release of information

In the performance of duties members of the Service may receive or investigate a complaint or report of a suspected offence where the victim is an adult with impaired capacity. The matter may provide cause for the Public Guardian to investigate whether the adult with impaired capacity:

(i) is being or has been neglected, exploited or abused; or

(ii) has appropriate or inadequate decision-making arrangements;

with a view to taking necessary protective action under the GAAA or PGA.

The member may consider it appropriate to disclose details of the complaint or investigation to the Public Guardian for the protection of the person with impaired capacity. The member must ensure the release of any information is not contrary to other statutory prohibitions (e.g. sensitive evidence under s. 590AF: 'Meaning of sensitive evidence' of the Criminal Code).

Members who consider it appropriate to disclose information to the Public Guardian should submit a report to the member's OIC of the region or command outlining the following:

(i) the name and date of birth of the person with impaired capacity;

(ii) the address and phone number of the person with impaired capacity;

(iii) cause of impaired capacity/diagnosis;

(iv) brief details of the complaint or allegation including date, place and time of events;

(v) details of charges preferred against any person;

(vi) name and contact details of the medical practitioner or other health professionals treating the person with impaired capacity;

(vii) name and contact details of any relevant service providers;

(viii) contact details of any relatives or friends of the person with impaired capacity where consent to disclose such details is given;

(ix) brief description of how decisions are being made for the person with impaired capacity (e.g. guardian, attorney or informally);

(x) if available, financial details of the person with impaired capacity (e.g. bank details, pension details, assets, debts);

(xi) name of person making the complaint (if different from person with impaired capacity); and

(xii) any other information the member considers appropriate for release.

Assistant commissioners have been delegated the authority to authorise in writing the disclosure of information in possession of the Service pursuant to s. 10.2: 'Authorisation of disclosure' of the *Police Service Administration Act*, see Delegation D 15.46.

In considering disclosure of the information, the OIC of the region or command should consider:

(i) the use to which the information will be put following release;

(ii) the confidentiality or privacy of all persons involved;

(iii) the impact of other statutes on the potential release, for example, statutory prohibitions;

(iv) ability for conditions to be placed on the use of the material to protect the Service and its investigations;

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(v) the status of any investigation or inquiries being conducted;

(vi) the seriousness of the impact of release upon all parties involved;

(vii) the degree to which the release may prejudice or otherwise affect inquiries by the Service;

(viii) the attitude of the victim or informant with respect to release; and

(ix) any other exceptional circumstances that would warrant release to a body that otherwise may have the power to require it.

Inquiries regarding the Public Guardian's powers or provisions of the GAAA may be made to the Office of Public Guardian (see SMCD).

5.6.23 Release of information to the Family Responsibilities Commissioner

Definitions

For the purposes of this section:

Case plan

See s. 76: 'Meaning of *case plan*' of the *Family Responsibilities Commission Act* (FRCA).

Compulsory case plan

See s. 78: 'Preparation and endorsement of particular case plans' of the FRCA.

Family responsibilities agreement

See s. 68(1): 'Decision to enter into agreement' of the FRCA.

Family responsibilities order

See s. 6: 'Definitions' of the FRCA.

Prescribed entity

See s. 90: 'Definitions for pt 8' of the FRCA. This definition includes the police commissioner.

Relevant information

See s. 91: 'What is relevant information' of the FRCA.

Welfare reform community area

means the following areas:

(i) Aurukun area;

(ii) Coen area;

(iii) Hope Vale area;

(iv) Mossman Gorge area; and

(v) any other area prescribed under a regulation.

See s. 6: 'Definitions' of the FRCA for further details on how individual areas are defined.

Family Responsibilities Commission

The FRCA establishes the Family Responsibilities Commission (the **'Commission'**) which is supported by the Family Responsibilities Commission Registry (the **'Registry'**). The aim of the FRCA is to make decisions about and give guidance to persons in welfare reform community areas to support the restoration of socially responsible behaviour and to help these persons resume primary responsibility for their own wellbeing and that of their families.

The Commission consists of the Commissioner, deputy commissioner and local commissioners as appointed. Local commissioners are appointed for, and have jurisdiction only in, a particular welfare reform community area. The Commission may hold conferences and make decisions under the FRCA including making, amending or ending a compulsory case plan, a family responsibilities agreement or family responsibilities order.

The Commission is advised by agency notices in relation to persons in welfare reform community areas about matters such as non-attendance at school, non-enrolment at school, child safety and welfare matters, convictions for offences and residential tenancy agreement matters. These notices may result in a conference between the person and the Commission being held where the relevant matters are discussed and either an agreement is reached about appropriate action to be taken or the Commission makes a decision on action to be taken. Subsequent agency notices may result in changes to or the ending of any agreements or orders made in relation to persons by the Commission.

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Service of documents

At various stages in the process, service of different documents under the FRCA is required to be made by staff of the Registry on behalf of the Commission. Some of the documents are required to be explained in detail to the recipients under the FRCA.

Police officers are not authorised under the FRCA to serve documents on persons on behalf of the Commission. All documents are to be served by staff of the Registry. Registry staff may request police assistance when serving documents under the FRCA, e.g. in relation to a recipient who may have threatened harm to a Registry staff member on a previous occasion. When requested by Registry staff to assist in the serving of documents, in accordance with s. 14.24: 'Priority codes' of the OPM, police are to attend. Officers attending to assist the Registrar in the service of documents under this Act should refrain from intervening except to prevent riots, breaches of the peace or breaches of the law (see ss. 50, 51 and 52 of the PPRA). See also s. 13.4.9: 'Breaches of the peace' of the OPM.

Part 13: 'Particular offences and legal proceedings', Division 1, ss. 125 to 134 of the FRCA outlines a number of offence provisions. Section 127: 'Retaliation against official or official's family' creates an offence for a person to cause or threaten to cause, any injury or detriment to an official or their family in retaliation of anything lawfully done under the FRCA. Officers may consider taking action under this section where persons threaten or cause harm to Registry staff whilst serving documents under the FRCA. See also s. 3.4: 'General prosecution policy' of the OPM.

Supply relevant information

Section 93: 'Information requirement made by commissioner' of the FRCA outlines that the Commissioner, Family Responsibilities Commission may ask the Police Commissioner, for particular relevant information in possession or control of the Police Commissioner. Information in possession or control of the Police Commissioner does not include information supplied by another entity. The Police Commissioner has delegated this power to stated particular positions, see Delegation D 115.1.

Relevant information is defined in s. 91: 'What is *relevant information*' of the FRCA, and may include (and is not limited to) information:

(i) that is fact or opinion;

(ii) relating to domestic violence matters;

(iii) contained in QPRIME Occurrences;

(iv) contained in patrol logs; and

(v) relating to investigations.

When asked by the Commissioner, Family Responsibilities Commission for particular relevant information, in compliance with s. 93(3) of the FRCA, the particular relevant information is to be supplied unless it is reasonably considered that:

(i) giving the information could reasonably be expected:

(a) to prejudice the investigation of a contravention or possible contravention of a law in a particular case;

(b) to prejudice an investigation under the *Coroners Act*;

(c) to enable the existence of a confidential source of information, in relation to the enforcement or administration of a law, to be ascertained;

(d) to identify a confidential source of information in relation to the enforcement or administration of a law;

(e) to identify a person who has given the entity or someone else information about a matter mentioned in s. 186: 'Application of subdivision' of the *Child Protection Act*;

(f) to endanger a person's life or physical safety; or

(g) to prejudice the effectiveness of a lawful method or procedure for preventing, detecting, investigating or dealing with a contravention or possible contravention of a law; and

(ii) it would not be in the public interest to give the information.

If the Commissioner, Family Responsibilities Commission asks the Police Commissioner for particular relevant information in the possession or control of the Service, officers delegated under Delegation D 115.1 are to comply with the request and supply the information directly, unless it is reasonably considered that the provisions of s. 93(3) or 93(4) of the FRCA apply. Particular relevant information supplied is to have any information that may come within the provisions of ss. 93(3) or 93(4) deleted/removed prior to its being supplied.

Members who receive a written request for particular relevant information from the Commissioner, Family Responsibilities Commission under s. 93 of the FRCA are to refer the request to a delegated officer under Delegation D 115.1.

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Should the Manager, Police Information Centre or the relevant officers in charge as set out in Delegation D 115.1 determine the particular relevant information sought should not be released, the manager/officer is to forward the appropriate advice to the Commissioner, Family Responsibilities Commission, through the chain of command.

Officers supplying the Commissioner, Family Responsibilities Commission with particular relevant information, are to ensure compliance with the QPS Standard of Professional Practice (see ESC Knowledge Hub SharePoint page).

Officers are to be mindful that any particular relevant information supplied to the Commission whether it be provided in writing or otherwise, may be subject to an application under the *Right to Information Act* and the *Information Privacy Act*. See also s. 5.7: 'Right to information and privacy' of this Manual.

Section 95: 'Giving of information protected' of the FRCA provides for protection from civil or criminal liability or liability under an administrative process, for a person who gives information in compliance with this Act, if acting honestly under this Act.

5.6.24 Release of information in district based crime bulletin

The focus of a district based crime bulletin is to enhance public knowledge of crime in their area while promoting active participation in crime prevention, reduction and resolution. A district based crime bulletin should be distributed at least once a month and may replace or be used in addition to Neighbourhood Watch newsletters.

The creation and electronic distribution of the district based crime bulletin to the community is managed by district crime prevention officers.

The district based crime bulletin should focus on improving community safety and crime prevention while promoting volunteer programs such as Neighbourhood Watch, Volunteers in Policing and Crime Stoppers.

The purpose of the district based crime bulletin is to:

(i) facilitate public involvement through enhanced access to crime-related information;

(ii) provide information targeting specific crimes and hot spot areas;

(iii) provide crime prevention strategies to develop personal safety and property security strategies;

(iv) promote active participation in crime prevention, solution and reduction; and

(v) provide current information in a timely and cost effective manner.

Section 5.6: 'Release of Information' of this chapter should be complied with when creating and distributing each edition of the district based crime bulletin.

An approved template, user guide and general information is available on the Neighbourhood Watch Intranet site.

Local instructions for the creation and distribution of the district based crime bulletin should be developed by each district.

A district based crime bulletin should be created and distributed to the community once a month or more frequently by each district crime prevention office.

Relevant articles may be sourced and developed through maintaining effective external and internal networks which include, but are not limited to:

(i) Neighbourhood Watch members;

(ii) operational police officers;

(iii) Crime Stoppers;

(iv) State intelligence officers; and

(v) local business owners.

Distribution of the district based crime bulletin should include Neighbourhood Watch area coordinators, media organisations, councils and local businesses and other key district stakeholders such as tertiary institutions, licensed premises, health services, tourism agencies and other relevant organisations.

In addition to any restrictions imposed by s. 5.6 of this chapter, the use of identifiable photographs is not permitted in the district based crime bulletin if:

(i) the photograph knowingly depicts a youth suspect or it's reasonably believed it may be a youth suspect;

(ii) the identity of the suspect is known to police;

(iii) the offence is a simple or regulatory offence;

(iv) the complaint has been solved or withdrawn; or

(v) it's believed on reasonable grounds that photograph's use is:

(a) likely to interfere with the proper discharge of law enforcement duties;

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(b) likely to interfere with the fair administration of justice; or

(c) likely to cause unnecessary interference with that person's privacy.

5.6.25 Release of information under the Victims of Crime Assistance Act

One of the purposes of the *Victims of Crime Assistance Act* (VOCAA) is to operate a scheme to provide financial assistance to victims of acts of violence.

This section is to be read in conjunction with s. 5.6.14: 'Requests for information from other government departments, agencies or instrumentalities' of this chapter and s. 2.12.1: 'Victims' Commissioner and Sexual Violence Review Board Act and Victims of Crime Assistance Act' of the OPM.

Request for information under the Victims of Crime Assistance Act

All applications for assistance submitted by victims are considered and decided by a government assessor at Victim Assist Queensland, which is a part of the Department of Justice (DJ) (see also s. 2.12.3: 'Victim Assist Queensland' of the OPM). The Service has a Victim of Crime Liaison Officer seconded to the DJ, whose duties include facilitation of the exchange of information between the organisations in relation to the VOCAA.

In accordance with ss. 65: 'Obtaining information about act of violence from police commissioner' and 66: 'Obtaining copies of witness statements, or information about particular conduct, in relation to act of violence' of the VOCAA, the government assessor can require the Commissioner to provide information and copies of the victim's and any witnesses statements to assist with determining an application for assistance made by the victim of crime.

Pursuant to s. 65(1) of the VOCAA, the Commissioner must give the government assessor information about the act of violence, including:

(i) the circumstances of the act of violence;

(ii) the progress of investigations being conducted about the act of violence;

(iii) the charges (if any) laid for the act of violence and details of the place and date of hearing of the proceeding for the charge;

(iv) if a charge is not laid or not continued with—the reasons for not laying or continuing with a charge; and

(v) the outcome of a proceeding for the charge, including any sentence imposed and the outcome of any appeal.

The Commissioner must also provide:

(i) a copy of any statement about the act of violence made by the primary victim of the act; and

(ii) further details about any information mentioned above in (i)–(v), including any changes to the information previously provided.

Pursuant to s. 65(4) of the VOCAA, the Commissioner must not give information about an investigation relating to the act of violence if the Commissioner is reasonably satisfied giving the information may:

(i) prejudice or otherwise hinder an investigation to which the information may be relevant;

(ii) lead to the identification of an informant or a person who is a notifier under s. 186: 'Application of subdivision' of the *Child Protection Act*; or

(iii) affect the safety of a police officer, complainant or other person.

Section 66: 'Obtaining copies of witness statements, or information about particular conduct, in relation to act of violence' of the VOCAA requires investigating officers to provide:

(i) copies of witnesses' statements in relation to the act of violence; and

(ii) documents and information the officer considers may be relevant to deciding whether:

(a) the applicant for the assistance committed the act of violence or conspired with the person who committed the act of violence;

(b) the only or main reason the act of violence was committed against the primary victim was the primary victim's involvement in a criminal activity; or

(c) the applicant has provided reasonable assistance during the investigation of the act, in the arrest or prosecution of the person who allegedly committed the act of violence; and

(d) whether the failure to provide information has prevented the arrest or prosecution of the person who allegedly committed the act of violence.

Duties of victims of crime liaison officer in relation to supplying copies of statements and information or documents about particular conduct

Where the Victim of Crime Liaison Officer receives a request from the government assessor to provide information in relation to a compensation application, the Victim of Crime Liaison Officer is to:

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(i) locate the relevant QPRIME occurrence relating to the application;

(ii) provide details to a/the government assessor of the:

(a) circumstances of the act of violence; and

(b) charges (if any) laid for the act of violence and details of the place and date of hearing of the proceeding for the charge;

(iii) identify the investigating officer and send a QPRIME task to the officer, or if the officer cannot be readily identified, to the OIC of the relevant police station or establishment requesting:

(a) a copy of the victim's statement (see s. 65(1)(b) of the VOCAA);

(b) a copy of any witnesses' statements (see s. 66(2)(a) of the VOCAA); and

(c) any other documents or information the officer considers may be relevant to identify particular conduct of the victim (see s. 66(2)(b) of the VOCAA), which may affect whether the application should be supported.

The QPRIME task sent should be sufficiently detailed to guide investigating officers by stating what information is required and how it is to be sent.

Duties of investigating officers in relation to supplying a copy of the victim's statement

When requested to supply a copy of a victim's statement, investigating officers should:

(i) comply with the instructions provided in the QPRIME task;

(ii) where any of the matters in s. 65(4) of the VOCAA:

(a) do not apply, obtain a copy of the statement;

(b) apply to the victim's statement, obtain a copy of the victim's statement and remove or render unreadable any particulars which may not be provided; or

(c) apply to the victim's statement and it is not appropriate for those details to be removed or rendered unreadable (preventing the forwarding of a copy of the victim's statement to the government assessor), and

(iii) complete a QP 0846: 'Request by government assessor for a statement by the primary victim of an act of violence vide s. 65(1)(b) of the Victims of Crime Assistance Act 2009' and select the relevant check box);

(iv) where the victim's statement does not exist at the time of receiving the request, complete the QP 0846 as appropriate;

(v) forward the completed QP 0846 and any statements to the OIC of the station or establishment; and

(vi) finalise the relevant QPRIME task and note that the required victim's statement has or has not been provided.

Duties of investigating officers in relation to supplying a copy of witness statements

ORDER

When requested by the government assessor for a copy of witness statements, investigating officers are, unless the investigating officer believes the particulars identifying the witness are relevant to deciding the application, to remove or render unreadable any particulars identifying the witness prior to the supply of the statements to the government assessor.

When requested to supply a copy of witness statements, investigating officers should:

(i) comply with the instructions provided in the QPRIME task;

(ii) where any of the matters in s. 66(6) of the VOCAA:

(a) do not apply, obtain a copy of the statement ensuring the identification particulars of the witnesses are removed (unless provision of the witness identity is relevant to deciding the application);

(b) apply to the witness statements, obtain a copy of the witness statements (ensuring the identification particulars of the witnesses are removed unless provision of the witness identity is relevant to deciding the application) and remove or render unreadable any other particulars which may not be provided; or

(c) apply to the witness statements and it is not appropriate for those details to be removed or rendered unreadable (preventing the forwarding of a copy of the witness statements to the government assessor); and

(iii) complete a QP 0847: 'Request by government assessor for a statement(s) made by witness(es) to the act of violence vide s. 66(2)(a) of the Victims of Crime Assistance Act 2009' and select the relevant check box);

(iv) where the witness statements do not exist at the time of receiving the request, complete the QP 0847 as appropriate;

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(v) forward the completed QP 0847 and any statements to the OIC of the station or establishment; and

(vi) finalise the relevant QPRIME task and note that the required witness statements have or have not been provided and if not provided how many are outstanding.

Duties of investigating officers in relation to supplying a copy of information or documents about particular conduct

When requested to supply a copy of documents or information in accordance with s. 66(2)(b) of the VOCAA, investigating officers should:

(i) comply with the instructions provided in the QPRIME task;

(ii) where any of the matters in s. 66(6) of the VOCAA:

(a) do not apply, obtain a copy of the documents or information;

(b) apply to the documents or information, obtain a copy of the documents or information and remove or render unreadable any particulars which may not be provided; or

(c) apply to the documents or information and it is not appropriate for those details to be removed or rendered unreadable (preventing the forwarding of a copy of the documents or information to the government assessor); and

(iii) complete a QP 0848: 'Request by government assessor for relevant documents and information vide s. 66(2)(b) of the Victims of Crime Assistance Act 2009' and select the relevant check box);

(iv) forward the completed QP 0848 and any documents or information to the OIC of the station or establishment; and

(v) finalise the relevant QPRIME task and note that the required information or documents have or have not been provided, and if not provided how many are outstanding.

In relation to documents or information requested under s. 66(2)(b) of the VOCAA, investigating officers should not supply:

(i) a copy of any criminal history of the primary victim (this will be supplied by Police Information Centre);

(ii) a copy of any criminal history of any other person such as witnesses, related victim, parent of victim unless the investigating officer believes this information will directly assist the government assessor to determine matters in s. 66(2)(b) of the VOCAA (e.g. conspiracy, insurance fraud etc.); and

(iii) any information unless it is factual (e.g. opinions of investigating officers or other persons are not to be supplied).

Copies of any official reports supplied should have all particulars relevant to matters in s. 66(6) of the VOCAA and particulars identifying the witnesses removed or rendered unreadable (unless provision of the witness identity is relevant to deciding the application) before supply to the government assessor. In most circumstances, no documents or information other than what is contained in QP 0848 will need to be provided.

Duties of officers in charge of stations or establishments in relation to supplying statements, information or documents under the Victims of Crime Assistance Act

When a request is received from a government assessor through the Victim of Crime Liaison Officer for the supply of:

(i) a copy of the victim's statement (see s. 65(1)(b) of the VOCAA);

(ii) a copy of any witnesses' statements (see s. 66(2)(a) of the VOCAA); and

(iii) any other documents or information the officer considers may be relevant to identify particular conduct of the victim (see s. 66(2)(b) of the VOCAA),

officers in charge of stations and establishments are to forward a task through QPRIME (where it has not already been done by the Victim of Crime Liaison Officer) to:

(i) the relevant investigating officer; or

(ii) where the investigating officer is unknown or unavailable, a relevant officer.

The OIC of the station or establishment should also ensure:

(i) the investigating officer or nominated officer has:

(a) correctly assessed the victim's statement in compliance with s. 65(4) of the VOCAA;

(b) removed or rendered unreadable witness identification particulars (unless provision of the witness identity is relevant to deciding the application) and any relevant portions of witness statements, relevant portions of the document or information subject to s. 66(6) of the VOCAA;

(c) correctly assessed the documents or information in compliance with ss. 65(4) or 66(6) of the VOCAA;

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(ii) the 'Officer in charge authorisation' of the QP 0846, QP 0847 or QP 0848 (as appropriate) is signed when deemed correct;

(iii) completed QP 0846, QP 0847 or QP 0848 (as appropriate) along with any statements, document or information which are to be provided are forwarded direct to the government assessor;

(iv) a completed copy of the QP 0846, QP 0847 or QP 0848 (as appropriate) and a copy of any documents or information supplied are retained and stored at the reporting station; and

(v) the QPRIME task is finalised and it is noted that the:

(a) victim's statement;

(b) witnesses statements; and/or

(c) required documents or information,

(as appropriate) have or have not been provided and if not provided how many are outstanding.

See also s. 2.12: 'Victims of crime' of the OPM.

5.6.26 Release of information to Queensland Civil Administrative Tribunal hearings

The Queensland Civil and Administrative Tribunal (QCAT) has the civil jurisdiction to resolve disputes and make and review decisions about:

- adult administration and guardianship;
- administrative decisions;
- anti-discrimination;
- building disputes;
- children and young people;
- consumer disputes;
- debt disputes;
- minor civil disputes;
- occupational regulation;
- other civil disputes;
- residential tenancy disputes;
- retail shop leases; and
- tree disputes.

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It is therefore possible from time to time that police officers may investigate matters which may have some bearing on a hearing before QCAT.

The tribunal may, by written notice, require a police officer to:

(i) attend at a stated hearing of a proceeding to give evidence; or

(ii) produce a stated document or other thing to the tribunal.

Members receiving a notice under s. 97: 'Requiring witness to attend or produce document or thing' of the *Queensland Civil and Administrative Tribunal Act* (QCATA) requiring their attendance at a stated hearing or to produce Service documents are to comply with ss. 6.4: 'Subpoena of members as civilian witnesses' or 6.5: 'Subpoena of documents for production before a court' of this Manual.

Matters for which a claim of privilege may be made with respect to a notice under s. 97 of the QCATA include whether compliance with the written notice or released information could:

(i) prejudice or otherwise hinder an investigation to which the information may be relevant;

(ii) affect the safety and wellbeing of any person involved in an investigation to which information may be relevant;

(iii) in the case of a notice under s. 97 of the QCATA, tend to incriminate the member (see s. 214(3): 'Offences by witnesses' of the QCATA); and

(iv) be contrary to statutory provisions.

Failure to comply with a notice under s. 97 of the QCATA is an offence unless the person has a reasonable excuse. The reasons outlined above as well as any other reason prevailing in particular cases may well amount to a 'reasonable excuse'. However, a member subject of a notice under s. 97 of the QCATA must not fail to attend before the tribunal as required (see s. 214(1) of the QCATA).

5.6.27 Requests for information from the Department of Housing and Public Works

The Department of Housing and Public Works (DHPW) aims to balance the needs and rights of other tenants, private owners and the broader community with supporting tenants to sustain their public housing tenancies. The department's policy is to communicate to tenants what is and is not acceptable. Where tenants engage in unacceptable behaviour the department may take action to end their tenancy. Where behaviour is considered to be dangerous or severe, immediate action can be taken to end the tenancy.

The Service recognises the proactive nature of this approach and that effective communication practices between the Service and DHPW will improve accuracy in proactively addressing issues.

In accordance with s. 184: 'Tenant's use of premises' of the *Residential Tenancies and Rooming Accommodation Act* (RTRAA), DHPW tenants must not:

(i) use the premises for an illegal purpose;

(ii) cause a nuisance by the use of the premises; or

(iii) interfere with the reasonable peace, comfort or privacy of a neighbour of the tenant.

The DHPW investigation of reports of unacceptable behaviour initially involves gathering information and evidence about the complaint and may approach the Service in this regard.

Disclosure of information to the DHPW

Provisions of this section are not to impede members of the Service from general initial interoperability with the DHPW relevant to tenancies causing repeat and/or high volume calls for service. The section however, establishes policy and procedure relating to DHPW requests (including subsequent requests) for Service information.

The Commissioner has delegated the authority to disclose information to DHPW to:

(i) a patrol group inspector; or

(ii) the OIC of a police communications centre.

ORDER

Where an officer is involved in authorising the release of information to DHPW, including providing authorisation for a subsequent dissemination to an appropriate third party agency or instrumentality, consideration is to be made as to whether the information:

(i) is for official purposes of the department;

(ii) is not likely to interfere with the administration of justice;

(iii) is not likely to unduly interfere with the efficient and effective discharge of law enforcement duties; and

(iv) is not in contravention of any statute, in particular Schedule 3, 'QPP 6—use or disclosure of personal information' (IPA).

In the case of an OIC of a police communications centre, this authority is limited to disclosure of CAD related information under the officer's control,

(see Delegation D 15.46).

Important considerations for assessment of information release

Significant caution is to be exercised with the release of information to DHPW in accordance with subsections (i) to (iv) above. Not all objectionable conduct under the RTRAA constitutes criminal conduct. On the other hand, not all criminal conduct may constitute objectionable conduct. Public housing tenants, as with all tenants, have a right of quiet enjoyment in accordance with s. 183: 'Quiet enjoyment' of the RTRAA and disclosure of information by the Service could impact on the tenant's statutory right of quiet enjoyment. Lessors, whether private or the State, must not interfere with the reasonable peace, comfort or privacy of the tenant in using the premises (see s. 183(2) of the RTRAA).

ORDER

When an officer delegated to release information to DHPW is assessing the release of information that officer is to consider the impact the disclosure could have as relevant to the tenant's statutory right of quiet enjoyment. If the release is considered to be unreasonable and/or unjustifiable in the circumstances, the information is not to be released.

An officer assessing the release of information in accordance with this section is to ensure appropriate sanitisation has occurred to remove any personal information (see s. 12: 'Meaning of *personal information*' of the IPA) of person/s not relevant to any potential breach, prior to release.

Significant caution is to be exercised relevant to disclosing information that may infringe other statutory prohibitions. For example, the *Child Protection Act* prohibits the disclosure of information which may identify a child who may have been subject of abuse. Similarly, the *Domestic and Family Violence Protection Act* prohibits identifying an aggrieved, respondent or protected person.

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Additionally, there may be sound operational reasons for withholding information that may lawfully be disclosed. Consideration is to be provided as to whether the request holds relevance to an ongoing Service investigation and if the release of information is not in the interests of the Service and is likely to interfere with the administration of justice or unduly interfere with the efficient and effective discharge of law enforcement duties.

ORDER

The supply of information to DHPW is not to contravene the provisions of this section.

When supplying information, members are to include a caveat (see Appendix 5.2: 'Example of caveat when responding to requests for information by government departments, agencies or instrumentalities' of this chapter) in the information release. This details that unless authorised, such document and/or its content are not to be disseminated to any third party.

Where information requested by the DHPW is outside the provisions and intent of this section, the provisions of ss. 5.6: 'Release of Information' and 5.6.14: 'Requests for information from other government departments, agencies of instrumentalities' of this chapter apply.

Action by officers in charge of stations/establishments

Where an OIC of a station or establishment receives a request for information from a verified representative of DHPW and relating to a complaint received by the department, the OIC should:

(i) assess if the information request relates to their division/area of control and, if not, refer the inquirer to the appropriate OIC. If the request relates to CAD related information (e.g. calls for service) the inquirer should be referred to the OIC of the relevant police communication centre;

(ii) where a request does relate to the OIC receiving it, assess relevant information held on Service databases (e.g. QPRIME, ITAS, CAD etc.);

(iii) consider the release of the information for compliance with the provisions of subsections titled 'Disclosure of information to the DHPW' and 'Important considerations for assessment of information release' of this section;

(iv) draft an appropriate email response to the inquirer sanitising the relevant information as necessary and, in particular, ensuring that no personal information (see s. 12: 'Meaning of *personal information*' of the IPA) is included of any person/s who is not subject of the complaint or investigation;

(v) forward the draft email to their supervising patrol group inspector requesting authorisation for release of the information to DHPW including, if relevant, a request for authorisation for subsequent dissemination to an appropriate third party agency or instrumentality;

(vi) where authorisation is:

(a) not provided, advise the inquirer accordingly; or

(b) provided release to the inquirer only the content of the original email, with the inclusion (if relevant) of any modification/s as required by the authorising patrol group inspector;

(vii) include a caveat (see Appendix 5.2: 'Example of caveat when responding to requests for information by government departments, agencies or instrumentalities' of this chapter) in the information release; and

(viii) maintain a record of all relevant emails (e.g. appropriately named and saved on a file server). These records are to be accessible by senior officers within the relevant region/command and retained in accordance with the Records Retention and Disposal Handbook.

Action by patrol group inspectors

In accordance with the provisions of this section, when a patrol group inspector receives a request from an OIC of a station/establishment situation within their patrol group to release information to DHPW, the inspector should:

(i) seek full compliance with subsection titled 'Action by OIC of stations/establishments' of this section, including, if not already completed, the forwarding of a draft email requesting the authorisation;

(ii) consider the release of the information in compliance with the provisions of subsections titled 'Disclosure of information to the DHPW and 'Important considerations for assessment of information release' of this section; and

(iii) where authorisation is:

(a) not provided, forward a return email to the OIC advising accordingly; or

(b) provided, forward a return email to the OIC:

- advising of the authorisation;
- specifying if authorisation is also provided for subsequent dissemination to an appropriate third party agency or instrumentality; and
- including (if necessary) any necessary modification/s required to the information, prior to release.

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Action by officers in charge of PCC's

OIC of a police communication centre who receive a request for CAD related information (e.g. calls for service) from a verified representative of DHPW should:

(i) assess if the information request relates to CAD information alone and, if not, refer the inquirer to the appropriate OIC of the relevant station/establishment for the non-CAD component;

(ii) consider the available information and if the release is in compliance with the provisions of subsections titled 'Disclosure of information to the DHPW' and 'Important considerations for assessment of information release' of this section;

(iii) where authorisation is:

(a) not provided, advise the inquirer accordingly; or

(b) provided, ensure that such release is also conducted in accordance with the provisions of subsection titled 'Disclosure of information to the DHPW' of this section;

(iv) include a caveat (see Appendix 5.2: 'Example of caveat when responding to requests for information by government departments, agencies or instrumentalities' of this chapter in the information release; and

(v) maintain a record of all relevant emails (e.g. appropriately named and saved on a file server). These records are to be accessible by senior officers within the relevant region/command and retained in accordance with the Records Retention and Disposal Handbook.

5.6.28 Commercial production of industrial cannabis—taking of fingerprints

Commercial production of industrial cannabis is governed within the *Drugs Misuse Act* and s. 61: 'Investigation about the suitability of applicant or licensee' therein details provisions for licensing production of industrial cannabis.

Where required the Chief Executive for Health will make a request to the Commissioner relevant to an applicant or licensee. This in turn will be allocated to the Manager, Police Information Centre (PIC) for provision of a written report surrounding the criminal history of an applicant. The Manager, PIC is to make all relevant and appropriate inquiries.

As required the Manager, PIC may request the applicant attend a police station for the purpose of having his or her fingerprints taken.

Upon the applicant attending a police station, the OIC of that station should also ensure payment of the required fee. Members should refer to the Schedule of Fees and Charges contained in the Finance and Procurement Division SharePoint page under 'Fingerprints for other than Police Certificates' to determine the fee for this service and forward the fingerprints/results to the Manager, PIC.

The Manager, PIC is to thereafter report to the Chief Executive for Health and ensure all fingerprints taken from the applicant are destroyed.

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5.6.29 Release of information to the Australian Defence Force

The Australian Defence Force (ADF) consists of the:

(i) Royal Australian Navy;

(ii) Australian Army; and

(iii) Royal Australian Air Force.

Arrest of a defence member

Watch-house managers or officers who arrest a known member of the ADF should contact the Joint Military Police Unit for the relevant military establishment (national number 13 11 67) and where available provide the:

(i) service number;

(ii) name; and

(iii) unit,

of the relevant person. The release of further information related to a detention of an ADF member, such as details of charges or the circumstances leading to the arrest is not authorised and may be considered a breach of the person's privacy.

Supply of additional information related to the arrest of an ADF member by the ADF member's commanding officer or an appropriate senior command element in addition to the information authorised above is to be made in writing in accordance with s. 5.6.14: 'Requests for information from other government departments, agencies or instrumentalities' of this chapter. The supply of further information is limited and dependant on the circumstances and may not be compatible with the limits of disclosure of the *Information Privacy Act* (IPA) (see Schedule 3: 'Queensland Privacy Principles', 'QPP 6—use or disclosure of personal information' of the IPA).

Members who are also members of the ADF are reminded that they are not permitted to disclose information without proper authority. This includes where the member is requested to do so by the member's ADF Commanding Officer or Senior officer. The release of such information may constitute an offence under s. 10.2: 'Authorisation of disclosure' of the PSAA or grounds for disciplinary action.

Supply of information to the Joint Military Police Unit

The Joint Military Police Unit (JMPU) is the law enforcement agency of the ADF.

Request for information from a member of the JMPU can be supplied by the OIC of a station or establishment where the request relates to but is not limited to:

(i) the prevention, detection, investigation, prosecution or punishment of criminal offences or breaches of laws imposing penalties or sanctions;

(ii) the protection of public revenue;

(iii) the prevention, detection, investigation or remedying of seriously improper conduct; or

(iv) for court or tribunal purposes.

ORDER

All requests for information by a member of the JMPU are to be managed in accordance with s. 5.6.15: 'Requests for information from other law enforcement agencies' of this chapter.

Members in ADF proceedings

The ADF may request or require that a member appear in proceedings brought by the ADF. This may include a member appearing as a witness or subject officer in disciplinary proceedings. Where a member, whether also a member of the ADF or otherwise, is requested to appear as a witness in ADF proceedings and the information proposed to be given relates to the member's role as a QPS officer, the request should be dealt with in accordance with s. 6.4: 'Subpoena of members as civilian witnesses' of this Manual. Where a member is required to appear before ADF proceedings as a subject officer, the member is not authorised to use or disclose Service information or documents without the authorisation of the assistant commissioner or executive director of the region or command.

5.6.30 Release of information to the Queensland Human Rights Commission

See s. 13.26: 'Racial, religious, sexuality, sex characteristics or gender identity vilification (Anti-Discrimination Act)' of the OPM for an overview of the Queensland Human Rights Commission (QHRC) establishment, functions, and powers under the *Anti-Discrimination Act* (ADA). Part 4 of the *Human Rights Act* (HRA) also outlines powers and functions of the QHRC.

Mandatory release of information

The QHRC Commissioner may direct a person to provide information or documents (see s. 156: 'Commissioner may obtain information and documents' of the ADA). The QHRC Commissioner is further authorised to copy and retain documents. A direction issued by the QHRC Commissioner may be enforceable as if it were an order of the court.

The QHRC Commissioner may ask or direct an entity to provide information (including documents) about a complaint (see s. 78: 'Commissioner may ask or direct relevant entity to give information' of the HRA). A direction issued under this section may be enforceable as if it were an order of the court.

All statutory requests for production of documents held in possession of the Service must be addressed to the Commissioner.

Upon receiving a written direction under either section, members are to forward a copy of the written direction together with a report to the officer in charge of the region or command for a decision to be made as to the information to be provided, questions to be answered or thing to be produced. The report is to outline details of the subject matter relating to the notice or request and where appropriate include details of any circumstances whereby compliance with the written notice or release of the information may:

(i) prejudice or otherwise hinder an investigation to which the information may be relevant;

(ii) affect the safety and wellbeing of a person with impaired capacity or other person; or

(iii) be subject to a claim of legal professional privilege.

Assistant commissioners have been delegated the authority to authorise in writing the disclosure of information in possession of the Service pursuant to s. 10.2: 'Authorisation of disclosure' of the *Police Service Administration Act*, see Delegation D 15.46.

In considering disclosure of the information, the officer in charge of the region or command should consider:

(i) the use to which the information will be put following release;

(ii) the confidentiality or privacy of all persons involved;

(iii) the impact of other statutes on the potential release, for example, statutory prohibitions;

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(iv) ability for conditions to be placed on the use of the material to protect the Service and its investigations;

(v) the status of any investigation or inquiries being conducted;

(vi) the seriousness of the impact of release upon all parties involved;

(vii) the degree to which the release may prejudice or otherwise affect inquiries by the Service;

(viii) the attitude of the victim or informant with respect to release; and

(ix) any other exceptional circumstances that would warrant release to a body that otherwise may have the power to require it.

5.6.31 Requests for information from the Department of Education

Early Childhood Education and Care, Department of Education is the regulatory authority in Queensland responsible for administering national and state laws that regulate early childhood education and care services.

Members may receive information requests from the Department of Education, for example, where a matter has occurred at a school or day care facility.

When accessing information about a police investigation into the death or serious injury of a child in early education and care, the Department of Education will communicate directly with relevant QPS officers via the Child Trauma and Sexual Crime Unit, Child Abuse and Sexual Crime Group, Crime Command and determine the process to be followed.

The response will depend on if the matter is a death or serious injury, regardless of the outcome of any criminal investigation.

If the matter involves a reportable death, as defined by the *Coroners Act*, then any request for information is to be referred to the Office of the State Coroner, with a copy of the requested document or material. In some instances, it may be unknown what information is required. It is the Coroner's decision as to how much information is to be shared and for what purpose, taking into consideration the regulatory role of the Department of Education. Any decision to release information is to include a provision that the information sharing will be ongoing throughout an investigation or proceeding.

If the information requested involves the serious injury of a child in early childhood education or care, members are to follow the procedures outlined in s. 5.6.14: 'Requests for information from other government departments, agencies or instrumentalities' of this chapter. In these instances, release of the information is to be under s. 10.2: 'Authorisation of disclosure' of the *Police Service Administration Act*, which contains sufficient safeguards to ensure the appropriate release.

Members are to remember that information held by the Service may be relevant to the person's child-related employment, including the nature of charges yet to be finalised. For any request under s. 10.2, consideration is to be given to proactive and ongoing sharing of information throughout the investigation or proceeding.

Such requests are to be dealt with in a timely manner.

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5.7 Right to information and privacy

The Service is bound by the provisions of the *Right to Information Act* (RTIA) and the *Information Privacy Act* (IPA). Applications for access to documents containing the personal information of the applicant are dealt with under the IPA. Applications for access to documents containing personal information of another person or non-personal information are dealt with under the RTIA.

Section 12: 'Meaning of personal information' of the IPA provides a definition of personal information.

The RTIA does not apply to activities or records under Chapter 13: 'Surveillance device warrants' of the PPRA (see also Schedule 1: 'Document to which this Act does not apply' of the RTIA).

The Right to Information and Subpoena Unit (RTISU), Right to Information and Privacy Services is responsible for the determination of all requests for documents made under the RTIA and IPA. Any request for information in relation to a coronial matter should be referred to the Office of the State Coroner together with a copy of the requested document or material unless such documentation or material has already been supplied to that office (see SMCD and s. 54: 'Access to investigation documents for other purposes' of the *Coroners Act*).

The term **'document'** is defined by the *Acts Interpretation Act* and can include:

(i) all files and reports, court briefs (QP9), traffic offence notices;

(ii) certificates;

(iii) working papers, jottings, diaries, 'post it' notes and note books;

(iv) computer printouts;

(v) maps;

(vi) films and photographs; and

(vii) any audio and/or video recording made on any device whilst performing any rostered or non-rostered function of the Service.

As the RTIA and IPA support the concept that the community should be kept informed of government operations in its dealings with the community, members should provide necessary assistance to individuals requesting access to Service documents. Fees and charges are to be in accordance with those specified in the RTIA and Regulation, and the Service Publication Scheme.

A distinction exists between the manner in which Service policy documents are accessed under Chapter 2: 'Disclosure other than by application under this Act' of the RTIA and requests for access to documents under Chapter 3: 'Disclosure by application under this Act' of the RTIA and Chapter 3: 'Disclosure and amendment by application under this Act' of the IPA. RTISU only deals with those requests that fall under Chapter 3 of the Acts.

In all cases, RTISU will make the final determination regarding personal information.

5.7.1 Applications for access to documents (excluding policy documents)

Members of the community have the right to apply for access to reports or other documents written by members of the Service. When preparing documents members should:

(i) where practicable ensure that reports contain factual information;

(ii) not make personal or judgemental comments on forms or reports; and

(iii) explain and justify conclusions and judgements made relevant to the subject matter of the report.

Section 10.3: 'Protection from liability for reports' of the PSAA provides protection from liability for reports written in good faith and in the execution of duty by a member.

ORDER

Members are to provide reasonable assistance to persons who wish to make an application under the *Right to Information Act* (RTIA) and *Information Privacy Act* (IPA).

Assistance to be provided includes, but may not be limited to:

(i) provision of necessary forms;

(ii) advice as to completion of the forms;

(iii) advice as to police procedures for dealing with applications under the RTIA and IPA;

(iv) advice as to fees and charges applicable to requests; and/or

(v) advice as to internal and external review mechanisms.

Further advice can be provided by the Right to Information and Subpoena Unit (RTISU), Right to Information and Privacy Services regarding internal and external review mechanisms.

ORDER

A member who initially receives an application is to immediately forward the application to RTISU.

Where facsimile facilities are available, a copy of the application is to be forwarded immediately to RTISU. The original application is to then be forwarded by secure mail or express delivery as soon as possible.

Where facsimile facilities are not available, the original application is to be forwarded at the first available opportunity by the most expedient, secure means available locally.

Time limits imposed by the RTIA and IPA are:

(i) within 10 business days of receipt of a written request under the RTIA or IPA the Service, through RTISU, must acknowledge in writing the receipt of that application;

(ii) within 25 business days of receipt of a valid application RTISU must advise the applicant the result of the application; and

(iii) within 20 business days of receipt of an application for internal review a fresh determination must be made.

Where the applicant has paid an application fee, members are to:

(i) issue a general purpose receipt and remit monies against Account code 433078—'Right to Information Fees and Charges'; and

(ii) endorse the application with the receipt number and the name of the receiving station or establishment.

Applications which may attract a fee in terms of the RTIA and IPA, but which are not accompanied by the required remittance should not be rejected on that basis by members who receive such a request.

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In these cases, the application should be endorsed to the effect that no fee has been received and forwarded to RTISU. All further action will be taken by that unit.

On receipt of applications RTISU will forward:

(i) a tracer file containing a copy of the application;

(ii) a 'Located Declaration' form; and

(iii) supporting documentation;

to the appropriate station or establishment so that documents may be located.

Tracer files

ORDER

Members who are detailed a tracer file from RTISU are to conduct a search for the requested documents.

Documents which are located are to be, unless otherwise stipulated, copied in their entirety and must be clear and legible. Original documents are to not be sent unless specifically requested by RTISU.

The 'Located Declaration' form is to be completed by the member who actually locates the documents requested.

The 'Located Declaration' and copies of documents are to be placed in the tracer file and forwarded to RTISU within the timeframe specified on the tracer file.

If documents cannot be located, do not exist, or have been destroyed, the 'Located Declaration' form is to be endorsed accordingly.

Any person, including a child, who wishes to gain access to documents of a department, or agency must:

(i) make application in approved form;

(ii) provide sufficient information to enable the documents sought to be identified;

(iii) state the address to which notices under this RTIA and IPA may be sent; and

(iv) if the application is being made on behalf of the applicant—state the name of the applicant and the name of the applicant's agent.

Access includes viewing or hearing a document or being provided with copies of the document.

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5.7.2 Disclosure logs

Section 78: 'Disclosure logs—departments and Ministers' of the RTIA provides that where a decision is made to release a document to an applicant and the document does not contain personal information, a copy of the document or details of the document may be included in a disclosure log which is accessible by members of the public in general. The Right to Information and Subpoena Unit, Right to Information and Privacy Services is responsible for updating and maintaining the Service disclosure log located on the QPS internet.

5.7.3 Accessing policy documents

Definitions

For the purposes of this section:

Policy document

is defined in Schedule 5: 'Dictionary' of the *Right to Information Act*.

Withdrawn content

means content that is excluded from the public-facing version of Service policy documents due to its sensitive nature, methodology or tactics.

There is no requirement for members of the public to submit an application under the *Right to Information Act* in order to obtain access to policy documents, nor are there any fees payable for inspection of a policy document. However, fees are payable for the purchase of policy documents and are set out in the Service Publication Scheme.

An OIC of a region or command is responsible for issuing instructions in relation to access to local policy documents.

Local policy documents which originate from a region, district, division, station or establishment, as distinct from Service policy documents, are available from the OIC of the particular area.

Many Service Manuals are publicly available on the QPS internet website.

The current Service Manuals versions are publicly available on the QPS internet website. Historical copies of Service Manuals are available on the Operational Policy and Improvement Service Manuals SharePoint page and the Queensland Government Open Data Portal.

Service policy documents not included in the historical open data portal are available upon request from the Inspector, Operational Policy and Improvement, Frontline Engagement and Performance Group.

See also s. 5.7.5: 'Viewing Service policy documents' of this chapter.

ORDER

An OIC of a region or command is to

(i) ensure that a copy of each local policy document initiated within their region or command is maintained;

(ii) refer requests for Service policy documents to OPI, Frontline Engagement and Performance Group (e.g. requests which are not from members of the public); and

(iii) issue instructions in relation to the identification of exempt matter in local policy documents within their area of responsibility.

OICs of stations or establishments should consider all requests to view policy (including regional, district and station or establishment instructions) in terms of s. 10: 'Law enforcement or public safety information' of Schedule 3: 'Exempt information' of the *Right to Information Act*.

Withdrawn content

Withdrawn content includes operational tactics, methodologies, and any other sensitive information that, if released, may compromise community safety, operational integrity, or law-enforcement capabilities. Members are to liaise with OPI to ensure withdrawn content is identified, managed, and protected in accordance with Service requirements before any Service policy documents are released.

5.7.4 Publication scheme

The *Right to Information Act* requires that agencies publish a Publication Scheme setting out the classes of information that the agency has available, and the terms on which it will make information available, including any charges.

Under s. 21(1) of the *Right to Information Act*, publication schemes must contain details about:

(i) the agency's structure and functions and how the agency's functions affect members of the public;

(ii) any arrangements that enable members of the public to engage with the agency's functions;

(iii) the types of information held by the agency;

(iv) the types of information the agency makes publicly available and how that information is made available; and

(v) procedures for asking for information, including, for example, any fee or charge that may be payable.

The Service has developed a Service Publication Scheme which is available on the QPS internet website.

An OIC of a region or command, and the Executive Director are responsible for ensuring that:

(i) suitable documents are identified from their area of responsibility for inclusion in the Service Publication Scheme; and

(ii) the currency of their submitted document appearing on the Service Publication Scheme is maintained.

Members can contact the Publication Scheme Coordinator, Right to Information and Subpoena Unit, Right to Information and Privacy Services for advice on publishing on the Service Publication Scheme.

The Publication Scheme Coordinator will regularly review the Publication Scheme.

There are no fees payable for producing for inspection a policy document or the Service Publication Scheme.

ORDER

Members who receive a request from a member of the public for a copy of the Service Publication Scheme are to:

(i) refer the member of the public to the QPS internet website; or

(ii) advise the member of the public they may view the Service Publication Scheme at any Queensland police station.

5.7.5 Viewing Service policy documents

Public versions of Service policy documents for example the Operational Procedures Manual, Traffic Manual and this Manual are published on the QPS internet website and historical copies are available on the Queensland Government Open Data Portal. Public versions have had links disabled and any withdrawn content removed before publication on the QPS internet website.

See also s. 5.7.3: 'Accessing policy documents' of the chapter.

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ORDER

Members are not to allow the public to view Service policy documents as published on the Service Intranet. Members who receive a request from a member of the public for a copy of a Service policy document are to refer the member of the public to the public access versions available on the QPS internet website.

5.7.6 Access and amendment to personal information under the Information Privacy Act

The Information Privacy Principles contained in the *Information Privacy Act* (IPA) detail the circumstances under which personal information may be collected, used, stored and disclosed by agencies including the Service (see Chapter 2, Part 1: 'Compliance with QPPs by agencies' of the IPA).

Details regarding the Queensland Privacy Principles and their impact on the Service can be found on the Right to Information and Subpoena Unit (RTISU) webpage on the Service Intranet.

A member who receives a written request for the supply or amendment of personal information under the IPA is to forward the request to the RTISU, Right to Information and Privacy Services for processing. Because of strict time limitations involved, the request should be forwarded immediately—a copy of the request should be forwarded by way of facsimile and the original of the request forwarded by the most expedient and secure means available (e.g. express post or registered post).

Members receiving inquiries about the supply or amendment of personal information under the IPA should advise the inquirer to fully detail the nature of their request in writing and forward same to RTISU.

5.8 Public interest disclosure

The main objects of the *Public Interest Disclosure Act* are to:

(i) promote the public interest by facilitating public interest disclosures of wrongdoing in the public sector; and

(ii) ensure public interest disclosures are properly assessed and, when appropriate, properly investigated and dealt with; and

(iii) ensure appropriate consideration is given to the interests of persons who are the subject of a public interest disclosure; and

(iv) afford protection from reprisals to persons making public interest disclosures.

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5.8.1 Principles of public interest disclosure

A public interest disclosure may be made by a public officer, including members of the Service, or, in some cases, by any person (see ss. 12: 'Disclosure by any person', 13: 'Disclosure by a public officer', 21: 'Conduct of unknown person', 22: 'Involuntary disclosure' and 24: 'Past, present or future event' of the *Public Interest Disclosure Act* (PIDA)).

Members should be aware that discharging their mandatory reporting requirements under s. 6A.1: 'Duty concerning misconduct and other grounds for disciplinary action' of the *Police Service Administration Act* may be considered to be a public interest disclosure.

A person who intentionally provides false or misleading information with the intention of it being acted upon as a public interest disclosure or who provides false or misleading information during the course of inquiries into that purported public interest disclosure, commits an indictable offence (see s. 66: 'False or misleading information' of the PIDA).

Appropriate entity to receive a public interest disclosure

A public interest disclosure must be made to a proper authority (see ss. 5: 'Meaning of proper authority' and 17 'How disclosure to be made' of the PIDA) and a public sector entity is a proper authority to which a person may make a disclosure (see ss. 12 or 13 of the PIDA).

For matters relating to the Service, the appropriate public entity includes the Crime and Corruption Commission.

5.8.2 Receiving public interest disclosures

A public interest disclosure which is of a nature that may be appropriately made to the Service may be received by any of the following members of the Service:

(i) the Commissioner;

(ii) if a member of the Service is making the disclosure—a person who, directly or indirectly, supervises or manages the member; or

(iii) any officer or staff member who has the task of receiving or taking action on the type of information being disclosed.

Disclosures concerning the conduct of the Service and its members

ORDER

Members of the Service making or receiving public interest disclosures relating to the Service or a member of the Service are to comply with the procedures provided in the 2013/05 Procedural Guidelines for Professional Conduct.

Members of the Service who make or receive public interest disclosures, relating to the activities of the Service or its members, which do not contain information which suggests:

(i) corrupt conduct;

(ii) misconduct; or

(iii) breach of discipline,

should furnish a report outlining the substance of the disclosure and the contact details of the discloser, if known, directly through their chain of command to the Assistant Commissioner, Ethical Standards Command.

Disclosure constituting an offence (other than an offence by a member of the Service)

Officers who receive a public interest disclosure which, on the face of it constitutes an offence, other than an offence alleged to have been committed by a member of the Service, which the Service may investigate should take appropriate investigative action and create a QPRIME occurrence.

Officers who investigate such disclosures should, at the conclusion of any investigation, submit a brief report through the usual channels to the Assistant Commissioner, ESC, detailing:

(i) the relevant QPRIME occurrence number;

(ii) the section within the *Public Interest Disclosure Act* (PIDA) which defines the information within the complaint as a public interest disclosure; and

(iii) whether the substance of the disclosure has been substantially verified.

Officers receiving allegations which indicate official misconduct or misconduct on the part of a public officer, other than a member of the Service, should advise the person making the allegations that they may also notify the Complaints Section, Corruption—Integrity Services, Crime and Corruption Commission.

Disclosures relating to conduct or responsibilities of other public sector entities

Members of the Service who receive public interest disclosures which appear to relate to the conduct of another public sector entity or to an offence which is not within the power of the Service to investigate, should:

(i) record details of the disclosure in their official police notebook or if the member is not in possession of an official police notebook, an official police diary or a suitable recording device; and

(ii) submit a report of the disclosure through the usual channels to the Assistant Commissioner, ESC for consideration and referral to the chief executive of the public sector entity to which the information relates or which may investigate the disclosure.

Public interest disclosures should not be referred to another public sector entity if the referral would create an unacceptable risk of reprisal against the person making the disclosure, or any other person.

In assessing whether an unacceptable risk of reprisal to the discloser, or any other person, would be created, members are to, wherever possible, consult the person who made the public interest disclosure.

Where a member is to report to the Assistant Commissioner, ESC regarding disclosures relating to other public sector entities, the report should contain the following information:

(i) brief particulars of the disclosure, including the name of the discloser if known;

(ii) the section within the PIDA which defines the information within the complaint as a public interest disclosure;

(iii) the name of the public sector entity to which the disclosure should be referred; and

(iv) whether an unacceptable risk of reprisal to the discloser, or any other person, would be created should the matter be referred to the public sector entity.

Where the Assistant Commissioner, ESC is unable to refer the public interest disclosure to an appropriate public entity because such a referral would create an unacceptable risk of reprisal, the matter should be referred to the Crime and Corruption Commission for advice.

Maintaining records of disclosures

ORDER

The Inspector, Internal Witness Support, Ethical Standards Command is to maintain records of all reports received by that unit which identify public interest disclosures. The Inspector, Internal Witness Support is to submit statistical information in accordance with s. 29 of the PIDA to the Queensland Ombudsman upon the request of that entity.

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5.8.3 Disclosure of information

ORDER

Members who receive public interest disclosures are not to make a record of that information or to recklessly or intentionally disclose the information to anyone except:

(i) for the purposes of the *Public Interest Disclosure Act*;

(ii) to discharge a function under another Act;

(iii) for a proceeding in a court or tribunal; or

(iv) if authorised under a regulation or another Act.

Members responsible for the management of public interest disclosures, who are requested to provide information about the action taken on a public interest disclosure by the person who made that disclosure, are to provide reasonable information, in writing, unless giving the information would be likely to adversely affect:

(i) any person's safety;

(ii) the investigation of an offence or possible offence; or

(iii) necessary confidentiality about an informant's existence or identity.

Information need not be given to the person who has made a public interest disclosure if giving the information would be impractical in the circumstances, the information requested has already been given to the person or the request is vexatious.

5.8.4 Protection against reprisals

Every person, even if the person did not make the public interest disclosure, is protected from reprisals which arise as a result of a public interest disclosure being made, about to be made or believed to have been made (see s. 40: 'Reprisal and grounds for reprisal' of the *Public Interest Disclosure Act* (PIDA).

Members of the Service who take reprisals are liable to criminal, civil and disciplinary sanctions (see ss. 41: 'Offence of taking reprisal' and 42: 'Damages entitlement for reprisal' of the PIDA).

The Inspector, Internal Witness Support, Ethical Standards Command is responsible for assessing the needs of members of the Service for protection against reprisals and recommending measures to prevent such reprisals.

The Inspector, Internal Witness Support should:

(i) assess the risk of reprisal faced by members of the Service as a result of the making of a public interest disclosure. In making this assessment the Inspector, Internal Witness Support should consult with the member making the disclosure, and with the consent of that member may consult with other members of the Service, e.g. human services officer, human resource management personnel;

(ii) recommend to the Executive Director, Ethical Standards Command any action which may be necessary to protect members of the Service from reprisals; and

(iii) monitor the situation of a member of the Service who has made a public interest disclosure to prevent reprisals being taken against that member or any other member.

Members of the Service who have had reprisals taken against them or believe that reprisals have been taken against them may seek redress through the discipline process or the grievance procedure (see Chapter 4, Part 2: 'Administrative actions' of the PIDA).

5.9 Queensland Privacy Principles

Introduction

The Australian Privacy Principles (APPs), established under the *Privacy Act 1988* (Cwlth), set out 13 legally binding principles with which Commonwealth agencies and certain organisations must comply. The APPs give effect to Australia's international obligations, including alignment with the United Nations' (UN) *International Covenant on Civil and Political Rights*, which:

(i) recognises the right to privacy as a fundamental human right; and

(ii) prohibits arbitrary or unlawful interference with an individual's privacy.

In Queensland, Schedule 3 of the *Information Privacy Act* (IPA) sets out 10 legally binding Queensland Privacy Principles (QPPs) that apply to Queensland public sector agencies. These are QPPs 1–6 and 10–13. Each QPP corresponds numerically to the equivalent APP to aid consistency and interpretation.

QPPs 7, 8 and 9 have not been adopted in Queensland as their Commonwealth counterparts (i.e. APPs 7, 8 and 9) apply only to organisations and specific Commonwealth agencies, and are not relevant to Queensland public sector

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entities. As such, QPPs 7, 8 and 9 are included in the IPA only as placeholders to preserve alignment with the Commonwealth numbering system. Each includes an editorial note to alert the reader to the relevant APP but does not impose any binding obligations under Queensland law.

The QPPs are:

Principle 1—open and transparent management of personal information;

Principle 2—anonymity and pseudonymity;

Principle 3—collection of solicited personal information;

Principle 4—dealing with unsolicited personal information;

Principle 5—notification of the collection of personal information;

Principle 6—use or disclosure of personal information;

Principle 7—no equivalent QPP adopted for APP 7 (refer to introduction above);

Principle 8—no equivalent QPP adopted for APP 8 (refer to introduction above);

Principle 9—no equivalent QPP adopted for APP 9 (refer to introduction above);

Principle 10—quality of personal information;

Principle 11—security of personal information;

Principle 12—access to personal information; and

Principle 13—correction of personal information.

Exemptions

It is important to note that law enforcement agencies including the Service are exempt from QPPs 3.6, 5, 6, and 10.1 but only if satisfied on reasonable grounds that non-compliance is necessary for the performance of activities related to the enforcement of laws and does not extend to the Service's administrative duties such as human resource related activities, training, finance, recruiting, processing applications etc.

Additionally, personal information relating to the following is exempt from the Privacy Principles:

(i) **Covert activity**—controlled operation or controlled activity within the meaning of the *Police Powers and Responsibilities Act* or arising out of a warrant issued under the *Telecommunications (Interception and Access) Act* (Cwlth);

(ii) **Witness protection**—personal information about a witness who is included in a witness protection program under the *Witness Protection Act*;

(iii) **Disciplinary actions and misconduct**—personal information about an individual arising out of a complaint made under Part 7 of the *Police Service Administration Act* or an investigation of police misconduct or official misconduct under the *Crime and Corruption Act*; and

(iv) **Public interest disclosure**—personal information about an individual that is contained in a public interest disclosure within the meaning of the *Public Interest Disclosure Act*.

Personal information

Personal information is defined in the IPA as information or an opinion about an identified individual, or an individual reasonably identifiable from the information or opinion. This includes information that would allow an individual to be identified (for example—name, age or physical characteristics).

Personal information can be:

(i) an opinion (true or false);

(ii) factual or based on perception, assumption or belief; or

(iii) recorded in any form, or not recorded at all.

It may be stored in various formats, including paper records, electronic databases, photographs and video images, audiotapes, digital media, and also extends to body samples and biometric data.

Sensitive information (defined in Schedule 5 of the IPA) is considered a subset of personal information, and includes:

(i) racial or ethnic origin;

(ii) political opinions or membership of a political association;

(iii) religious or philosophical beliefs or affiliations;

(iv) membership of a professional or trade association or union;

(v) sexual orientation or practices;

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(vi) criminal record; or

(vii) health, genetic or biometric information.

5.9.1 Guidelines

These guidelines will consolidate policies and procedures with the aim of improving an awareness of information privacy issues applicable to the Service.

The guidelines address:

(i) legislation binding all employees of the Service;

(ii) circumstances where disclosure of personal information is authorised;

(iii) informed consent for collection and disclosure of information;

(iv) general safeguards to be observed when dealing with personal information; and

(v) data collection, use, storage and security.

The guidelines are general in nature to ensure they relate to the broad range of policing services delivered by the Service. The guidelines are not prescriptive, and not all situations or issues have been specifically addressed. Local procedures and policies may need to be produced to assist compliance with or to supplement these guidelines.

Purpose

The purpose of these guidelines is to assist in the interpretation and application of the QPPs contained in the *Information Privacy Act* (IPA) as they relate to the Service.

The guidelines aim to:

(i) ensure personal information is collected, used, stored and disclosed in accordance with Queensland Privacy Principles;

(ii) outline the responsibility of the Service to protect the privacy of individuals, including clients and members of the public;

(iii) inform employees of acceptable practices when handling personal information; and

(iv) provide a benchmark for auditing and reviewing privacy compliance.

The guidelines should be read in conjunction with the *Police Service Administration Act* and the IPA.

5.9.2 Scope of the guidelines

The guidelines apply to all employees, contractors and other workers who, in the course of their work, collect, access, use, store, or disclose personal information on behalf of the Service. This includes:

(i) all police personnel;

(ii) all staff members of the Service;

(iii) technical, and scientific personnel;

(iv) auditors;

(v) interpreters;

(vi) volunteers;

(vii) students;

(viii) consultants;

(ix) temporary and contract staff; and

(x) external custodians or service providers handling information owned by the Service.

Where access is granted to information held by the Service for research or other lawful purposes, the individual or organisation granted access must also, under the conditions of access, comply with these guidelines and the QPPs.

The guidelines apply to personal information that is obtained, used and retained by the Service. For the purposes of the IPA and the QPPs, only a living person has personal information.

What information is not covered by the guidelines?

The guidelines do not apply:

(i) to information other than personal information which may be considered ‘commercial in confidence’, such as tender documents

(ii) to information covered by legislated exemptions;

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(iii) when the collection, storage, handling, accessing, amendment, management, transfer, and use of personal information is covered by other legislative provisions, the legislative provisions prevail over the IPA (see s. 7: 'Relationship with other laws regulating personal information' of the IPA), for example:

- *Child Protection Act*; and
- *Recording of Evidence Act*.

What do clients have a right to expect?

The procedures established to protect the privacy of information in these guidelines extend to all Service clients. Clients can be assured that:

(i) their personal information will be protected in accordance with the QPPs;

(ii) confidential information will be given to another person, body or agency only if it can be legally justified; and

(iii) they are entitled to apply for access to their own records.

What can data users expect?

The Service is committed to the provision of information services. These guidelines aim to promote:

(i) the integrity of data, so that information is accurate and current (information integrity is critical for quality service provision, evaluation of services and the maintenance of public safety);

(ii) the availability of data, so that authorised persons who need information for legitimate law enforcement purposes have ready access to it; and

(iii) the optimum use of data, primarily for the benefit of those clients to whom the data relates, but also for the delivery of law enforcement services to the people of Queensland.

5.9.3 Interpretation and implications of the Privacy Principles for the Service

Principle 1—open and transparent management of personal information

Compliance with this principle requires that the Service manages personal information in an open and transparent manner, in accordance with the QPPs. To support this principle, the Service has published a QPP Privacy Policy SharePoint page setting out how personal information is managed in the Service.

Principle 2—anonymity and pseudonymity

Individuals have the option of not identifying themselves when dealing with the Service unless it is impracticable, or the Service is required or authorised to deal with individuals who identify themselves. Police officers are authorised to require a person to identify themselves in accordance with ss. 40: 'Person may be required to state name and address' and 41: 'Prescribed circumstances for requiring name and address' of the PPRA.

Principle 3—collection of solicited personal information

The collection of personal information must be lawful and fair. The Service must not collect personal information unless it is reasonably necessary for, or directly related to, one of the Service's functions.

The functions of the Service are outlined in s. 2.3: 'Functions of service' of the PSAA and includes administrative activities that are properly incidental to those functions.

Personal information must be collected from the individual unless it is impractical to do so, or the following apply:

(i) the individual consent to the collection of information from someone else; or

(ii) the Service is authorised or required by law to collect the information from someone else.

The Service is generally exempt from the requirement that personal information must be collected from the individual if satisfied on reasonable grounds that non-compliance is necessary for the performance of law enforcement functions or activities.

Principle 4—dealing with unsolicited personal information

Unsolicited information is information that the Service has taken no active steps to request or collect. If the information could not have been lawfully collected in accordance with QPP 3 and the information is not a public record, the Service must take steps to de-identify or destroy the information if lawful to do so and in accordance with the *Public Records Act*.

Principle 5—notification of the collection of personal information

The Service is generally exempt from this principle if satisfied on reasonable grounds that non-compliance is necessary for the performance of law enforcement functions or activities. QPP 5 sets out the information that should be provided to an individual when members of the Service collect their personal information.

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Where appropriate, the Service should include a Privacy Notice on forms which collect personal information in compliance with QPP 5.

Principle 6—use or disclosure of personal information

The Service is generally exempt from this principle if satisfied on reasonable grounds that non- compliance is necessary for the performance of law enforcement functions or activities. The Service has processes in place that regulate information release in relation to motor vehicle crashes and crime reports and then report details to insurance companies. The release of this information is either legislated for, or encapsulated by policy.

It has been an accepted practice that parties involved in motor vehicle accidents, incidents of theft, assault, wilful damage to property or arson would reasonably expect that information contained in police reports may be released to third parties who have a legitimate interest in the incident. This practice assists insurance companies in assessing claims and assists solicitors instituting civil compensation proceedings.

This practice does not contribute to Service operational effectiveness. However, the practice is of value to the community and is in the public's interest. The information assists individuals instigating civil litigation and pursuing insurance claims and is seen as a community service adjunct to the policing function. Public interest and judicial efficiency are sufficiently persuasive to provide leniency from this privacy principle in the cases previously mentioned.

The release of personal information regarding persons involved in motor vehicle accidents, incidents of theft, assault, wilful damage to property and arson is permissible under the following conditions:

(i) information shall only be disclosed to the extent that is relevant to the resolution of disputes or claims arising from incidents that are the subject of the report;

(ii) information may only be disclosed to an individual or organisation directly affected by the incident or responsible for the management or resolution of claims arising from the incident; and

(iii) a record of the disclosure be noted and, where appropriate, the reason for disclosure in accordance with QPP 6.5.

Personal information may only be used or disclosed for the purpose which it was collected unless:

(i) the person has consented;

(ii) the person would reasonably expect the information to be used for the secondary purpose and the secondary purpose is related or directly related to the primary purpose (if sensitive information);

(iii) if a 'permitted general situation' exists (see Schedule 4, part 1of the IPA);

(a) if it is unreasonable or impractical to obtain the individuals consent for the collection, use and disclosure of personal information and the Service reasonably believes the collection, use or disclosure is necessary to lessen or prevent a serious threat to life, health and safety of an individual or too public health or safety; or

(b) if the Service suspects that unlawful activity or misconduct of a serious nature that relates to the functions of the Service has been, is being, or may be engaged in and the Service reasonably believes the collection, use or disclosure is necessary to take appropriate action in relation to the matter; or

(c) the collection, use or disclosure is reasonably necessary to establish a legal defence or in an alternative dispute resolution process;

(iv) the agency reasonably believes the information is necessary for a law enforcement function of a law enforcement agency; or

(v) the information will be disclosed to ASIO and all the relevant criteria are satisfied; or

(vi) the information is necessary for research or analysis, or statistics and personally identifiable information will not be published.

Principle 7—no equivalent QPP adopted for APP 7 (refer to the introduction of this chapter)

Principle 8—no equivalent QPP adopted for APP 8 (refer to the introduction of this chapter)

Principle 9—no equivalent QPP adopted for APP 9 (refer to the introduction of this chapter)

Principle 10—quality of personal information

The Service is generally exempt collecting only accurate, up to date and complete information if satisfied on reasonable grounds that non-compliance is necessary for the performance of law enforcement functions or activities.

The Service should take reasonable steps when using or disclosing personal information to ensure it is accurate, up to date, complete and relevant. The Service's responsibilities are such that the effectiveness and efficiency of the Service depend on accurate and up to date record management practices. The Service has policies that endeavour to ensure the accuracy and relevance of all personal information in line with this principle. Members of the Service should continue to maintain the practice of validating personal information prior to its use or disclosure.

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Principle 11—security of personal information

The Service should take reasonable steps to protect personal information from misuse, interference, loss, unauthorised access, modification, or disclosure. The security standards for the Service have been developed on the requirements of the Protective Security Policy Framework, and the PSAA and provide sufficient regulatory instructions to ensure compliance with this Principle.

The Service relies heavily on the collection of personal information and as such has a responsibility to have in place a comprehensive policy covering the security of that personal information. Responsibilities are detailed in the Information Management Manual specifically in the Information securities instructions. Also, individual members of the Service have a responsibility to abide by Service policy and procedures in relation to the use, disclosure, access to and modification of personal information.

Principles 12 and 13—access to and correction of personal information

Access and correction rights are contained in the *Right to Information Act.* Members of the Service and clients may apply to access personal information concerning them that is held by the Service.

Access to, and amendment of, personal information mentioned in this principle is to be in accordance with the RTIA or other administrative schemes. The RTIA will be used to access personal information along with other arrangements authorised by legislation or Service policy. Requests from individuals for access to their personal information are referred to the Right to Information and Subpoena Unit (RTI-SU) for processing.

5.9.4 Authorised disclosure requiring informed consent

Informed consent of the client is required if personal information will be used or disclosed for a purpose other than the purpose for which it was collected unless an exception as set out in these Guidelines applies.

For consent to be valid:

(i) the client must be legally competent, that is, be able to understand the nature and consequences of the proposed use of the information;

(ii) it must be freely given;

(iii) it must be informed, that is, sufficient information provided to allow a reasoned decision; and

(iv) it must be specific.

In those areas for which exemptions don't apply, there is a need for clients to be better informed about how their personal information will be used. This should include an understanding of:

(i) who will have access to the information;

(ii) the reason why the information is collected;

(iii) whether collection of the information is voluntary or mandatory (though consent will not be required if mandatory, the patient/client should nonetheless be informed);

(iv) how the information will be used;

(v) any proposed disclosure of the information to third parties, and

(vi) if relevant, that the information will be computerised.

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Minors

Where a client is less than 14 years of age, consent from the parent or legal guardian must be given for access to information.

Where the client is between 14 and 16 years of age, consent of the parent or legal guardian should be sought unless the client indicates a strong objection. In such cases, the maturity of the client should be assessed, in particular their ability to understand the consequences of their decision. If the member assesses the person to be capable of properly deciding on the issue, then it is a matter for the client. Otherwise consent of the parent or legal guardian should be obtained.

Where the client is 16 years of age or over, they are considered by law to be capable of deciding on the access issue for themselves.

Access by government authorities

A number of government authorities, both state and federal, have specific statutory powers to demand access to information. In circumstances where a request is made by an officer of an authority or government department for access on this basis, the request must be in writing and contain:

(i) the full name, position and position number of the person requesting access;

(ii) the precise authority of the requester including reference to the section of the Act under which access is authorised (e.g. the relevant IPP);

(iii) the information required and the purpose for which the information is required; and

(iv) information should be restricted to the minimum required to satisfy the statutory requirement.

(See also s. 5.6.14: 'Requests for information from other government departments, agencies or instrumentalities' of this Manual)

5.9.5 Disclosure of personal information in an emergency

Civil emergencies

A **'civil emergency'** means an emergency situation as defined in the *Public Safety Preservation Act*:

'emergency situation' means—

(i) any explosion or fire; or

(ii) any oil or chemical spill; or

(iii) any escape of gas, radioactive material or flammable or combustible liquids; or

(iv) any accident involving an aircraft, or a train, vessel or vehicle; or

(v) any incident involving a bomb or other explosive device or a firearm or other weapon; or

(vi) any other incident,

that causes or may cause a danger of death, injury or distress to any person, a loss of or damage to any property or pollution of the environment, includes a situation arising from any report in respect of any of the matters referred to in paragraphs (a) to (f) which if proved to be correct would cause or may cause a danger of death, injury or distress to any person, a loss of or damage to any property or pollution of the environment.

In the event of an emergency situation, the Privacy Principles do not bind the Service if a declaration of an emergent situation has been made pursuant to s. 5 of the *Public Safety Preservation Act*.

Complaints management

All complaints concerning actions by members of the Service are to be dealt with in accordance with the policy and guidelines published on the Ethical Standards Command 'Policy and Guidelines' webpage of the Service Intranet. Complaints can be made to any member of the Service in either writing, personally or by telephone.

5.9.6 Implementation and review

Compliance

The implementation of these guidelines and any locally developed guidelines or rules, including dissemination and ensuring user compliance, is the responsibility of the Commissioner. Breaches of the guidelines may result in disciplinary action.

Public availability

These guidelines are public documents and may be viewed by members of the public who wish to be informed on how information privacy is protected within the Service. A copy should be kept at all stations and establishments for this purpose. Requests for a copy of these guidelines should be processed in accordance with Parts 8 and 9 of the QPS Publications Scheme.

Review

The guidelines will be reviewed on an annual basis to ensure continuing relevance and coverage of developing areas.

5.10 Documents available to the public from Police Information Centre

The Police Information Centre, Information Management Services, Legal Division (PIC) is responsible for the disclosure of several documents available to members of the public. Members of the public can apply at their local police station for certain documents. Applicants should be made aware of the differences of the documents available so that the correct application is made.

Details of who a member of the public should apply to for documents is listed below.

Document type	Supplier	Further information
Court Brief (QP9)	Manager, PIC	Application must be in writing only to Manager, PIC. See Court Brief (QP9) of the QPS internet.
Person History (record of charges)	Manager, PIC	Application must be in writing only to Manager, PIC. See Person History of the QPS internet.

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Document type	Supplier	Further information
Crime Reports	CITEC Confirm	See Crime Reports of the QPS internet and s. 5.6.3: 'Requests for information contained in QPRIME occurrences' of this chapter.
Criminal History (Qld only)	Manager, PIC	Mostly for court-related purposes. Application is to be submitted and payment receipted via a police station where identification is confirmed. See Criminal History (Queensland Only) on QPS internet.
Traffic History	Qld Transport	See www.tmr.qld.gov.au.
National Police Certificate (name only)	Manager, PIC	Mostly for employment, study or overseas travel visa. Make application online—See National Police Certificate on the QPS internet.
Fingerprint National Police Certificate	Manager, PIC	For persons applying for a visa to work or reside in another country, or for adoption purposes. Application is to be submitted and payment receipted via a police station where identification is confirmed and fingerprints are taken. See Fingerprint National Police Certificate on QPS internet.
Ammonium Nitrate National Police Certificate	Manager, PIC	For persons employed, or seeking employment, with companies and other employers who are licensed to access security sensitive Ammonium Nitrate e.g. mining companies. Application is to be submitted and payment receipted via a police station where identification is confirmed. See Ammonium Nitrate National Police Certificate on QPS internet.

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Where applications are required to be submitted and payment receipted at a police station; it is essential that members, on receiving an application, confirm the identity of an applicant to ensure that the disclosure of information by the PIC is made lawfully and that certificates are not issued to the wrong person.

ORDER

A member who receives an application for a document is to check the identity of the applicant by sighting a current form of identification as follows:

(i) driver licence issued in any Australian State or Territory;

(ii) passport;

(iii) Australian proof of age card (formerly 18+ card);

(iv) two forms of identification bearing the signature of the applicant; or

(v) a form of identification accepted at the discretion of the Manager, PIC.

A member of the Service is not to accept an application that is incomplete, illegible, unsigned, or the wording of the form has been altered or deleted in any way.

Where a member of the Service is not satisfied as to the identity of an applicant, the member should:

(i) accept the application where the applicant discloses that he/she has been previously fingerprinted for an offence and the fingerprints have not been destroyed, and the applicant willingly provides their fingerprints for comparison; or

(ii) refuse to accept the application.

When a member has received an application subject of this section, appropriate checks are to be conducted to determine if the person is subject of any outstanding occurrences, warrants, officer safety flags or cautions. The member is to ensure that all appropriate action is taken.

5.10.1 Court brief

A copy of a court brief (QP9) can be obtained from the Police Information Centre (PIC) by a member of the public where that document contains information about that person or relates to the exercise of a right that may be available to the person e.g. criminal injury compensation.

A court brief (QP9) is only provided where the court proceedings have been finalised and the appeal period (if applicable) has expired. Personal information relating to a person other than the applicant is deleted from the document e.g. address and telephone number of the complainant is erased before release to the offender.

When an applicant requests a copy of a Court Brief (QP9) where court proceedings have been finalised and the appeal period (if applicable) has expired, they should advise the person to:

(i) apply in writing to the Manager, PIC for the Court Brief;

(ii) be advised to include in their application—

(a) full identifying particulars i.e. name (including any name which the applicant has been or is known by, including any aliases), date and place of birth, and gender at birth;

(b) the basis for eligibility in obtaining the Court Brief e.g. complainant wishing to make a claim under the *Victims of Crime Assistance Act*; and

(c) their current residential address and contact details, such as telephone number (if available);

(iii) attach to the application a photocopy of their driver licence or passport (other forms of identification will only be accepted at the discretion of the Manager, PIC); and

(iv) receive payment or attach a cheque or money order for the current fee made payable to the Commissioner of Police. (see Schedule of Fees and Charges)

Where the court proceedings have not been finalised or the appeal period has not expired, the requesting member of the public should be advised of Service policy.

5.10.2 Crime report

A person can obtain a copy of the QPRIME crime occurrence report in which they are the complainant by applying to CITEC Confirm (see SMCD).

QPRIME crime occurrence reports can also be obtained by:

(i) the complainant's legal representative;

(ii) insurance companies; and

(iii) loss assessors.

See Schedule of Fees and Charges.

The procedure for the verbal disclosure of information contained in QPRIME crime occurrence report records is contained in s. 5.6.3: 'Requests for information contained in QPRIME occurrences' of this chapter.

A member who receives an inquiry by a member of the public, insurance company, or loss assessor about obtaining a copy of a QPRIME crime occurrence report should advise the inquirer to contact CITEC Confirm.

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5.10.3 Criminal history

The criminal history document of a person contains the criminal convictions of the person incurred in Queensland for offences arising from prosecution action initiated by officers of the Service. It does not contain convictions imposed outside of Queensland.

This document is only released to the person who is the subject of the document or their legal representative. See also s. 5.6.1: 'Public requests—own police certificate, record of charges or criminal history particulars' of this chapter.

A member who receives a request by a member of the public for a copy of their criminal history should:

(i) provide or print a copy of form QP349A: 'Application for a Copy of Own Queensland Criminal History' (available from the Criminal History (Queensland Only) page of the QPS internet;

(ii) request the person to complete the form;

(iii) ensure that the application is—

(a) completed in ink and legible;

(b) fully completed;

(c) signed by the applicant; and

(d) not rendered void by the alteration or deletion of the wording of the form;

(iv) request the person to produce proof of identity and confirm that the application is for the criminal history of the person concerned;

(v) obtain payment of the prescribed fee (See Schedule of Fees and Charges); and

(vi) ensure the completed application is forwarded to the Manager, (PIC) as soon as practicable.

5.10.4 National police certificate

A national police certificate (NPC) contains a certification that the person to whom the document relates has either:

(i) no disclosable convictions; or

(ii) has disclosable convictions.

A disclosable conviction is a conviction that is recorded and has not been rehabilitated or otherwise spent, the disclosure of which to any person does not breach the *Criminal Law (Rehabilitation of Offenders) Act*, *Penalties and Sentences Act*, or the *Crimes Act* (Cwlth).

There are three types of certificate:

(i) NPC online application for a search of the person's name against the criminal history records held by police services Australia-wide. Sought for:

(a) employment purposes.

(b) providing insurance companies with an official document relating to past offending, and

(c) visa applications to gain employment or reside in another country (this is limited to only a few countries as most require a fingerprint search as well as a name search),

(see National Police Certificate page of the QPS internet);

(ii) fingerprint NPC for a search of the person's name and fingerprints against the criminal history and fingerprint records held by police services Australia-wide. Sought for:

(a) applications for a visa to gain employment or reside in another country; or

(b) adoption purposes,

(see QP 0349B: 'Application for a police certificate name with fingerprint search' available from Fingerprint National Police Certificate page of the QPS internet);

(iii) ammonium nitrate NPC for a search of the person's name against the criminal history records held by police services Australia-wide, and an ASIO security assessment relating to politically motivated violence. This certificate is sought by persons:

(a) employed; or

(b) seeking employment,

with companies and other employers who are licensed to access security sensitive ammonium nitrate e.g. mining companies (see QP 0349D: 'Application for a police certificate and ASIO security assessment—Ammonium nitrate' available from Ammonium Nitrate National Police Certificate page of the QPS internet).

Where convictions are recorded in any state or territory, they will appear in the relevant NPC if disclosable under the legislation or policy of the state or territory concerned.

National police certificates issued for visa purposes (overseas) are forwarded directly to the consulate indicated in the application form.

A member who receives a request by a member of the public for an NPC should determine the type of certificate the person requires and if:

(i) a fingerprint or ammonium nitrate NPC:

(a) print or inform them where they can download a copy of form QP349(B/D);

(b) request the person to complete the form;

(c) ensure that the application is:

- completed in ink and legible;
- fully completed;
- signed by the applicant; and
- not rendered void by the alteration or deletion of the wording of the form;

(d) request the person to produce proof of identity to ensure that the particulars on the application agree with the identity of the applicant;

(e) obtain payment of the prescribed fee; (See Schedule of Fees and Charges)

(f) obtain a set of fingerprints from the applicant where the application is for a police certificate based on name and fingerprints; and

(g) ensure the completed application and fingerprints (if applicable) are forwarded to the Manager, PIC as soon as practicable; or

(ii) NPC name only provide the person with the below weblink to make an online application:

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<www.police.qld.gov.au/documents-for-purchase/national-police-certificates>.

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Appendix 5.1 Principal features of the Right to Information Act and Information Privacy Act

(s. 5.7)

The access scheme established under the *Right to Information Act* (RTIA) is designed to provide the public with the right of access to information held by government agencies, except where releasing such information would, on balance, be contrary to the public interest. To achieve this objective, the RTIA provide that:

(i) a person may apply for access to a document held by government agencies and provided the application meets certain criteria, agencies must respond to that application within a certain time;

(ii) in certain circumstances, the agency may refuse or defer the application;

(iii) where an application is refused or deferred, the agency must provide the applicant with the reasons for its decision;

(iv) where it is practicable for exempt information to be deleted from a document, an agency must give access with the exempt information deleted;

(v) an applicant may request an internal review by a senior officer who was not the original decision maker. The RTIA also confers the right to proceed directly to external review by the Information Commissioner, bypassing internal review by the Queensland Police Service; and

(vi) there is unlimited retrospectivity with respect to documents sought.

The RTIA imposes specific obligations on government agencies, including:

(i) publishing details of arrangements for access to documents; and

(ii) making police documents and certain information about agency functions publicly available for inspection and purchase.

The RTIA also makes provision for a number of related matters:

(i) applications for documents not in the agency's possession can be transferred to another agency provided the agency agrees;

(ii) a person can apply to have their personal information amended if they believe it is inaccurate, incomplete, out of date or misleading;

(iii) agencies must make reasonable steps to consult with a third party if they are considering release of information that would be of concern to that third party;

(iv) decisions on applications are to be made by principal officers of agencies or by other officers who are authorised by the principal officer to make the decision. In the case of the Service, decisions will be made by the Commissioner or selected staff at the Right to Information and Subpoena Unit, Right to Information and Privacy Services (see Delegations D 57.1 and D 57.2).

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Appendix 5.2 Example of caveat when responding to requests for information by government departments, agencies or instrumentalities

(s. 5.6.14)

'This document is released under s. 10.2 of the *Police Service Administration Act 1990* (Qld). Unless authorised, such document and/or its content is not to be disseminated to any third party.'

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Appendix 5.3 Request for criminal history check of potential jurors pursuant to Jury Act

(s. 5.6.20)

The criminal history on microfilm or outside Queensland of the below person(s) are required by the Sheriff, ... Courthouse in accordance with s. 12 of the *Jury Act*.

It is requested this information be emailed directly to the officer in charge ..... at ..... Police Station. Further inquiries may be made with the Sheriff on telephone number ..... .

Name	DOB	Person No	Microfilm No	ACIC Ref & State	

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Signature .....

Name .....
Officer in Charge

..... Station

Ph: .....

Appendix 5.4 Example of caveat when responding to requests for information by other law enforcement agencies

(s. 5.6.15)

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Chapter 6 Legal Liaison

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6.1 Introduction

This chapter outlines legal liaison matters under the control and coordination of the Right to Information and Subpoena Unit, Right to Information and Privacy Services and relates to miscellaneous legal process served on the Commissioner.

Staff members of the Subpoena Team of the Right to Information and Subpoena Unit, Right to Information and Privacy Services are the only persons duly nominated to accept legal process given or served upon the Commissioner pursuant to s. 10.9: 'Service and production of documents' of the PSAA.

Definitions

The following definitions apply for the purpose of this chapter:

Action

means a process of bringing legal action.

Claim

means a document initiating a civil claim or relief sought.

Party

means one of the litigants in a legal proceeding; a plaintiff or defendant in a suit.

Plaint

means an accusation or charge.

Pleadings

means a statement of cause of action or defence.

Serve

means to make legal delivery of summons, subpoena, etc.

Statement of claim

means a document attached to a claim detailing the allegations and damages sought.

Subpoena

means a command to attend at a court.

Subpoena to give evidence

means a command to attend at a court to give oral testimony.

Subpoena to produce documents

means a command to attend at a court to produce documents.

Summons

means a court order demanding the presence of a person before a judge or magistrate.

Summons to a witness

means a court order demanding attendance at a court to give oral testimony or to produce documents.

Writ

means a form of written command in the name of the Sovereign, the State, etc., issued to an official or other person and directing that person or official to act or abstain from acting in some way.

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6.2 Notice of Non-Party Disclosure

The following describes a process whereby the Service is legally bound to produce for inspection documents relating to incidents involving or coming to the notice of police, to a party, or parties involved in a legal action to which the Service is not a party.

The Notice usually requires inspection of documents from a number of different areas of responsibility within the Service.

The Subpoena Team, Right to Information and Subpoena Unit is responsible for all actions against the Service.

The Subpoena Team does not split, nor devolve to other areas within the Service, the responsibility for finalising these actions in the first instance. The Subpoena Team locates, and collects, all documents mentioned in the Notice, including photographs, before obeying the Notice on behalf of the Commissioner.

The process is an action of the magistrates, district or supreme court of Queensland and stands alone from all other schemes available for the release of information.

Process

A party to a cause, to which the Service is not a party, may serve a 'Notice of Non-Party Disclosure' upon the Commissioner. This is a formal action for the discovery of material in the possession or under the control of the Commissioner. The Service must:

(i) produce the material for inspection between 7 to 14 days after service of the notice; or

(ii) make objection to the notice within 7 days of service of the notice.

In order for the material to be produced, relevance to the matter in issue must be established. The required material is the same material that would be produced at a civil trial upon service of another appropriate legal process. To establish the relevance of the required material, the Subpoena Team will at the time of the acknowledgment of the service of the notice, request a copy of the 'pleadings' if they are not supplied.

These types of matters may only be acted upon by the Commissioner and is to be made out to the Commissioner. Apart from the Commissioner, only members attached to the Subpoena Team, are delegated to accept service of these matters. Personal service can be affected at Police Headquarters, 200 Roma Street, Brisbane, between 8.00am and 4.30pm Monday to Friday, public holidays excepted. A notice is to be by personal service only.

Upon service of a notice the Subpoena Team becomes responsible for the matter and requests material to be forwarded to the Right to Information and Subpoena Unit (RTISU), Right to Information and Privacy Services by way of a written request.

Requests for locating and forwarding of documents

The request includes the following details:

(i) the date that the material is required;

(ii) lists the parties involved;

(iii) lists the subject matter of the required material;

(iv) the identity and station of the investigating officer, if known; and

(v) the required action to be taken.

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Action necessary

The required action to be taken includes:

(i) locating the complete file, including all plans, sketches, diagrams, statements, notebooks and/or diaries, photographs (if they have been developed, printed and are with the file), and details of any enforcement or other action relating to the matter whether taken or pending; and

(ii) forwarding the documents and a 'Location of Documents' declaration in a sealed envelope to:

Subpoena Team
Right to Information and Subpoena Unit
Right to Information and Privacy Services
GPO Box 1440
BRISBANE QLD 4001; or

(a) email the documents; or

(b) place in the Right to information drop folder,

(documents should be posted if only available on CD/DVD ROM)

(iii) if unable to locate the relevant notebook/diary, the officer concerned is to be contacted to ascertain the location of them. When located they are to be forwarded in compliance with the above instructions;

(iv) where documents are not located or have been destroyed, a 'Non-Location of Documents Declaration' is required for ultimate production in court. This declaration is a formal document and requires signature by the OIC (see Appendix 6.1 for a pro-forma);

(v) where photographs have been taken but are no longer with the document, a notation to that effect is to be made on the advice forwarded with the document. The notation is to indicate the original source of the photographs and where the negatives may be held, e.g. Redcliffe Scenes of Crime, Forensic Crash Unit, a police officer, a private photographer, or a newspaper photographer, etc. (arrangements will then be made by the IDSS through the Forensic Imaging Section to locate the negatives and supply the necessary prints where the applicant has agreed to meet the fees associated with printing the photographs);

(vi) checking the material to ensure that it is complete before being forwarded to the Subpoena Team. The forwarding station is to ensure that the material is forwarded to reach the IDSS prior to the return date;

(vii) if no document is located, advice to this effect is to be forwarded to the Subpoena Team with the appropriate advice mentioned above in (iv); and

(viii) if a claim for privilege is to be made for any information contained in the document, a report is required immediately indicating the reasons why such privilege should be claimed. This report should accompany the document.

Fees

There is no prescribed fee for the inspection of this material (see r. 249: 'Costs of production' of the Uniform Civil Procedure Rules). The applicant must pay the Service's reasonable costs and expenses of producing a document.

Photographs are charged for at the rate listed in the Schedule of Fees and Charges available on the Service Intranet and QPS internet website.

Retention of documents

All original documents will be returned to the relevant Service establishment upon satisfaction of the Notice.

6.3 Section 134A Evidence Act (Third Party Discovery Process)

The following describes a process whereby the Service may supply documents relating to incidents involving or coming to the notice of police, to persons involved in legal action.

The application usually involves documents from a number of different areas of responsibility within the Service.

The Subpoena Team, Right to Information and Subpoena Unit (RTISU), is responsible for all actions against the Service. The Subpoena Team does not split, nor devolve to other areas within the Service, the responsibility for finalising these actions in the first instance. The Subpoena Team locates, and collects, all documents mentioned in the notice, including photographs, before obeying the notice on behalf of the Commissioner.

Process

Section 134A: 'Production of documents by agencies in relation to civil proceedings' of the *Evidence Act* provides an administrative mechanism as an alternative to a formal discovery ordered by a court. A person who is a party to a current civil proceeding may apply in writing direct to the Commissioner for inspection of material. This is an informal action for the discovery of material in the possession or under the control of the Commissioner.

There is no prescribed time period for the Service to comply with the action. Administratively the Service endeavours to comply within 21 days.

There is no formal application form for this procedure.

The material to be produced is to be relevant to the matter in issue and is the same material as would be produced to a Court upon the service of another appropriate legal process.

These types of matters can only be acted upon by the Commissioner and must be made out to the Commissioner. Apart from the Commissioner, only members attached to the Subpoena Team, RTISU may action these matters. These matters are to be forwarded to RTISU.

Upon receipt of an application the Subpoena Team requests the material to be forwarded to RTISU by way of a written request.

Requests for locating and forwarding of documents

The request includes the following details:

(i) the date that the material is required;

(ii) lists the parties involved;

(iii) lists the subject matter of the required material;

(iv) the identity and station of the investigating officer, if known; and

(v) the required action to be taken.

Action necessary

The required action to be taken includes:

(i) locating the complete file, including all plans, sketches, diagrams, statements, tapes/videos, notebooks and/or diaries, photographs (if they have been developed, printed and are with the file), and details of any enforcement or other action relating to the matter taken or pending, and;

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(ii) forwarding the document in a sealed envelope to:

Subpoena Team
Right to Information and Subpoena Unit
Right to Information and Privacy Services
GPO Box 1440
BRISBANE QLD 4001; or

(a) email the documents; or

(b) place in the Right to information drop folder,

(documents should be posted if only available on CD/DVD ROM)

(iii) if unable to locate the relevant notebook/diary, the officer concerned is to be contacted to ascertain the location of them. When located they are to be forwarded in compliance with the above instructions;

(iv) where documents are not located or have been destroyed, a 'Non-Location of Documents Declaration' is required for ultimate production in court. This declaration is a formal document and requires signature by the OIC (see Appendix 6.1 for a pro-forma);

(v) where photographs have been taken but are no longer attached to the document, a notation to that effect is to be made on the advice forwarded with the document. The notation is to indicate the original source of the photographs and where the negatives may be held, e.g. Redcliffe Scenes of Crime, Forensic Crash Unit, a police officer, a private photographer, or a newspaper photographer, etc. (arrangements will then be made by the IDSS through the Forensic Imaging Section to locate the negatives and supply the necessary prints where the applicant has agreed to meet the fees associated with printing the photographs);

(vi) checking the material to ensure that it is complete before being forwarded to the Subpoena Team. The forwarding station is to ensure that the material is forwarded to reach the IDSS prior to the return date;

(vii) if no document is located, advice to this effect is to be forwarded to the Subpoena Team with the appropriate advice mentioned above in (iv); and

(viii) if a claim for privilege is to be made for any documents, a report is required immediately indicating the reasons why such privilege should be claimed. This report should accompany the file.

If necessary, the Subpoena Team will arrange for the material to be inspected to establish relevance. Once established, the inspection, if necessary, can take place at Police Headquarters or at a district office.

Fees

The prescribed fee for the inspection of this material will be outlined in correspondence sent from IDSS in accordance with the Evidence Regulation.

The fee for the supply of any photographic prints are listed in the Schedule of Fees and Charges available on the Service Intranet and QPS internet website.

Place of inspection

The inspection may take place at Police Headquarters or at a district office.

If the material is inspected at a district office, the prescribed fee and other costs for supplying the required material are to be receipted upon inspection. Fees received for the inspection are to be credited to account code 4143 and forwarded to the Financial Accountant through the usual channels. Fees received for any photocopying and for the supply of any photographs are to be credited to account code 4144 and forwarded to the Director, Finance Accounting Services through the usual channels.

Retention of documents

Unless otherwise advised the documents may be retained at the district office where the inspection took place.

6.4 Subpoena of members as civilian witnesses

Action required when member is served with a subpoena

When a party requires a member to appear in a court of civil jurisdiction to give evidence relating to matters arising from a matter occurring whilst employed by the Service, that member needs to be served with a Subpoena to Give Evidence.

This type of subpoena commands the presence of the member before a court to give oral testimony only.

These procedures apply equally if a member is served with a summons or subpoena to appear before any tribunal or person in which or before whom evidence may be taken on oath, e.g. The Coroner, Queensland Civil and Administrative Tribunal, or any court in criminal jurisdiction.

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These procedures do not apply to matters arising in the normal course of official duty where the member is appearing on behalf of the Crown.

These procedures do not apply to matters investigated by the Crime and Corruption Commission.

In many cases the party who is calling the member to give evidence will require that member to refer to a notebook, report or register referring to the matter in point. Section 10.11: 'Ownership of official property' of the PSAA vests ownership of all things of this nature in the Commissioner. In order for the member to refer to one of these things it is necessary for the interested party to serve a subpoena to produce documents upon the Commissioner.

Upon being served with a subpoena or summons requiring a member to give evidence, the member served is to immediately forward a copy of such subpoena or summons to the district officer or commissioned officer in charge together with a report covering the following details:

(i) brief particulars of the evidence which the member is able to give in relation to the proceeding; and

(ii) the amount of the expenses, and/or conduct money (if any) tendered in respect of the subpoena or summons.

Where time is not sufficient to enable that report to reach the relevant office through ordinary channels prior to the court date, the member must arrange for the transmission of the required information by the most expedient method.

Action required by district officer or commissioned officer in charge when member served with a subpoena

A district officer, or commissioned officer in charge will on receipt of such a report give consideration to the nature of the evidence involved. If the officer is of the opinion that if the member concerned complies with the subpoena or summons:

(i) the public interest would be adversely affected;

(ii) good diplomatic relations could be jeopardised; or

(iii) for some other reason a special case for privilege should be claimed;

they are to:

(i) prepare a report detailing:

(a) the reasons for such opinion; and

(b) whether or not the subpoena or summons requires the production of any official police records; and

(ii) submit such report with all relevant papers and records of this Service, including the subpoena or summons in question, to the Subpoena Team, Right to Information and Subpoena Unit, Right to Information and Privacy Services.

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This action is required in sufficient time to enable the matter to receive all necessary consideration by the Office of the Director, Right to Information and Subpoena Unit before such member is required to give evidence.

Where there is insufficient time for the matter to be considered before the member concerned is required to obey the subpoena or summons, an adjournment is to be sought to enable such action to be taken, and having sought such an adjournment the decision of the court or tribunal, etc., must be abided by and its directions or orders obeyed.

Where a member is served with a subpoena or summons to give evidence, and the member's district officer or other commissioned officer having control over such member is of the opinion that no reason exists for the claiming of Crown privilege in relation to the evidence called for thereunder, the district officer or commissioned officer in charge will authorise that member to obey the subpoena or summons.

Recovery of Service documents at conclusion of proceedings

Where a subpoena to produce documents has been served on the Commissioner for documents to be produced in a matter in which a member is also subpoenaed, that member may produce the documents on behalf of the Commissioner. The member producing the documents is responsible for recovery of the documents from the court and returning to the place they were received.

Conduct money

Members subpoenaed as witnesses in these actions are entitled to payment of conduct money, which should be tendered at the time of service of the subpoena. If conduct money is not paid, the member concerned will attend the court, and upon entering the witness box inform the court that no conduct money has been paid. The member must then, of course, abide by the decision of the court.

Where it is necessary to travel to attend court, the member cannot be forced to attend unless reasonable travelling expenses to and from the member's station or establishment are paid.

Approval to retain conduct money

The district officer or commissioned officer in charge may approve the retention of conduct money.

Member to report at conclusion of matter

Upon the conclusion of a matter, and regardless of whether or not the member attends court, such member will furnish a report including the following information:

(i) the result of the matter, if known;

(ii) the amount of conduct money received;

(iii) date and time of departure from the home station;

(iv) date and time of arrival at the place where the court was held;

(v) period engaged at court;

(vi) date and time of departure from the place where the court was held; and

(vii) date and time of return to the home station.

Expenses incurred by the Service and relieving arrangements

If any expenses, such as fares or travelling allowance, are incurred by the Service in connection with the attendance of a member at any proceedings in answer to a subpoena, the member concerned will furnish a report containing full details thereof to his/her district officer or commissioned officer in charge for transmission to the relevant assistant commissioner. The report is to include any relieving arrangements undertaken to replace the member during the absence at court.

6.5 Subpoena of documents for production before a court

Action to be taken where documents are required to be produced to court

All Subpoenas to produce documents must be served on the Commissioner at Queensland Police Headquarters. Staff members from the Subpoena Team of the Right to Information and Subpoena Unit (RTISU), Right to Information and Privacy Services are the only persons authorised to accept service on behalf of the Commissioner.

When a subpoena or summons is served upon the Commissioner for production of documents, a memorandum is forwarded from RTISU to the OIC of the station or establishment where the documents are located. Depending on the location of the Court the memorandum may take either of the following forms:

(i) locate and forward documents to this office; or

(ii) locate, clear and produce documents to the Court on behalf of the Commissioner.

In instances where a member's disciplinary file is the subject of a summons or subpoena, a member of the Subpoena Team is to notify in writing the OIC of the relevant police prosecutions corps servicing the locale of the court in which the matter is proceeding that a request for disciplinary files of a member has been received.

Locate and forward documents to this office

This memorandum advises that the subpoena requires production of documents in a court in the Brisbane central business district.

The memorandum includes the following details:

(i) the court and date that the action is to take place;

(ii) lists the parties involved;

(iii) lists the subject matter on the required document;

(iv) the identity and station of the investigating officer; and

(v) the required action to be taken.

The receipt of the memorandum is to be acknowledged immediately.

The required action to be taken includes:

(i) locating all of the documents, including plans, sketches, diagrams, statements, notebooks and/or diaries, photographs (if they have been developed, printed and are on the file) and details of any enforcement or other action relating to the matter.

(ii) forwarding the documents in a sealed envelope addressed to:

Subpoena Team
Right to Information and Subpoena Unit
Right to Information and Privacy Services
GPO Box 1440
BRISBANE QLD 4001; or

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(a) email the documents; or

(b) place in the Right to Information drop folder,

(documents should be posted if only available on CD/DVD ROM)

(iii) if unable to locate the relevant notebook/diary, the member to whom the notebook/diary was issued is to be contacted to ascertain its location. When located it is to be forwarded in compliance with the above instructions;

(iv) where documents including notebooks are not located or have been destroyed, a 'Non-location of Documents Declaration' is required for production in court (see Appendix 6.1 for a pro forma);

(v) where photographs have been taken but are no longer with the file, they are to be located and forwarded with the file;

(vi) the documents are to be checked to ensure that they are complete before being forwarded to the Subpoena Team;

(vii) should no documents be located, advice to this effect is to be forwarded to the Subpoena Team by return memorandum;

(viii) the forwarding station is to ensure that the documents are forwarded to reach RTISU prior to the court date; and

(ix) if a claim for privilege is to be made for any documents, a report is required immediately indicating the reasons why such privilege should be claimed. This report should accompany the documents.

Find, clear and produce documents to the court on behalf of the Commissioner

This memorandum advises that the subpoena requires production of documents in a court.

The memorandum includes the following details:

(i) the court and date that the action is to take place;

(ii) the parties involved;

(iii) the subject matter on the required document;

(iv) the identity and station of the investigating officer; and

(v) the required action to be taken.

The receipt of the memorandum is to be acknowledged immediately.

The required action to be taken includes:

(i) locate all of the documents, including plans, sketches, diagrams, statements, notebooks/diaries, photographs (if they have been developed, printed and are with the documents) and details of any enforcement or other action relating to the matter;

(ii) if unable to locate the relevant notebook/diary, the officer concerned is to be contacted to ascertain the location of them. When located they are to be forwarded on to the district requiring them;

(iii) where documents, including notebooks, are not located or have been destroyed, a Certificate of Non-Location is required for production in court; and

(iv) where photographs were taken but are no longer attached with the documents or were not developed, the photographic negatives are to be located and a set of photographs developed.

The documents are to be checked for privilege. Should there appear to be any privileged information contained in the documents, RTISU is to be contacted immediately so that the appropriate action can be taken.

Where the investigating officer is subpoenaed in the same matter, that member is to produce all documents on behalf of the Commissioner. If the investigating officer has been transferred, a memorandum is to be forwarded immediately for that member's information and for the information of the relevant district officer or commissioned officer in charge. That officer will direct the member, if the member has been subpoenaed to give evidence in the same matter, to attend at the district office where the Court is located prior to his attendance at court to take possession of the document and produce it on behalf of the Commissioner. Other arrangements may be made to collect the document in cases where the court is not in the same locality as the district office.

Where the investigating officer is not subpoenaed in the matter, a member of the staff of the district office or, where the court is not in the same locality as the district office, a designated member is to produce all documents to the Court on behalf of the Commissioner.

The member who produces the documents to the court will be responsible for their return and for furnishing a report including the following information:

(i) the result of the matter, if known;

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(ii) date and time of departure from the home station;

(iii) date and time of arrival at the place where the court was held;

(iv) period engaged at court;

(v) date and time of departure from the place where the court was held; and

(vi) date and time of return to the home station.

6.6 Legal representation for Service members

Pursuant to s. 10.7 'Provision of legal representation' of the PSAA, a member may be entitled to legal representation in relation to an action, claim, demand, or offence proceeding brought against the member. This does not apply where the Crown brings the action, claim, demand, or offence proceeding.

Where members consider they are entitled to legal representation, they should immediately forward a report requesting legal representation, through their chain of command to the General Counsel, Office of the General Counsel (OGC) for consideration (see Delegation D 15.54).

If legal representation is approved, the appropriate provider will be advised. The appropriate provider may be the Crown Solicitor; Director, QPS Legal Services or a legal provider registered and approved by the Attorney-General for Crown legal matters.

If a member requires legal assistance for a matter that does not require, or meet the criteria for, legal representation under s. 10.7, for example, if a member is a witness in a coronial inquest, a request should be made via email to Strategy and Performance, OGC.

None of the above prevents members from seeking independent assistance or assistance from their relevant Union.

6.7 Matters of civil litigation

The Director, QPS Legal Services, Office of the General Counsel is responsible for liaison and coordination between the Crown Solicitor and assistant commissioners for claims made against the State of Queensland and others arising from incidents occurring on police property, police housing, during police incidents in general, involving police dogs, police vehicles, police vessels, police aircraft etc.

These matters generally involve personal injury or damage to property and may include matters of wrongful arrest, unlawful detention, malicious prosecution and other incidents whilst on duty.

Personal injury claims are initiated in the form of a Notice of Claim pursuant to the *Personal Injuries Proceedings Act*. A Notice of Claim may be served by mail. Other claims are initiated in the form of a Magistrates, District or Supreme Court claim and Statement of Claim. Such claims are to be served personally.

These matters could also involve matters of public liability.

Generally, the State of Queensland is named as defendant. The member can also be named as a defendant.

Immediately an incident occurs which may lead to litigation the matter must be investigated, and the completed investigation is to be filed at the Regional Office.

Assistant commissioners are to forward one copy of all relevant documents to the Director, QPS Legal Services at the conclusion of the investigation.

In cases where a member is served with legal process resulting from their actions as a member of the Service, a full report is to be furnished without delay through the usual channels to the Director, QPS Legal Services. This report must include the member's comments on each and every allegation detailed in the notice of claim or statement of claim.

Where a member considers that they are entitled to legal representation by the Crown, they must forward a report requesting legal representation pursuant to s. 10.7: 'Provision of legal representation' of the *Police Service Administration Act* immediately upon service of the claim, through the usual channels to the Commissioner for decision.

After the decision is made the matter of representation by the Crown Solicitor or Director, QPS Legal Services is coordinated by the Director, QPS Legal Services.

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Appendix 6.1 Non-location of documents—declaration

Appendix 6.1

Our Ref:

Your Ref:

NON-LOCATION OF DOCUMENTS DECLARATION

I certify that a thorough search for all documents relevant to this request has been conducted. No such documents were located.

No relevant documents were located because:

.....

.....

.....

.....

Comments (Including prosecutions finalised/unfinalised, or if applicable when documents were destroyed etc):

.....

.....

.....

.....

.....

SIGNATURE PRINT NAME REG NO. (if applicable) DATE

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7.1 State departments

7.1.1 Residential Tenancies Authority

The Residential Tenancies Authority (RTA) is only able to conduct searches and provide personal information under the provisions of a subpoena, search warrant or other compellable document (such as a direction under s. 7.15.9: 'Section 42 (Direction to government entity)' of the Operational Procedures Manual). See s. 527: 'Confidentiality' of the *Residential Tenancies and Rooming Accommodation Act*.

Generally, the RTA may hold personal information relating to a person's name, previous or current addresses and the duration of a tenancy. For more information on the types of information and documents that may be held by the RTA, see the 'RTA Warrants Information Sheet' available on Forms Select.

Officers must be aware any information provided by the RTA in response to a warrant has been provided by the party in question and not independently validated.

Processing the subpoena, search warrant or other order

To execute the search warrant, officers should email the RTA (see SMCD):

(i) the search warrant;

(ii) a Form 11: 'Statement to occupier'; and

(iii) the relevant completed search criteria template on the 'RTA Warrants Information Sheet'.

Warrants executed on the RTA will be processed and returned within 5 business days. The relevant information will be emailed back to the requesting officer.

7.1.2 Requesting *go* card information from TransLink

TransLink is a division of the Department of Transport and Main Roads (DTMR) responsible for the management of public transportation in a number of regions in Queensland. TransLink operate the *go* card pre-paid ticketing system.

This system allows members of the public to purchase and maintain a *go* card account for the electronic payment of fares on the public transport infrastructure. Users may register their personal details against their *go* card account.

TransLink retain journey and usage records of all registered and unregistered *go* cards. Officers may request *go* card account information from TransLink when investigating a criminal offence or to lessen or prevent a serious threat to the life, health, safety or welfare of an individual, or to public health, safety or welfare.

Officers requiring specific *go* card account information are to ensure all Service information and intelligence have been exhausted before any request to TransLink is made.

ORDER

Requests for *go* card account information are to be made to TransLink on a F 4961: 'DTMR—Request for information' (available on Forms Select). Each request must include sufficient detail to enable TransLink to assess the release in accordance with the *Information Privacy Act* (IPA) and the Queensland Privacy Principles (QPP), specifically QPP 6—Use or disclosure of personal information.

If the request contains information classified as 'Highly Protected' (see s. 4.4.5.1.3: 'Highly Protected' of the Information Management Manual), a Detective Inspector, Crime Command shall liaise with TransLink on behalf of the Service to facilitate the release of information in accordance with the IPA and QPP 6.

Officers requiring *go* card account information are to:

(i) complete a F 4961: 'DTMR—Request for information';

(ii) submit it for the approval of a senior officer (rank of sergeant or above);

(iii) if approved, forward the completed form to TransLink; and

(iv) scan and save the completed form in the relevant QPRIME occurrence.

Officers requiring CCTV footage from TransLink are to complete a F 4961 'DTMR—Request for information' (see s. 2.28.2: 'Obtaining video recordings from the Department of Transport and Main Roads' of the OPM).

7.1.3 Department of Primary Industries, Fisheries Licensing Unit

The Queensland Fisheries, Department of Primary Industries (DPI) (see SMCD) maintains a register of authorities and may issue certificates about authorities which are admissible in proceedings as evidence. A search of individual authorities may include a request for the licence details of a boat, a fisher or a sea food wholesaler. Group listings of authorities can be obtained providing information such as a list of boats permitted to operate in a particular fishery or details of all commercial fishers residing in a specific location.

Officers may find it necessary in the course of an investigation to request such information from Queensland Fisheries and are to obtain the authorisation of the OIC prior to making a request for information.

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Officers requiring information are to complete a Form FDU1475: 'Application to inspect register of authorities' which is available from the Queensland Boating and Fisheries Patrol, DPI offices.

The OIC authorising the request should make the application on behalf of the Service and should complete the details and declaration on the Form FDU1475, acting on advice from the officer requiring the information. The reason for the request of information should be included in the 'Applicant Declaration' section of the form.

The Form FDU1475 should be lodged, with the applicable fee, at Queensland Fisheries who should be contacted prior to lodging the application for an estimate of fees.

7.1.4 Requesting information from Queensland Health

Section 142: 'Confidential information must not be disclosed by designated persons' of the *Hospital and Health Boards Act* (HHBA) prohibits the disclosure by a designated person of any confidential information acquired if a person who is receiving or has received a public sector health service could be identified from the information. However, a number of sections of the HHBA allow for the disclosure of confidential information in certain circumstances.

Definitions

For the purposes of this section:

Confidential information

see s. 139: 'Definitions for pt 7' of the HHBA.

Designated person

see s. 139: 'Definitions for pt 7' of the HHBA.

General medical condition

means the medical condition of a patient in general or non-specific terms, e.g. the patient's condition is 'satisfactory'.

Health professional

see Schedule 2: 'Dictionary' of the HHBA.

Health service

see s. 15: 'Meaning of *health service*' of the HHBA.

Health service facility

means Queensland Health or a hospital and health service facility.

Local police liaison officer

means a police officer designated as a point of contact between the relevant hospital and health service and the corresponding policing area.

Personal information

see s. 12: 'Meaning of *personal information*' of the *Information Privacy Act* (IPA).

Queensland Health staff member

means a 'designated person'

see s. 139: 'Definitions for pt 7' of the HHBA.

Disclosure under an agreement

The Service has a Memorandum of Understanding (MOU) with Queensland Health (QH) pursuant to s. 151(1)(b): 'Disclosure to Commonwealth, another State or Commonwealth or State entity' of the HHBA in relation to information exchange.

The MOU sets out the circumstances in which QH staff can disclose confidential or personal information to officers for the purposes of an investigation:

(i) of suspected criminal conduct engaged in by patients at health service facilities; or

(ii) to locate a patient who has been reported as a missing person.

Under the MOU, officers may request QH staff to disclose confidential or personal information which QH staff have acquired while acting in the course of their duties related to:

(i) a patient who has been reported as a missing person; or

(ii) suspected criminal conduct, or where QH staff are asked to provide written statements to assist officers to investigate and prosecute criminal offenders.

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In addition, if an officer provides the name of the patient or a sufficient description to enable QH staff to identify the patient, the MOU authorises QH staff to confirm if the patient attended the health service facility and to disclose the patient's:

(i) name (if not known by the officer);

(ii) contact details; and

(iii) if relevant, their general medical condition,

regardless of where the:

(i) missing person was last seen; or

(ii) criminal conduct occurred.

Any disclosure by QH staff is subject to the requirement the staff member honestly and reasonably believes:

(i) a patient is a missing person; or

(ii) criminal conduct has been engaged in,

and they acquired the information whilst acting in the course of their duties. QH staff need to be satisfied the disclosure of any confidential or personal information is in accordance with the MOU and the HHBA.

The MOU does not interfere with existing lawful processes or legislative provisions which allow or require the acquiring or reporting of otherwise confidential information.

Officers who receive or investigate a complaint or report of an offence or suspected offence committed by a patient may request information (e.g. patient's name, contact details and, if relevant, the patient's general medical condition) or a statement (i.e. statement of a witness or victim) from QH staff to assist in the investigation and/or prosecution of the offender.

Officers who are attempting to locate a person who has been reported as missing, may request information (e.g. patient's name, contact details and, if relevant, the patient's general medical condition) or a statement (i.e. statement of a witness) from QH staff to assist in locating the missing person.

Officers making a verbal or written request for information or a statement from QH are to, as far as practicable, provide:

(i) brief particulars of the offence or incident being reported or investigated including the date, time and location;

(ii) the name, date of birth or description of the:

(a) patient reported as a missing person;

(b) patient suspected of committing the offence; or

(c) QH staff from whom the information or statement is required;

(iii) the type and nature of information required;

(iv) the reasons why the information is required and the purpose for which it will be used;

(v) the name, rank, station/establishment, and contact details of the requesting officer; and

(vi) if the disclosure of the confidential information is being sought by consent, officers should include a copy of the signed QP 0886: 'Consent to disclosure of confidential information to police' (see the subsection titled 'Disclosure with consent' of this section).

In making requests, officers are to comply with any local protocols between the relevant policing area and health and hospital service to give effect to the MOU.

Officers are to note that QH staff may, due to confidentiality, privacy or other legitimate concerns, seek independent legal advice in relation to any Service requests for confidential or personal information and are entitled to refuse to voluntarily cooperate with such requests. However, QH staff are encouraged by QH to cooperate with Service requests for information where they are relevant and such information ought to be disclosed.

Where prescribed circumstances exist, officers may require QH staff to provide their correct name and address pursuant to s. 40: 'Person may be required to state name and address' of the PPRA however, voluntary cooperation should always be sought first before making a requirement.

Urgent requests for information

Officers requiring information (e.g. witness or patient's name and contact details) in circumstances where an immediate response is required to ensure the safety of any person or apprehension of an offender, should make a verbal request direct to relevant QH staff or emergency department or other area within QH responsible for releasing the information.

Where practicable, verbal requests are to be made in person. QH staff are likely to refuse requests for information over the telephone unless it can be clearly established the person to whom they are speaking to is a police officer.

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Non-urgent requests for information

When non-urgent information or a statement is required from QH staff for an investigation or prosecution, the investigating officer is to make a written request to the relevant QH facility or area within QH responsible for releasing the information. Where applicable, these requests should be made through the local police liaison officer.

All requests for non-urgent information or statements should be by:

(i) QP 0887: 'Police request for access to confidential information held by Queensland Health';

(ii) letter on Service letterhead; or

(iii) external Service email,

addressed to the Health Information Manager or Release of Information Officer in the relevant health and hospital service. The written request may be delivered by facsimile, email, post or in person.

Accessing medical records and other confidential documents

Officers requiring access to, or copies of, a patient medical record or part of an employee's personnel file should, where practicable, obtain the consent of the patient or employee to access the record or file. Officers should use a QP 0886 for this purpose.

If consent is not forthcoming, or the original record or document is required as evidence, officers should use other appropriate lawful means in obtaining the information such as a search warrant, summons to witness or subpoena.

Disclosure required or permitted by law

Section 142: 'Confidential information must not be disclosed by designated persons' of the HHBA allows the disclosure of confidential information by a designated person if the disclosure is required or permitted by an Act or another law. In addition to search warrants, subpoenas and summons of a witness, several avenues exist for the obtaining of information or documents under s. 142 of the Act including:

(i) coronial matters:

Under s. 597: 'Powers for reportable deaths' of the PPRA, an officer may seize anything at the place of a reportable death the officer reasonable suspects may be relevant to an investigation of the death by a coroner. The relevant medical records of the deceased patient may be seized to assist in the investigation where a death occurs in a health facility (see s. 8.10: 'Health care related deaths' of the OPM). See also s. 2.8.6: 'Coroner's search warrant' of the OPM.

Under s. 601: 'Power to require information' of the PPRA an officer helping a coroner to investigate a death may require a person to give information relevant to the investigation of the death. When making the requirement, the officer must inform the person that the person may fail to give information if the information would tend to incriminate the person, and to seek legal advice before giving the information.

Under s. 16: 'Duty to help investigation' of the *Coroners Act*, a coroner may issue a Form 25: 'Requirement by coroner for information' to require a person to give information relevant to the investigation of the death. When making the requirement, the officer must inform the person that the person may fail to give information if the information would tend to incriminate the person, and to seek legal advice before giving the information.

Section 157: 'Disclosure to person performing functions under Coroners Act 2003' of the HHBA also allows the disclosure of confidential information to a person who requires the confidential information to perform a function under the *Coroners Act*. See the subsection titled 'Accessing Queensland Health information' of this section. See also Chapter 8: 'Coronial matters' of the OPM; and

(ii) children:

Section 144(d): 'Disclosure with consent' of the HHBA allows a designated person who is a health professional to disclose confidential information where the person is a child and the health professional reasonably believes the disclosure is in the child's best interest. Such a situation may exist in child abuse cases.

Additionally s. 159O: 'Release of information by a health services designated person' of the *Child Protection Act* allows a designated person under the HHBA to give a police officer confidential information where it is relevant for the protection or wellbeing of a child. See also Chapter 7: 'Child Protection' of the OPM.

Disclosure with consent

The disclosure of confidential information by QH staff is permitted under s. 144: 'Disclosure with consent' of the HHBA if the person to whom the confidential information relates is:

(i) an adult and consents to the disclosure (see s. 144(a) of the HHBA); or

(ii) a child and the disclosure of the confidential information is by a health professional who reasonably believes:

(a) the child is of sufficient age and mental and emotional maturity to understand the nature of consenting to the disclosure, and the child consents to the disclosure (see s. 144(b) of the HHBA);

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(b) the child is of insufficient age or mental or emotional maturity to understand the nature of consenting to the disclosure, and the child's parent or guardian consents to the disclosure (see s. 144(c) of the HHBA); or

(c) the disclosure of the information is in the child's best interests (see s. 144(d) of the HHBA).

Officers requiring confidential information in patient medical records or personnel files in circumstances not covered by the MOU, should where practicable, request the written consent of the person for that information.

Officers should:

(i) request the person sign a QP 0886; and

(ii) scan the completed QP 0886 into the relevant QPRIME occurrence and attach the original document to the QP 0758: 'Occurrence report' or investigation file.

Once written consent is obtained, officers should comply with the subsection titled 'Non-urgent requests for information' of this section.

If consent is revoked prior to obtaining the confidential information, officers are not to use the revoked written consent form. The date of revocation should be clearly noted on the form and within the QPRIME occurrence. The 'remarks' tab of the scanned document in QPRIME is to be amended to indicate consent has been revoked.

Medicines Regulation and Quality Team, Health Protection Unit

Documents which may be available from the Medicines Regulation and Quality Team, Health Protection Unit, QH (MRQT) include:

(i) duplicate copies of prescriptions for controlled drugs dispensed in Queensland during the previous two years;

(ii) information pertaining to a specified person about treatment with a controlled drug; and

(iii) summary data of all controlled drugs obtained by a specified person over the preceding two year period.

In all cases where documents are sought from the MRQT for the purpose of an investigation (unless the investigation relates to staff at the unit or an associate of staff) should:

(i) contact them (see SMCD) to discuss the nature of the document sought and determine whether it is held by the Drugs of Dependence Unit;

(ii) obtain a description of the document suitable for inclusion on a search warrant;

(iii) determine a time suitable to both the officer and the MRQT at which to execute a search warrant; and

(iv) obtain a search warrant which specifies the documents to be seized and is valid for the time previously determined as most suitable for the execution of the search warrant (see s. 2.8.3: 'Obtaining a search warrant' of the OPM).

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Particular care must be taken when disclosing information received from the MRQT as in some cases its disclosure may reasonably be expected to prejudice the effectiveness of a lawful method or procedure for preventing, detecting, investigating or dealing with a contravention or possible contravention of the law (see s. 803: 'Protection of methodologies' of the PPRA).

Information received from the MRQT, other than documents which are to be tendered to a court as evidence, is not to be disclosed to any external agency or person except as required by law.

When information or material received from the MRQT is required to be disclosed in an impending court proceeding, the police prosecutor responsible for the prosecution is to notify the Manager, MRQT at least 14 days before the commencement of the relevant proceeding for the purpose of ascertaining whether any grounds exist to object to the disclosure of the information or material under s. 590AQ: 'Limit on disclosure contrary to the public interest' of the Criminal Code on the basis that the disclosure would be contrary to the public interest. Such notification will allow any subsequent claim under s. 590AQ of the Criminal Code regarding the documents disclosed by the MRQT to be made by the prosecution.

The notification is to be provided to the Manager, MRQT by letter on Service letterhead, including:

(i) the name and date of birth of the person;

(ii) the relevant court;

(iii) brief particulars of the offence; and

(iv) the date of the relevant proceeding.

The letter may be sent to the Manager, MRQT by email (see SMCD).

Police prosecutors are to ensure copies of such letters, associated facsimile transmission reports, emails and subsequent replies are attached to the prosecutions copy of the Court Brief (QP9).

If a member is questioned about such information during a proceeding, prosecutors are to bring the provisions of s. 803: 'Protection of methodologies' of the PPRA to the notice of the court. Members are not to disclose information obtained from the MRQT to a court unless directed to do so by the court.

Queensland Health seeking investigative information from the Service

Members receiving requests for investigational information from QH in relation to QH staff, facilities or property not otherwise provided in accordance with the *Victims of Crime Assistance Act* (see s. 2.12: 'Victims of crime' of the OPM) should refer s. 5.6.14: 'Requests for information from other government department, agencies or instrumentalities' of this Manual).

7.1.5 Transport registration and integrated licensing system information suppression

The Department of Transport and Main Roads (DTMR) maintains the Transport Registration and Integrated Licensing System (TRAILS). The TRAILS database contains personal particulars and address details as Queensland Transport customer records. This database is accessible by employees of a number of Government agencies as well as authorised persons within the community such as some legal practitioners and insurance company employees. While access to personal information is controlled there is still a risk that personal information may be accessed in circumstances that create a threat to a person's personal safety.

In order to minimise this risk, the DTMR allows agencies such as the Service and individuals to apply to have access to particular Queensland Transport customer records suppressed in certain circumstances.

Suppression of a Queensland Transport customer record has the effect of making that record unavailable to users of TRAILS, including members of the Service.

Queensland Transport customer record suppression applications

Officers are generally only to initiate or support applications in cases where:

(i) it is reasonably suspected that significant harm to the subject person is likely if their personal details became known to a particular person or group of people (the **'threat'**); and

(ii) the threat has or may have access to the person's Queensland Transport customer record; or

(iii) the threat has previously discovered or attempted to discover the address or personal particulars of the subject person or persons in a similar situation.

In cases that do not meet the criteria to justify an officer initiating or supporting an application, officers are to advise the person to complete a Form F4109: 'Customer Record Suppression Application' as a private individual, attach a copy of the relevant court order and send the application to the DTMR.

Applications to suppress access to a member's Queensland Transport customer record may be made where there are particular circumstances that indicate that the member's safety is, or may be, at risk, such as the member being subject to threats or for some other good reason.

Officers who believe that it is necessary to apply, or support an application, for the suppression of access to a person's Queensland Transport customer record, to reduce a risk to a person's or persons' safety should:

(i) prepare a report detailing:

(a) the name, address and date of birth of each person whose details are to be suppressed;

(b) the reasons why the person's details are to be suppressed;

(c) whether it is necessary to restrict or permit access to the Queensland Transport customer record by any member of the Service. The reasons why access should be denied, or given, to any particular member are to be fully detailed; and

(d) the period for which access to the person's Queensland Transport customer record should be suppressed;

(ii) assist each person for whom access suppression is sought to complete a Form F4109: 'Customer Record Suppression Application' (available from a DTMR Customer Service Centre or by email to Identity Management Unit, DTMR (see SMCD)).

(iii) attach a copy of any relevant court order; and

(iv) submit the completed documents to their supervising commissioned officer.

Commissioned officers receiving applications for the suppression of Queensland Transport customer records should consider whether:

(i) there is a significant risk to the safety of a person;

(ii) the suppression of access to the person's record would reduce that risk; and

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(iii) there is a need to restrict access by particular members of the Service where a request of this nature is made, bearing in mind that denying access to all but a few members of the Service to access suppressed records can significantly hamper effective operations.

Where a commissioned officer considers that it would be appropriate to suppress access to a person's Queensland Transport customer record, the commissioned officer should:

(i) prepare written advice to the DTMR giving:

(a) a firm recommendation that the record should be suppressed;

(b) the period of such suppression; and

(c) the name of any members who should not be permitted access to the record or alternatively the names of those members who should be permitted access to the record;

(ii) forward the file to the DTMR.

Where a commissioned officer considers that it is not necessary to suppress access to a person's Queensland Transport customer record, the commissioned officer should advise the member who prepared the originating report. The member who prepared the originating report should advise the person to whom the report related that the Service does not support the application, but the person may apply to Queensland Transport for the suppression of their Queensland Transport customer record as a private individual.

A commissioned officer who receives an application which requests that a particular member of the Service not be permitted access to a suppressed Queensland Transport customer record is to forward a copy of the file to the State Coordinator, Internal Investigations Branch, Ethical Standards Command for information.

Accessing suppressed Queensland Transport customer records

Suppressed Queensland Transport Customer Records are indicated by the response 'Refer to QT Security Officer' when the record is queried through TRAILS or QPRIME. In such cases access to the relevant Queensland Transport customer record may only be obtained from the Identity Management Unit, DTMR during normal business hours.

Members who require access to a suppressed Queensland Transport Customer Record are to:

(i) prepare a brief report stating:

(a) the name and date of birth (if known) of the relevant person or the registration number of the relevant vehicle or vessel;

(b) the nature of the information sought from the suppressed Queensland Transport customer record, e.g. driver licence particulars, registration particulars or other licence particulars;

(c) the reason why the information is necessary for the performance of the member's duty, e.g. for an investigation or to establish a person's current address to execute a warrant;

(d) contact details for the inquiring officer including a facsimile number or email address for the requested information to be forwarded to; and

(ii) forward the report to their supervising commissioned officer for approval.

Commissioned officers who receive such reports are to determine whether access to the record is necessary for the performance of the member's duty. If access to the record is considered to be necessary, the commissioned officer is to endorse the report and forward it to the Identity Management Unit, DTMR by email (see SMCD).

The Identity Management Unit, DTMR will forward the required information directly to the inquiring member unless the member is not permitted to access the suppressed Queensland Transport customer record. In such cases the Identity Management Unit will advise the commissioned officer who endorsed the original 'Customer Record Suppression Application' to determine the most appropriate course of action.

Commissioned officers who are advised that a member has sought access to a suppressed Queensland Transport customer record to which the member is specifically denied access (i.e. named in the original 'Customer Record Suppression Application'), are to report the matter to the State Coordinator, Internal Investigations, Ethical Standards Command.

7.1.6 Requesting information from Workplace Health and Safety Queensland or the Electrical Safety Office (Office of Industrial Relations)

Workplace Health and Safety Queensland

The Office of Industrial Relations administers the workplace health and safety program through Workplace Health and Safety Queensland. The responsibilities of the unit are to:

(i) provide information and education;

(ii) maintain a workplace health and safety regulatory framework that meets the needs of industry and government; and

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(iii) ensure compliance within the regulatory framework.

The *Work Health and Safety Act* is enforced by inspectors from Workplace Health and Safety Queensland. Inspectors are appointed under the *Work Health and Safety Act*, and are based in offices throughout Queensland (see SMCD) and visit workplaces in all sectors of industry.

Primarily the role of an inspector involves monitoring and ensuring compliance with workplace health and safety legislation. It is also the role of an inspector to provide information and ensure obligation holders comply with their legislative requirements.

Inspectors visit workplaces for a variety of reasons including to:

(i) investigate workplace incidents;

(ii) investigate reports of unsafe or unhealthy conditions and dangerous work practices;

(iii) assess workplace health and safety risks to workers and members of the public;

(iv) conduct workplace health and safety audits; and

(v) provide information and advice on the legislation.

Electrical Safety Office

The Office of Industrial Relations, Electrical Safety Office is responsible for developing and enforcing standards for electrical safety and promoting strategies for improved electrical safety performance across the community.

The Electrical Safety Office facilitates socially responsible and safe electrical industry practices by:

(i) developing and implementing electrical safety legislation, standards and initiatives;

(ii) enforcing the electrical safety legislation;

(iii) investigating electrical incidents, complaints and unlicensed and unsafe electrical work;

(iv) approval and registration of electrical equipment;

(v) administering a licensing regime;

(vi) providing information products, education and advisory services; and

(vii) promoting the safe use of electricity within the community.

The *Electrical Safety Act* establishes the legislative framework for electrical safety in Queensland and is supported by the Electrical Safety Regulation and three Codes of Practice.

The *Electrical Safety Act* is enforced by inspectors from the Electrical Safety Office. Inspectors are appointed under the Act, and are based in offices throughout Queensland (see SMCD).

Primarily the role of an inspector involves monitoring and ensuring compliance with electrical safety legislation. It is also the role of an inspector to provide information and ensure obligation holders comply with their legislative requirements.

Requesting information from Workplace Health and Safety Queensland or Electrical Safety Office

In the course of an investigation of a workplace or electrical incident, officers may find it necessary to request information from Workplace Health and Safety Queensland or the Electrical Safety Office. Material relating to an investigation that may be requested includes:

(i) witness' statements;

(ii) photographs of the scene;

(iii) sketches and notes made at/of the scene;

(iv) workplace health and safety inspectors' statements;

(v) electrical inspectors' statements;

(vi) measurements and other tests/examinations performed;

(vii) documents obtained that are required to be kept under the *Work Health and Safety Act* or *Electrical Safety Act*;

(viii) any other facts relating to the incident;

(ix) legal, statutory or other privileged documents, e.g. expert reports;

(x) commercially sensitive material, e.g. tender documents, project specifications, contracts and safety plans;

(xi) documents that have been received from another department or agency; and

(xii) documents that contain statements provided 'In confidence', e.g. where a person wants their confidentiality to be maintained.

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Officers requesting information from Workplace Health and Safety Queensland or the Electrical Safety Office are to:

(i) complete QP 0658: 'Request Information From WPH&S Or ESO';

(ii) obtain authorisation from the officer in charge of their station or establishment;

(iii) transmit the request:

(a) for material that includes documents (i) to (viii) of the list above, to the appropriate Workplace Health and Safety Queensland or Electrical Safety Office (see SMCD); or

(b) for material that includes documents (ix) to (xii) of the list above, to the Regional Investigation Manager, Regional Services Branch, Workplace Health and Safety Queensland (see SMCD).

For further information in relation to workplace or electrical incidents, their investigation and the sharing of information, see s. 2.6.11: 'Workplace and electrical incidents' of the Operational Procedures Manual.

7.1.7 Requesting information from Registry of Births, Deaths and Marriages

Members requiring searches relating to Births, Deaths, Marriages and Change of Name Certificates for an investigation are to ensure all Service intelligence holdings have been thoroughly checked prior to making any formal requests.

Certificates signed by the Registrar will not be provided free of charge unless requested for court purposes.

Certificates signed by the Registrar will only be sent via Australia Post. Members are to be mindful of postage timeframes when making requests. In exceptional circumstances the Registry will consider scanning and emailing a certificate where the certificate is password protected. These requests will be assessed on a case-by-case basis and is at the discretion of the Registrar.

Members requesting information or certificates from Registry of Births, Deaths and Marriages are to complete a written request on Service letterhead and forward via email (see SMCD).

Birth certificates issued by the Registry of Births, Deaths and Marriages will not include the sex of the person unless specified and justified in the written request. Officers are to outline why the information is needed and how the information will be used (e.g. birth certificate required for court purposes).

Members are to outline in this request the following:

(i) name, date of birth and place of birth (if known);

(ii) the upcoming court date and location;

(iii) if required, current or previous sex descriptor and the reasoning; and

(iv) if the requesting member requires an original document or whether a name search will suffice.

Members requesting information from an interstate births, deaths and marriages office are to complete an 'External Agency Request' available on the State Intelligence Group, Crime Command SharePoint page.

Urgent requests for information

Members requiring urgent searches related to births, deaths and marriages are to complete a written request as outlined above and must include 'urgent' in the subject line. Members should clearly establish the need for an urgent response in the request. Urgent requests will usually be responded to within 24 hours of receipt. In circumstances where requests are received after 3pm, a same day response is not guaranteed by the Registry.

7.1.8 Requesting information from Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development

Before requesting a search from the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development, officers are to ensure that Service intelligence holdings have been thoroughly checked.

Where an officer requires a search of ownership of land, and/or properties, a written request is to be forwarded to Titles Queensland, info@titlesqld.com.au (see SMCD). The request is to include:

(i) name of owner;

(ii) date of birth of owner; and

(iii) property or land numbers, including registered plan number if known.

7.1.9 Requesting information from the Department of Education

Requests for information held by the Department of Education may be released:

(i) with written consent of the Chief Executive or delegate when:

(a) there is a 'serious risk to the life, health or safety of a person';

(b) it is in the 'public interest'; or

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(c) the 'information is necessary for the prevention, detection, investigation, prosecution or punishment of a criminal offence or a breach of a law imposing a penalty or sanction',

(see s. 426(4)(e): 'Confidentiality' of the *Education (General Provisions) Act* (E(GP)A)).

Officers requesting information should complete a:

(d) LEA 1: 'Request from a law enforcement agency (LEA) to release student personal information to assist in averting a serious risk to the life, health or safety of a person OR where the disclosure is in the public interest'; or

(e) LEA 2: 'Request from an LEA to release personal information for the prevention, detection, investigation, prosecution or punishment of a criminal offence',

(link also on Form Select) and forward the signed request form to the relevant delegate of the Chief Executive:

(f) in the first instance, request it from the school principal where the information is believed to be held, or

(g) if the school principal is unavailable, or unable to provide the requested information, the regional director may be contacted,

(see SMCD). Principals and regional directors can only exercise the power where the information concerns a student who attends a school within the area of their administrative responsibility;

(ii) with the consent of the person to whom the information relates or for a child unable to consent, the consent of a parent (see s. 426(4)(b) of the E(GP)A). Consent to obtain information should be recorded in an official police notebook; or

(iii) as permitted or required by another Act (see ss. 426(4)(d) of the E(GP)A and 7.9.1: 'Relevant information exchange' and 2.8.3: 'Obtaining a search warrant' of the OPM).

The Department of Education's document 'Disclosing personal information to law enforcement agencies' provides further information is available from their Policy and Procedures Register internet site.

7.1.10 Requesting information from the Department of Transport and Main Roads

Members requiring information relating to the Department of Transport and Main Roads are to ensure that all Service information/intelligence holdings have been exhausted before any request is made.

Where the required information is not available on all Service holdings (e.g. historical vehicle information, information pertaining to 18+ cards, certificates for court purposes) members may request the information from the Department of Transport and Main Roads.

When requesting information from the Department of Transport and Main Roads, members are to first consider requesting the information under a legislative scheme that may authorise the release of the information. Where no legislative scheme exists which authorises the release of information, members may request the information be released under the *Information Privacy Act* (IPA).

Requests for certificates for court production are to be submitted in compliance with the subsection 'Requests for information under a legislative scheme'. Due to the volume of applications received by the Department of Transport and Main Roads, officers should make application for a certificate at least three weeks before the court date.

Requests for information under a legislative scheme

Where the information required falls under a legislative scheme enabling the Department of Transport and Main Roads to release information, the request for information is to be made on Service letterhead. Information the Department of Transport and Main Roads may provide under a legislative scheme includes:

(i) a person's current and/or historical licence details or accreditation under s. 77: 'Restricted written release of person's prescribed authority and traffic history information' of the *Transport Operations (Road Use Management) Act*;

(ii) a person's marine licence details or marine history under s. 63I: 'Restricted written release of information' of the *Transport Operations (Marine Safety) Act*;

(iii) a person's driver authorisation to provide a public passenger service under s. 35H: 'Restricted written release of information' of the *Transport Operations (Passenger Transport) Act*;

(iv) a person's 18+ card under s. 30: 'Restricted release of information in APA register' of the *Photo Identification Card Act*;

(v) whether a licence is a valid or fraudulent licence under s. 77: 'Restricted written release of person's prescribed authority and traffic history information' of the *Transport Operations (Road Use Management) Act*; and

(vi) current and/or historical vehicle registration details under s. 202: 'Giving extracts from register to eligible persons' of the Transport Operations (Road Use Management—Vehicle Registration) Regulation.

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Members requesting the release of information or the issuing of a certificate for court from the Department of Transport and Main Roads under a legislative scheme are to request the information in writing on Service letterhead including:

(i) the person's name and Customer Reference Number/driver licence number;

(ii) the date of the offence (if known);

(iii) the QPRIME occurrence number;

(iv) the date the brief of evidence is due (if known);

(v) information that is required;

(vi) reason for requesting the information;

(vii) section and Act that authorises the release of the requested information (if known);

(viii) requesting officers details; and

(ix) how the information or certificate is to be delivered to the officer (e.g. collect in person or facsimile).

Requests for information or the issuing of a certificate for court are to be submitted to the Department of Transport and Main Roads through the investigating officer's local Department of Transport and Main Roads Customer Service Centre.

Urgent requests for information under a legislative scheme

Officers requiring information in circumstances where an immediate response is required to ensure the safety of any person or apprehension of an offender, may make a verbal request in person at a Department of Transport and Main Roads Customer Service Centre after producing their official police identification. Where the Department of Transport and Main Roads Customer Service Centres have access to the requested information, they may provide the results of the search verbally.

Where the information request is required to be forwarded to another unit within the Department of Transport and Main Roads for processing, members are to request the information in writing on Service letterhead.

Officers are to note that the Department of Transport and Main Roads staff members may, due to privacy or other legitimate concerns, seek advice in relation to any verbal requests for information and are entitled to refuse such requests.

Requests for information under the Information Privacy Act

Where the information required does not fall under one of the legislative schemes for the Department of Transport and Main Roads to release information (e.g. for intelligence purposes such as requesting details of when a person has attended a the Department of Transport and Main Roads Customer Service Centre, or establishing how a fee was paid), members may request the information from the Department of Transport and Main Roads, who can consider releasing the information under Schedule 3, Queensland Privacy Principle 6 of the IPA.

Members requesting information from the Department of Transport and Main Roads to be considered for release under Schedule 3, Queensland Privacy Principle 6 of the IPA are to:

(i) complete a QP 0904: 'DTMR—Request for Law Enforcement Information Under the Information Privacy Act';

(ii) obtain authorisation of a supervising officer to make the request; and

(iii) forward the completed form to the Department of Transport and Main Roads Customer Service Centre.

The Department of Transport and Main Roads will forward the results directly to the requesting officer.

7.1.11 Accessing digital photos from the Department of Transport and Main Roads

The Department of Transport and Main Roads (DTMR) captures and stores digital photos of persons applying for a Queensland driver licence.

This section should be read in conjunction with ss. 2.11: 'Identification of suspects' and 2.26: 'Identifying particulars' of the OPM.

Authority to access Department of Transport and Main Roads digital photo database

Authority is provided in s. 28ED(4): 'Restricted access to a digital photo and digitised signature' of the *Transport Planning and Coordination Act* (TPCA) for DTMR to share driver licence images with the Service for transport and non-transport law enforcement purposes (see Criminal Law Bulletin No. 315: 'Use of TMR photos for Police Investigations etc.').

Accessed images must be for a permitted purpose

An officer accessing DTMR digital photos (see s. 28EP: 'Disclosure, use or collection must be for permitted purpose' of the TPCA) are to only to do so for a permitted purpose.

A 'permitted purpose' is:

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(i) preventing, detecting, investigating or prosecuting crimes involving fabricated, manipulated, stolen or otherwise assumed identities;

(ii) preventing, detecting, investigating or prosecuting other offences against Commonwealth or State laws;

(iii) conducting investigations or gathering intelligence for purposes related to national security within the meaning of the *National Security Information (Criminal and Civil Proceedings) Act 2004* (Cwlth);

(iv) promoting the security of the assets, facilities or personnel of a participating entity that is a government entity (e.g. protecting and managing legally assumed identities, security and background checking);

(v) identifying individuals who are at risk of, or have experienced, physical harm (e.g. investigating individuals reported missing, identifying individuals reported as dead, or unidentified human remains, identifying individuals when addressing significant risks to public health or safety, identifying individuals in relation to disaster events or major events);

(vi) improving road safety, including the detection of unlicensed and disqualified drivers and individuals who hold multiple licenses; or

(vii) verifying an individual's identity with the individual's consent or as authorised or required by law.

Access to DTMR database

Access to DTMR digital photos database can be made using a QLiTE device or if an officer does not have access to a QLiTE device, the officer may email a request directly to the DTMR Identity Management Unit.

Obtaining digital photos from the Department of Transport and Main Roads

When an officer considers obtaining a digital photo from DTMR is necessary for a reason described in s. 28EP of the TPCA, the officer is to:

(i) exhaust all available Service databases for a suitable image of the person (e.g. QPRIME);

(ii) conduct a Queensland driver licence check of the person on a QLiTE device. Where the text 'TMR Image Available' is displayed, a digital photo is held by the DTMR. Obtain the person's DTMR Customer Reference Number (CRN)—Licence number;

(iii) where an officer does not have access to a QLiTE device, the officer should conduct a QPRIME Queensland driver licence check of the person to obtain the person's DTMR CRN—Licence number; and

(iv) email an image release request to the DTMR Identity Management Unit (see SMCD) clearly outlining the permitted purpose of the image usage (see s. 28EP of the TPCA).

Officers making an email request for a digital photo for use in a photo board should request a jpeg version with the watermark removed from the photo (requests for watermark free images may take up to 48 hours).

Storage and dissemination of a digital photos

Officers are to take all reasonable precautions to ensure a digital photo is not copied or disseminated beyond the permitted purpose (see s. 28EP of the TPCA) for which it was accessed or released.

Where a copy of the digital photo is provided to another officer, the officer providing the image is to maintain a record of the dissemination in the relevant QPRIME 'Occurrence enquiry log'.

Digital photos obtained from DTMR are:

(i) not to be uploaded to Evidence.com;

(ii) not uploaded to QPRIME unless operationally necessary. Images stored on QPRIME are to be classified as non standard;

(iii) to be deleted if no longer required; and

(iv) stored in accordance with subsection 'Retention of evidential or non-evidential digital data on a regional or command file server' of s. 2.5.5: 'Use of digital devices' of the OPM.

7.2 Federal departments

7.2.1 Australian Taxation Office

For the purpose of this section:

Authorised law enforcement agency officer

means a senior officer of the Service authorised in writing by the Commissioner (see Delegation D 119.1).

State Intelligence Group, Crime Command will provide a list of authorised law enforcement agency officers to the Australian Taxation Office (ATO), which is also available on the State Intelligence Group, Crime

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Command SharePoint page. The ATO will only process requests received from the list of authorised law enforcement agency officers provided.

Information held by the ATO may, under certain circumstances (see s. 355-70: 'Exception—disclosure for law enforcement and related purposes' located in Schedule 1, Chapter 5: 'Administration' of the *Taxation Administration Act* (Cwlth) (TAA)) be requested by officers performing the functions of an authorised law enforcement agency officer. Any information received under s. 355-70 is subject to audit by the Queensland Privacy Commissioner to ensure the use of the information obtained has been limited to the defined purposes set out in that section.

Requests for information from the ATO are only to be made when the information requested cannot be obtained from other sources. Officers performing the functions of an authorised law enforcement agency officer may apply, under s. 355-70 of the TAA, to the Commissioner of Taxation for the release of information for the purpose of:

(i) investigating an offence punishable by more than 12 months imprisonment;

(ii) enforcing the law, the contravention of which is punishable by more than 12 months imprisonment; or

(iii) the making, or proposed possible making, of a proceeds of crime order.

Requesting information

Officers who reasonably believe that information essential to that investigation is only available from ATO records should:

(i) complete the 'ATO Information Disclosure Request Form' available via the State Intelligence Group SharePoint page; and

(ii) forward the Information Disclosure Request Form to the relevant authorised law enforcement agency officer.

ORDER

A request made to an authorised law enforcement agency officer is to specify the following:

(i) the names, last known addresses and other relevant details of the persons under suspicion and their associates;

(ii) the nature of the offence(s) being investigated;

(iii) the statute and section which provides the offence being investigated is indictable, or under which a proceeds of crime order may be made;

(iv) the penalty prescribed for the offence; and

(v) the precise nature of the information sought, the reason it is required and its relevance to the investigation.

Officers are not to voluntarily disclose information supplied under s. 355-70 of the TAA as evidence in a court except in the case of tax related prosecutions or post-conviction proceeds of crime order proceedings.

Officers are not to divulge to any person or make a record of any information received subject to a request under s. 355-70 of the TAA except for the purpose of or in connection with the original purpose the information was sought.

Processing requests for information

Authorised law enforcement agency officers are to examine each request they receive for information held by the ATO to determine whether the request is one which can be appropriately made under s. 355-70 of the TAA.

An authorised law enforcement agency officer, who is satisfied that the taxation information request is appropriate is to process the Information Disclosure Request Form which will generate an email to the ATO.

Record keeping

The ATO will disseminate responses to requests to the Intelligence Support Team, State Intelligence Group, Crime Command who will disseminate them to the requesting officer.

ORDER

Members who receive information under s. 355-70 of the TAA are to ensure they:

(i) comply with ss. 355-155 and 355-175 of the TAA; and

(ii) make a record of any recording or further disclosure of the information.

The use and disclosure of the information is reviewable by the Queensland Privacy Commissioner.

7.2.2 ACIC databases (systems for the national exchange of police information)

ACIC databases enable national data sharing capability which are accessible to operational officers.

National Criminal Intelligence System (NCIS)

The ACIC has established a database called the National Criminal Intelligence System.

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The NCIS contains records drawn from the policing systems of all Australian police services and are available through QPRIME.

The NCIS provides personal information including:

(i) names including aliases;

(ii) addresses;

(iii) if the person is wanted on warrants, orders or subject to court notices;

(iv) if the person is subject to a domestic violence protection orders;

(v) criminal history;

(vi) being charged with an offence;

(vii) being reported as a missing person;

(viii) weapons license details including if the person has an adverse weapons history;

(ix) being wanted for questioning for an offence;

(x) cautions and warnings;

(xi) fingerprint details, CNI and driver licence details;

(xii) physical descriptions, photographs, tattoos and other distinguishing marks or features;

(xiii) if the person is a current or previous escapee;

(xiv) details relating to bail and parole;

(xv) being involved in an occurrence;

(xvi) being a member or associate of an outlaw motorcycle gang; and

(xvii) international travel movement (from Home Affairs).

If a check on the NCIS reveals a person is wanted for questioning or wanted on a warrant, is a missing person or has criminal history and this information is not sufficient for the required purpose, the officer initiating the check may forward a request to the Manager, PIC, to enable full details to be obtained.

An audit log is kept of all transactions on the NCIS.

Officers making NCIS checks are to comply with the instructions contained in the QPRIME User Guide.

The Manager, PIC is to ensure that requesting officers are advised of the outcome of requests. Where information requested has been obtained, the Manager, PIC is to forward the information to the requesting officer in a manner that maintains an appropriate level of confidentiality and security.

Officers forwarding requests in accordance with the above policy should include details of:

(i) the reason the information is required;

(ii) the file reference number (docket number) of the subject person; and

(iii) the name, rank, registered number and station, establishment or section of the officer making the request.

Officers may forward requests by QPRIME task to Release Unit Police (ORG Unit 3272).

ORDER

Members are not to produce screen prints of NPRS information to courts or to any external organisation.

Access to ACIC databases

Officers with access to QPRIME should automatically have access to NCIS. If an officer has QPRIME access but does not have access to NCIS, an 'NCIS Access Level Allocation' request form can be submitted via the ICT Customer Portal. The NCIS online user interface is accessible via www.ncis.gov.au and NCIS data searching is also automatically integrated into several QPS frontline systems including:

(i) QLiTE NextGen person searching;

(ii) QPRIME plugins and 'Advanced' person searching;

(iii) QCAD 'Intelliview' searching; and

(iv) AutoVet person searching for Weapons Licencing suitability assessments.

Officers requiring access to other ACIC databases are to:

(i) access the ACIC Portal from the QPS Home SharePoint Page 'Systems and Tools' quick-link button;

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(ii) navigate to the relevant ACIC system to which access is required (ACIC Online (CrimTrac)) and complete the online application for access form; and

(iii) forward the completed form via email to the nominated authorised contact liaison.

7.2.3 Services Australia (Centrelink, Medicare and Child Support)

Services Australia is responsible for administering the federal:

(i) Centrelink;

(ii) Medicare; and

(iii) Child Support,

agencies through a number of legislative arrangements.

Officers, during the course of an investigation, may find it necessary to request information from Services Australia. Guidelines have been established in relation to requests for disclosure of information concerning clients of that department.

The *Privacy Act* (Cwlth) and the various Acts administered by Services Australia protect the personal information of clients from access by unauthorised persons.

However there are limits to this protection. Where it can be established that it is in the public interest to release personal information a release can be authorised:

(i) where the release of information is 'necessary'; and

(ii) after all Service information/intelligence sources have been exhausted.

In accordance with the relevant Commonwealth legislation, each agency has specific circumstances where information may be released to the Service.

Each request is to provide as much information as possible to support the release of the otherwise protected information and assist with identifying the individual. Unless an absolute match can be made information will not be released.

ORDER

All requests for information from Services Australia are to be approved by a commissioned officer.

Requests for information from Centrelink

Information may be sought from Centrelink when the information cannot be obtained from another appropriate source and is 'necessary' in relation to:

(i) a criminal offence which must:

(a) be indictable with a term of imprisonment of two or more years; or

(b) have a pecuniary penalty of 40 penalty units; or

(c) have a significant adverse effect on public revenue;

(ii) an inquired person who is deceased;

(iii) an inquired person who is reported as missing, as per arrangements with the Missing Persons Unit, Crime Command; or

(iv) to prevent a threat to the life, welfare or health of a person.

Requests for information from Medicare

Information may be sought from Medicare in relation to the:

(i) Commonwealth Medical Benefits Scheme (Medicare); and

(ii) Pharmaceutical Benefits Scheme,

when the information is cannot be obtained from another appropriate source and is necessary to assist or support a police investigation in relation to:

(i) a major criminal investigation;

(ii) a threat to life, health and welfare of a person or to assist a health provider to contact a patient;

(iii) an inquired person who is deceased; or

(iv) an inquired person who is reported as missing, as per arrangements with the Missing Persons Unit, Crime Command.

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ORDER

Officers who are provided with information from Medicare, are then responsible for this information and are subject to the same rights, privileges, obligations and liabilities as if they were an officer under s. 130(4) of the *Health Insurance Act* (Cwlth). The information provided remains subject to the *Health Insurance Act* (Cwlth) and shall not be divulged or communicated to any other person without the authority of the Federal Minister for Health.

Requests for information from Child Support

There is no authority to release information held by Child Support for a law enforcement purpose.

A request for information from Child Support may be made when the information cannot be obtained from another appropriate source and is necessary to support a police investigation in relation to:

(i) an imminent threat to the life, health or welfare, or evidence of such a threat being made, to an inquired person;

(ii) an inquired person who is deceased; or

(iii) an inquired person who is reported as missing, as per arrangements with the Missing Persons Unit, Crime Command.

ORDER

Any request for information from Child Support is to include as much detail as appropriate to assist the Department of Human Services in determining whether to release the requested information.

Processing requests for information

Officers seeking information from Services Australia are to:

(i) obtain commissioned officer approval through their chain of command; and

(ii) complete a QP 0973: 'Police request for confidential information held by Services Australia', ensuring the following information is included:

(a) whether the request is routine or urgent;

(b) that the disclosure requested is in the public interest;

(c) full name (including aliases) and date(s) of birth of the person(s) about whom the information is sought;

(d) the information requested and the reason for the request;

(e) for requests from Centrelink, certification that the information sought cannot reasonably be obtained from a source other than Centrelink, including Queensland Police Service sources and databases; and

(f) the name, title, and telephone number of the authorising commissioned officer;

(iii) forward the request for information by email to the Information Release Section, Services Australia (see SMCD); and

(iv) update the relevant QPRIME occurrence with:

(a) a scanned copy of the signed QP 0973; and

(b) the requested information or other advice received from Services Australia.

Authorising commissioned officers receiving a QP 0973 should:

(i) ensure that the information required is necessary to assist in the relevant investigation;

(ii) ensure all Service and other appropriate sources have been checked with a view to obtaining the required information; and

(iii) complete and endorse the 'Authorising Commissioned Officer' details on the form.

Where a 'critical request' for information is being made, the requesting officer should advise the Information Release Section, Services Australia (see SMCD) to ensure a prompt response.

7.2.4 Interstate Law Enforcement Agencies

ORDER

Before requesting inquiries be made by interstate law enforcement agencies, members are to check all available Service intelligence holdings to ensure that the required information cannot be obtained from internal sources and systems.

Requesting inquiries

When a member is investigating any matter which requires inquiries to be made in another State or Territory, that officer should furnish a report to the officer in charge for transmission to the investigating member's supervising commissioned officer. The report should:

(i) summarise the relevant facts (including copies of relevant documents);

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(ii) demonstrate a basis for believing that inquiries by a particular interstate law enforcement agency will be of assistance; and

(iii) outline the nature of the information to be sought by that law enforcement agency.

A supervising commissioned officer receiving such a report should assess the need for inquiries to be made in another State or Territory. If the commissioned officer is satisfied that such inquiries are necessary, the commissioned officer should forward the report directly to the relevant interstate police establishment or to the principal officer of the relevant law enforcement agency if the appropriate establishment cannot be determined.

Requesting intelligence

Officers wishing to request intelligence from interstate law enforcement agencies are to submit an 'External Agencies Request' available on the Crime Command SharePoint page.

7.2.5 Requesting information from the Commonwealth department responsible for education or employment

The Commonwealth departments responsible for education and employment keep confidential information pursuant to:

(i) the *Student Assistance Act* (Cwlth);

(ii) matters involving fraud in other government programs under the *Crimes Act* (Cwlth);

(iii) other documents relating to programs conducted by the Commonwealth departments;

(iv) job network program participants and members;

(v) various labour market programmes including work for the dole, community support transition to work and indigenous employment programs; and

(vi) other documents relating to employment.

Information held can be accessed for official purposes only in compliance with s. 6.2(d) and (e): 'Australian Privacy Principle 6—use or disclosure of personal information' of Schedule 1: 'Australian Privacy Principles' of the *Privacy Act* (Cwlth).

Officers requiring information from the Commonwealth department responsible for education or employment are to:

(i) only request information when it cannot be obtained from internal Service or other appropriate sources;

(ii) obtain authorisation from a commissioned officer to seek the requested information;

(iii) complete a Form QP 0493: 'Request for information from the Commonwealth departments responsible for education or employment'; and

(iv) send the completed QP 0493 by email to:

(a) for Commonwealth education matters, the Commonwealth Department of Education (see SMCD); or

(b) for Commonwealth employment and workplace relations matters, the Commonwealth Department of Employment and Workplace Relations (see SMCD).

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7.2.6 Request for State and Territory Police Border Alert

The Department of Home Affairs (DHA) maintains a 'Passenger Analysis, Clearance and Evaluation system' (PACE) database, which permits identification of wanted/suspect persons at the time of arrival or departure from Australia (a **'State and Territory Police Border Alert'**). The Australian Federal Police (AFP) are a Control Authority for this database.

Australian law enforcement agencies are able to request a State and Territory Police Border Alert of wanted/suspect persons who fulfil certain criteria, namely:

(i) persons wanted for or suspected of drug trafficking;

(ii) persons wanted for or suspected of customs offences;

(iii) persons who have committed serious crimes and for whom warrants are held;

(iv) persons known or suspected to be involved with terrorist organisations, supporting acts of physical violence, espionage activities or other matters of significant security interest;

(v) persons prohibited from departing Australia or wanted for offences against the *Family Law Act* (Cwlth);

(vi) persons who are subject to a Departure Prohibition Order made under the *Taxation Administration Act* (Cwlth);

(vii) persons of interest to Interpol;

(viii) other wanted or suspect persons for offences of a significant criminal nature;

(ix) persons on bail subject to conditions as:

(a) not to approach any point of international departure;

(b) not to leave Australia; or

(c) person to surrender passport/s;

(x) where a legislative power exists to take or return a person to an authorised mental health facility and a notification has been made by an authorised doctor in relation to that person. In these cases, the requesting officer is to include the name and contact details of the authorised doctor who made the original notification; and

(xi) other situations e.g. quarantine alerts.

Depending on the nature of the request and information provided by the relevant law enforcement agency, DHA or Australian Border Force officers will notify the nominated officer from the law enforcement agency of the person's movement and/or detain the person.

Officers may also consider requesting the cancellation of, refusal to issue or re-issue, an Australian passport in relation to a wanted/suspect person (see s. 7.2.7: 'Australian passports (request for information, cancellation and refusal' of this chapter).

Where a defendant has been granted bail with one of the conditions listed in (ix) above, to prevent the risk of flight by the defendant, the prosecutor appearing at the matter is to:

(i) submit an order for the surrender of the defendant's passport to the court as a condition of bail;

(ii) request the defendant not be released from custody before the surrender of the passport by either the defendant or a third party;

(iii) request an order for the defendant to remain in custody whilst the passport is returned where the defendant's third party is unable or unavailable to retrieve the passport; and

(iv) complete and submit a 'State and Territory Police Border Alert Request Form' as soon as practicable, and at a minimum prior to the termination of duty on the day of the matter appearing in court.

The Duty Officer at Police Communications Centre is the nominated on-call officer.

ORDER

The prosecutor is to ensure that the defendant's passport is surrendered prior to being released on bail.

Requesting a State and Territory Police Border Alert

Officers in charge of investigations who have reason to believe that inclusion of a person on PACE is beneficial to that investigation are to:

(i) complete a 'State and Territory Police Border Alert Request Form';

(ii) seek the approval of a commissioned officer; and

(iii) forward the completed form to the AFP in accordance with instructions provided on the form.

The PACE Alerts Officer, AFP will advise the requesting officer the information has been entered onto PACE and the period of currency.

The State and Territory Police Border Alert will remain current for a period of 90, 180 or 360 days (depending on the type of alert—as advised by the AFP) from the date advised. The alert will be deleted from the PACE system on the expiration date unless advised in writing by the officer requesting the alert be retained for a further period (as specified).

7.2.7 Australian passports (request for information, cancellation and refusal)

Officers during the course of an investigation or as part of the court process, may need to contact the Department of Foreign Affairs and Trade (DFAT) in relation to the holder of an Australian passport.

When determining bail conditions for a person who is not an Australian citizen or permanent resident, prescribed officers are to refer to s. 16.20.2: 'Prescribed police officer's (PPO) responsibilities' of the OPM.

Requesting information

Officers requiring passport information (e.g. family and given names, date of birth, other names used, validity of passport) are to submit an 'External Agency Request' available on the Crime Command SharePoint page. The request is to include:

(i) the identity of the passport holder;

(ii) the reason for the request (e.g. offence being investigated including statute and section number);

(iii) whether the passport holder is a person of interest, a suspect or witness; and

(iv) the information required.

State Intelligence Group will:

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(i) forward the request to DFAT; and

(ii) provide the results of the inquiry to the requesting officer.

Request for the refusal or cancellation of Australian passports

Section 12: 'Reasons relating to Australian law enforcement matters' of the *Australian Passports Act* (Cwlth), provides where a person is:

(i) the subject of an arrest warrant issued in Australia in respect to an indictable offence against the law of the Commonwealth, a State or Territory; or

(ii) prevented from travelling internationally by force of:

(a) an order of a court of the Commonwealth, a State or Territory;

(b) a condition of parole, or of a recognisance, surety, bail bond or licence for early release from prison, granted under a law of the Commonwealth, a State or Territory; or

(c) a law of the Commonwealth, or an order or other direction (however described) under a law of the Commonwealth,

an officer may make a request to the Minister for Foreign Affairs, Department of Foreign Affairs and Trade to refuse or cancel an Australian passport on law enforcement grounds.

Where officers are concerned a person may attempt to leave the country, in addition to the process contained within this section, officers should request a State and Territory Police Border Alert through the Department of Home Affairs (see s. 7.2.6: 'Request for State and Territory Police Border Alert' of this chapter).

Arrest warrants

Where an officer believes a person, the subject of an arrest warrant for an indictable offence, may attempt to leave Australia to avoid attendance at court, a request may be made to the Minister for Foreign Affairs to:

(i) have the person's current Australian passport cancelled; or

(ii) request a refusal for the issuing of, or re-issuing of an Australian passport to the person.

Persons on court bail

Where an investigating officer believes a person on bail for offences may attempt to leave Australia to avoid attendance at court, the officer should:

(i) make an application to a court for bail conditions:

(a) to prevent international travel; and

(b) if a person holds a passport, to surrender the passport to the court; and

(ii) make a request to the Minister for Foreign Affairs to:

(a) have the person's current Australian passport cancelled; or

(b) request a refusal for the issuing of, or re-issuing of an Australian passport to the person.

How to make requests

Officers are to be aware that documents submitted to DFAT to request a cancellation/refusal of an Australian Passport, may be:

(i) supplied to the subject person; or

(ii) accessible under the *Freedom of Information Act* (Cwlth).

Officers are to ensure any information that is supplied to DFAT:

(i) is not likely to interfere with the administration of justice;

(ii) is not likely to unduly interfere with the efficient and effective discharge of law enforcement duties;

(iii) is not in contravention of any statute, i.e. identify an informant; and

(iv) is not likely to interfere with or compromise any investigation.

Officers not wishing the information supplied to DFAT released to a third party may consider the use of a caveat.

Officers are to be aware that decisions made by the Minister for Foreign Affairs to refuse or cancel a passport are subject to review by the Commonwealth Administrative Appeals Tribunal.

To request the cancellation/refusal of an Australian passport of a person wanted on an arrest warrant for an indictable offence or on a bail condition that prevents international travel, the relevant officer should:

(i) for the cancellation of an Australian passport:

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(a) complete a QP 0627: 'Request for the Cancellation of an Australian Passport';

(b) attach a copy of the relevant arrest warrant or court bail documents to the completed form;

(c) submit the completed documentation through the chain of command to:

- a superintendent (the contact person); and
- the Commissioner (the authorising officer),

for signature in accordance with DFAT requirements; and

(d) submit the request to the Passport Operations Section, DFAT (see SMCD); or

(e) if the request is urgent, contact DFAT Consular Emergency Centre by telephone (see SMCD); or

(ii) for a refusal to issue or a refusal to re-issue an Australian passport:

(a) complete a QP 0628: 'Request for The Refusal of An Australian Passport';

(b) attach a copy of the relevant arrest warrant or court bail documents to the completed form;

(c) submit the completed documentation through the chain of command for signature by a commissioned officer; and

(d) submit the request to:

- the Manager, DFAT, Brisbane Office (see SMCD); or
- the Brisbane Passports Office, DFAT, (see SMCD); or

(e) if the request is urgent, contact DFAT Consular Emergency Centre by telephone (see SMCD);

(iii) request a State and Territory Police Border Alert for the person (see s. 7.2.6: 'Request for State and Territory Police Border Alert' of this chapter); and

(iv) amend the relevant QPRIME occurrence with details of the request made to DFAT and upload a scanned copy of the submitted documents.

The Department of Foreign Affairs and Trade may notify the person subject of a cancellation request, prior to the decision being made by the Minister for Foreign Affairs to cancel the passport. If there is a risk that the person might attempt to travel internationally should they become aware of the request for their passport to be cancelled (before it is cancelled), officers are to provide reasons supported by an appropriate risk assessment of why the person should not be notified of the cancellation request.

The Minister for Foreign Affairs will ordinarily cancel, refuse to issue or re-issue a passport on law enforcement grounds. However, should the requesting officer not provide all the relevant information required by DFAT, including completion of the forms, the Minister may not act on the request.

Removal of passport cancellation or refusal restrictions

When the reason for the request to cancel/refuse an Australian Passport no longer exists i.e. matter is finalised through court, the requesting officer is to notify DFAT to have the passport cancellation or refusal restriction lifted.

A request for the cancellation/refusal of an Australian Passport in relation to bail conditions will automatically be removed after three years, or five years regarding arrest warrants unless a report requesting an extension is made to DFAT.

7.2.8 Requesting information from Australia Post

Officers requiring information relating to Australia Post are to ensure that all Service intelligence holdings have been thoroughly checked before any request to Australia Post is made.

Officers who require searches for Australia Post are to submit an 'External Agency Request' available on the Crime Command SharePoint page. Officers are to outline in the request the following:

(i) full and correct name of person;

(ii) date of birth of person;

(iii) the address;

(iv) if known, PO Box number;

(v) town where PO Box may be located; and

(vi) why the information is being sought.

7.2.9 Requesting information from Department of Home Affairs

Search requests relating to immigration information and residency status of persons are conducted by the Department of Home Affairs (DHA).

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Officers requesting information regarding a person's immigration information or residency status should use the appropriate DHA form available on Form Select. Alternatively, officers can contact the DHA directly to obtain the latest forms (see SMCD). The current forms are:

(i) 'Request for immigration information (non-child welfare)'; or

(ii) 'Movement records and passenger cards request'.

The appropriate email address to send the completed forms to, is listed on each form.

See also s. 11.15.1: 'Department of Home Affairs and Australian Border Force' of the OPM.

7.3 International organisations and agencies

7.3.1 International inquiries through Interpol

Interpol is an international organisation which facilitates the exchange of information. The Commissioner of the Australian Federal Police (AFP) is the Interpol representative within Australia and the National Central Bureau of Australia (Interpol Canberra) is located at AFP Headquarters, Canberra. State Intelligence Group, Crime Command is the central point of contact within the Service for the information requirements for all Interpol inquiries except fingerprint records. The Fingerprint Bureau is the Service's central point of contact for Interpol inquiries for fingerprint records.

Interpol may provide assistance in facilitating the following requests:

(i) search for a wanted person with a view to their detention, arrest or restriction of movement;

(ii) locate a person or an object of interest to the police;

(iii) provide or obtain information related to a criminal investigation or to the criminal activities of a person;

(iv) warning about a person, an event, an object or a modus operandi related to criminal activities;

(v) identify a person or a deceased;

(vi) carry out forensic analyses;

(vii) perform security checks; and

(viii) identify threats, crime trends and criminal activities.

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Requests for assistance from the Service to overseas law enforcement agencies

Requests for Interpol assistance to advise relatives of deceased persons are to be made in accordance with Service policy contained in s. 8.3.5: 'Advising next of kin' of the OPM. Requests for Interpol assistance in relation to extraditions are to be made in accordance with Service policy contained in s. 10.9.3: 'Action prior to approval to seek extradition' of the OPM.

Requests for Interpol assistance, except fingerprint records, are to be completed by submitting an External Agency Request to State Intelligence Group (link available from State Intelligence Group SharePoint page). On receipt of the request a State Intelligence Group member will forward the appropriate form to be completed by the requesting officer. Requests for fingerprint records are to be directed to the OIC, Fingerprint Bureau.

Where an inquiry is of an urgent nature, the officer is to forward an email requesting Interpol assistance via the Duty Officer, Police Communications Centre. The duty officer is to ensure there is sufficient reasons outlined in the email before forwarding it.

ORDER

Members are not to contact or liaise directly with Interpol.

Information required for an external agency request

Members submitting a request in compliance with the above policy should include all relevant details pertaining to the case and the issue in question.

Generally, the following information is required:

(i) the full name of the person in the form shown on any official identification documents, and any known alias;

(ii) the person's date and place of birth, including the region, province and town;

(iii) the person's occupation, past known address and any known telephone or facsimile numbers;

(iv) whether the person's fingerprints and photograph can be supplied if necessary;

(v) names of both parents (including mother's maiden name) and their places of birth;

(vi) details of any official identification document (such as origin of passport and official number of document);

(vii) the date and place of any known international arrivals and departures and the ports from which these movements took place;

(viii) last known international place of residence; and

(ix) brief details as to the reason for the inquiry, including charges laid and the degree of urgency of the request.

The Detective Superintendent, State Intelligence Group and the Inspector in Charge, Fingerprint Bureau will cause all requests for international inquiries to be forwarded to Interpol Canberra.

Upon receipt of relevant advice from Interpol Canberra, the Detective Superintendent, State Intelligence Group, or where relevant, the Inspector in Charge, Fingerprint Bureau will cause appropriate advice to be forwarded to the requesting officer.

Action required on receipt of international criminal histories

ORDER

The State Intelligence Group member receiving an international criminal history (apart from New Zealand (NZ)) as a result of an Interpol request is to ensure they forward the result to the Police Information Centre, Information Management Services (PIC) via email to PIC.OffenderHistory. The PIC member receiving the email is to:

(i) attach the criminal history to the relevant QPRIME Person Record;

(ii) add a flag indicating the person has international criminal history; and

(iii) inform the PIC team responsible for Blue Card Services that the history has been added.

Where an investigator comes into possession of an international criminal history other than via an Interpol request they are to forward a copy via email to PIC.OffenderHistory.

For NZ criminal histories see section titled 'Requesting interstate or New Zealand criminal histories' of s. 3.7.2: 'Documentation at first appearance' of the OPM.

Requests for assistance from overseas law enforcement agencies

All requests for information and assistance received from international law enforcement agencies are to be authorised and organised through Interpol prior to any information or assistance being given by the Service. Where a request has not been authorised by or through Interpol, the assistant commissioner or a commissioned officer is to assess whether or not information or assistance is to be provided in terms of 'potential death penalty situations' prior to any assistance being given.

Potential death penalty situations

Where a request for information or assistance is received from an international law enforcement agency, and has not been authorised or organised through Interpol, before releasing information or providing assistance, officers are to determine if the request relates to a death penalty offence.

If a request does not relate to a death penalty offence, information can be released or assistance provided if appropriate, (see ss. 5.6: 'Release of information' and 5.6.15: 'Requests for information from other law enforcement agencies' of this Manual).

If the request does relate to a death penalty offence:

(i) has a person been arrested, detained, charged or convicted of an offence for which the death penalty may be imposed, if so only the relevant assistant commissioner can authorise the release of information; or

(ii) has a person been arrested, detained, charged or convicted of an offence for which the death penalty may be imposed, but there is an imminent danger to human life if the information is not provided and it is not practicable to have the matter approved by an assistant commissioner or through Interpol, have the information authorised by a commissioned officer before release; or

(iii) where no person has been arrested or detained on suspicion of having committed an offence in respect of which the death penalty may be imposed, have the information authorised by a commissioned officer before release.

If the request relates to a death penalty offence, the relevant assistant commissioner or commissioned officer before authorising the release of information to an overseas law enforcement agency is to consider the following:

(i) the purpose of providing the information;

(ii) the likelihood of the authorities in the foreign country using the information only for that purpose;

(iii) the reliability of the information;

(iv) whether the information is exculpatory in nature;

(v) nationalities of the person involved;

(vi) the persons age and personal circumstances;

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(vii) the seriousness of the suspected criminal activity;

(viii) the potential risks to the person, and other persons in not providing the information;

(ix) the degree of risk to the person in providing the information including the likelihood the death penalty will be imposed;

(x) Queensland interest in promoting and securing cooperation from overseas agencies in combating crime; and

(xi) any other relevant policy including s. 5.6.15 of this Manual and ss. 2.10.1: 'The Intelligence Network', 2.23.2: 'Forensic procedure orders' and 2.25.21: 'Requesting interstate law enforcement agency for a DNA person/DNA crime scene profile or to perform a DNA comparison' of the OPM.

When releasing information to an overseas law enforcement agency, where the request has not been authorised through Interpol, officers may use QP 0854: 'Processing a request from an overseas law enforcement agency for QPS information, When the request has not been authorised through Interpol and relates to a death penalty offence'.

7.4 Business, infrastructure and service provider requests

7.4.1 Company and Business Search Requests

The Australian Securities and Investments Commission has national responsibility for business and company names.

The Australian Securities and Investments Commission website allows a search of the:

(i) company and other registers; and

(ii) the business names register,

for publicly available information.

The Australian Business Register 'ABN Lookup' website provides publicly available information supplied by businesses when they register for an Australian Business Number.

Access to Australian Securities Commission on Time (ASCOT) for company information for investigative or intelligence purposes is available to intelligence officers. This system:

(i) can provide more detailed information than the Australian Securities and Investments Commission website; however

(ii) does not produce certificates or documents for presentation in court.

Where a certificate of company registration in relation to a business or company is required for court purposes, and the business or company is the:

(i) victim in the matter, the business or company should be able to provide the certificate of company registration; or

(ii) defendant in the matter, or the legitimacy of the business name extract or company is in question, officers can make application to obtain the relevant certificates from the Australian Securities and Investments Commission.

Officers are to ensure the certificate of company registration or other business-related documents are essential to an investigation prior to making a formal request for the documents through the Australian Securities and Investments Commission.

Officers are to be aware that a business name is not an entity capable of ownership and is therefore not required to prove ownership in property offences.

Requesting information

Where an officer requires a:

(i) search of ASCOT; or

(ii) certificate of company registration or other business-related documents,

they are to submit an 'External inquiry' task within the relevant QPRIME occurrence to their local intelligence office (see SMD).

Processing requests for information

Where an intelligence officer receives a request for a search of ASCOT and the intelligence officer:

(i) has access to ASCOT, they are to conduct the search; or

(ii) does not have access to ASCOT, they are to complete the State Intelligence Group IST Request Form available on the State Intelligence Group, Crime Command SharePoint page.

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Where an intelligence officer receives a request for a certificate of company registration or other business-related document, the intelligence officer is to complete the State Intelligence Group IST Request Form available on the Crime Command SharePoint page.

7.4.2 Telecommunications information

Definitions

For the purposes of this section:

Authorised officer

means a senior officer of the Service authorised in writing by the Commissioner (see Delegation D 32.6).

Communication of telecommunications information

for chapter 2 *Telecommunications (Interception and Access) Act* (Cwlth) (TIAA) information, means any time the telecommunications information is disclosed to a person outside the Service

Disclosure of telecommunications information

for chapter 4 TIAA information, means any time the telecommunications information is communicated, given or divulged.

Enforcement agency

see s. 176A: 'Meaning of enforcement agency' of the TIAA.

Issuing authority

means a judge or a court created by Parliament, a federal magistrate, magistrate or member of the Administrative Appeals Tribunal who has consented to being appointed as an issuing authority by the Minister (see s. 6DB: 'Issuing authorities' of the TIAA).

Life threatening call

means a call connected with an event actually or potentially perilous to human life including a person being seriously injured, a bomb threat, an extortion demand, a kidnapping, a threat to public safety, and the like and which will usually require immediate call tracing action.

Source

means a person who provides information:

(i) to another person who is working in a professional capacity as a journalist; and

(ii) in the normal course of the other person's work in such a capacity; and

(iii) in the expectation that the information may be disseminated in the form of (or commentary/opinion on or analysis of) news, current affairs, or a documentary.

Stored communication

see s. 5: 'Interpretation' of the TIAA.

Unwelcome call

means a call which is of a menacing offensive or harassing nature, but which is not currently a life-threatening call, and which may be intentional or non-intentional on the part of the caller, e.g. a repeated call from an incorrectly programmed facsimile service or message bank service.

Use of telecommunications information

means use of the telecommunications information within the Service. A 'use' would include actions taken within the Service to further an investigation or to initiate and assist an unrelated investigation or in joint investigations e.g. when information is used by the Service to investigate a murder and used by the State Drug Squad, Crime Command.

For telecommunications interception policy, see s. 2.5.10: 'Telecommunications interception' of the OPM.

Telecommunications information

Australia has a deregulated telecommunications market which means that no single carrier or on-seller possesses details of all telephone subscribers.

For the Service to obtain subscriber information, it must approach the particular carrier or on-seller providing the service to that subscriber. Some telecommunications carriers and companies act as on-sellers by buying 'airtime' from another telecommunications carrier and on-selling that 'airtime' to subscribers.

The Integrated Public Network Database (IPND) is an industry-wide database containing all listed and unlisted public telephone numbers. It is managed by Telstra under licence conditions. Part 4 of Schedule 2 of the *Telecommunications*

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Act (Cwlth) (TA) sets out service provider rules in relation to the IPND. Under these rules, carriage service providers (CSPs) that supply a carriage service to an end-user of a public number must provide the public number and the associated customer data to the IPND. State Intelligence Group has direct access to the Integrated Public Network Database enquiry (IPNDe) system.

State Intelligence Group, Crime Command maintain a contact list for all telecommunications carriers in Queensland.

The TIAA permits, under special circumstances, the disclosure of existing or prospective telecommunications information or documents to the Service.

Access to stored communications via a telecommunications carrier

In general terms, a stored communication is any kind of message (text, voice, picture, email) which has been sent over a telecommunications network and is held (stored) by a telecommunications carrier.

If the communications need to be accessed via the carrier, this may be done either:

(i) without the knowledge of the sender or recipient (i.e. covertly) with a stored communications warrant issued under Chapter 3: 'Preserving and accessing stored communications' of the TIAA. A stored communications warrant may only be applied for in relation to a suspect or a victim where the victim is unable to consent, or it is impracticable for the victim to consent. In all instances, a stored communications warrant will only be issued where an issuing authority is satisfied the information likely to be obtained is likely to assist with the investigation of an offence punishable by at least 3-years imprisonment or an offence committed by an individual punishable by a fine of at least 180 penalty units or if the offence cannot be committed by an individual, a fine of at least 900 penalty units; or

(ii) with the knowledge of the sender or recipient with a conventional search warrant issued under the PPRA.

Stored communications are only held by telecommunications carriers for a short period of time before being deleted.

Officers wishing to access stored communications via a telecommunications carrier are to follow the accessing stored communications flowchart available on the Telecommunications Interception Unit SharePoint page.

To make an application for a stored communications warrant, officers are to contact Crime and Intelligence Legal Services, Legal Division, who will provide the affidavit pro forma. Officers are to complete a draft of the affidavit and return it to the Crime and Intelligence Legal Services, where a legal officer will:

(i) review the affidavit;

(ii) liaise with the investigating officer to ensure the affidavit meets the criteria set out in legislation; and

(iii) once satisfied that the affidavit is sufficient, a legal officer from Crime and Intelligence Legal Services, Legal Division will make application for the stored communications warrant to an issuing authority.

Section 119: 'Duration of stored communications warrants' of the TIAA provides that a stored communications warrant is in force until it is first executed, or 5 days after the day on which it was issued, whichever occurs first.

If access to stored communications is to be made with the knowledge of the sender or recipient, officers are to:

(i) serve a QP 1081: 'Notice of Intention to access Stored Communications' (available on Forms Select) on the sender or recipient; and

(ii) submit the 'Notice of Intention' with the preservation request through IMAC to the Telecommunications Interception Unit,

prior to applying for a search warrant to access the data from the carrier. In some circumstances, the stored communications will not be available in Queensland, and arrangements will need to be made to obtain a search warrant interstate. For the procedure to obtain an interstate warrant see s. 4.11.1: 'When Queensland is the receiving State' of the OPM.

Access to stored communications without the assistance of a telecommunications carrier

Officers can also use relevant powers under the PPRA to access a communication without the assistance of the carrier, e.g. accessing a SMS by using a suspect's mobile phone.

Powers under the PPRA which would allow access to a stored communication include:

(i) s. 29: 'Searching persons without warrant';

(ii) s. 31: 'Searching vehicles without warrant';

(iii) s. 154: 'Order in search warrant about device information from digital device', and

(iv) s. 157: 'Powers under search warrant'.

These powers in various circumstances provide officers with the ability to search a person's property (e.g. phone or computer) and access communications that are available and accessible to that property.

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As an example of s. 29 of the PPRA, where an officer reasonably suspects a prescribed circumstance under s. 30: 'Prescribed circumstances for searching persons without warrant' of the Act exists, the officer may stop and detain the person without warrant and in accordance with s. 29(1)(b) search the person and anything in the person's possession for anything relevant to the circumstances for which the person is detained.

The officer who has stopped and detained a person for the purpose of searching the person without warrant may locate a mobile phone and access any information already stored or contained in the mobile phone e.g. SMS, voicemail messages and draft messages not yet sent, the only proviso is that the information is stored on the mobile phone.

Additionally, as an example of a search in accordance with s. 157 of the PPRA, where an officer has executed a search warrant under the provisions of the Act and pursuant to the search warrant the officer searches a person and locates a mobile phone, the officer has the power within the provisions of the search warrant to search through the person's mobile phone and is authorised to retrieve a communication.

When an officer is utilising a power under the PPRA to search a person's property to access communications, the officer is entitled to access a communication once it is available for the intended recipient to access it. It is irrelevant whether or not the suspect has accessed that communication themselves.

Where property has been seized and an examination of the device is required, see also s. 2.6.10: 'Electronic evidence examination' of the OPM.

Access to telecommunications data information

Chapter 4: 'Access to telecommunications data' of the TIAA provides provisions for both historical and prospective data information. It is important to recognise that any information requested is to be approved by an authorised officer (see 'Definitions' of this section).

Section 178: 'Authorisations for access to existing information or documents—enforcement of the criminal law' of the TIAA allows for information to be disclosed to any member of the Service if the request for that information is reasonably necessary for the enforcement of the criminal law. This applies during a criminal investigation.

Section 178A: 'Authorisations for access to existing information or documents—locating missing persons' of the TIAA allows for information to be disclosed to any member of the Service if reasonably necessary for the purposes of finding a missing person. Information obtained under s. 178A of the TIAA is for the purpose of locating a missing person and is not to be used for other routine criminal investigations.

Section 179: 'Authorisations for access to existing information or documents—enforcement of a law imposing a pecuniary penalty or protection of the public revenue' of the TIAA allows for the same provisions as s. 178 of the Act, however this section relates to offences which are punishable by a pecuniary penalty order or for the purpose of protecting public revenue.

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Officers who wish to make a request for telecommunications information from a telecommunications carrier are to ensure that:

(i) the information required cannot be obtained lawfully from QPRIME, a telephone directory, or directory assistance; and

(ii) all reasonable steps have been taken to ascertain which telecommunications carrier would be able to supply the information sought.

Where an officer requires existing telecommunication information e.g. Integrated Public Network Database enquiry (IPNDe), subscriber or Call Charge Records (CCR) or Reverse Call Charge Records (RCCR), they are to:

(i) from the occurrence reports in the relevant QPRIME occurrence, complete a telecommunications RFI form nominating the appropriate carrier and check type as required;

(ii) link this RFI form to a telecommunications task and link the subject entity to the task;

(iii) have this RFI form approved by an authorised officer and reassign the task to Information Support Team org unit [3064]; and

(iv) if applicable, ensure the Intelligence Support Team, State Intelligence Group [org unit 3064] is included in the custom Access Control Lists (ACL) group placed in the QPRIME occurrence to allow for processing of tasks.

Any exception to this is to be approved by the Detective Inspector (Specialist Operations), State Intelligence Group.

For further information regarding Telecommunications Requests, see 'Requesting Historical Telecommunications Data' on the State Intelligence Group SharePoint page.

Section 180: 'Authorisations for access to prospective information or documents' of the TIAA allows for prospective telecommunication information to be disclosed to the Service. This section applies to information received during the authorisation period of up to 45 days and only applies to offences that carry a minimum 3-year offence penalty.

Officers wishing to make an application for prospective data in accordance with s. 180 of the TIAA are to:

(i) complete a 'Request for access to prospective information or documents' on IMAC providing sufficient information required to support a prospective data application;

(ii) obtain and upload relevant subscriber or IPNDe check (no more than 5 business days old) on IMAC; and

(iii) submit the Request for Access to prospective information or documents on IMAC to their relevant authorised officer for consideration.

The relevant authorised officer, once satisfied the disclosure of information sought is reasonably necessary for the investigation of the nominated offence meets all legislative requirements of the Act, may approve the Request for Access to prospective information or documents on IMAC.

Authorisation thresholds, use and disclosure of telecommunications information

Authorised officers are required to satisfy a proportionality test under the TIAA when making telecommunications information authorisations, which will ensure that the scheme for accessing telecommunications data under the TIAA:

(i) addresses the needs of enforcement agencies when carrying out their functions and activities using the least privacy intrusive means possible; and

(ii) is consistent with community expectations about the handling of personal information.

The TIAA requires agencies to keep records associated with the use and disclosure of telecommunication information (see 'Definitions' of this section). The Service will be subject to annual inspections regarding the use of powers under the TIAA by the Commonwealth Ombudsman, as well as reporting to the Commonwealth Attorney-General's department.

For prospective data use, officers are to comply with the 'Prospective Data Authorisations' SharePoint page on the Telecommunications Interception Unit SharePoint page.

For IPNDe, subscriber or call charge records, officers are to make a record of the use and disclosure of telecommunications information within QPRIME (see 'Telecommunications Requests' on the State Intelligence Group SharePoint page). For sensitive investigations, this record in QPRIME can reference another location that contains the details (e.g. diary notes) that can be accessed for any required inspection.

ORDER

Before making an authorisation, authorising officers are to be satisfied on reasonable grounds any interference with the privacy that may result from the disclosure or use of telecommunications information is justifiable and proportionate having regard to a number of factors (see s. 180F: 'Authorised officers to consider privacy' of the TIAA).

In accordance with the TIAA, authorising officers are not to make an authorisation that would authorise the disclosure of information or documents relating to a particular person if the authorised officer knows or reasonably believes a particular person to be a person who is working in a professional capacity as a journalist or an employer of a person, and a purpose of making the authorisation would be to identify another person whom the authorised officer knows or reasonably believes to be a source, unless a journalist information warrant is in force in relation to the particular person. For further information, officers may contact Crime and Intelligence Legal Services, Legal Division.

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Unwelcome calls

Telephone calls of a menacing, offensive or harassing nature that are received and are not of a life-threatening nature are classed as unwelcome calls (see 'Definitions' of this section) and members are to:

(i) advise complainants to contact their telecommunications carrier; or

(ii) investigate the matter,

as the circumstances warrant.

Officers investigating a complaint of improper use of a telecommunications service are to establish:

(i) the relevant statute law breached or the details of the serious and imminent threat to life or health of a person; and

(ii) whether a trace facility is presently installed on the relevant land line telephone service.

Where a member of the public has reported the unwelcome calls to their telecommunication carrier, officers may be able to obtain the details of the unwelcome calls through the carrier by providing the unwelcome calls reference number (usually with no cost) or obtain call charge records in accordance with normal procedure.

Where the unwelcome call is in relation to an event actually or potentially perilous to human life including a person being seriously injured, a bomb threat, an extortion demand, a kidnapping, a threat to public safety which requires immediate call tracing action are to direct their inquiries to the Duty Officer, Brisbane Police Communications Centre (BPCC).

Threat to person's life or health

Section 287: 'Threat to person's life or health' of the *Telecommunications Act (Cwlth)* (TA) applies in limited situations involving a serious threat to a person's life or health. It addresses emergency scenarios where disclosing protected information is necessary to ensure a person's safety. The individual authorised to disclose the information may be a telecommunications carrier, carriage service provider, number-database operator, emergency call person, or their associate.

Key aspects of s. 287 setting it apart from similar provisions include:

(i) it is unreasonable or impracticable to obtain the other person's consent (express or implied) to the disclosure or use – s. 287(ab);

(ii) the first person (believes on reasonable grounds that the disclosure or use is reasonably necessary – s. 287(b)); and

(iii) to prevent or lessen a serious threat to the life or health of a person – s. 287(b).

The "first person" referred to in (ii) of this subsection, is the individual with access to the information (e.g. a telecommunications provider), not the law enforcement officer making the request.

Where there is a serious threat to the life or health of a person in accordance with s. 287 of the TA:

(i) Duty Officers at BPCC; or

(ii) who has been assessed as a High-Risk Missing Person (see definitions in s. 12.1: 'Missing Persons' of the OPM) by the detective inspector, detective senior sergeant or operations leader, Missing Persons Unit (Homicide Investigation Unit),

may, through telephone service providers, perform one or more of the following checks:

(i) emergency life-threatening trace (e.g. call made re bomb on train; call to Kids Helpline or Lifeline where a person is threatening suicide);

(ii) mobile phone triangulation (e.g. suicidal person when whereabouts unknown);

(iii) customer details (e.g. when a trace locates a phone number and the person's identity is unknown);

(iv) CCR or RCCR (e.g. when knowledge of who is communicating with the subject person may assist in preventing or reducing serious and imminent threat to the life or health of a person); and

(v) email, internet chat rooms or voice over internet protocol (VOIP) (e.g. person threatening suicide via email, or social media platforms).

When to use a s. 287 request in relation to a missing person

A request for a mobile phone triangulation to locate a missing person should only be made in instances where there is a reasonable belief that the triangulation is reasonably necessary to prevent or lessen a serious threat to the life or health of a person. If a person is reported missing and no other risk factors are identified, then it is unlikely that the request would meet the threshold for a request pursuant to s. 287 of the TA. The following list may provide some guidance to members for instances which may justify approval of a triangulation to assist in locating a missing person:

(i) the missing person has made actual or implied threats of self-harm;

(ii) the missing person has a history of self-harm although has not made threats in this instance;

(iii) the missing person has not made threats of self-harm and has no history of self-harm but is known to have serious mental health issues or mental health issues which have escalated in recent times resulting in serious concerns for their health or safety;

(iv) the missing person is a vulnerable person who suffers from a significantly reduced capacity to care for themselves that may lead to danger if not located (e.g. dementia, children, etc);

(v) the missing person has gone missing in circumstances that lead you to believe they may be in danger, (e.g. a motorist known to be travelling in an area has not arrived at their destination and is now uncontactable leading you to suspect they may have had an accident);

(vi) the missing person has gone missing in suspicious circumstances leading to a reasonable belief there is a serious threat to their life or health (e.g. information suggests they may have been kidnapped or abducted); or

(vii) a person has committed a murder or a crime of serious violence and their geographical location is unknown, and there are concerns that the person may engage in conduct that threatens the life or health of themselves or another person.

Further information to assist law enforcement and service providers in the interpretation of s. 287 of the TA, has been developed by the Department of Infrastructure and Transport, Regional Development, Communications, Sports and the Arts and the Attorney General's Department and is found in the Guidance Note available on the Missing Persons SharePoint page.

Suspending supply of a carriage service during an emergency

Section 315: 'Suspension of supply of carriage service in an emergency' of the TA provides the power to suspend the supply of a carriage service in an emergency. Where a suspension of carriage service is required, such as a siege situation or police negotiations, duty officers at PCC can assist by providing line isolation. Prior to contacting PCC to obtain line isolation in accordance with s. 315 of the TA, officers are to seek the approval of the assistant commissioner of the incident region.

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Authorising officers are to be satisfied that the request is:

(i) reasonably necessary to prevent or lessen a serious and imminent threat to the life or health of a person; and

(ii) for the purpose as stated in s. 315 of the TA.

7.4.3 Retail energy providers

Definitions

For the purpose of this section:

Authorising officers

are officers who can authorise a request for retail energy provider customer information.

The following are authorising officers:

(i) senior sergeants, State Intelligence Group, Crime Command;

(ii) regional intelligence and strategy officers;

(iii) commissioned officers; or

(iv) OICs of district intelligence offices.

Inquiring officers

are officers seeking retail energy provider customer information.

Requesting officers

are officers authorised to request information from retail energy providers. For the purposes of this section, all members appointed by the Service as an intelligence officer/analyst are authorised to request information from providers.

Retail energy providers

Requests for information held by retail energy providers may be made when it is reasonably necessary for the enforcement of the criminal law or a law imposing a pecuniary penalty and only when all reasonable alternative avenues for seeking the information have been exhausted.

Inquiring officers are to exhaust all Service information/intelligence sources available to them prior to submitting an 'External inquiry' task within the relevant QPRIME occurrence to their local intelligence office (see SMD).

If the required information is not available from the in-Service information/intelligence holdings the requesting officer should obtain authority from their relevant authorising officer to commence a retail energy provider customer information search through their local intelligence office.

Authorising officers are to ensure that all Service information/intelligence sources available to them have been exhausted before authorising a request for retail energy provider customer information.

The requesting officer is to complete a request for information from within QPRIME, including the authorising officer's details. The requesting officer is to email:

(i) the target address details to Energex, who will provide the details of the retail energy provider to the requesting officer; and

(ii) the request form to the relevant retail energy provider.

Emergent after-hours requests

Requesting officers who require retail energy provider customer information after-hours in emergent circumstances are to contact the State Intelligence Group, Crime Command for retail energy provider contact information.

7.4.4 Requesting information from financial institutions

In accordance with s. 197B: 'Giving notice to financial institution' of the *Police Powers and Responsibilities Act*, a senior police officer (of the rank of inspector or above) may give a QP 0968: 'Financial institution account information notice' to a financial institution, if the officer:

(i) reasonably suspects an offence:

(a) has been committed;

(b) is being committed; or

(c) is about to be committed; and

(ii) reasonably believes the information sought from the financial institution is required for:

(a) investigating the offence;

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(b) commencing proceedings against a person for the offence; or

(c) taking steps reasonably necessary to prevent the commission of the offence.

A financial institution receiving a QP 0968 must, when a:

(i) name is provided, state whether a named person is or was authorised to operate an account with the financial institution; or

(ii) number is provided, state whether an account with the stated number is or was held at any time with the financial institution, and

provide the details of the account and the names of persons who held or were authorised to operate the account within a stated reasonable time (see ss. 197B and 197D: 'Financial institution must comply with notice' of the *Police Powers and Responsibilities Act*).

Conducting these searches will only retrieve information relating to whether a person holds or operates an account. Account statements and details will not be supplied. If an officer is requiring this information, a search warrant or a QP 0716: 'Production notice' will need to be obtained (see s. 2.8.12: 'Production notices and access orders' of the Operational Procedures Manual).

A list of financial institutions is available on the Financial and Cyber Crime Group's webpage on the Service Intranet.

Officers requiring searches of account holders from financial institutions are to:

(i) obtain approval from a senior police officer after providing sufficient information to develop the reasonable belief that a notice to a financial institution is necessary;

(ii) complete and save the QP 0968 in the relevant QPRIME occurrence; and

(iii) forward the completed QP 0968 to the financial institution(s) in accordance with the instructions on the form.

The results of the inquiry will be forwarded directly to the investigating officer by the financial institutions. Officers receiving financial institution results are to:

(i) update the relevant QPRIME occurrence with the results;

(ii) check off financial institutions who have replied to ensure all financial institutions listed on the Fraud and Cyber Crime Group web page respond; and

(iii) perform follow-up inquiries with any listed financial institutions that have failed to respond within the specified period for any reason why the notice was not complied with.

ORDER

Officers investigating an offence under the *Police Powers and Responsibilities Act* are to provide sufficient information to the commissioned officer for them to form a reasonable belief to support the provision of a QP 0968 to a financial institution.

Where a QP 0968 is given to a financial institution, the commissioned officer seeking the information is to make a written record in their official police notebook or diary of their reasonable suspicion and belief required under s. 197B(1): 'Giving notice to financial institution' of the *Police Powers and Responsibilities Act*.

7.4.5 Requesting information from social media providers (including Uber)

Social media platforms may be used to commit or provide evidence of an offence. Social media providers are private companies and information will only be provided in accordance with the legal process in the provider's country.

Social media providers have individual requirements for the release of information to law enforcement agencies, which are usually available on the relevant website. Social media provider 'Law enforcement guidelines' are reproduced on the Crime Command Information Hub webpage on the Service Intranet. Requirements for Uber are contained in s. 2.28.4 of the OPM.

Information published on social media accounts consists of:

(i) non-content data, which relates to basic subscriber information, such as:

(a) the account user-id;

(b) email address(es);

(c) Internet Protocol (IP) logs; and

(d) the date and time the relevant account was created; and

(ii) content data which will include messages, published posts, photographs etc.

Officers should be aware that social media content can rapidly change as account users can modify or delete information.

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The collection of data from social media providers can be a long process. Officers are to, where practicable, obtain a copy of relevant published information (by the victim or Service member download or screen-shot etc.) at the earliest opportunity (see s. 2.10.6: 'Online intelligence' of the OPM).

In some instances, providers will only provide information to specific officers or units, generally within CIC.

Where information is downloaded or copied from a social media platform, the investigating officer is to:

(i) make a record of the relevant information in their official police notebook or official diary; and

(ii) where practicable, save information in the relevant QPRIME occurrence with information such as the IP address and date and time the information was obtained.

Sensitive evidence (see s. 590AF: 'Meaning of sensitive evidence' of the CC) is not to be stored in QPRIME.

Obtaining information urgently

Social media providers will generally provide limited information when law enforcement agencies have received information about an imminent risk of a:

(i) child suffering abuse; or

(ii) person suffering death or serious injury,

which has been publicised on a social media website/platform.

Information on how to request urgent information is on the relevant social media website. The social media provider will outline the information which must be provided, which may involve a web-form or email-based application from a Service email address and may require a covering letter on Service letterhead.

Where information is received of an imminent risk which has been published on social media, officers are to commence an investigation, particularly to identify the whereabouts of the person at risk (see s. 2.5: 'Investigation' of the OPM).

Whenever practicable, all Service database inquiries are to be exhausted prior to making application to a social media provider.

Urgent requests for non-content data are to be made by:

(i) submitting an 'External Agency Request' (available on the State Intelligence Group webpage on the Service Intranet); and

(ii) request the relevant intelligence office to contact the Intelligence Support Team, State Intelligence to prioritise the matter.

Obtaining non-content data from social media providers

Non-content data from social media may assist investigating officers to identify the publisher of the relevant information. Non-content data is generally only provided for investigatory purposes and usually cannot be introduced as evidence in court.

Where non-content data will be required for court presentation, an evidence certificate and statement of witness will be required, and a mutual assistance request is to be made in accordance with subsection 'Obtaining content data from social media providers' of this section.

Where non-content data is sought for an investigation, officers are to submit an 'External Agency Request' available on the State Intelligence Group webpage on the Service Intranet.

Obtaining content data from foreign social media providers

Where an application for content data is required, the investigating officer is to make application for a 'data preservation request' (see the CIC Command and Administration Guides webpage on the Service Intranet) as early as possible. The request will save all information published in the relevant account at a specific point in time. Preserved data will be held for a set period (e.g. Facebook preserves data for 90 or 180 days) and will be released on receipt of an approved mutual assistance request. Applications are submitted as a mutual assistance request through the Australian Attorney-General's Department in accordance with the *Mutual Assistance in Criminal Matters Act* (Cwlth).

Where content data from a foreign social media provider is required, a mutual assistance request is to be made through the Australian Attorney-General's Department in accordance with the *Mutual Assistance in Criminal Matters Act* (Cwlth) to the relevant nation.

Where information is sought from a foreign social media provider, investigating officers are to comply with the directions contained on the Crime Command Information Hub webpage on the Service Intranet.

7.4.6 Requesting information from domestic airlines and travel agencies

QANTAS and Jetstar Airlines

Officers who require information from Qantas or Jetstar Airlines for an investigation are to ensure that all Service intelligence holdings have been thoroughly checked prior to making any requests.

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Officers who require information from Qantas Airlines and Jetstar Airlines are to submit an 'External Agency Request' available on the State Intelligence Group SharePoint page.

Officers are to outline the following on the request:

(i) name of the person;

(ii) flight details if known;

(iii) expected travel times and dates if known; and

(iv) point of origin and destination if known.

Virgin Australia Airlines (non-urgent and any inquiries during office hours)

Officers who require information from Virgin Australia Airlines for an investigation are to ensure that all Service intelligence holdings have been thoroughly checked prior to making any requests.

Officers requesting non-urgent information or any inquiries during office hours (9am–5pm Monday–Friday) are to:

(i) complete a 'Virgin Australia Law Enforcement Information Request' form available on the Crime Command Information Hub SharePoint page;

(ii) obtain expenditure approval from an authorised officer. The authorising officer must be copied in the email when forwarding the request; and

(iii) submit the form via email to **SIGQPOL@police.qld.gov.au**.

Virgin Australia Airlines (urgent outside of office hours inquiries)

For urgent information required outside of office hours, requesting officers are to:

(i) complete a 'Virgin Australia Law Enforcement Information Request' form available on the Crime Command Information Hub SharePoint page;

(ii) attend the airport in person;

(iii) contact the:

(a) guest services shift supervisor; or

(b) Virgin Australia Airport Manager;

(iv) produce their Service identification; and

(v) supply a completed and authorised 'Virgin Australia Law Enforcement Information Request Form' to Virgin staff.

Further information and required forms are located on the Crime Command Information Hub SharePoint page.

Flight Centre Travel Group

Information that may be requested from Flight Centre Travel Group (see SMCD) is listed on the Information Support Team SharePoint page.

Officers requesting information from Flight Centre Travel Group are to send an email to **privacy@flightcentre.com.au** noting:

(i) the requesting officer's name and station;

(ii) the operation name or QPRIME occurrence number (if available);

(iii) the nature of the investigation (section, short title and statute);

(iv) any details that will identify the information to be provided—such as names, transaction ID's, time frames, specific documents or information you are wishing to obtain; and

(v) the date the information is required by.

Flight Centre Travel Group will release information under the provisions of the Australian Privacy Principles in support of police enforcement action.

Any statements or requests to attend court and give evidence are to be marked attention to Chief Privacy Officer—Australia and New Zealand as the authorised delegate for Flight Centre Travel Group.

7.4.7 Requesting information from tolling records

Transurban's National Enforcement Team manages Queensland police requests for tolling records required for law enforcement purposes.

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To comply with Transurban's privacy obligations, members requesting the release of tolling records are to complete a QP 1131: 'Transurban disclosure form' (available on Forms Select) and submit the completed form via email to enforcement@transurban.com.

7.4.8 Requesting patron information from casinos

Prior to making any requests for patron information under the *Casino Control Act* (CCA), the investigating officers is to ensure thorough checks of all Service intelligence holdings has occurred.

Requests under s. 88 of the Casino Control Act

In accordance with s. 88: 'Other powers of inspectors' of the CCA an officer that has been appointed inspector by the Office of Liquor and Gaming Regulation (OLGR) may serve a notice to require any person:

(i) who has any books, accounts, records or documents related to the operation of a casino or otherwise relevant to the administration of this Act;

(ii) in their possession and control; and

(iii) to produce those books, accounts, records or documents,

so the inspector can inspect them and take such notes or copies of them as the inspector deems necessary.

The issuing of a notice in accordance with s. 88 of the CCA is limited to the following circumstances:

(i) investigating an offence against the CCA;

(ii) the operation of a casino; or

(iii) the administration of the CCA.

The casino will provide the following information upon a patron request under s. 88 of the CCA:

(i) whether the subject is a patron of the casino;

(ii) when the patron was last at the casino; and

(iii) detailed records of financial wins and losses.

Officers should be aware that there is no protection against the casino disclosing to the patron that an investigation of the subject patron is being conducted by the Service if a request is made using this section. Requests made under s. 88 of the CCA should be made by Service appointed OLGR inspectors who are generally attached to the relevant Casino Crime Unit and is limited to the circumstances outlined above.

Requests under s. 249B of the Criminal Proceeds Confiscation Act

An officer may serve a notice to a casino under s. 249B: 'Giving notice to a financial institution' of the *Criminal Proceeds Confiscation Act* (CPCA) if they reasonably believe the notice is required to:

(i) determine whether to take any action under the CPCA; or

(ii) address matters pertaining to proceedings under the CPCA.

Officers should note that before a QP 0967: 'Financial Institution Account Information Notice (Request for casino patron information)' can be issued, an officer of or above the rank of inspector must be briefed to provide approval.

The casino will provide the following information upon a patron request under s. 249B of the CPCA:

(i) whether the subject is a patron of the casino;

(ii) details of any patron-held accounts with the casino; and

(iii) current balances of the patron's accounts with the casino.

To initiate a patron request under s. 249B of the CPCA officers are to:

(i) obtain approval from an officer of or above the rank of inspector;

(ii) complete a form QP 0967;

(iii) upload the complete form to the relevant QPRIME occurrence; and

(iv) forward a QPRIME task to the relevant casino crime unit.

Officers should note that if a casino crime unit is operating on site, the casino crime unit should be included in the email. The results of the inquiry will be forwarded directly to the investigating officer by the casino. Officers receiving results are to:

(i) update the relevant QPRIME occurrence with the results; and

(ii) perform follow-up inquiries with the casino if they have failed to respond within the specified period for any reason why the notice was not complied with.

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Officers should note that when a notice issued under s. 249B and s. 249C: 'Prohibition on disclosure' of the CPCA prohibits a person from disclosing the existence of the notice to anyone or that the casino (or officer of the casino) intends to give or has given any information to an officer or authorised commissioned officer.

If further information is required from the casino then a PPRA search warrant or PPRA production notice will need to be served.

Officers should note that protection by s. 249C of the CPCA prohibiting a person from disclosing the existence of a s. 249B of the CPCA ceases once a PPRA search warrant or PPRA production notice is completed.

Requests under s. 197B of the PPRA

For requests not falling under s. 294B of the CPCA, officers should consider using s. 197B: 'Giving notice to financial institution' of the PPRA. Under this provision a senior police officer (of the rank of inspector or above) may issue a QP 0967 to a financial institution, if the officer:

(i) reasonably suspects an offence:

(a) has been committed;

(b) is being committed; or

(c) is about to be committed; and

(ii) reasonably believes the information sought from the financial institution is required for:

(a) investigating the offence;

(b) commencing proceedings against a person for the offence; or

(c) taking steps reasonably necessary to prevent the commission of the offence.

A financial institution receiving a QP 0967 must:

(i) when a name is provided, state whether a person of the stated name is or was authorised to operate an account with the financial institution and if so, the name in which the account is or was held and the account number; or

(ii) when a number is provided, state whether an account with the stated number is or was held at any time with the financial institution and if so, the name in which the account is or as held and the name of any person who is or was authorised to operate the account.

The financial institution must provide the requested information within a reasonable time (see ss. 197B and 197D: 'Financial institution must comply with notice' of the PPRA).

To initiate a patron request under s. 197B of the PPRA officers must:

(i) obtain approval from an officer of or above the rank of inspector;

(ii) complete a form QP 0967;

(iii) upload the complete form to the relevant QPRIME occurrence; and

(iv) forward a QPRIME task to the relevant casino crime unit.

Officers should note that if a casino crime unit is operating on site, the casino crime unit should be included in the email. The results of the inquiry will be forwarded directly to the investigating officer by the casino. Officers receiving results are to:

(i) update the relevant QPRIME occurrence with the results; and

(ii) perform follow-up inquiries with the casino if they have failed to respond within the specified period for any reason why the notice was not complied with.

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Chapter 8 Management of Service Arrangements and Events

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8.1 Memorandums of understanding

8.1.1 Establishing the key features of a memorandum of understanding

The Service increasingly uses memorandums of understanding to document agreements with other agencies. While benefits can be derived from the documentation of agreements that exist between the Service and other agencies, difficulties may arise when they are not developed or managed correctly.

This policy has been developed to provide procedures and guidelines for all members to follow when memorandums of understanding are being considered, developed or managed.

The terms memorandum of understanding (MOU) and memorandum of agreement (MOA) are interchangeable.

Key features differentiate a memorandum of understanding from other types of arrangements between parties and include:

(i) a MOU does not have any force in law and is not intended to impose any legally binding obligation on the parties to the agreement;

(ii) a MOU is evidence in writing of a framework for cooperation:

(a) in areas of common interest; and

(b) where cooperation is essential to the effective and efficient performance of the parties' respective functions;

(iii) as a MOU is not legally enforceable, there is no requirement for consideration to pass between the parties and no intention to create legal relations;

(iv) MOUs are usually entered into between Queensland government departments or agencies;

(v) parties enter into a MOU with the intention both will give their best efforts to achieve the outcomes sought, notwithstanding the absence of legal relations; and

(vi) a MOU should be used to cover cooperative arrangements that otherwise cannot be found in any existing policy, procedures or legislation. A MOU is not necessary to restate existing policy or legislation.

8.1.2 Development

Members intending to develop a memorandum of understanding (MOU) should:

(i) obtain a clear understanding of the agreement that needs to be reached, and the agencies involved. This may require 'in principle' discussions with the other agency involved;

(ii) determine if the situation to be addressed is already covered by other arrangements or policies;

(iii) submit a report through the chain of command seeking approval from the relevant assistant commissioner or executive director to implement further discussions with the agency directed at the development of a draft MOU;

(iv) refer to s. 8.1.3: 'Drafting' of this chapter for information on the issues that should be identified during the development of a draft MOU;

(v) consider consulting, where necessary with key stakeholders such as the Assistant Commissioner, Ethical Standards Command; General Counsel, Office of the General Counsel (OGC); and Executive Director, Finance and Procurement Division;

(vi) forward the MOU to OGC for formal endorsement where necessary. In complex matters, it may be appropriate to informally consult with OGC at an earlier stage; and

(vii) forward the MOU to the relevant deputy commissioner or where appropriate, the Commissioner, for signing.

8.1.3 Drafting

A memorandum of understanding (MOU) should contain the following clauses:

(i) commencement clause;

(ii) termination clause;

(iii) the parties to the agreement;

(iv) the roles and responsibilities of each party to the agreement;

(v) a statement of purpose of the agreement;

(vi) the intended outcome of the agreement;

(vii) how the outcomes are to be achieved;

(viii) any matter of particular interest to the agreement e.g. confidentiality;

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(ix) review and variation clause;

(x) security, confidentiality and exchange of information clause;

(xi) dispute resolution clause; and

(xii) interpretation of terms clause.

8.1.4 When a memorandum of understanding does not apply

Internal Service arrangements should not be the subject of a memorandum of understanding (MOU) or service level agreement (SLA).

Unless exceptional circumstances exist, a MOU should not be entered into outside of the Queensland government.

8.1.5 Review period

Every memorandum of understanding should include a review clause requiring this be undertaken at least every 12 months by the originator. The purpose of the review should include not only the operation of the arrangement and whether any variation is required, but also seek to identify whether the arrangement should be incorporated into Service policy.

8.1.6 Management of memoranda of understanding

The respective Assistant Commissioner or Executive Director is responsible for the preparation and management of a memorandum of understanding (MOU) originated from within their region, command or division.

The originator is responsible for the day-to-day operation of the MOU.

8.1.7 Service signatory on memorandum of understanding

The Service signatory on a memorandum of understanding (MOU) should normally be the Commissioner or a deputy commissioner. It may be appropriate for a regional assistant commissioner to sign the MOU on behalf of the Service in circumstances where the other party relevant to the MOU operates only within the boundaries of a particular police region. Office of the General Counsel will provide advice as to the appropriate Service signatory for all MOU.

8.1.8 Records retention

The signed memorandum of understanding (MOU) and any relevant attachments are to be scanned and forwarded to Strategic Policy and Legislation, Policy and Insight Division to enable an electronic copy to be placed on the Memorandums of Understanding database, enhance records management and enable simplified search processes to be undertaken by members of the Service. Any memos or administrative documents related to the MOU are to be attached separately with the MOU when it is electronically forwarded to Strategic Policy and Legislation for processing.

The original MOU and all relevant files are to be stored locally in accordance with s. 5.1: ‘Records management’ of this Manual.

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8.2 Service arrangements (non-memorandums of understanding)

The term memorandum of understanding is often used to describe a range of other arrangements that are distinctly different in both purpose and outcome.

8.2.1 Agreement

An agreement is a generic term covering a range of transactions. More specifically, it refers to an act in law where two or more persons declare their consent to an act being done or not being done for the benefit of the other person. The key feature of an agreement is the intention to create legal relations that affect both parties.

An agreement is legally enforceable and should be in writing. Agreements entered into with state government agencies are not legally enforceable as the party capable of suit pursuant to the *Crown Proceedings Act* is the State of Queensland. The State of Queensland cannot sue itself.

An example of an agreement would be a funding agreement establishing a project in which the Service is engaged.

8.2.2 Sponsorship arrangement

A sponsorship arrangement is a particular type of arrangement entered into by members of the Service with external third parties. These are to be in writing and are legally enforceable as they create contractual relations and give rise to legal obligations and rights. (See also s. 8.3: ‘Sponsorship—guidelines for management’ of this chapter)

8.2.3 Contract

A contract is an agreement between two or more parties that creates rights and obligations enforceable by law. Essential features of a contract are:

(i) a promise by one person to another person to do or not do certain specified things (an offer);

(ii) that promise is then accepted by the other party (acceptance); and

(iii) consideration passes between the parties usually by way of exchange of money, goods or services.

Examples of contracts include consultancy arrangements, the purchase of information technology software or hardware and catering services for academies.

8.2.4 Contract for services

These are special types of contracts. These contracts relate to the engagement of a person as an independent contractor to perform a service for the organisation. Such contracts do not create an employment relationship of employer/employee with the person contracted.

Examples of where a contract for services may be used would include the engagement of a gardener or cleaner for a particular police station.

8.2.5 Contract of service

These are also special types of contracts. A contract of service creates an employment relationship between the parties. The employee falls under the control of the employer and is subject to the terms and conditions of employment.

An example of a contract of service is recruit contracts which are entered into under the *Police Service Administration Act.*

8.2.6 Lease

A lease is a conveyance or grant of possession of property for the duration of a fixed period, a set term of years or for a person's life, usually in exchange for payment of rent or some other benefit. A lease must be in writing and should be executed on behalf of the State of Queensland.

Leases are legally enforceable. Leases do not exist between various government agencies as, pursuant to the *Crown Proceedings Act*, the right to sue and be sued rests in the State of Queensland. Where a leasing arrangement is sought between government agencies, it is usual for some other documentation to reflect the agreement such as an exchange of letters.

Capital Assets and Facilities Management Group, Assets Division administers leasing arrangements for the Service. See also s. 4.3.2: 'Service leased properties and facilities' of this Manual.

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8.2.7 Licence

A licence can be contractual in nature and therefore can be enforceable. A licence should be evidenced in writing. A licence is an authority in writing for a person to do something that otherwise would be inoperative, wrongful or illegal.

Licences may be used to govern use of copyright or intellectual property in respect of a product either developed by or seeking to be utilised by the Service, where the intellectual property vests in another party.

8.2.8 Other undefined arrangements

Some arrangements are difficult to define. These arrangements include those that are not intended to be legally enforceable yet do not have an ongoing commitment that may otherwise require a MOA/MOU. The characteristics of these arrangements are that they are generally non-contractual and relate to "one off" transactions.

Such arrangements can be reflected in an exchange of correspondence that sets out in writing the terms and conditions on which the arrangement is entered.

Examples may include arrangements made under s. 10.2: 'Authorisation of disclosure' of the *Police Service Administration Act* by an authorised person to release information to another government agency, or where the Service accepts a donation from a member of the public.

8.3 Sponsorship

Queensland Government Sponsorship Framework

The Queensland Government Sponsorship Framework delivers a coordinated and consistent approach to the way Queensland Government agencies manage sponsorship opportunities.

This framework incorporates the:

(i) Queensland Government Sponsorship Policy;

(ii) Queensland Government Guidelines for Providing Sponsorship; and

(iii) Queensland Government Guidelines for Receiving Sponsorship.

The Service's sponsorship procedures align with these mandatory principles and processes contained within the Queensland Government Sponsorship Policy (QGSP).

Definitions

Sponsorship

The right to associate the sponsor's name, products or services with the sponsored organisation's service, product or activity, in return for negotiated and specific benefits such as cash or in-kind support or promotional opportunities. It involves a negotiated exchange and results in tangible, material and mutual compensation for the principal parties to the arrangement. Sponsorship can take the form of cash and/or in-kind support.

Out of scope

Sponsorship does not include:

(i) grants or direct funding, which are monies or goods provided to a recipient through a formally recognised program for a specified purpose;

(ii) monies paid through a bidding process to attract events;

(iii) endorsements, ex-gratia payments, donations, philanthropic gestures, bequests or gifts, which impose no obligations on the receiver and offer little or no return to the donor. A sponsor expects to receive a reciprocal benefit beyond a modest acknowledgment; or

(iv) purchasing or selling goods or services for value, including advertising space, editorial comment or advertorials.

Sponsorship is not provided to individuals. The provision of funding to enable staff to attend training courses, personal development opportunities or other such activities is also not considered sponsorship.

Service members are advised definitions of 'In-kind Sponsorship', 'Incoming Sponsorship' and 'Outgoing Sponsorship' are also contained within the QGSP.

See also s. 11.4: 'Gifts or benefits offered to members of the Service' of this Manual for matters which are assessed as 'out of scope' of this policy.

Corruption risk

Sponsorship, both incoming and outgoing poses significant reputational risk to the Service due to the potential for fraud or misuse of funds, corruption, bias and inappropriate associations. Compliance with the QPS Sponsorship Framework will be overseen by Ethical Standards Command (ESC), the Queensland Audit Office (QAO) and through on-line financial reporting.

Authorisation prior to commencing or adopting a sponsorship approach

The Service's Sponsorship Responsible Officer (SSRO), ESC Integrity and Performance Group, finance officers within the region/command/division and Office of the General Counsel are to be consulted for advice when assessing and drafting sponsorship event proposals, and subsequent sponsorship agreements.

Irrespective of the value, prior to commencing or adopting any incoming and outgoing sponsorship approach on behalf of the Service, in accordance with s. 8: 'Appropriate Authorisation' of the QGSP, the originating member is to:

(i) conduct and document an assessment of the intended sponsorship proposed against the ten Principles of the QGSP. Where the proposal or opportunity is assessed as holding the necessary standard of alignment and significant value to the Service and the Queensland community, the member will consult with the SSRO, a member of Media and Communications Division (MCD). If concurrence is achieved, the member is to forward correspondence through their chain of command to:

(a) report on the alignment of the sponsorship proposal with the QGSP guiding principles, the value to the Service and Queensland community, and the concurrence of the SSRO; and

(b) request that if supported, the sponsorship proposal or opportunity be forwarded for consideration and approval of the Commissioner (as the Minister's nominated delegate) for sponsorship commencement;

(ii) obtain the written authorisation of the Commissioner (as the Minister's nominated delegate) via the chain of command before commencing any further sponsorship related activity. The Minister has delegated this authority to the Commissioner (available from the SSRO), irrespective of the proposed sponsorship value (of cash and in-kind support) or whether the sponsorship is to be given by, or received by, the Service.

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Upon obtaining the Commissioner's written authorisation, any subsequent completed Queensland Government sponsorship agreement (within that Commissioner-approved sponsorship proposal or opportunity) may be signed by the appropriate Service executive officer's delegate who has the appropriate level of financial delegation (under ten million dollars).

MCD will facilitate progression of appropriate sponsorship opportunities and ensure, in consultation with ESC, that effective strategies are implemented which prevent members of the Service from obtaining personal benefit or advantage as a result.

All sponsorships are to be fully documented and evaluated using the appropriate Queensland Government templates in alignment with the QGSP. However, if substantial reason exists to use another document or template, this is to be documented and explained in sufficient detail to fully justify this deviation.

The Commissioner has the authority to approve commencing sponsorship arrangements (either the giving or receiving of sponsorship) for values up to ten million dollars as authorised by the financial delegation under s. 5.2.3 of the Queensland Executive Council Handbook. Any sponsorship proposal over this value must be approved by the Governor in Council.

Financial Management Practice Manual

The Financial Management Practice Manual (FMPM) provides policies and practices for the Service and other agencies. The FMPM statements which support the Service are available on the FMPM SharePoint page. Advice or assistance on appropriate financial management practices can be obtained by emailing Fin HelpDesk[BNE].

All financial transactions associated with the Commissioner-approved sponsorship proposal or opportunity are to be conducted through appropriate cost centre codes, in full compliance with the FMPM and under the guidance and scrutiny of the appropriate region/command/division finance officer.

Members involved in sponsorship that consists of co-ordination and management of events—such as conferences—are to use the Event Management—Financial Considerations Checklist available on the Forms for Finance SharePoint page (see also s. 8.4: 'Event management' of this chapter).

Management and reporting

Effective and transparent management and reporting processes must be applied to ensure public value and accountability of Service sponsorship arrangements. The Service's SSRO is charged with Service-wide and interagency coordination of sponsorship proposals or opportunities.

The duties of the SSRO include conducting strategic assurance on behalf of the Service executive for all sponsorship opportunities. The SSRO can advise members on developing their approach proposals, business cases and evaluations as required, ensuring appropriate risk assessment is undertaken by members and is documented, the approach to sponsorship proposals or opportunities is approved, aligns with and supports the Service's goals and objectives, and is appropriately managed.

Queensland Government Sponsorship Network

Where an approach is made to more than one agency for sponsorship, or more than one agency is to provide sponsorship of the same opportunity, a unified whole of government approach must be taken.

Sponsorship activities are to be coordinated across the Queensland Government Sponsorship Network (QGSN) to gain leverage, greater value for money and public benefit and the QGSN exists for this purpose. The Service's representative is a member of MCD.

Members receiving Sponsorship requests may encourage the inquirer to seek Sponsorship from the Queensland Government for significant initiatives and events. The inquirer can also be directed to:

(i) the Queensland Government Sponsorship Request webpage; and/or

(ii) Best Practice guidelines for event delivery in Queensland on the Department of Premier and Cabinet (DPC) webpage.

MCD is to ensure that all cash and in-kind sponsorship, both incoming and outgoing, is reported to the DPC, on request at the conclusion of each financial year. This information is to be published on the QPS Internet, Sponsorship Register webpage, hosted within the Right to Information pages, on a quarterly basis, using the template provided on the Sponsorship webpage.

Procedure for QPS internet web page publication is to be conducted in a similar manner to the reporting of Gifts and Benefits given that the Queensland Police Sponsorship Register is also collated and published online on a quarterly basis. This should occur in consultation with the Right to Information and Subpoena Unit, Right to Information and Privacy Services.

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8.4 Event management

Members who have responsibilities as project or event managers or finance officers should ensure they are aware of all the relevant financial issues prior to the commencement and over the duration of a project or event. The Event Management—Financial Considerations Checklist available on the Forms for Finance SharePoint page on the Service Intranet provides some guidelines and highlights the main issues to be considered by responsible members. The checklist is not a comprehensive list but, instead should be referred to as a guide in conjunction with Whole of Government and Service policies on procurement, corporate cards, travel, and entertainment etc. when managing an event or project.

Any issues or concerns in relation to the checklist should be directed to Financial Resource Services, Finance and Procurement Division.

Any member who considers that an independent financial audit is required for a specific event, should refer the matter to the ESC, so that a proper assessment can be made as to the viability to conduct such an audit after consultation with financial audit partners.

ORDER

Members who manage events—such as conferences—are to use and retain the Event Management—Financial Considerations Checklist available on the Forms for Finance SharePoint page.

8.5 Negotiating written arrangements with a foreign government agency

The Service is legally required to comply with the approval and notification requirements in the *Australia's Foreign Relations (State and Territory Arrangements) Act* (Cwlth) (AFRA).

The Foreign Arrangements Scheme (FAS) requires Queensland government agencies, including the Service, to notify or seek approval from the Australian Minister for Foreign Affairs (**'Foreign Minister'**) if they propose to negotiate, or enter, or have entered, a foreign written arrangement.

The FAS applies to all arrangements which are in writing, whether legally binding or not. An arrangement can include contracts, agreements, understandings or undertakings, memoranda of understanding and any other written arrangement which represents a commitment between the two parties.

The Scheme covers all countries (including countries with which Australia has close intelligence or law enforcement relationships) and all police written arrangements (including those that are operational, sensitive and classified), with only three limited exemptions. The three exemptions from the FAS are where the written arrangement:

(i) is for resource/information sharing for declared emergencies, if negotiated and entered during the emergency;

(ii) deals with minor administrative or logistical matters (such as visa applications or timing of conferences); or

(iii) is solely dealing with child protection.

There is no exemption for urgent circumstances. The AFRA applies even if an Australian Government agency, such as the Australian Federal Police, is also party to the written arrangement.

The Foreign Minister may refuse to approve any proposed written arrangement if:

(i) it would adversely affect foreign relations; or

(ii) it is inconsistent with foreign policy.

Seeking Foreign Minister approval

The AFRA contains strict timeframes and requirements for approval and notification of all foreign arrangements. Failure to comply with these will render the written arrangement invalid and unenforceable. It would be unlawful for the Service to give effect to such an arrangement.

The timeframes and requirements will change depending on the type of foreign entity the Service is entering into an arrangement with. Depending on the type of entity, the arrangement will either be a 'core' or 'non-core' foreign arrangement.

A core foreign arrangement is an arrangement with a foreign national government or a department or agency of that government (e.g. New Zealand Police).

A non-core foreign arrangement is an arrangement with a foreign provincial or local government or a department, agency or authority of that government, or a university that does not have institutional autonomy (e.g. New York Police Department).

Strategic Policy and Legislation(SPL), Policy and Insight Division will facilitate the approval process. Depending on the type of arrangement, seeking Foreign Minister approval can take a maximum of between 30 days and 60 days. It is important to consult with SPL as early as possible for guidance on how to comply with the FAS.

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ORDER

A member is not to negotiate or enter into a foreign arrangement without first receiving advice from SPL that the FAS has been complied with.

Members are to notify SPL:

(i) before they:

(a) begin to negotiate a written foreign arrangement; or

(b) enter into a written foreign arrangement on behalf of the Service; and

(ii) after they enter a written foreign arrangement on behalf of the Service,

the SPL:

(i) will assist with the notification/approval process and the member is to provide any further information necessary for this; and

(ii) is to notify the member of the outcome of the notification/approval process.

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9.1 Written reporting

Members should, where possible, eliminate duplication in recording of information.

Information technology is designed to reduce the administrative workload on members of the Service and to provide more time for primary tasks. Documentation should, be completed accurately and legibly, and if possible, during a member's shift.

9.1.1 Service internal and external correspondence format

The Service provides a range of pre-formatted template documents for the purposes of standardising internal and external correspondence. These assist in providing the consistency and professionalism expected of Service personnel.

Relevant forms include:

(i) QP 0006 'QPS Report Template' for internal Service reports;

(ii) QP 0006 'Letterhead Template' for external correspondence; and

(iii) QP 0006 'Facsimile Template' as a facsimile cover sheet,

(available on QPS Forms Select).

Use of Service relevant forms

Members of the Service using relevant forms are to use them for official purposes only.

Character and work performance references are not to be written or typed using Service letterhead, other than for official Service purposes or where authorised by an assistant commissioner/executive director or above.

Section 9.2: 'Service style guide' of this chapter provides details of the Service standards for the layout and typography of Service internal and external correspondence.

These formats:

(i) deliver clear information relating to the author's position in the Service;

(ii) provide contact details in the header and signature block;

(iii) standardise the layout of introductory information, including date, file reference, other reference details, author, subject heading and references, where necessary;

(iv) enable clarity of layout, including the flexible use of main group and sub-group headings and paragraph numbering for long or complex documents, and indenting for sub-paragraphs; and

(v) provide a means of listing all ancillary documents, such as appendixes and attachments in the main document, to better ensure comprehensive records management.

As applicable, Service members submitting correspondence are to include easily accessible distribution lists and/or provide a clear distinction to the recipient between the relevance to "action" or "information".

Members of the Service are to use Service internal and external correspondence formats.

9.1.2 Completion of documents

All information gathered during the course of a period of duty which is to be the subject of any report, should be included in the appropriate report format during the course of a member's shift and submitted to the shift supervisor or officer in charge.

The completion and submission of documentation which relates to court proceedings or protracted investigations should be monitored by the officer's supervisor and officer in charge of the station or establishment to which the arresting or investigating officer is attached.

Submitted documentation is to be maintained in accordance with the QPS Records Retention and Disposal Schedule (available on the Service Intranet).

9.1.3 Responsibility for overviewing submitted reports

Shift supervisors are responsible for auditing reports/electronic entries submitted during the course of a shift. The shift supervisor is to check reports/electronic entries chosen for audit for presentation quality, accuracy and legibility.

The officer in charge of a station or establishment is responsible for ensuring that all documentation:

(i) is entered onto the Service computer network where necessary; and

(ii) is dealt with in accordance with this chapter and as determined by the relevant officer in charge of the region or command.

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9.1.4 Requirements in respect of the signing of documents

For the purpose of this section a replicated signature includes a:

(i) rubber stamp signature;

(ii) computer generated (scanned) signature; or

(iii) digital signature.

Members may only sign a Service document or use a replicated signature on behalf of another member, if written or verbal authorisation has first been obtained.

Written authorisations should specify:

(i) the class and/or nature of document concerned;

(ii) if the use of a replicated signature has been authorised; and

(ii) the relevant time-frame for the authorisation.

An authorisation document is to be dated and contain the signature and signature block of the authorising member and is to be retained by the member provided authorisation.

A written record of verbal authorisation should be made at the time by the member provided the authorisation and dated. This record should also specify the information as outlined in subsections (i)–(iii) above.

ORDER

A member must not sign a Service document, or use a replicated signature, on behalf of another member if authorisation has not first been obtained.

Authorisations for signatures, including replicated signatures, must not to be applied as relevant to any documents upon which the Service makes payments, e.g., payroll returns, travelling allowance claims, overtime claims, vouchers, etc. Such documents must be signed personally.

When a member is authorised to sign a Service document on the behalf of another member, the member should ensure that any recipient is clearly able to ascertain that the signature has been substituted including by:

(i) endorse his/her own initials, family name and position in block letters; and

(ii) including the words ‘per’ or ‘for’ adjacent to the signature.

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9.2 Writing style guide

To ensure the Service continues to reflect its position as a professional organisation, a standardised format and style guide for all internal and external written communications is essential. This style guide extends to all printed and digital mediums and is designed to eliminate inconsistencies in style as relating to Service:

(i) Manuals;

(ii) handbooks;

(iii) correspondence; and

(iv) policy and procedural documents.

9.2.1 General style matters

This style guide has been developed in conjunction with the Web writing and style guide as available on the Queensland Government Intranet site and the Style Manual as published by the Commonwealth Government.

These references should be referenced for any writing styles not governed by this style guide.

The Macquarie Dictionary is the standard for spelling, hyphenation, plurals and word meanings. Where a member of the Service is deciding which offered plural to use, the Macquarie Dictionary’s initial plural should be chosen (e.g. “formulas” rather than their second choice “formulae”).

The spelling list, as contained within the provisions of s. 9.2.9: ‘Spelling and word usage’ of this chapter, delivers a selection of commonly occurring words and is designed to assist Service writers to choose between alternative spelling options or styles.

In cases where the Style Manual and the Macquarie Dictionary are not consistent, Service members are to choose the convention or spelling that complies with the conventions of their manuscript. In most cases it is convenient to follow the Macquarie Dictionary preferences.

9.2.2 Use of plain English

Service communication should be written in plain English. Plain English writing is clear and concise writing that communicates information as simply and effectively as possible.

Plain English refers language that is clear, direct, straightforward; and avoids obscurity, inflated vocabulary and convoluted sentence construction. It is language that allows readers to concentrate on the message conveyed, not on the difficulty of the language used. Plain English uses the right word for the right occasion and does not use unnecessary words.

The main goal in writing is to put your message across clearly and concisely. Readers want an effortless, readable and clear writing style. Plain English is clear English—it is simple and direct but not simplistic.

Some principles of plain English writing includes:

(i) writing with the reader in mind;

(ii) using only as many words as necessary; and

(iii) organising information in a way that enhances readability.

Below is a list of examples of plain English and the corresponding long variant.

Plain English	Long variant
We have received	We are in receipt of
Gives you an opportunity	Affords you an opportunity
An opportunity	A window of opportunity
It stopped working	It ceased functioning
In place of	In lieu of
Mutual dislike	Avoidance situation
Use of	Utilisation of
Weapons legislation	Legislation with respect to weapons
Section 11 authorises you to	By virtue of section 11, you can
Because	By virtue of the fact that
Decision	Cognitive decision
Help	Assist
Before	Prior to
Dead	Deceased
Now	At this point in time

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9.2.3 Common pitfalls

Alternative means another choice.

Alternate means every other, so to say ‘alternate route to Oxley’ is wrong.

Colons (:) are used to introduce a quotation or a list.

Semi-colons (;) is a break that is stronger than a comma but weaker than a full stop. It is used to link two clauses that could be treated as separate sentences.

Criteria is the plural of criterion. ‘The major criterion is’, but: ‘there were four criteria’.

The abbreviation **e.g.** means ‘for example’ and is followed by an example or a list of examples. Do not end the list with etc.

His/her/he/she/they English has many redundant words but we do not have neutral words for she/he, hers/his, him/her and this causes anguish in some people. There is nothing wrong with using they or their for singular things and a sentence such as: ‘Will every person in the room please pick up their pen’ has been acceptable for centuries. If it still bothers you, you can write around the problem: ‘Will all of you pick up your pens so that your test can be completed’. Or, instead of: ‘An officer should be cautious when handling his or her gun’ say ‘An officer should be cautious when handling guns.’ S/he has been used as a way of writing he or she but many people find it awkward. The universal trend is toward using they for she or he.

However is over-used and it can mislead. Never use it if **but** will do. Avoid it altogether if you can.

The abbreviation **i.e**. means 'that is' and is followed by a clarification of what went before.

Close to is the same as '**in close proximity to**'.

Regularly should be used in place of '**on a regular basis**'. There is only a need to use 'on a (something) basis' when the (something) does not have a 'ly' ending.

Practical (unpractical) means 'useful' or 'handy' or 'it actually works'.

Practicable (impracticable) means 'capable of being done'.

Principal means 'the most important' or 'leading'.

Principle relates to a rule or a law or a code of practice.

Proper is related to propriety and propriety involves morals. In most cases, it would be better to use correct.

Simplistic means 'over-simple', so use simple.

With respect to/in relation to. Avoid these hackneyed phrases which are usually unnecessary and slow the reader down. Instead of legislation with respect to weapons use weapons legislation.

Viz is almost identical to i.e. so do not use it unless you have a good reason.

9.2.4 References

Where necessary within Service writing, the Service adopts the Harvard System of referencing. This is further explained within the Leadership Capability Program Assignment Writing and Referencing Guide and the Style Manual as published by the Commonwealth Government.

Acts, regulations and codes

The first time an Act appears in a publication, the full title of the Act is used exactly as it appears on the Act. It is written in italics with the exception of the jurisdiction, which is in regular type. For example:

Police Powers and Responsibilities Act 2000 (Qld).

For subsequent appearances of an Act, a shortened version is used written in italics with no date and jurisdiction included. For example:

Police Powers and Responsibilities Act.

As with Acts, Regulations are listed in full the first time they appear in a publication with date and jurisdiction with the whole title written in regular type. For example:

Transport Operations (Road Use Management—Road Rules) Regulation 2009 (QLD)

Subsequent reference to a Regulation in the same publication, a shortened version is used, for example:

Transport Operations (Road Use Management—Road Rules) Regulation

When referencing the 'Criminal Code' regular type is used with no date or jurisdiction unless reference is being made to the Commonwealth Criminal Code it should be written with the jurisdiction to remove any confusion. For example:

Criminal Code (Cwlth)

When referencing legislation in Service Manuals:

(i) the shortened version of the legislation is used; and

(ii) where legislation from the Commonwealth or another State is included, the jurisdiction is included in brackets in all instances, for example:

Police Powers and Responsibilities Act

Transport Operation (Road Use Management—Driver Licensing) Regulation

Telecommunications (Interception and Access) Act (Cwlth)

Section references

To reference a section of legislation or a Manual, use the abbreviation 's.' for a single section or 'ss.' for more than one section. A lower case letter s is always used with a period and a space before the section number. The only exception is when the section reference starts a sentence, then the complete word, Section is then used.

When reference is made to subsections, the same format is used and is dependent on the format used by the reference. Do not write subsection 1 of section 12.

When reference is first made to a section in a section, the reference should include the title of the section, for example:

s. 4.8: 'Disposal of property' of this Manual (if reference is made in another chapter of the same Manual);

s. 4.8: 'Disposal of property' of this chapter (if reference is made in the same chapter of a Manual);

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s. 4.8: 'Disposal of property' of the Operational Procedures Manual (if reference is made in another Manual);

Section 4.8: 'Disposal of property' of this Manual (if starting the sentence with the reference);

s. 4.10.1: 'Photographs and fingerprint examinations' of this Manual;

s. 45: 'Innocent intentions' of the Criminal Code; and

s. 8: 'Begging in a public place' of the *Summary Offences Act.*

For subsequent references to the same section in the same section a shortened version is used, for example:

s. 4.8 of this Manual

ss. 13–18 of the Act.

Whole works

Write in italics with each word having an initial capital, except for: the, for, it, to a, etc., unless that word represents something bigger than a simple joining word).

Articles in journals

Write in normal type, with only the first letter of the title, and the first letter after a colon in capitals; whole title within single quote marks.

Film and video titles

As for whole works.

TV and radio programs

As for articles but a capital for each word.

Papers

The Harvard System uses no punctuation but this may confuse readers. You should use your judgement when deciding whether to write the name of a paper as you would write the name of an article i.e. with quotation marks.

Software programs

In normal type, no punctuation, but a capital letter for each word.

9.2.5 Choosing numerals or words

Members should comply with the Australian Government style guide. Do not use numerals in brackets after the words, e.g. twenty-seven (27).

In text, the general rule is:

(i) use numerals for 2 and above;

(ii) write numbers zero and one in words;

(iii) numbers that open a sentence are written in words;

(iv) use numerals for age, e.g. 12-year-old child;

(v) use numerals for measurement, e.g. 1 km;

(vi) use numerals for amounts of money, e.g. $11.50; and

(vii) use numerals for percentages, e.g. 54%.

9.2.6 Date and times

Style thus: 23 May 1994, or, if figures are required, use 23.5.1994 or 1.1.2000 (full stops, not slashes). Use the 24-hour clock when referring to time, e.g. 1430 hrs, not 2.30 p.m.

9.2.7 Common words, terms and phrases

Terms to be used when writing policy/procedure/orders

When writing the documents the appropriate verb is to be used. When writing:

(i) policy use the verbs:

(a) is to;

(b) are to; or

(c) should;

as appropriate in the circumstances;

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(ii) procedure use the verb should; and

(iii) orders use the verbs:

(a) is to; or

(b) are to.

Common terminology

Suspect(s) is used not suspect/s.

When referring to a chapter, as in: in this chapter use a lower case **c**, but when referring to a specific chapter, as in: in Chapter 9, use a capital letter. Additionally use a numeral, not a word for the chapter number.

When making reference to a manual, use a capital letter e.g.: of this Manual.

The term **Court Brief (QP9)** is used in place of **QP9 'Court Brief'**.

Entry screen. Use capital letter to start name of screen on Service computer system.

9.2.8 Capital letters

Geographical

Do not use capital letters when referring to a district, region or station in general terms e.g.: what are the problems in your station or region; and western Queensland. Capitals are used when referring to a particular station, district or region, e.g.: Northern Region; and when referring to place names and names of recognised geographical regions, e.g.: Northern Territory, Townsville, North Queensland.

Officer in charge

When referring to a specific officer in charge, use the following form: Officer in Charge, Operational Policy and Improvement. When talking about an officer in charge in general, do not use a capital, e.g.: this must be cleared by your officer in charge.

Rank

Ranks do not have a capital unless the rank is part of somebody's title, so: recruit, constable, sergeant, superintendent etc., but Constable Paul Whiteman, Senior Sergeant Gladys Delmonte. The only exemption to this is when referring to the Commissioner as there is only one. For abbreviations of ranks, see s. 9.3.2: 'Designations, position titles and ranks' of this chapter.

Government, university and other entities

Use small letters when using terms in a generic sense, e.g. the department, the university, regional responsibility. When the term government is used adjectivally or generally, use small letters, e.g.: government offices, local government. Use capitals when referring to specific governments, e.g.: the State Government, the Government, the Federal Government).

Names of organisations

When using the full names of organisations, institutions etc., use the spelling, punctuation and capitalisation used by that organisation.

Commissioner's circular

Use lower case when referring to a Commissioner's circular in general terms. When referring to a specific circular, use upper case, e.g. Commissioner's Circular 03/15 (not Commissioner's Circular No. 03/15).

Surnames

Use capitalisation for surnames of all individuals, real or fictitious e.g. Joan Sutherland. Block capitals may be used for surnames in signature blocks.

9.2.9 Spelling and word usage

The **-ise** ending on verbs such as *standardise* and *finalise* is to be used for consistency even though the -ize variation is frequently used and generally accepted within many publications.

A capital 'A' is used when referring to Australian Aboriginal things. For more general terms (such as aboriginal people of Asia) a small 'a' is used.

The following list delivers a selection of commonly occurring words and is designed to assist Service writers to choose between alternative spelling options or styles.

Aboriginal (adj.)
acknowledgment
activity sheet
adviser
affect (v.; also n., psychology term)
age-group

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age-range
ancient history (subject)
appendix, appendixes (as in an appendix to a document—do not use appendices)
artefact
Asperger syndrome
assessment
audiocassette
audiotape
audiovisual
Australian Government
bachelor
back-to-basics
BASIC (computer term)
behaviour
benefited
biased
biology (subject)
blackboard
boys school (school for boys)
brainstorm
brainstorming
Budget (State Budget)
CD–ROM (use en rule)
Cabinet
call out (e.g. call out procedures for specialist squads)
case study
central office
chalkboard
chalkface
checklist
clearing house
Commissioner (always starts with capital letter)
commissioned officer (use lower case (generic))
Commonwealth (n. & adj.)
Commonwealth Government (use Australian Government)
consensus
Constitution (as in Australian Constitution)
cooperate (no hyphen)
coordinate (no hyphen)
corporate plan (lower case, unless you are citing one actual document)
councillor
counsellor
court (use small letters (generic) *unless* reference is being made to a particular court, e.g. The Supreme Court, Family Law Court. For magistrates court, coroners court, etc. use no apostrophes. Use small letters unless referring to a named, individual court such as: Rockhampton Magistrates Court.
criteria (plural) (see criterion)
criterion (singular (a standard, rule, or principle for testing anything)
Crown (always starts with a capital letter)
curricula (n., pl.)
curricular (adj.)
curriculum
data (used as a singular collective noun in data processing, for example: Ensure that the data is rigorously checked). (Used as plural noun in all other cases. For example: Data on the population are still being collected.)
databank
database
decision making (n.)
decision-making (adj.)
department
Department of Education, Queensland
departmental
deputy
directorate (generic)
disc (general use, mathematics)
disk (computer term)
dispatch
division
divisional
Down syndrome
drop out (v.)
drop-out (n.)
e.g.
educationist
effect (n. & v.t.)
English
enrol
enrole (drama term)
enroled (adopted a role in drama)
enrolled
enrolling
enrolment
etc.
Far North
federal (as in federal legislation)
Federal Government (use Australian Government)
Federal Parliament
first aid
first class
first-aid kit
first-class ticket
first-hand (adj. & adv.)
focused
focuses
focusing
formatted
formulas
forums
fulfil
fulfilled
full-time (adj.)
fund-raiser
fundraise
government (adj.)
government (n., as in local, state or national government)
Government (n., when referring to specific entity)
government school
honours
i.e.
in depth (adv. phrase)
in-depth (adj.)
in-service (adj. only)
Inc.
index, indexes (books and record indexes)
index, indices (mathematics)
inquire, inquiry
intake
intellectual impairment (and other impairments)
interdepartmental
interdependent
interdisciplinary
interrelationship
interschool

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interstate
intraschool
intrastate
Islanders (residents, or their descendants, of Torres Strait Islands)
Islands (Torres Strait Islands)
judgement
kilobyte (computer term)
laptop
liaison
life cycle
life span
lifelike
lifeline
lifestyle
Logo (computer term)
long term (predicate)
long-term (adj.)
loose-leaf
mainstream
masters
media (n., pl.)
medium(s)
microcomputer
microprocessor
Microsoft
mid-1990s (no apostrophe)
mid-adolescence
Minister (particular person)
minister(s) (generic)
ministerial
movable
MS DOS (computer term)
multicultural
multilevel
multilingual
multimedia
multinational
multiple-choice (adj.)
multipurpose
multiracial
nationwide
newborn
non- (usually takes a hyphen, but non-verbal, nonconformist, nondescript, nonsense-check the *Macquarie*)
non-commissioned (use hyphen)
North Queensland
Northern Hemisphere
ongoing
open-ended
Outback
overactive
overall
overcompensate
overconfidence
overemphasis
overreact
overuse
paediatric
police–community (with en rule: adj. denoting relationship)
part-time (adj.)
Pascal (computer term)
peer group
per cent (in text: used with numeral, as in 8 per cent)
performance indicators
physics (subject)
plasticine
post-service
postdoctoral
postgraduate
postwar
pre-compulsory
predetermined
prerequisite
pre-service
preschool
problem solving (n.)
problem-solving exercise (adj.)
program (n. & v.) (not programme)
programmed
programming
proofread
re-create (create anew)
recreate (refresh by relaxation)
redevelop
re-edit
re-educate
re-formatted
region (generic, but Peninsula Region)
regional
regional office (generic)
reorganise
résumé
reteach
rewrite
role-play (n. & v.)
role-playing
school age (n.)
school-age (adj.)
schoolboy
schoolchild (but primary-school child)
schoolgirl
schoolteacher
self-esteem
self-image
semester (general)
Semester 1 (etc.)
Service-wide (adj.)
Service wide (predicate, no hyphen. Use capital letter)
short term (predicate)
short-term (adj. preceding noun)
sizeable
skilful
social justice
sociocultural
socioeconomic
sociopolitical
sourcebook
South-East Asia (n.)
Southern Hemisphere
special needs
spreadsheet
standardise (do not use ize)
state (abstract qualifier, as in state-owned, state school) but State (of Australia) e.g.: in this State, things are done differently.
statewide (no hyphen)
stocktake
subtotal
syllabuses

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targeted
Territory (of Australia)
textbook
think-tank
Third World
time-lapse
timeline
Torres Strait Islander (n. & adj.)
Treasury (government)
trialling, trialled
under way
undergraduate
UNIX (computer term)
up to date (used as predicate)
up-to-date (adj. preceding noun)
upgrade
veranda
vice-president
video game
video recorder
video terminal
videocassette
videodisc
videotape
videotaping
watch-house
well known (used as predicate)
well-being
well-known (adj. preceding noun)
well-to-do (adj.)
Western World
Westernise
wide-ranging
word processing (n.)
word-processing (adj.)
word processor
WordPerfect (computer term)
work experience
work force
workbook
workday
Workers' Compensation
workload
workplace
worksheet
workshop
worldwide
Year 1, Year 12 (etc.)

9.2.10 Letterhead

Service letterhead should be used by all members for all external correspondence. QP 0006: 'QPS Letterhead Template' contains the Service-approved format.

Some commands use pre-printed letterhead which should comply with the Service-approved format as defined below.

Letterhead format

Letterhead size: A4—297mm x 210mm

QPS badge size: 20mm total width

Cheque logo size: 20mm total width

Typography: QPS—14 point Times New Roman Bold, character spacing normal, single line spacing zero points before and after, alignment centred, upper case

ABN—8 point Times New Roman Bold, character spacing normal, single line spacing zero points before and after, alignment centred, upper case

Division/Branch/Unit/Police Station—9 point Times New Roman Bold, character spacing normal, single line spacing zero points before and after, alignment centred, title case

Address block—7 point Times New Roman Bold, character spacing normal, single line spacing zero points before and after, alignment centred, sentence case

Phone block—7 point Times New Roman Bold, character spacing normal, single line spacing zero points before and after, alignment centred, upper case

Reference block title—9 point Times New Roman Regular, single line spacing zero points before and after, alignment right

QPS wordmark—9 point Arial Bold, character spacing expanded 10 points, single line spacing zero points before and after, alignment centred, upper case contained in paragraph box with a ¾ point line border and 100% solid shading pattern

Colour: Mono Logo prints—Pantone Reflex Blue

Paper stock: White 80gsm

Letterhead layout guide

Typography: References—9 point Times New Roman Regular, single line spacing zero points before and after, alignment left

Date block—12 point Times New Roman Regular, single line spacing 12 points before and zero points after, alignment left, title case

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Addressee's name—12 point Times New Roman Regular, single line spacing 12 points before and zero points after, alignment left, title case

Addressee—12 point Times New Roman Regular, single line spacing zero points before and after, alignment left, title case

Addressee suburb—12 point Times New Roman Regular, single line spacing zero points before and after, alignment left, upper case

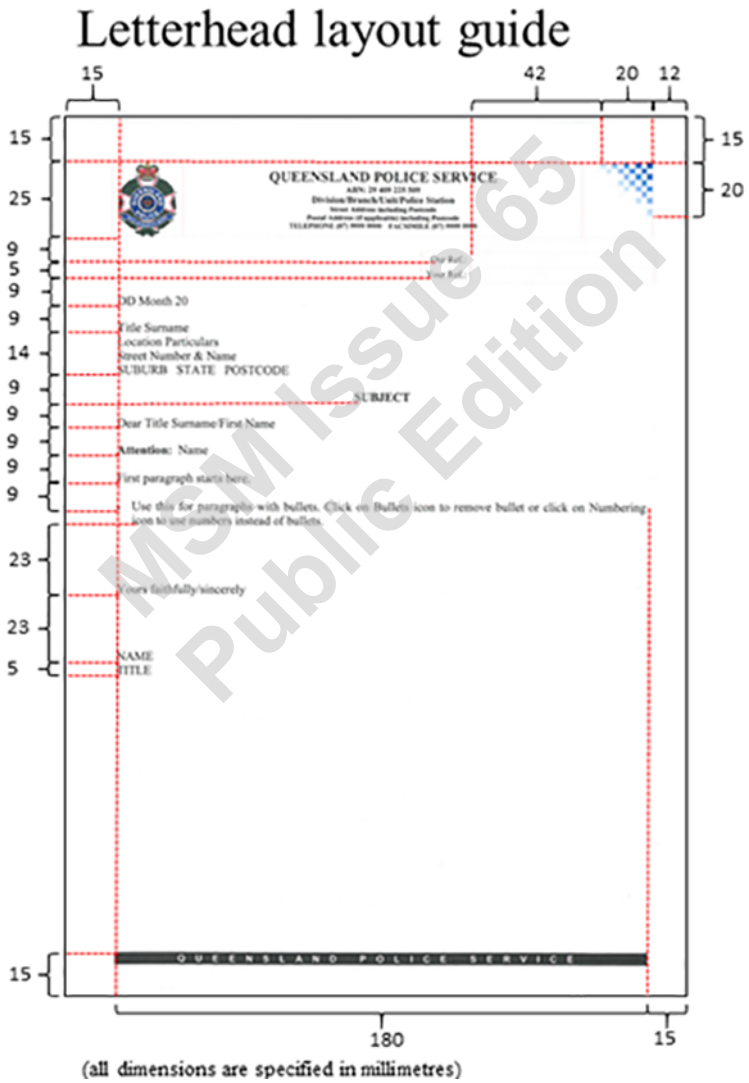
Subject line—12 point Times New Roman Bold, single line spacing 12 points before and zero points after, alignment centred, upper case

Salutation—12 point Times New Roman Regular, single line spacing 12 points before and zero points after, alignment left, title case

Body Copy—12 point Times New Roman Regular, single line spacing zero points before and after, alignment justified, sentence case

Complimentary closing—12 point Times New Roman Regular, single line spacing 12 points before and zero points after, alignment left, sentence case

Writer's identification—12 point Times New Roman Regular, single line spacing zero points before and after, alignment left, upper case



Drafting letters under the hand of the Commissioner

Members of the Service are to refer to the Commissioner's Office webpage on the Service Intranet for 'Correspondence Templates' for use with pre-printed Commissioner's letterhead and typography requirements.

Typography: 12 point Palatino or 11 point to fit to a page only

Margins for letters: Left and right margins—3.17cm

Top margin—2.5cm

Bottom margin—3.3cm to 1.5cm

9.2.11 Reports

Service reports should be used by all members for formal internal correspondence. QP 0006: 'QPS Report Template' contains the Service-approved format.

Report layout guide

Typography: References—9 point Times New Roman Regular, single line spacing zero points before and after, alignment left

Date block—12 point Times New Roman Regular, single line spacing zero points before and zero points after, alignment left, title case

Addressee's name (TO)—12 point Times New Roman Bold, single line spacing zero points before and after, alignment left, title case

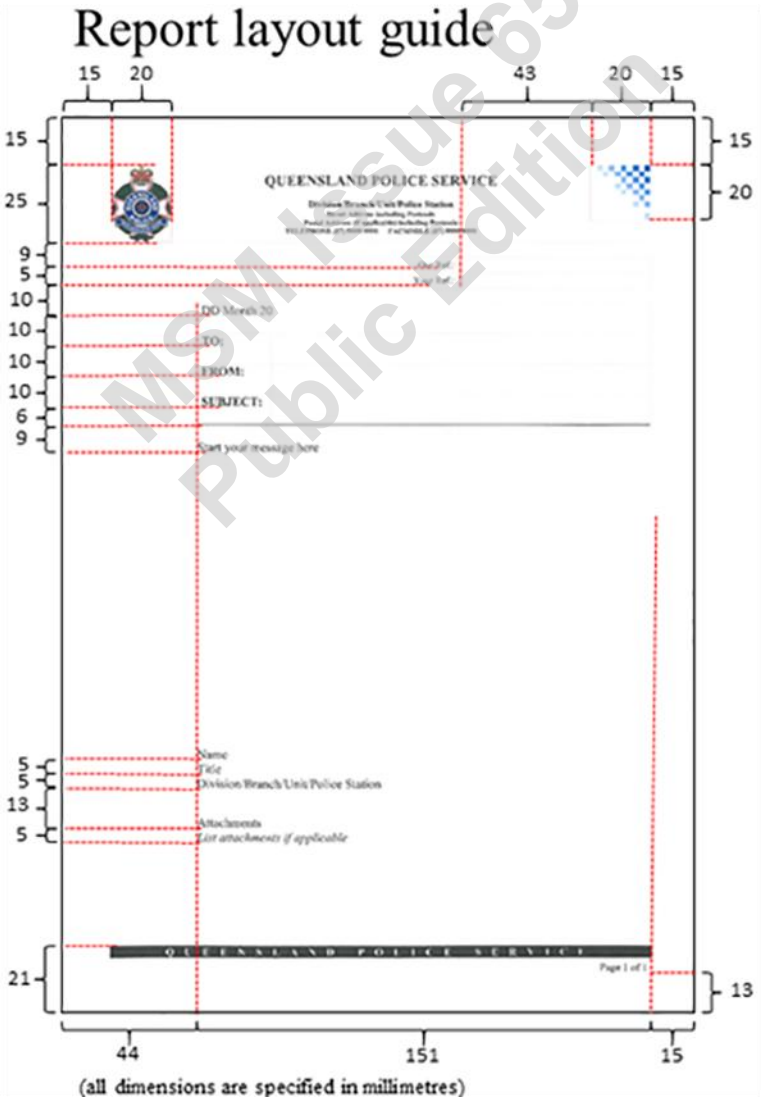
Writers name (FROM)—12 point Times New Roman Bold, single line spacing zero points before and after, alignment left, title case

Subject line—12 point Times New Roman Bold, single line spacing zero points before and after, alignment left, upper case

Body Copy—12 point Times New Roman Regular, single line spacing zero points before and after, alignment justified, sentence case

Writer's identification—12 point Times New Roman Regular, single line spacing zero points before and after, alignment left, title case

Attachments—12 point Times New Roman Italics, single line spacing zero points before and after, alignment left, sentence case



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9.2.12 Queensland Government web design—'Consistent User Experience Standard'

To ensure a consistent experience, the Consistent User Experience (CUE) Standard hosted on the 'Web Centre' web page of the Queensland Government internet site, requires that:

(i) agency web pages are laid out consistently, with elements such as the navigation, search button and agency name always in the same place;

(ii) navigation is based on what visitors are likely to be looking for, rather than on how departments are organised;

(iii) the underlying techniques used to create the pages ensure they are accessible to as many people as possible.

The CUE Standard incorporates previously independent standards and guidelines into a suite of requirements for the Queensland Government online.

9.2.13 Email signature blocks

In order to deliver a consistent corporate style, wherever practicable, all email messages, both internal and external, should contain a signature block aligning with the Service's corporate standard.

Member's email signature blocks should contain the following information where relevant:

(i) the Service digital logo, (see s. 9.4.5: 'Service digital logo' of this chapter), may be attached on the left or right-hand side. Only the approved Service digital logos may be used;

(ii) the member's first and family name;

(iii) rank and/or position/role title;

(iv) the member's work unit, district/group and region/command;

(v) work unit's street and postal address;

(vi) contact telephone and fax number(s);

(vii) member's Service email address; and

(viii) work unit website address.

The signature block should adopt the following format:

(i) the same typeface and font size as the message—either Times New Roman 12 or Arial 11;

(ii) be blue or black in colour;

(iii) be bold text for name; and

(iv) be upper or lower case for family name.

Private email addresses are not permitted e.g. ziggy@hotmail.com.

Approved addresses including work unit business email address may be used e.g. Pipes and Drums, Coronial Support, Operational Equipment and Vulnerable Persons Unit.

Signature block templates can be downloaded from the Operational Policy and Improvement SharePoint page.

Samples of approved email signature block styles:

Colour badge, right aligned, Arial 11pt, black.

First and last name
Rank and/or position/role title
Work unit, district/group
Region/command
Contact telephone number/s
Work unit street and/or postal address
Email address
Website address/URL if relevant

Colour badge, right aligned, Times New Roman, 12 pt, blue.

First and last name
Rank and/or position/role title
Work unit, district/group
Region/command
Contact telephone number/s
Work unit street and/or postal address
Email address
Website address/URL if relevant

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Silver badge, left aligned, Arial 11pt, blue.



First and last name | Rank
Position/role title
Work unit
District/group
Region/command
Queensland Police Service

Contact phone number I Mobile number – optional
Work unit street and/or postal address I Fax number if relevant
Email address I Website address/URL if relevant

Silver badge, left aligned, Times New Roman, 12 pt, black.



First and last name | Rank
Position/role title
Work unit
District/group
Region/command
Queensland Police Service

Contact phone number I Mobile number – optional
Work unit street and/or postal address I Fax number if relevant
Email address I Website address/URL if relevant

Banners

Unit/group/command logos or banners may be inserted under the signature block subject to approval of the relevant commissioned officer. Special event banners may be considered by the relevant command.

Banners are designed to:

(i) individualise a work unit, district/group or region/command, for example:

(a) Central Panels Unit;

(b) Communications Group;

(c) Crime Command; or

(ii) promote a specific Service-wide activity, e.g. Road Safety Week, Child Protection Week.

ORDER

Members are not permitted to alter the background of the email, add quotes, images or any other materials to their signature block without the express authorisation of a relevant commissioned officer or executive director. Banners are not to exceed 700w * 150h px @ 120dpi in size.

Only logos authorised by Communication Services, Department of Premier and Cabinet may be included in emails and email banners (see 'Introduction' of the Corporate Identity Guidelines). Approved logos include the Service logo, Queensland Coat of Arms, Policelink logo, Crimestoppers logo and white ribbon logo.

Banners are to consist only of combinations of:

(i) the QPS logo; and/or

(ii) text (namestyles); and/or

(iii) photographs.

No drawn images, gifs, diagrams or other pictures are to be used.

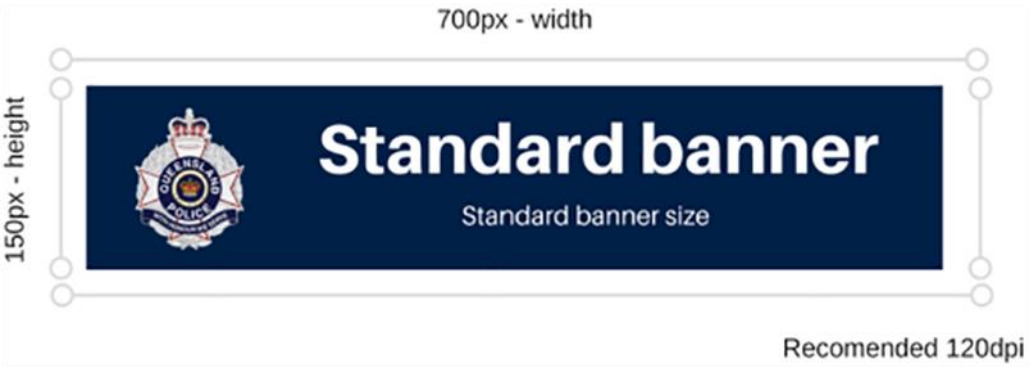
Hyperlinks to specific sites may be included in a banner providing that appropriate approval has been obtained prior to use e.g. internal emails for intel links, external emails for Crimestoppers and Policelink.

For assistance in the creation and or content of a banner, contact the Media Projects group via QPS email—'MediaProjects'.

The Corporate Identity Coordinator manages the approval of logos on behalf of the Service.

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Approved banner dimensions:



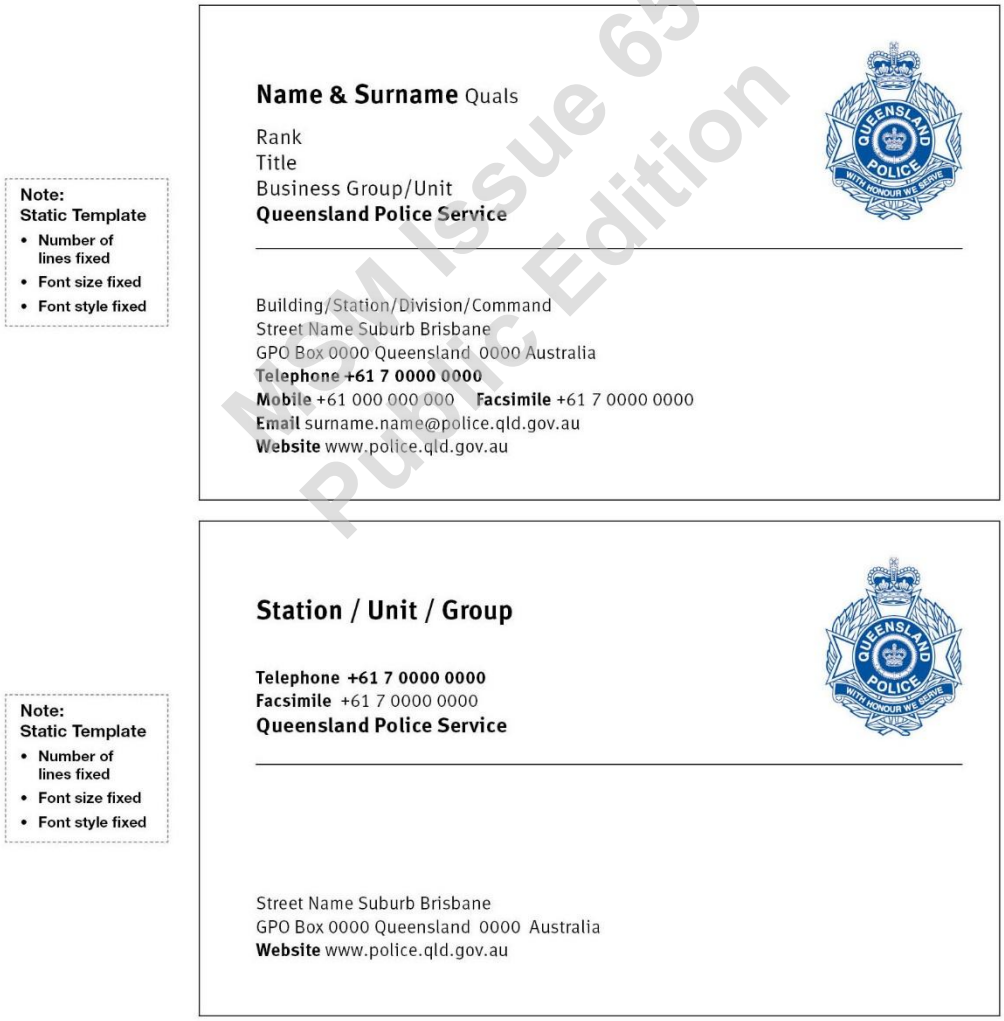
9.2.14 Business cards

In order to deliver a consistent corporate style, Service-issued business cards may be ordered for members and/or unit groups. Links to the templates can be located and ordered though the Supply Services webpage, via the QPS intranet site.

ORDER

Members are only to use business cards ordered through Supply Services.

Templates are static with fixed font, size and style, as shown below:



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9.3 Service acronyms and abbreviations

Within Service writing it is preferred that names or phrases be written in full with the acronym (in brackets) after it. Below is a list of Service acronyms which may be used after an initial full entry has been completed (e.g. Queensland Police Service (QPS)).

9.3.1 Commonly encountered acronyms

ARCC	Audit, Risk and Compliance Committee
AAC	Adopt-A-Cop
AAO	Active armed offender
ACC	Australian Crime Commission (legal name for ACIC)
ACIC	Australian Criminal Intelligence Commission
ACIC databases	National data sharing systems for sharing of police information
ACID	Australian Criminal Intelligence Database
ACL	Access control list (QPRIME)
Admin	Administration
AFIN	Australian Firearms Information Network
AFIS	Australian Fingerprint Information System
AFP	Australian Federal Police
AFPA	Australian Federal Police Association
AIC	Australian Institute of Criminology
AIPM	Australian Institute of Police Management
ALEIN	Australian Law Enforcement Intelligence Network
AMP	Alcohol management plan
ANPR	Automatic number plate recognition
ANZCTC	Australia New Zealand Counter Terrorism Committee
ANZPAA	Australia New Zealand Policing Advisory Agency
ANZPCF	Australia New Zealand Police Commissioners Forum
APM	Australian Police Medal
APPSC	Australasian Police Professional Standards Council Inc.
APS	Applied policing skills (RTS activity)
ATA	Accumulated time arrangements
ATSILS	Aboriginal and Torres Strait Islander Legal Service Queensland Limited
ATSIWALAS	Aboriginal and Torres Strait Islander Women's Advocacy and Legal Aid Service
AusSar	Australian Search and Rescue
BAC	Blood Alcohol Concentration
BC	Brief Comment
BMTMC	Brisbane Metropolitan Traffic Management Centre
BOLO	Be on the lookout for…
BoM	Board of Management
BR	Brisbane Region
BrAC	Breath alcohol concentration
BWC	Body worn camera
BWP	Brisbane Water Police
CAD	Computer Aided Despatch System
CARS	Collections Account and Receipting System
CASCG	Child Abuse & Sexual Crime Group
CBD	Central business district
CBRE	Chemical, biological, radiological emergency
CBT	Computer based training
CCC	Crime and Corruption Commission
CCLO	Cross Cultural Liaison Officer
CCR	Call charge records (telephone)
CCTV	Closed circuit television
CDCRC	The Child Death Case Review Committee
CEW	Conducted energy weapon
CGM	Corporate Governance Manual
CIB	Criminal Investigation Branch
CICIU	Cyber and Identity Crime Investigation Unit
CIRS	Cyber Issue Reporting System
CISM	Critical incident stress management

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CITEC	Queensland Government Centre for Information Technology and Communications
CLB	Criminal Law Bulletins
CLF	Capability and Leadership Framework
CLI	Call line identification
CLLO	Cabinet Legislation and Liaison office
CLQ	IJIS court list query
CMG	Criminal Motorcycle Gang
CNI	Central Names Index
COC	Code of Conduct Clerk of the Court
Comfit	Computerised Facial Identification Techniques
COMMS	Communications
COPIA	Command, operations, planning, intelligence, administration (and logistics). See also ICENRIRE
COU	Covert Operations Unit
CPIU	Child Protection and Investigation Unit
CPOR	Child Protection Offender Register
CPR	Cardiopulmonary resuscitation
CPTED	Crime prevention through environmental design. See also SCP
CR	Central Region
CrimTrac	See ACIC databases
CRMS	Corporate Records Management System
CSDN	Child Safety Directors Network
CSOG	Covert and Specialist Operations Group
CSR	Crime statistics report Charge sequencing report (QPRIME)
CSS	Client service system
CT	Counter-terrorism
CTIG	Counter-Terrorism Investigation Group
D&RC	Demand and Resource Committee
DACIR	Drug and alcohol community information resource
DACU	Drug and Alcohol Coordination Unit
DCC	Demand and Capability Committee
DDCC	District Disaster Coordination Centre
DDFVC	District Domestic and Family Violence Coordinator
DDMG	District Disaster Management Group
DDT	Drug Dog Team
DERIE	Digital Electronic Recording of Interviews of Evidence
DFSDSCS	Department of Families, Seniors, Disability Services and Child Safety
DFVVPU	Domestic, Family Violence and Vulnerable Persons Unit
DHPW	Department of Housing and Public Works
DJ	Department of Justice
DMA	*Drugs Misuse Act 1986* *Disaster Management Act 2003*
DNA	Deoxyribonucleic acid
DOB	Date of birth
DPC	Department of Premier & Cabinet
DPI	Department of Primary Industries
DPP	Director of Public Prosecutions (Queensland and federal government departments)
DQ	Data Quality
DSCG	Drug and Serious Crime Group
DSS	Driving Skills Section
DTET	Department of Trade, Employment and Training
DTMR	Department of Transport and Main Roads
DV	Domestic violence
DVDS	Departmental Vehicle Damage System (2010–2018)
DVI	Disaster victim identification
DVIS	Disaster Victim Identification Squad
DVO	Domestic violence order
DWATSIPM	Department of Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism
DYJVS	Department of Youth Justice and Victim Support
EB (II, IV)	Enterprise bargaining agreement, Number X
EBN	Executive briefing note

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eCAP	Electronic Competency Acquisition Program
eDRMS	Electronic Document and Records Management System
EEO	Equality of employment opportunity
ELT	Executive Leadership Team
EOI	Expression of interest
EORT	Explosive Ordnance Response Team
ERI	Electronic recording of interviews
ESC	Ethical Standards Command Essential selection criteria
ESS	Employee Self Service (product of Aurion)
ETA	Estimated (expected) time of arrival
ETCR	Electronic transfer of court results (QPRIME)
ETD	Estimated time of departure
FCCG	Financial and Cyber Crime Group
FCU	Forensic Crash Unit
FEDD	Firearms and Explosive Detection Dog
FMPM	Financial Management Practice Manual
FNQ	Far North Queensland
FOST	Firearms and officer safety training
FPR	Field property receipt
FRH	First Response Handbook
FSD	Functional Support Desk
FSG	Forensic Services Group, SCTFSC
FTE	Full-time equivalent
FYC	First year constable
FYCP	First Year Constable Program
GovNet	Queensland Government intranet
Govt	Government
HAIMS	Honours and Awards Information Management System
HAZCHEM	Hazardous chemicals
HAZMAT	Hazardous materials
HD	Higher duties
HDA	Higher duties allowance
HG	Homicide Group
HQ	Headquarters
HR	Human resources
HRM	Human resource management
hrs	hours (use 24 hour clock time e.g. 1530 hrs)
IAP	Incident action plan
ICAC	NSW Independent Commission Against Corruption
ICARE Course	Course providing training in interviewing children and recording evidence
ICCG	Indigenous Community Consultative Group
ICENRIRE	(ice ‘n rire)—Isolate, Contain, Evacuate, Negotiate, Resolve, Investigate, Rehabilitate and Evaluate
ICPCG	Indigenous Community/Police Consultative Group
ICS	Incident Command System
ICT	Information and communications technology
ICTS	Incident Command Training Section
IED	Improvised explosive device
IITP	Investigations & Intelligence Training Program
IITU	Investigations and Intelligence Training Unit
IJIS	Integrated Justice Information Strategy/Systems
ILIT	Illicit Laboratory Investigation Task Force (‘Clan(destine) lab(oratory) unit’)
IMAC	Investigation Management and Control System
IMT	Incident management team
IN	Infringement notice
INTEL	Intelligence
INTERPOL	International association of over 100 national police forces, set up to fight international crime. Common name for the ICPO.
IP	Information privacy Intellectual property
IPP	International Protected Person
IRC	Information Resource Centre
ISB	Information Systems Branch
ISC	Information Steering Committee
ITS	Intelligence Training Section

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IWSS	Immigrant Women's Support Service
J	Competent
JCCT	Joint Counter Terrorism Team
JEST	Joint Emergency Services Training
JIN	Joint infringement notices
JP	Justice of the Peace
KSC	Key selection criteria
LaMP	Leadership and Mentoring Program for Women
LD	Legal Division
LDCC	Local Disaster Coordination Centre
LDMG	Local Disaster Management Group
LDP	Leadership Development Program
LGBTQIA+	Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual plus
LIN	Liquor infringement notice
LLU	Local Liquor Unit
M	Not yet competent
MBN	Ministerial briefing note
MCD	Media and Communications Division
MDP	Management Development Program
MHIC	Mental Health Intervention Coordinators
MIN	Marine infringement notice
MIR	Major Incident Room
MLO	Ministerial Liaison Officer
MNIFTY	AFP's Master Names Index Facility
MNPP	Minimum National Person Profile (CrimTrac)
MOA	Minor operations area
MOCS(R)	Major and Organised Crime Squad (Rural)
MOR	Memorandum of results
MOU	Memorandum of understanding
MP	Member of Parliament, Queensland Missing person
MPF	Mobile Police Facility
MTS	Marine Technical Section
NACRole	Niche Access Control (QPRIME User Access)
NAFIS	National Automated Fingerprint Information System
NAIDOC	National Aboriginal and Islander Day Observance Committee
NATP	National Anti-Terrorist Plan
NBC	Nuclear biological chemical
NCIS	National Crime Intelligence System
NCTP	National Counter Terrorism Plan
NCU	Negotiator Coordination Unit
NDLERF	National Drug Law Enforcement Research Fund
NDRRA	Natural Disaster Relief and Recovery Arrangements
NDS	National Drug Strategy
NDSLEFC	National Drug Strategy Law Enforcement Funding Committee
NETO	No evidence to offer
NEVDIS	National Exchange of Vehicle and Driver Information System
NFA(D)	No further action (desired)
NFLRS	National Firearms Licensing and Registration System
NFPA	No fixed place of abode
NHW	Neighbourhood Watch
NHWA	Neighbourhood Watch Australia
NHWQ	Neighbourhood Watch Queensland
NIFS	National Institute of Forensic Science
NOSA	Night Operational Shift Allowance
NQ	North Queensland
NQC	QPS Academy (North QLD)
NR	Northern Region, QPS
NRMA	National Roads and Motorists Association
NRS	National Reporting System
NTA	Notice to Appear
OAK	Operational Assistance Kit
OAP	Online awareness product
OC	Oleoresin capsicum (spray)
OCGG	Organised Crime Gangs Group
ODPP/QPS	Seeking Justice Committee, Failed Sexual Offence Prosecutions Working Party
OH	Offender history
OHR	Offender History Report

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OHS	Occupational health and safety
OLAD	Operational Legal Advice and Development, Legal Division
OLGR	Office of Liquor and Gaming Regulation
OLP	Online Learning Product
OMCG	Outlaw motorcycle gang
OPI	Operational Policy and Improvement
OPM	Operational Procedures Manual
OPR	Operational Performance Review
OQPC	Office of Queensland Parliamentary Counsel
ORD	Optional rest day
ORP	Operational Reorientation Process
OSA	Operational Shift Allowance
OST	Operational skills and tactics
OT	Overtime
PACE	Police Abridged Competency Education
PACT	Protect All Children Today, a voluntary organisation
PAL	Police Assistance Line (NSW term for Policelink)
PCA	Prescribed concentration of alcohol
PCC	Police Communications Centre
PCYC	Police Citizens Youth Club
PD #	Position description (Number)
PDA	Performance Development Agreement
PDO	Programmed day off
PEAG	Police Ethnic Advisory Group
PFC	Police forward commander
PFCP	Police forward command post
PHQ	Police Headquarters
PIC	Police Information Centre
PID	Policy and Insight Division
PIN	Penalty infringement notice
PMB	Program Management Board
PMO	Project Management Office
POC	Police Operations Centre
POI	Person of interest
POP	Person, object, place
POPP	Problem-Oriented and Partnership Policing
POST	Police operational skills and tactics
_PPC	Police Prosecution Corps (Preceded by initial of location e.g. Brisbane = BPPC)
PPE	Personal protective equipment
PPPG	Prepare, Prevent, Protect Group
PPQ	Possible parliamentary question
PPRA	*Police Powers and Responsibilities Act 2000*
PPRR	Police Powers and Responsibilities Regulation 2026 Prevention, preparedness, response and recovery
PROS	Prosecutions
PS	Protective Services Group
PSAA	*Police Service Administration Act 1990*
PSC	Public Service Commission
PSPA	*Public Safety Preservation Act 1986*
PSRT	Public Safety Response Team
PTC	Prosecutors Training Course
PV	Police vessel
QAS	Queensland Ambulance Service
QATSIP	Queensland Aboriginal and Torres Strait Islander Police
QB&FP	Queensland Boating and Fisheries Patrol
QCAT	Queensland Civil and Administrative Tribunal
QCTC	Queensland Counter Terrorism Committee
QDMA	Queensland Disaster Management Arrangements
QDMC	Queensland Disaster Management Committee
QFD	Queensland Fire Department
QGAir	Queensland Government Air Wing
QLiTE	QPS Lite Information Technology Exchange
QMPU	Queensland Mounted Police Unit
QON	Question on notice
QPCOU	Queensland Police Commissioned Officer's Union
QPCYWA	Queensland Police Citizens Youth Welfare Association

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QPIN	Queensland Police Intelligence Network
QPP	Queensland Privacy Principles
QPRIME	Queensland Police Service Records and Information Management Exchange
QPS	Queensland Police Service
QPSA	Queensland Police Service Academy
QPSDU	Queensland Police Service Dive Unit
QPSS	Queensland Police Service Solicitor
QPSU	Queensland Public Sector Union of Employees
QPUE	Queensland Police Union of Employees
RACE	Rejoiner Abridged Competency Education
RACQ	Royal Automobile Club of Queensland
RAP	Rapid Action and Patrols Restricted access period
RBT	Random breath testing
RCC	Recognition of current competencies. See also RPL.
RCIADIC	Royal Commission into Aboriginal Deaths in Custody
RCSO	Regional Computer Support Offices
RDC	Recruiting and Development Command
RDTU	Roadside Drug Testing Unit
RES	Radio & Electronics Section
RPL	Recognition of prior learning
RS	Railway Squad
RTA	Regional training administrator
RTI	Right to Information
RTW	Return to work
SAC-PAV	Standing Advisory Committee on Commonwealth/State Co-operation for Protection Against Violence. See also NCTC
SAR	Search and rescue
SARA	Scanning, analysis, response, assessment (part of POPP)
SARAS	Study and Research Assistance Scheme
SARO	Search and rescue operators
SatCUG	Satellite closed user group
SBPO	School based police officers
SCAN	Suspected child abuse and neglect
SCO	Speed Camera Operations
SCP	Situational crime prevention
SCTFSC	Security, Counter-Terrorism and Forensic Services Command
SDCC	State Disaster Coordination Centre
SDCG	State Disaster Coordination Group
SDMG	State Disaster Management Group
SELF	Scrutiny, ensure compliance, lawful and fair
SEQ	South East Queensland
SER	South Eastern Region
SERP	Significant Event Review Panel
SERT	Special Emergency Response Team
SES	Senior Executive Service State Emergency Service
SHP	State Highway Patrol
SHRO	Sexual Harassment Referral Officer
SIDS	Sudden infant death syndrome
SIG	State Intelligence Group
SITREP	Situation report
SLA	Service Level Agreement
SLC	Senior Leadership Course
SLPDP	Senior Leadership and Professional Development Program (replaces PDP)
SMANZFL	Senior Managers Australia and New Zealand Forensic Science Laboratories
SMD	Staff member development
SMEAC	Situation, mission, execution, administration, command and communications (format on how operational orders are to be devised)
SNP	Safe Night Precinct
SO	Standing order
SOC	Scenes of crime
SODOAC	Sexual Offenders and Dangerous Offenders Assessment Committee
SOU	Security Operations Unit / Surveillance Operations Unit
SPER	State Penalties Enforcement Registry

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SPI	Single Person Identifier (QPRIME)
SPP	Strategy, Policy and Performance (QPS)
SR	Southern Region
SRA	State Reconstruction Authority
SRG	Specialist Response Group
SSA	Shared Service Agency
SSG	Specialist Services Group
SSP	Shared Service Provider
SSS	Shared Service Solutions
SVN	Stolen Vehicle Number
TA	Travelling allowance
TAC	Transfer advisory committee
TBCS	Transfer of bench charge sheets (QPRIME)
TC	Traffic crash (QPRIME)
TCS	Tactical Crime Squad
TDD	Tyre deflation device
TETCR	Tactical electronic transfer of court results (QPRIME)
TICA	Transport Integrated Customer Access (previously Transport, Registration and Integrated Licensing System (TRAILS))
TINA	Ticketable Infringement Notice Automation
TINMS	Traffic Infringement Notice Management System (QPRIME)
TIU	Telecommunications Intercept Unit
TM	Traffic Manual
TMR	Queensland Department of Transport and Main Roads
TOP	Tourist oriented policing
TORUM	Transport Operations (Road Use Management) statutes
TRAILS	Transport, Registration and Integrated Licensing System (now TICA)
TSU	Technical Surveillance Unit
UUMV	Unlawful use of motor vehicle
VICLAS	Violent Criminal Linkage and Analysis System
VIN	Vehicle identification number
VIP	Very important person
VIS	Vehicle Intelligence System
VKR	Radio call sign, Queensland Police Service
VOI	Vehicle(s) of interest
VRN	Vacancy reference number
WAG	Women's Advisory Group Network (Women's Network)
WFQ	Wanted for questioning
WH&S	Workplace health & safety
WL	Weapons Licensing
WLMS	Weapons Licensing Management System
WOG	Whole of Government

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9.3.2 Designations, position titles and ranks

A/	'Acting'—to be placed in front of relieving rank.
AASO	Assistant administrative services officer
AC	Assistant commissioner
AOx	Administration officer (staff member) (x = level, i.e. 2, 3)
ASARMC	Assistant search and rescue mission coordinator
AWO	Assistant watch-house officer
CO	Commissioned officer
Comco	Communications coordinator
CON	Constable
COP	Commissioner of Police
CRO	Communications room operator
CSO	Client service officer
CINSP	Chief inspector
CSUPT	Chief superintendent
CTLO	Counter-terrorism liaison officer
D	Detective (added in front of ranks)
DC	Deputy commissioner
DCDEM	Deputy Commissioner, Disaster and Emergency Management
DCPA	Deputy Commissioner, People and Assets
DCLO	District Community Liaison Officer

DCPC	District Crime Prevention Coordinator
DCRO	Deputy Commissioner, Regional Operations
DCSO	Deputy Commissioner, Specialist Operations
DDC	District disaster coordinator
DDMG XO	District disaster coordinator executive officer
DDO	District duty officer
DFTO	District firearms training officer
DIO	District intelligence officers
DIR	Director
DO	District officer
ED	Executive director
EO	Executive officer
ETO	Education and training officer
FC	Forensic coordinator
FM	Finance manager Forensic manager (inspector)
FO	Finance officer
FP	Forensic physician
FRO	First response officer
FSC	Field search coordinator
FTO	Field training officer
GMO	Government medical officer
INSP	Inspector
LAC	Local area commander
LSCON	Leading senior constable
MGR	Manager
MLO	Media liaison officer
OIC	Officer in charge
OOx	Operational officer (staff member) (x = level, i.e. 2, 3)
PC	Plain clothes (added in front of ranks)
PLO	Police liaison officer
POA	Police operational advisor (Policelink)
POx	Professional officer (staff member) (x = level, i.e. 2, 3)
PSO	Peer support officer
RC	Rehabilitation coordinator
RCC	Regional crime coordinator
RDO	Regional duty officer
REC	Recruit
SARO	Search and rescue officer
SCON	Senior constable
SCSO	Station client service officer
SDC	State Disaster Coordinator
SDRC	State Disaster Recovery Coordinator
Senior SARO	Senior search and rescue officer
SGT	Sergeant
SIO	Station intelligence officer
SNO	Senior network officer
SOCO	Scenes of crime officer
SSARCTO	State Search and Rescue Coordinator and Training Officer
SSGT	Senior sergeant
SUPT	Superintendent
TBO	Travel booking officer
TO	Technical officer
VIP	Volunteers in policing
WHSO	Work, health and safety officer
WHSR	Work, health and safety representative

9.3.3 Address abbreviations

AVE	Avenue
BVD	Boulevard
CCT	Circuit
CH	Chase
CL	Close
CR	Crescent
CT	Court
DVE	Drive
ESP	Esplanade
FWY	Freeway
HWY	Highway
LA	Lane
MWY	Motorway
PDE	Parade
PL	Place
PRM	Promenade
RD	Road
ST	Street

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TCE	Terrace
WY	Way

9.4 Service logo

The Service logo is a registered trademark and subject to copyright.

The trademark is registered with IP Australia (number 1611662). Authorisation for use of the logo is required, see s. 9.5: 'Use of Service logo' of this chapter for details.

Image for Trade Mark 1611662



9.4.1 Service logo colour palette



The full colour version of the Queensland Police Service badge is correctly reproduced in the following colours.

	Pantone	CMYK	RGB
	Reflex Blue	C 100 M 73 Y 0 K 2	R 0 G 76 B 153
	PMS 186	C 11 M 100 Y 95 K 0	R 210 G 2 B 35
	PMS 124	C 0 M 30 Y 100 K 0	R 250 G 187 B 0
	PMS 348	C 100 M 20 Y 100 K 0	R 0 G 128 B 69

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9.4.2 Service logo style standard

The Service logo is an important asset for the Service and must be protected in order to maintain its integrity as a brand. This policy details the standards for use of the Service logo and how it is to be depicted and reproduced.

The Service logo style standards are defined below.

Colour

The Service logo should be reproduced as either a full-colour version (as defined in s. 9.4.1: 'Service logo colour palette' of this chapter) or in a single colour (monochrome). If reproduced in monochrome then only reflex Blue, black or white is to be used.

Background

The preferred background colour is white for use with the full colour, reflex blue or back versions of the logo. For dark backgrounds the white monochrome version of the logo should be used.

Size

The minimum height of the logo is 20mm. If the logo is reproduced smaller then 20mm it becomes illegible. Contact Media and Public Affairs for further advice for reproducing the Service logo smaller than 20mm.

Aspect ratio

The aspect ratio (width to height measurement) is to be maintained and not altered, which will cause the logo to be distorted. The Service logo has a 77:100 ratio.

Orientation

The logo is to be always used in a vertical orientation with the crown at the top and never rotated.

Modification

The centre of the logo is not to be modified with elements added to the centre of the logo.

ORDER

Any variation of the Service logo style standard must be approved by the Executive Director, Media and Communications Division.

9.4.3 Policelink logo

Details regarding Policelink brand and logo style manual can be found on the Policelink web page on the Service Intranet.

9.4.4 Working Together logo

Any request for use of the 'Working Together' logo, usually in connection with a sponsored activity, is to be referred to the Inspector, Community Programs.

9.4.5 Service digital logo

There are two versions of the Service logo approved for use in digital communications.



or


ORDER

No other Service logos are to be used in digital communications.

9.5 Use of Service logo

ORDER

External use of the Service logo is to be authorised by the Executive Director, Media and Communications Division (MCD).

Conditions of use of the Service logo

Approval is provided subject to the proviso that the Service reserves the right at any time to withdraw use of the logo if:

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(i) conflict with the corporate values, goals and objectives of the Service and the Government develops or is likely to develop;

(ii) the actions of the activity or organisation lead to, or are likely to lead to, criticism of the Service by the general public; or

(iii) a conflict of interest arises, or is likely to arise, between the activity or organisation and the Service or Government.

Approval will only be granted if the:

(i) involved activity is supported by the relevant district officer; and

(ii) the Service logo is in the approved format (see s. 9.4: 'Service logo' of this chapter).

Obtaining approval for use of the Service logo

To obtain approval for use of the Service logo, officers are to send a Service email to:

(i) 'QPSLogoInquiries' for review by the Corporate Identity Coordinator; and

For information, to:

(i) their regional and command office;

(ii) their district officer; and

(iii) the Strategy and Performance Officer, MCD.

The email is to contain:

(i) details of how the logo will be used including specifics of any associated activity, event and organisations involved;

(ii) an image of the artwork where the Service logo is to be used;

(iii) a statement detailing:

(a) the district officer who has approved the activity; and

(b) written confirmation that the Service logo is in the approved format (see s. 9.4: 'Service logo' of this chapter).

(See s. 8.3: 'Sponsorship' of this Manual for detailed information on sponsorship).

The Corporate Identity Coordinator will review the proposal and seek final approval from the Executive Director, MCD. Officers will be advised of the outcome of their request by email.

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9.6 Email-to-SMS capability

Public expectation and the *Victims of Crime Assistance Act* (VOCA) places an obligation on members to regularly update victims of crime regarding the status of their occurrence and any court proceedings (see s. 2.12.1: 'Victims' Commissioner and Sexual Violence Review Board Act and Victims of Crime Assistance Act' of the Operational Procedures Manual).

Email-to-SMS allows members to send an SMS message to a person from their Service email account. If a person replies to the message, the response will be sent to the member's email account.

Potential uses of email-to-SMS messaging are:

(i) initiating contact with a reported missing person;

(ii) notifying a victim in relation to their reported offence;

(iii) informing a victim of an arrest in compliance with VOCA;

(iv) seeking more information from a victim or an informant;

(v) seeking public assistance in the investigation of a crime;

(vi) requesting a person to contact an officer;

(vii) making an appointment with a person;

(viii) informing a person of property for collection;

(ix) contacting a person wanted for questioning or on a warrant;

(x) reminding a defendant they need to have their identifying particulars taken;

(xi) contacting the owner of a vehicle involved in a fuel drive-off;

(xii) informing a respondent or aggrieved of a domestic violence order (DVO) to be collected;

(xiii) making an appointment to conduct a weapons audit; or

(xiv) informing or reminding a witness of court attendance,

(see 'Email-to-SMS' webpage of the Service Intranet).

Messages are charged in 155-character blocks, to a maximum length of three message blocks. Characters include punctuation, spaces and paragraph returns. The maximum message length is 420 characters to allow for the QPS message end.

While the email-to-SMS system can send messages to a landline telephone as a 'talking text message', this process is only to be used when all other options have failed.

All emails sent through the Service email system are to be recorded and retained.

ORDER

Orders or other documentation under the *Domestic and Family Violence Protection Act* are not to be served by email-to-SMS.

Communication by email-to-SMS is official Service communication and the content is to be professional.

Email-to-SMS messages are to include the:

(i) sending member's rank and name (abbreviations such as AO, S/Con, Sgt are acceptable) or a notation at the end of the message that it is sent on behalf of the OIC of the relevant station or section, along with the station or unit's contact details;

(ii) sending member's station or establishment; and

(iii) QPRIME number (where relevant),

to assist the recipient in identifying the message as coming from the Service.

Messages are to be drafted in a 'SMS' style, i.e. no paragraph breaks or dot points.

Images, emojis and slang terms are not to be used in email-to-SMS messages.

Use of email-to-SMS for internal messaging

Whilst email-to-SMS is primarily designed for external (community) messaging, there will be occasions where it is an effective means of internal communication, for example:

(i) notifying multiple officers at one time of a developing situation, where a response will be required. This is not intended to replace QCAD, LCAD and other communication systems; or

(ii) notifying members of shift changes i.e. less than 24 hours or the member is on rest days prior to shift commencement,

members are to be aware if acknowledgement is not received from the recipient(s), a phone call may need to be made.

As SMS messages may be visible to external organisations (telecommunications providers), sensitive and confidential operational information and police methodology is not to be included in messages.

As there is a cost for every SMS message sent, whenever practicable more cost-effective communications channels are to be used:

(i) when the message recipient is working and has access to the QPS email system;

(ii) to remind members to submit their regular shift and allowance claims, or to advise them of errors in a claim;

(iii) to advise of shift and work activities several days in advance;

(iv) to advise of special services availability; or

(v) for internal 'social' activities.

Members also need to be aware that when multiple mobile numbers are added to one email message (i.e. bulk messaging) the Service is charged for every mobile number in the message.

Sending an email-to-SMS message

All email-to-SMS messages will be sent from mobile phone number 0426 305 444 and will end with the message 'Always call 000 in emergencies'.

Attachments and hyperlinks are not able to be included in Service email-to-SMS messages.

Whenever practicable, where contact is initially attempted by telephone or calling card, members are to, if a:

(i) message is left on an answering machine or voice mail; or

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(ii) calling card is left at an address,

advise the person a member of the Service may attempt to make contact by SMS message.

When sending an email-to-SMS message, members are:

(i) to draft the message using one of the templates (see 'Email-to-SMS' webpage of the Service Intranet), with the relevant information added into the template (e.g. person's name, member's name, establishment, contact phone number etc.);

(ii) reminded, that whilst the message is to be brief, abbreviations and 'text type' are not to be used;

(iii) to include the QPRIME number (if relevant) in the message; and

(iv) to update the relevant QPRIME occurrence (see 'Recording information in QPRIME' below).

An email-to-SMS message is sent by opening a new email in Outlook, and:

(i) typing text@policesms.com.au in the 'To' address field of the email;

(ii) typing the person's mobile phone number in the 'Subject' field of the email. If sending the message to multiple people, separate each number with a comma or a semi-colon;

(iii) using the relevant template, typing the message to be sent in the body of the email;

(iv) where a QPRIME report relates to the message, the QPRIME number is to be included in the message;

(v) after the message and before the signature block, type 'endsms'; and

(vi) sending the message.

For more information, see Mobile Capability Centre and 'Email-to-SMS' webpage of the Service Intranet.

Delayed and failed SMS message delivery

Not all email-to-SMS messages will be delivered. When an email-to-SMS message is sent, the sending member will receive a notification stating:

(i) **Message delivered**—the recipient's mobile phone has received the SMS message;

(ii) **Message sent**—the message has been sent to the recipient's mobile phone, but their carrier does not provide delivery receipts;

(iii) **Out of coverage**—when a person's mobile phone is turned off or is outside reception area;

(iv) **Message failed or rejected**—where the mobile phone number used is incorrect or is no longer active; or

(v) **Message filtered**—the person has barred (blocked) messages from the Service SMS phone number.

Mobile phone numbers

The email-to-SMS capability relies on members correctly recording the mobile telephone number of persons they encounter. When obtaining a person's personal details (e.g. during an occurrence, street check, etc.) mobile phone numbers are to be collected on all occasions. Old mobile phone numbers are to be end dated in QPRIME.

Recording information in QPRIME

Where an SMS message has been sent, the text of the message is to be copied into the relevant QPRIME occurrence enquiry log as well as the time and date the message was sent. Any response by the recipient is to be recorded in QPRIME (see s. 1.11.3: 'Amendments/updates of Policelink entered occurrences (supplementary reports)' of the OPM).

Information security and privacy

ORDER

To comply with the *Information Privacy Act*, information security classifications and to prevent the accidental release of sensitive or confidential information to a third party, email-to-SMS messages are not to include:

(i) personal information other than the recipient's name and member's name;

(ii) conditions or named persons contained within a DVO;

(iii) attachments to the message, including copies of a DVO;

(iv) sensitive and confidential operational information; or

(v) any information which may identify another person.

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Appendix 9.1 Deleted

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10.1 Planning considerations

Where a public event is planned to be conducted in an OIC's area of responsibility an assessment should be conducted to determine what, if any, policing response is required.

The level of assessment and the time spent conducting the assessment will be dependent on many factors, such as those outlined in s. 1.5.5: 'Public event planning' of the OPM. Using the planning tools and methods as outlined in s. 1.5.5 of the OPM will assist in the consideration of the officer numbers required to police an event to ensure the safety of the public and other persons.

The number of police required, if any, may be influenced by many factors as outlined in s. 10.1.1: 'Determining the number of police required' below. Further the type of event will determine whether the police resources should be supplied as rostered staff or special services (see s. 10.2: 'Determining if an event is ordinary business or special service' below).

Other factors to be considered are outlined in:

(i) s. 10.1.2: 'Responsibilities of event organisers' below

(ii) s. 10.1.3: 'Additional responsibilities for events involving the sale of liquor' below;

(iii) s. 1.5.2: 'Operational planning (action plans, operation orders, briefings and debriefings)' of the OPM; and

(iv) s. 18.1.1: 'Planning considerations for public and other events' of the OPM.

10.1.1 Determining the number of police required

When determining the number of officers required to perform the service requested, factors to be considered include:

(i) the nature of the duty to be performed;

(ii) the nature and duration of the proposed event;

(iii) previous experience and local knowledge;

(iv) the location of the venue;

(v) the presence, or otherwise, of licensed areas;

(vi) the size, age and demographics of the crowd expected; and

(vii) any anticipated trouble.

For guidelines in determining the minimum number of police, pilot or escort vehicles required for wide load (excess dimension/mass vehicle) escorts, see s. 10.3.9: 'Wide load escorts' of this chapter.

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Planning for policing of events

In all instances police numbers provided to perform duty at an event are dependent on an operational appreciation. Part of the operational appreciation for that event should include consideration of the net public benefit and the level of demand on services to be imposed.

However, the actual number of officers required at an event will be identified, in consultation with the event organiser during development of the appreciation for the event using known information and intelligence holdings.

ORDER

The maintenance of the operational capacity of the district where the event is located is to be a primary consideration in determining the provision of officers for the event.

The concentration of large numbers of people has a significant impact on community resources and requires active cooperation and involvement of all affected agencies. Additionally, the sponsor or organiser, local and State Government agencies and community groups should be involved in the planning of major events, particularly where inadequate infrastructure exists to directly support the event.

Police tasked with planning for an event should liaise with local authorities and other State Government departments and request that permits issued in relation to the conduct of the event by those agencies include a condition clause similar to:

> *'Police numbers deployed to support / manage the event are at the direction of the district officer in charge of the police district. Numbers of police officers deployed will take account of the expected event risk factors such as crowd size and demographics.'*

10.1.2 Responsibilities of event organisers

The event organiser is responsible for the delivery of an appropriate level of services at an event, including the hiring of appropriately skilled staff to ensure the safety of the community attending the event. The provision of police resources should not be seen as a 'no cost' or 'low cost' option to fulfil this obligation.

The event organiser is to be advised of the responsibility to work closely with local and State Government agencies to ensure the safe arrival and departure of patrons from the event, not just responsibility for the management or control of activities during the event itself. In this regard government agencies, including police, will assess the risks associated with an event and provide advice to organisers as to a sufficient number of staff and resources for the event.

All operators should be requested to provide a document adequately describing what actions have been taken by them to address specific issues (at a minimum) involving:

(i) public safety;

(ii) liquor;

(iii) parking and traffic management;

(iv) communication and signage;

(v) crowd control and evacuation planning; and

(vi) media planning related to parking and traffic control.

10.1.3 Additional responsibilities for events involving the sale of liquor

The organisers of any event which involves the sale of liquor will be required to employ sufficient numbers of police on special services, together with private security providers, in order to manage crowd related liquor management issues.

Private security providers should be employed by the event organiser to control the entry and exit of patrons, including bag checks if appropriate, seating management, concessions and liquor outlet security to allow police to concentrate on their role of ensuring public safety.

The responsible officer involved in planning for the policing response to any event involving the sale or distribution of liquor is to liaise closely with the Office of Liquor and Gaming Regulation to ensure appropriate conditions are included on the liquor licence to assist with policing the event.

10.2 Determining if an event is ordinary business or special service

When an external organisation or person apply for the services of police, the OIC of the station or establishment concerned or an officer who has been delegated responsibility is to determine whether the service should be performed in the ordinary course of police business or as special service. Any determination should be made by reference to the criteria outlined in:

(i) s. 3: 'Determining Whether to Charge for Provision of Good and Services' in s. 4.1.2: 'User Charges Practice Statement'; and

(ii) s. 4.1.3: 'Accounting for Special Services Revenue Practice',

of the Financial Management Practice Manual (FMPM).

Where the OIC determines that the service applied for should not be performed in the ordinary course of business, the service shall be deemed to be special service.

Examples of special services may include:

(i) attendance at places of public amusement at which a charge is made for admission;

(ii) attendance at a private function;

(iii) escort of persons carrying sums of money;

(iv) any duty where the organisers of the event wish to direct the police task;

(v) traffic control; and

(vi) wide load escorts.

In some instances, events may represent a situation where a combination of normal rostered duty and special services (to be charged) may apply. In such instances, the OIC of the station or establishment to which the application was made shall determine which duties are in the nature of special services and shall levy a charge on the applicant. Examples of instances where a combination of normal rostered duty and special service may apply are provided in s. 4.1.3 of the FMPM.

Where any doubt exists concerning whether or not services applied for should be performed in the ordinary course of business or as special service (to be charged), the matter should be referred to the OIC of the region or command for determination.

The Service will charge the organisation or person in these cases a fee for this service pursuant to s. 10.16: 'Charges for police services' of the PSAA.

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Guide to determining the type of duty for different community events and cost recovery

Event classification	Type of duty	Service cost recovery
Organised by a Government agency e.g. Gold Coast 600	Rostered duty	As determined or negotiated by the region/command
Organised by a registered charity. (core service delivery should not be affected to benefit charity)	As determined by district officer—dependent on resource capability.	Special duties or specialist attendance is through negotiation after a risk assessment
Corporate sponsored event.	Special duty	100% cost recovery
Corporate sponsored event with significant community support/ interest/benefit. (core service delivery should not be affected in providing police resources)	As determined by district officer—dependent on resource capacity.	Special duties or specialist attendance is through negotiation after a risk assessment
Corporate sponsored event with significant community support/ interest/benefit. (with alcohol sales)	As determined by district officer—dependent on resource capacity.	Special duties or specialist attendance is through negotiation after a risk assessment
Cultural event. (e.g. Australia Day / Greek Festival)	As determined by district officer—dependent on resource capacity	Special duties or specialist attendance is through negotiation after a risk assessment
Music festival. (most music festivals are commercially conducted activities)	As determined by district officer—dependent on resource capacity	Cost recovery as determined by the district officer
Privately managed event (commercial activity)	Special duty	100% cost recovery
Privately managed event with significant community support / interest. (considered to be a commercial activity)	As determined by district officer—dependent on resource capacity	100% cost recovery as a starting point
Sporting event. (dependent on free event and with alcohol sales)	Special duty	100% cost recovery

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10.3 Provision of special services

10.3.1 Police engaged on special services for events

Police provided to events must always take account of the requirement for core business not to be adversely affected.

Commercially conducted events have an obligation to provide a safe environment for its patrons which places a responsibility to have adequate levels of police involved in managing the event. However, police resources cannot be provided at minimal cost to the event organiser when there will be impact on the community. The provision of policing resources to events must be balanced with the need to provide an adequate response to core business which should not be adversely affected.

The number of officers and how they are tasked during an event will be determined to ensure public safety at the event as well as the safety of attending police. The police requirements will be assessed against several risk factors associated with the event, but not limited to:

(i) the number of expected patrons at an event;

(ii) the size and type of venue and event;

(iii) the time and place of the event;

(iv) the facilities available at the event;

(v) the public profile of the event;

(vi) whether the event is liquor licensed;

(vii) whether road closures are required;

(viii) the age and demographics of patrons;

(ix) the type of entertainment being provided;

(x) experience at similar events;

(xi) the Queensland Police Security Alert level (see s. 1.19: 'Queensland Police Security Alert Levels' of the OPM);

(xii) isolation of the venue from further police assistance;

(xiii) the emergency management requirements i.e. location, type and size of the event, isolation, weather and environment; and

(xiv) a minimum of two officers are to be deployed where an assessment determines the risk is low and more officers is not justified given all the circumstances.

The police commander for an event is to be an officer with appropriate experience, skills and ability.

All events are subject to varying demographics and locations. All patrol taskings should be noted for all events.

This does not mean that events with low patron attendance require no police presence. There are events with specific risk factors that will require officers on special services.

If alcohol is at an event, then officers need to be at the venue up to one hour after the liquor outlets have closed / ceased trading because of the time allowed to finish last drinks and for the safety of patrons leaving the venue.

10.3.2 Negotiating the charging of special services

Prior to commencing formal negotiations with the organisers of non-government events for the charging of special services for officers to attend the event, the district officer of the area where the event is to be held is to ensure that a preliminary risk assessment (see section titled 'Preliminary event categorisation tool (PECT) of s. 1.5.5: 'Public event planning' of the OPM) is conducted. The preliminary risk assessment should be conducted to categorise the event (see section titled 'Event categorisation' of s. 1.5.5 of the OPM), which is based on known event attributes, risk factors, intelligence as to the nature of the event, the background and role of key persons involved in organising the event, any known beneficiaries of the event, and details of where any profits will be distributed.

In all instances, the district officer should be satisfied that the event is being organised for 'bona fide' purposes and that persons, organisations or clubs involved or affiliated with the event, or deriving any benefits from the event, are of reputable character and not adversely known to police or the community.

It may be appropriate in some circumstances that police will be rostered to attend the event as part of their normal duty. Where any doubt exists, the relevant district officer is to discuss the issue with their assistant commissioner.

All negotiations with non-government event organisers for new events should commence on the basis that they will be responsible for the total cost of policing services (100% cost recovery) with all police rostered on special services. The provision of any accommodation, meals or associated ancillary costs to provide for the attendance of officers should be considered as part of the negotiation process.

With respect to the charging of special services for established or emerging events, the provisions of s. 10.3.11: 'Providing policing services to major (non-Government) events' of this chapter should be considered in order to determine an appropriate charging regime, if any, for these events.

Where an unanticipated issue arises at an event, that is not reasonably foreseeable through the operational appreciation / risk identification process, and additional police are called in to assist, it is not reasonable to charge for those services.

10.3.3 Resolution of disputes

Where the expectations of the requesting event organiser or the Service are not being met in regard to the number of officers supplied or the cost of special services, the matter should be resolved by referring the matter as follows:

(i) first to any major event planning unit (MEPU) within the region or district; or

(ii) where no MEPU exists the district inspector for the event area.

All parties are encouraged to communicate their position and make best efforts to reach an agreement that ultimately is in the best interests of community safety and the safe conduct of the event. Officers should be prepared to articulate their calculation for officer numbers on special services with regard to identified risk mitigation.

If agreement cannot be reached on the officer numbers or cost the matter is to be referred to the district officer for the event area. If required, the district officer can seek advice from Superintendent, Prepare Prevent Protect Group, Security, Counter-Terrorism and Forensic Services Command as to the adequacy of officer numbers provided for the event.

If the event organiser still disputes the assessment made by the district officer, then the risk should be referred back the event organiser to accept the risks, which may influence the provision of the issue of permits required such as under:

(i) the *Liquor Act*; and

(ii) the TO(RUM)A.

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10.3.4 Consultation with Events Coordination, Department of Premier and Cabinet

The provision of policing services and introduction of a charging regime to a significant event is to be carefully managed in consideration of potential sensitivity. Liaison and consultation may be undertaken with Events Coordination, Department of Premier and Cabinet. Any such requests for advice and guidance are to be made by the relevant district officer through their respective assistant commissioner. The respective assistant commissioner (or delegate) is responsible, for the facilitation of discussions with Events Coordination to ensure that the operational requirements of the Service are considered together with other issues of significance.

10.3.5 Providing policing services to major (non-Government) events

This section relates to the charging of special services for non-Government events only and does not 'override' arrangements for events that are subject to specific legislation, or to events initiated and/or managed by the State Government.

The provisions of this section are to be considered with respect to cost recovery for the provision of police performing special services at new, emerging and existing non-government events that require a significant commitment of resources to ensure that:

(i) the event is adequately policed;

(ii) 'normal' core policing functions are maintained; and

(iii) an appropriate regime is established to ensure an adequate contribution is provided (by event organisers) towards the cost of providing police on special duty.

The consideration of cost recovery for police performing special services should be subject to an operational appreciation of the proposed event in each instance and may be subject to negotiation with organisers. This section provides a guideline to support district officers in determining a suitable ratio for provision of officers on special services and officers on rostered duty.

The following factors require consideration when conducting an operational appreciation as to whether to provide police at an event as part of normal policing operations or to request event organisers to pay for police on special duty.

Events involving charity or non-profit organisations

It may be appropriate for the Service to provide police rostered on normal duty for an event of this nature, rather than on special services. However, if a professional management organisation is employed to run the event, with profits being shared between the management team and the charity, then consideration should be given to police performing duty at the event on special services. If a sponsor is supporting the event and there is no indication of benefits to the community it may be appropriate to charge for the provision of police on special services.

Development and growth of the event

An event may have grown over time, with the provision of policing services continuing to remain free of charge through the provision of police on rostered duty. Careful management of expectations and consultation is advised when moving to a charging regime. Early advice of the decision to impose charges for the provision of officers should be provided and introduced incrementally through negotiation to manage the expectations of event organisers and community stakeholders.

Provision of benefits to the community, region or State

If an event organiser advises that an event provides benefits to the community, region or State, the organiser must clearly demonstrate the significance of those benefits, to assist in determining the appropriate regime for provision of policing services at the event. Benefits for consideration include:

(i) promotion of the locality, region or State to wider an audience interstate or overseas as an attractive location for recreation, tourism, cultural activities, or business;

(ii) community benefit from the event. This includes where event proceeds are directed to helping the community, in particular disadvantaged members or groups in the community. However, care should be taken in assessing the primary purpose of the event and the level of benefits it delivers to the community. This should be clearly documented and confirmed to service providers by the organisers prior to the event;

(iii) economic benefits to the local community or the wider region or State including increased returns for local businesses and increased employment opportunities; and

(iv) agency benefit from supporting an event, including direct benefits to an agency delivering services. This could include the provision of an opportunity for training or testing of procedures by the Service.

Context in which the event occurs

Apart from the balance between service demands and the level of public benefit of an event, contextual factors may influence the decision to charge or not to charge, including local support or historical significance.

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10.3.6 Award and enterprise bargaining provisions

Clause 19: 'Special services performed by non-commissioned police officers' of the *Queensland Police Service Employees Award—State 2016* provides the framework for the conduct of special services by officers.

The implications of Award and Enterprise Bargaining provisions for officers include:

(i) payment to officers for special service duty will be at the applicable award rate, i.e. overtime or ordinary time. Any claim for payment of overtime in relation to performance of special service duty should be submitted via the Employee Self Service system;

(ii) the Commissioner will be responsible for the collection of charges for special services;

(iii) the allocation of special services should be conducted in an equitable manner. (The requirement of officers in charge to monitor and commissioned officers to overview will continue). Equitable allocation means the allocation should be fair and reasonable in the circumstances. It does not mean that special services must necessarily be divided equally among all staff. Factors which may affect the allocation of special services could include, for example, the availability of staff, the tasks required to be performed and any specialist skills necessary;

(iv) there is an entitlement to travelling, accommodation and meal allowances, where appropriate, in accordance with the award and relevant certified agreement;

(v) officers may perform special service duties on their rest days or programmed days off and during off-duty periods outside their rostered shifts. Officers will not perform special service duty while on leave of any kind, including leave without pay. This restriction applies to rest days falling within a period of leave as an employee is on leave for the whole of the period in question;

(vi) officers employed either at one or two officer stations or detailed for duties at Queensland Police Citizens Youth Club Welfare Associations are not generally entitled to overtime where such officers are in receipt of the overtime consideration prescribed in the relevant certified agreement. However, in recognition of the particular circumstances of the officers, such officers performing special services outside their ordinary hours will be paid overtime;

(vii) part-time members are permitted to perform special services but only in line with their availability as outlined in their part time agreement; and

(viii) officers who perform special services in a recall to duty situation will be entitled to 3 hours minimum pay at overtime rates. See clause 18.7.

The circumstances in which the recall to duty provisions apply to the performance of special services is where an officer is requested to perform a special service whilst not at work on duty. Where an officer is at work on duty, the recall to duty provisions do not apply (see Industrial Court of Queensland decision QPUE v QPS—C74 of 2003).

OIC should avoid offering special service duties to officers that would constitute a recall to duty. In particular, officers should not be recalled to perform special service duties which are less than 3 hours in duration, unless the client has been made aware of the minimum 3 hour charge.

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10.3.7 Administration for the charging of special services

The following information outlines the financial process to be followed when the services provided to an organisation or person (the customer) are deemed to be special services.

Performing special services for an existing customer

Before the special service is performed, an OIC should ensure that the existing customer has not been listed as a bad debtor or slow payer with the Service. In addition, the OIC is to access their regional finance website to view the list of special service customers that have been approved credit, if available.

Performing special services for a new customer

Special services are not to be provided to a new customer before a QP 0612: 'Application for credit' (available from Forms webpage of the QPS internet) is completed by the customer and credit approved by the regional finance officer (RFO). The QP 0612 includes the address and facsimile for all RFO's.

Customer requesting special services

A QP 0023A: 'Application for special services' (available from Forms webpage of the QPS internet) is required to be completed by the customer and given to an OIC before the special service is performed. The QP 0023A includes a schedule of fees and charges in relation to the provision of special services.

Applications are to be lodged with the station where the special service will commence.

For further information relating to the fees and charges concerning special services, see s. 4.1.3: 'Accounting for Special Services Revenue Practice' of the Financial Management Practice Manual.

Payment by customer requesting special services

Charges shall be calculated to the nearest quarter hour (rounded up to the nearest five cents or 10 cents, as the case may be) unless in circumstances of a recall to duty where a minimum of three hours shall be charged or otherwise advised by the OIC.

An officer performing special service duty is not to accept payment for special services in cash.

Customers paying cash in advance for a special service are to be issued with a Service receipt and the money banked into the station collections account.

If an amount in advance other than cash is received and no prior arrangement for payment of the special service exists between the customer and the Service, a Queensland Shared Service (QSS) or Service receipt is to be issued as soon as practicable.

Refunds to a customer relating to an overpayment of a special service can be drawn from the Service's collections account if the payment was deposited into the police station collections account. Alternatively, the necessary documentation can be forwarded to the QSS for the refund to the customer.

If the customer is required to pay an additional amount, the QSS is to be advised when the Create Customer Transaction (whole-of-Government form) is prepared by the OIC.

Where, during the performance of a special service, officers are required to perform their sworn duty (e.g. arrests, attendance at serious traffic accidents), thus preventing the special service from continuing, no charge shall be levied against the customer for such period of the performance of their sworn duty. If advance payment has been made a refund of the costs for the period of time in question should be made.

Recording, processing and monitoring special service charges

At the completion of the special service each officer involved in performing the special service must immediately complete a QP 0023: 'Statement of Special Services' accurately recording the time and mileage to be charged to the client.

The completed QP 0023 is to be given to the relevant OIC for processing in accordance with local instructions.

Officer in charge's, manager's and supervisor's responsibilities

At the completion of the special service the OIC is responsible for the collation of details, completion and forwarding of the 'Create Customer Transaction' (whole-of-Government form) to the relevant QSS in accordance with the local instructions. Documentation can be attached to this form if the customer requests additional information that cannot be described on the Tax Invoice to the customer. It is the QSS's responsibility to issue all tax invoices to special service customers.

Instructions for the completion of the 'Create Customer Transaction' are provided in QP 0023C: 'Special services completion guide create customer transaction'.

Officer in charge of a region, command or division's responsibilities

Assistant commissioners and RFO must exercise their responsibilities in relation to debt management, budget monitoring and performance to ensure that the provision of special services does not adversely affect financial management within that region.

Tax Invoice disputes arising between the Service and the customer must be referred to the RFO.

Special services commencing in one region and terminating in another

The OIC of the commencing station will be responsible for the process associated with special services of this nature. For example, credit management, application for special services, recording and processing of the special service.

Officers performing special services on behalf of another region or command

Where an officer performs a special service on behalf of another region, that officer must advise their region that a special service has been completed on behalf of another region. This is to enable cost recovery to occur.

The officer is also required to complete their regional 'Cost recovery' form and forward to their RFO or as detailed in their local instructions.

Cancellation fee

A cancellation fee may apply if the special service is not cancelled within a reasonable time prior to the commencement of the special service. Notification must be given to the OIC from where the special service is due to commence.

If a cancellation fee applies, the customer is to be charged for the equivalent number of hours claimed by the officer on the Employee Self Service system for overtime, travelling time and penalty payments. Any mileage incurred will also be passed on to the customer.

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10.3.8 Police performing special services remain employees of the Crown

Under s. 5.15: 'Officer as employee of the Crown' of the PSAA an officer is taken to be an employee of the Crown.

At all times officers are subject to the direction of the Commissioner. Officers never become the employees of the person or organisation paying for special service duties.

When engaged on special service duties, officers are not to do any act or perform any service outside the scope of their duties as police officers.

In accordance with the PSAA and the QPS Code of Conduct, an officer engaged on special service duties is regarded as performing 'duty' and the provisions of the said Act and Code of Conduct apply.

Officers performing special service duty are required to observe the same standards of dress, appearance and discipline as when they are performing other rostered duty.

Officers are to perform all special service duties in uniform, unless otherwise advised by the OIC of the station or establishment responsible for the special service.

OIC of divisions where special service duties are being performed are responsible for the work performed by officers engaged on duty, whether special service duties or otherwise, within their divisions.

10.3.9 Wide load escorts

OIC of stations or establishments are to maintain a suitable register for recording particulars of wide load escorts performed by all relevant personnel. The number of special services performed should be monitored in relation to wide loads and where undesirable trends appear, e.g., increased sick leave, which may be attributable to the effect of performing wide load escort duty, appropriate action should be taken.

Police escorts of wide load vehicles are to be performed using Service vehicles or motor cycles.

Particulars of vehicles used for wide load escorts are to be entered in the QPB 20: 'Motor vehicle register'. The notation 'Wide Load Escort' is to be entered under the heading 'Purpose of Trip'.

Wide load escorts are to be conducted in accordance with the provisions of s. 12.14: 'Conduct of excess dimension vehicle escorts' of the TM.

10.3.10 Special services involving the escort of money or valuables

Special services involving the escort of money or valuables are to be conducted in accordance with the provisions of s. 10.5: 'Escort of valuables' of the OPM.

10.3.11 Special services conducted at licensed premises

Police may perform special service duty at licensed premises and at functions where permits have been issued under the *Liquor Act* during licensed drinking hours.

Special service duties may include the maintenance of good order and the security of money, etc., but should not extend to the removal of patrons considered undesirable by the licensee or the permit holder, except where officers are rendering assistance to the licensee, or the permit holder, or their employees in this regard, as provided for under the provisions of the *Liquor Act*.

However, the responsibility always rests with the licensee, or the permit holder, or their staff, to control the behaviour and conduct of patrons at the licensed premises or function.

10.3.12 Approval to perform special service and fatigue management

The Service recognises potential risks associated with the management of fatigue and the organisation's obligations and responsibilities under the *Work Health and Safety Act* (WHSA). This policy provides a framework for the management of risks associated with officers undertaking special services and acknowledges the Service's and officers' legislative obligations having regard to contemporary industry standards and the provision of effective client service.

Managing fatigue

ORDER

Members organising, performing, approving or reviewing special services are to be aware of their respective obligations concerning health and safety and managing fatigue. Fatigue management is a shared responsibility between managers, supervisors and members as it involves factors both inside and outside of work. The Service via managers and supervisors are responsible for using a risk management approach to manage fatigue as outlined in the WHSA. Research suggests that fatigue can include loss of concentration, decreased performance and productivity, and increased potential for incidents and injuries. Without sufficient time to rest and recover, prolonged exertion caused by the performance of special services, in addition to an officer's ordinary shifts, can cause fatigue.

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Approval to be sought to perform special services

ORDER

Members seeking to perform a particular special service must first obtain approval from the OIC or delegate of their station or establishment before applying for a particular special service by informing the OIC or delegate in writing (i.e. email) they have:

(i) at least eight continuous hours free from work in any 24-hour cycle (the cycle starts at the commencement of work following a continuous break of at least eight hours);

(ii) a minimum 24 continuous hours free from all forms of work including but not limited to:

(a) rostered shifts;

(b) overtime;

(c) special duty; or

(d) secondary employment,

in any 14-day period, by detailing all work (as list above) that has been and will be performed; and

(iii) if the special service relates to a wide load escort, the member:

(a) will not be working more than 14 hours in any one continuous period including any combination of:

standard duty;

RSIP;

speed camera;

special services; or

secondary employment; and

(b) if traveling more than 350 km from their home station, that they will have a rest period of at least 12 hours from completion of the special service until starting the shift (rostered, secondary employment or further special services).

OIC are to ensure records are maintained of all approvals to perform special services in accordance with Chapter 5: 'Information Management and Privacy' of this Manual.

Approval for special services may be delegated as necessary however responsibility remains with the officer in charge. The member must also consider their own obligations with regard to fatigue under ss. 28: 'Duties of workers' and 29: 'Duties of other persons at the workplace' of the WHSA.

If the applicant to perform a special service is an OIC of a station, establishment or unit, approval to perform the special service should be obtained from the officer's immediate supervisor.

Approval notification must be provided to the station/establishment requesting the special services at the time the application to perform the special service is made.

Advice via email of approval is sufficient however it must include all necessary particulars to enable the OIC or their delegate to make an informed decision on the suitability of the applicant to perform the particular special services safely. There is a requirement of an approved special service allocated to an officer to be recorded on ITAS (see s. 2.2.16: 'Special services' of this Manual).

Factors to be considered before providing approval to perform special services

The WHSA places certain obligations on employers and employees ensuring persons are free from the risk of death, injury and illness created by fatigue (see Part 2, Divisions 3 and 4).

Overtime for special services is to be allocated to members on a voluntary basis and is subject to approval by the OIC, or delegate, of the respective member.

The allocation of special services to members who are on a rostered day off should be considered to avoid fatigue issues.

An officer undertaking any form of rehabilitation or sick leave cannot perform special services until a full clearance has been provided.

Approval for the member to attend special services will be subject to compliance with this policy and the Service Award and Enterprise Bargaining provisions.

OIC, or their delegate, who receive requests from officers under their control to undertake special services, should assess the requesting officer's capacity to perform the special service having regard to the following:

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(i) members requesting to undertake or perform special services should have at least 8 continuous hours free from work in any 24-hour cycle. A 24-hour cycle starts at the commencement of work following a continuous break of at least 8 hours;

(ii) members requesting to undertake or perform special services should have a minimum 24 continuous hours free from all forms of work including but not limited to:

(a) rostered shifts;

(b) overtime;

(c) special duty; or

(d) secondary employment,

in any 14-day period to reduce fatigue related injury;

(iii) in the event special services overtime relates to 'wide load escort' the member shall not be rostered to work more than 14 hours in any one continuous period including any combination of:

(a) standard duty;

(b) RSIP;

(c) speed camera;

(d) special services; or

(e) secondary employment,

unless specifically approved by the officer in charge or their delegate, and then only where justified; and

(iv) in consideration of wide load escort special services where the officer's home station exceeds 350 kilometres, s. 23(6)(b) of the Queensland Police Service Certified Agreement 2022 applies, there must be a period of not less than 12 hours (unless justifiable), between the time the officer returns to their home station from the escort duty and the time of commencing their next rostered shift or secondary employment or further special services.

10.3.13 Maintenance of overtime/special services register

ORDER

The OIC of a station or establishment where the officer performing the special duty is attached is to maintain or cause to be maintained an 'Overtime/Special Services Register' within their area of responsibility.

The 'Overtime/Special Services Register' may be web-based (password protected) to standardise compliance reporting or hard copy depending upon regional requirements.

As a minimum standard the register should contain the following information:

(i) name, rank and station/establishment of the member seeking to perform overtime/special services;

(ii) name, rank and station/establishment of the OIC or delegate who authorised the member to perform the overtime/special services including the date and time approval granted;

(iii) the dates and times that the overtime/special services commenced, were completed or were cancelled;

(iv) the actual hours performed including details of rostered shifts, secondary employment or overtime incurred immediately prior to or programmed immediately following the conclusion of special services;

(v) in the instance special services are unable to be performed or not approved, reasons leading to the inability of the member to attend or reasons for the refusal or rejection must be entered in the register; and

(vi) the particulars of planned overtime (e.g. special duties) must be entered into the register by the officer authorising the overtime prior to the overtime being incurred, i.e. at the time of authorising the overtime.

Officer in charge's responsibilities

The OIC of the requesting station/establishment is to ensure the accuracy of information entered in the 'Overtime/Special Services Register' and implement appropriate management strategies to ensure strict compliance with the contents of this policy.

District officer's responsibilities

District officers are to ensure that an inspection of the 'Overtime/Special Services Register' is included as part of their district compliance audit.

10.3.14 Officers to report to stations before and after special service duty

An officer engaged on special service duty commences duty from the time the officer is rostered to depart their station/establishment and terminates upon the officer's return to their home station/establishment (see s. 19(e): 'Special

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services performed by non-commissioned police officers' of the *Queensland Police Service Employees Award—State 2016*).

If a special service duty is to commence in another division or district, enough travelling time should be allotted to allow the officer to travel from their home station/establishment to the location of the special duty or as otherwise directed by the OIC of the station/establishment responsible for managing the special.

An officer is to be ready to commence a special service duty prior to the rostered commencement time.

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11.1 Visits to overseas law enforcement agencies

Members of the Service visiting overseas law enforcement agencies on an official basis or on a private visit which will be of significant benefit to the Service may be issued a letter of introduction under the hand of the Commissioner.

Unless otherwise stated, a letter of introduction does not imply that the members are attending or visiting at the request of the Service, nor does it indicate that the Commissioner is giving directions to a member to visit a particular organisation as a condition of employment.

ORDER

Members planning private visits to overseas law enforcement agencies are not to communicate directly with these agencies for permission to visit and/or for information on courses or seminars they might attend as communications of this nature are often in conflict with the wishes of the agencies concerned.

A member wishing to make such inquiries will do so by furnishing a report through the member's assistant commissioner or director to the Commissioner including full particulars of the information required at least 2 months before the intended travel. This matter will then be referred through suitable channels to the appropriate authority.

Letters of introduction from the Commissioner will only be given to members of the Service visiting overseas law enforcement agencies on official basis or on a private visit which will be of significant benefit to the Service.

Members of the Service requesting information from overseas law enforcement agencies regarding a private visit and/or information on courses or seminars they might attend will make such request by way of report through the Commissioner.

Based on a review of the income tax legislation, the issue of an official letter of introduction by the Commissioner of Police by itself does not enable an employee to claim a tax deduction for expenses related to a member's travel. Members should consult their tax agent or the Australian Tax Office to determine whether or not they are able to claim tax deduction for their travel expenses.

11.2 Police calling cards

Officers are to use a QP 171: 'Police calling card' or, where available, a Service business card in addition to a QP 77: 'Message card' especially when dealing with persons who are vulnerable, disabled or have cultural needs (see s. 6.3.1: 'Circumstances which constitute a vulnerability, disability or cultural need' of the OPM).

A QP 171 is to be used by officers generally, while a QP 171B: 'Police calling card—CIB' and QP 171A: 'Police calling card—CPIU' are to be used only by CIB and CPIU officers, respectively.

Police calling cards are available by requisition to Supply Services.

ORDER

Police calling cards are to be used statewide and local variations are not to be made unless specific alteration is required, and amendments are authorised. When a police calling card is left, it is to include the officer's name, rank, station and contact number.

Officers are to properly secure all calling and business cards so they are safe from unauthorised possession and possible misuse.

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11.3 Police clubs, associations and affiliate organisations

11.3.1 Formation

Queensland Police clubs, associations and affiliate organisations (internal community sector) may be formed with the approval of the Commissioner, with the exception of local social clubs which require the approval of the OIC. Subject to operational requirements, the OIC will encourage interest in any such approved club and will facilitate the attendance of members.

11.3.2 Conduct

ORDER

Police clubs, associations and affiliate organisations are to:

(i) generally be for the benefit and use of members of the Service;

(ii) have a current member of the Service on the executive at all times;

(iii) have approval for use of, or association with the Service brand (i.e. 'Queensland Police') and Service logo (see ss. 10.18: 'Prohibited use of words suggesting association with police' of the *Police Service Administration Act*; and 9.4: 'Service logo' and 9.5: 'Use of Service logo' of this Manual);

(iv) protect the Service values (see 'Queensland Police Service Strategic Plan');

(v) comply with the 'Charter for Queensland Police Service clubs, associations and affiliate organisations' available on the Clubs and Associations SharePoint page;

(vi) maintain appropriate financial records available for inspection as requested by an authorised delegate of the Commissioner;

(vii) be administered ethically, honestly and lawfully; and

(viii) meet Australian Taxation Office requirements for income apportionment and lodgement if non-member income exceeds $416.

11.3.3 Management of police social clubs for Australian Taxation assessment purposes

The Service is not responsible for management of member initiated social clubs. Social club members are responsible for the administration of social club arrangements, ensuring compliance with relevant taxation obligations as specified by the Australian Taxation Office (ATO) and other relevant legislation.

This instruction provides general information relating to ATO requirements for not-for-profit (NFP) clubs such as social clubs and is not financial advice. Social club managers may seek independent financial advice based on individual circumstances. For further information refer to the ATO's Guide for NFP member-based organisations located on the ATO website.

For taxation purposes, the mutuality principle provides that a social club is not required to pay income tax on income it receives from members, whether this be through membership subscriptions or other mutual dealings. For further information refer to the ATO's Taxable income and mutuality website.

Assessable income includes receipts from trading with non-members and income from sources outside the organisation. Examples of assessable income include food and drinks sold to non-members, commissions received from vending machines and income from hosting functions for non-members. For further information refer to ATO's Assessable Income website.

The following table provides examples of revenue received by NFP clubs and the resulting taxation liability.

	Type of Revenue	Financial Gain	Taxation Liability
Example 1	**Tea/coffee** Where members pay a small amount per fortnight which pays for tea/coffee and contributes to an end of year function and does not benefit non-members	Financial gain—from members only (mutuality principle applies)	No tax liability where profit is limited to 'member only contributions'
Example 2	**Drinks and chocolates** For sale within an office where members pay fortnightly, open to members and non-members, including where purchase prices could be reduced for members and increased for non-members (may include Example 1 items)	Financial gain—taxable amounts are created by profits derived from non-member purchases/sales.	Payable on profits greater than $416 derived from non-members
Example 3	**Vending machine stock for sale** For members and non-members to purchase goods, where members also contribute fortnightly (may also provide example 1 and 2 sale items). Vending machines could be either in the office space (i.e. restricted to Service personnel) or could be in a public space (i.e. at front counter) where non-members can use them.	Financial gain—taxable amounts are created by profits derived from non-member purchases/sales (e.g. non-member purchasing from a vending machine).	Payable on profits greater than $416 derived from non-members
Example 4	**Social club with liquor sales and/or managing Service contracts** Where members and non-members purchase goods and members also contribute fortnightly into the social club (includes sale of alcohol/merchandise, management of police station contracts e.g. horticultural/cleaning etc., and may include example 1, 2, 3 items).	Financial gain—taxable amounts are created by profits derived from non-member purchases/sales (e.g. non-members purchasing alcohol and/or merchandise), or income from horticulture/cleaning contracts.	Payable on profits greater than $416 derived from non-members.

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Social clubs will have taxation lodgement requirements if they derive more than $416 income from non-social club members in a taxable year. For further information refer to ATO Taxable NFP Organisations website.

11.4 Gifts or benefits offered to members of the Service

This section relates to offers of any cash, gifts or benefits offered to members of the Service.

For information on rewards for information see s. 2.5.4: 'Rewards for information leading to the apprehension and conviction of offenders' of the OPM.

For information on sponsorship see s. 8.3: 'Sponsorship—guidelines for management' of this Manual.

11.4.1 Receiving gifts and benefits

As a general principle, and barring incidental gifts (e.g. a pen, leisure cap etc.) or benefits of a nominal value (e.g. preferred seating at a work-related presentation), members of the Service shall not receive gifts or benefits.

These should be declined politely.

There may however be occasions when accepting gifts or benefits may be appropriate in the circumstances, for example, a reasonably priced bottle of wine in appreciation for giving a presentation.

Where a member of the Service is considering accepting a gift or benefit, all applicable provisions of ss. 2.3: 'Gifts and donations policy' and 2.3.1: 'Gifts and Donations Practice' of the Financial Management Practice Manual are to be complied with.

Any offer of cash, or items which can be readily converted into cash, are to be refused.

Where a gift or benefit is given to a member of the Service, the member should furnish a report for forwarding through the usual channels to their assistant commissioner or executive director to make claim to all or part of the gift or benefit.

11.4.2 Offers of gifts and benefits

Members of the Service are not to solicit, directly or indirectly, cash, gifts or benefits.

Supervising commissioned officer and manager (AO8 and above) responsibilities

Supervising commissioned officers and managers will, if it is considered advisable, cause inquiry to be made to satisfy themselves that no solicitation, direct or indirect, has been made in connection with the offer of any cash, gifts or benefits to a member. When furnishing their relative reports, commissioned officers and managers will state therein if they are not so satisfied, or if there are any circumstances which make it improper for any member of the Service to receive such cash, gifts or benefits.

See also 'Standard of Professional Practice' on the ESC Knowledge Hub SharePoint page on the Service Intranet.

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11.5 Passports

Every Australian citizen intending to travel to an overseas destination, including New Zealand, is required to be in possession of a current passport, issued by the Commonwealth Department of Foreign Affairs and Trade.

A person leaving Australia on official business on behalf of the Commonwealth, a State or Territory Government, or a Local Government Authority, may be issued with an official passport, for which the standard passport fee is payable, however the Service will need to satisfy the delegate of the Minister for Foreign Affairs that the issue of an official passport is justified in each case.

It will be necessary to explain how travel would be facilitated by the issue of an official passport, and to demonstrate that possession of an official passport is essential to fulfil the assignment.

Sponsoring agencies should consider whether possession of a letter of introduction setting out the purpose of the visit, or an appropriate visa from the country to be visited in an ordinary passport, would not achieve the same objective.

11.5.1 Overseas travel—official business

When a member is required to travel overseas, the district officer or commissioned officer in charge is required to forward a report to the Commissioner's Office with a suitable recommendation. On obtaining approval for the member to travel overseas, the district officer or commissioned officer in charge is to consider whether to apply for an official passport for the member.

In deciding whether to apply for an official passport for the member, the district officer or commissioned officer in charge should consult the:

(i) 'Ministerial Guidelines for the issue of a Diplomatic and Official Passport';

(ii) 'Sponsorship Letter' and the 'Conditions for the Issue of a Diplomatic or Official Passport' contained within; and

(iii) 'Responsibilities of the sponsoring authority: Diplomatic & Official Passport';

available on the website of the Commonwealth Department of Foreign Affairs and Trade.

If it is decided that an official passport is necessary, a 'Sponsorship Letter' document should be completed and forwarded to the Canberra Passport Office, together with an 'Australian Passport Application', which is available from post offices throughout Australia, or from the website of the Passport Office. The standard passport fee will be payable.

The Commissioner's Office is to maintain a 'Register of Official Passports' sponsored by the Service.

If an official passport is issued, the member is required to promptly forward a report through the usual channels to the Commissioner's Office providing the following details for updating of the register:

(i) full name of member;

(ii) document number of the official passport;

(iii) date of issue; and

(iv) date of expiry.

11.5.2 Overseas return

Official passports will generally be valid for the duration of the assignment requiring official travel plus 6 months. On return from overseas, the member is to furnish a comprehensive report on the official business conducted overseas. If an official passport was issued and is not required for future travel, the passport is to be attached to that report for forwarding to the Commissioner's Office for updating of the register and the cancellation of the passport.

For more information on international travel, refer to Travel Management webpage of the Service Intranet.

11.6 Contract management

Contract owners are to nominate a suitable contract manager.

Where a contract manager cannot continue the role for any reason, the contract owner and contract manager are to make arrangements for handover in accordance with the process outlined in the QPS Contract Management Framework (QPSCMF) available from the Contract Management SharePoint page.

ORDER

All Service contracts are to be managed in accordance with the QPSCMF by an appropriately appointed contact manager. The contract manager will:

(i) manage contracts through post-award lifecycle as the single point of contact for suppliers on all contract matters;

(ii) be responsible for monitoring supplier performance and compliance;

(iii) be responsible for the outcome of the contract;

(iv) add contract management to their performance development agreement (see Development and Performance of the QPS HR Policies & Procedures);

(v) have the experience and skills, or the ability to acquire the skills; to undertake the contract management role;

(vi) have completed or will complete the recommended contract management training provided by Contract Management Centre of Excellence (CMCoE);

(vii) use the resources provided by CMCoE and Procurement Services Group (PSG) for support and advice;

(viii) be a representative who understands the business they are representing and has the relevant technical and subject matter expertise; and

(ix) liaise with the PSG during the project lifecycle.

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Introduction

The Service code of dress and appearance is issued by the Commissioner to ensure a consistent and professional standard of personal appearance by all members to meet community expectations. The Commissioner has responsibility for the dress and appearance of members of the Service pursuant to s. 4.8: 'Commissioner's responsibility' of the PSAA and the due diligence principles of the *Work Health and Safety Act*.

This chapter applies to all officers, police recruits, uniformed staff members and staff members. Failure to comply with the code of dress and appearance may provide grounds for disciplinary action.

This chapter has been developed in accordance with the *Human Rights Act* and the provisions contained in s. 1.2: 'Human rights and policing' of the OPM.

Definitions

For the purposes of this chapter, in addition to the definitions contained within the SMD, the following definitions apply:

Ceremonial uniform

means uniform for use by members attending a nominated occasion, event, ceremony, official function or duty.

Corporate wardrobe

means attire available from the Corporate Wardrobe catalogue.

Day dress uniform

means uniform worn by a member specific to the member's designated role and responsibilities.

Members

means all officers, police recruits, uniform staff members and staff members collectively.

Officers

includes all police officers and police recruits.

Operationally effective

means suitable to be able to perform operational skills and tactics (OST).

Operational uniform

means uniform for use in conducting operational duties. Operational uniform has enhanced design characteristics for operational effectiveness and when employing operational skills and tactics.

Protective service uniform

means standard issue non-patrol, patrol and mixed patrol uniform items.

Staff members

means any member who is not a police officer, police recruit, police liaison officer, assistant watch-house officer, protective service officers or Torres Strait Island Police Support Officers (TSIPSO).

Uniform catalogue

means the QPS Uniform Catalogue available on the Supply Services webpage on the Service Intranet.

Uniform staff members

means police liaison officers, protective service officers, aviation staff, assistant watch-house officers and Torres Strait Island police support officers.

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12.1 General standards of dress and appearance for all members

All members are to adopt and maintain the highest standards of dress, personal appearance, hygiene and grooming consistent with a professional policing organisation.

To assist members, the QPS Uniform Catalogue depicts the styles of uniform and dress standards to be maintained.

Variation to policy

A member who seeks a variation of this policy due to their personal circumstances (see also s. 12.5: 'Standard of dress—Variations to uniform policy' of this chapter) may make written application to their assistant commissioner or equivalent for consideration. The report is to include:

(i) where appropriate specialist medical reports; and

(ii) where relevant a consultation outcome with:

(a) Safety and Wellbeing;

(b) First Nations Division; and

(c) Multicultural Affairs.

Supervisor responsibility

Commissioned officers or equivalent and OICs are to ensure compliance with this policy. Supervisors are to demonstrate the requisite standard of dress and appearance and are to ensure they regularly inspect members dress and appearance and issue directions as required when non-compliance is observed.

Sponsorship

Members are not permitted to wear clothing or equipment that has been sponsored by an organisation unless in compliance with s. 8.3: 'Sponsorship' of this Manual.

Uniform catalogue

The QPS Uniform Catalogue depicts images of uniform styles for the following groups:

(i) commissioned officers;

(ii) non-commissioned officers;

(iii) specialist units;

(iv) police liaison officers;

(v) assistant watch-house officers; and

(vi) protective service officers.

The 'Corporate wardrobe catalogue', available on the Uniform Support SharePoint page, provides a list of approved suppliers and approved attire available for purchase by members.

All members are:

(i) to wear a uniform only where authorised and in compliance with the standards shown in QPS Uniform Catalogue;

(ii) not to wear a mixture of civilian clothing and approved uniform items. For approved mixed clothing see s. 12.2: 'Standards of dress—uniformed officers' of this chapter);

(iii) not to wear uniform items they are not entitled to wear;

(iv) not to wear uniform or civilian clothing, which is dirty, damaged, excessively faded/discoloured or not ironed;

(v) to wear uniform items correctly buttoned and zipped;

(vi) not to alter the design, shape or style of uniform items issued to them. Members will be required to purchase replacement uniform items resulting from unapproved alterations;

(vii) to ensure plain clothes or civilian attire contains no graphic or inappropriate images or wording;

(viii) to ensure that undergarments worn under a uniform, such as singlets, t-shirts, tank-tops, brassieres or camisoles do not extend beyond the edges or necklines of a uniform and must not be visible through the outer uniform garment, including logos and endorsements;

(ix) in the case of uniform officers, consider their personal safety when travelling to and from duty when wearing a uniform;

(x) in the case of staff members and uniformed staff members, not to wear any uniform item or identification when travelling to and from work which may identify them as a member of the Service;

(xi) not to wear award ribbons, medals, pins or non-approved patches on load bearing vests or integrated load bearing vests. The wearing of citations and medals is to comply with Honours and Awards Unit guidelines outlined on the 'Wearing Awards' SharePoint page. Wearing of approved pins, maximum 2, on the dress uniform, business attire, or operational uniform is to be worn in compliance with the 'Approved Pins-Badges-Lanyards Register';

(xii) not to smoke in a public place or within view of the public whilst in uniform; and

(xiii) not to wear a combination of current uniform items with obsolete uniform items.

12.2 Standard of dress—uniformed officers

Officers are to ensure their standard of dress and appearance portrays a professional image at all times. Any item of uniform which does not meet the required standards, is to be replaced.

Uniforms worn by officers are categorised into four uniform groups, namely:

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(i) day dress;

(ii) operational;

(iii) specialist; and

(iv) ceremonial.

See the QPS Uniform Catalogue for images of uniform groups and the Online Uniform Requisition form. Approved variations also apply to each uniform group.

For religious exemptions see s. 12.5: 'Standard of dress—Variations to uniform policy' of this chapter.

When on rostered duty, officers are to wear their:

(i) issued identification whilst in Service establishments, see s. 4.4.1: 'Displaying of Service identification' of this Manual; and

(ii) firearms and accoutrements see s. 14.4: 'Service issued weapons' of the OPM.

An assistant commissioner or equivalent may authorise an exemption to the standard of dress where appropriate in the circumstances (e.g. the wearing of Look to the Stars shirts as a daily dress item for specialist areas).

Approved mixed clothing

A civilian cover shirt/jacket is authorised to be worn over the top of uniform shirt when travelling to and from work. A cover shirt is to fully cover the uniform shirt and will not readily identify an officer but can be removed to allow an officer to recall themselves to duty when circumstances dictate. Not being readily identifiable allows an officer to conduct a tactical assessment and undertake preparatory actions, i.e., time to call for assistance, before identifying themselves. An officer when travelling to and from work may also wear a civilian shirt in replacement of a uniform shirt.

Medals

The wearing of medals, ribbons and citations is restricted to day dress, ceremonial uniforms and when wearing the Service light blue day dress shirt with operational trousers (see s. 12.13: 'Wearing of medals and citations' of this chapter).

Uniform issuing

The Warehouse Manager, Supply Services manages the issuing of uniform items. A commissioned officer or equivalent (or their delegate) or an OIC may seek a variation to the scale of issue in specific situations (e.g., the issuing of uniform items to plain clothes officers). Application is to be made to the warehouse manager and additional costs will be borne by the requesting unit.

The chairperson of the Police Uniform Committee (PUC) controls the scale of issue of uniform items. To seek variation to the scale of issue, a report endorsed by the relevant assistant commissioner of that command, can be forwarded to the PUC to seek approval from the relevant deputy commissioner or Commissioner.

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12.2.1 Day dress uniform

Day dress uniform provides a more formal and corporate appearance than the operational uniform when performing duties involving management, administrative and representative functions.

Operational uniform items are not to be worn with the day dress uniform (e.g., polo shirt with dress trousers). See s. 12.2.2: 'Operational uniform' of this chapter for an exemption for the Service light blue day dress shirt.

A commissioned officer or equivalent (or their delegate) or an OIC, may direct the wearing of day dress uniform when conducting representative functions, attending meetings or within a command office environment. If applied to a command office, the direction is to be consistent for all officers.

Ties must be worn by officers when appearing before a court.

12.2.2 Operational uniform

The Service operational uniform provides a more robust and operationally effective form of dress than the day dress uniform. Operational effectiveness is achieved through enhanced design capability for various environmental factors and when employing operational skills and tactics. Operational duties however do not preclude officers from wearing the full day dress uniform and accoutrements.

The Service light blue day dress shirt may be worn with operational trousers and baseball cap and can also be an aide to supervisor identification in an operational environment.

Officers employed in administrative, management and representative functions may wear the operational uniform unless otherwise directed in accordance with s. 12.2.1: 'Day dress uniform' of this chapter.

12.2.3 Specialist uniforms

Specialist uniforms provide operationally effective forms of dress specific to the functions conducted by a specialist unit and may include additional safety enhancements.

Specialist uniform is in addition to the other forms of Service uniform issued to an officer.

Only officers performing the specialist function may order and wear the specialist uniform items specific to that unit.

12.2.4 Ceremonial uniform

Officers are to wear ceremonial uniform for nominated occasions or when directed by a commissioned officer or equivalent (or their delegate) or an OIC. Such occasions may include but are not limited to:

(i) medal presentations;

(ii) Service funerals;

(iii) investiture ceremonies;

(iv) new premises openings; and

(v) church or memorial services.

Wearing of accoutrements with ceremonial uniform.

Generally, accoutrements, including load bearing vests, should not be worn with a ceremonial uniform. Carriage of accoutrements may be approved by the senior supervising commissioned officer taking into consideration current threat levels and any formal invitation requests which may need to be negotiated.

Senior supervising commissioned officers are to consider the provision of a security element containing officers wearing accoutrements in public places involving officers in ceremonial uniform without accoutrements.

12.2.5 Additional uniform items

Only current issue uniform and accoutrements contained in the QPS uniform catalogue are to be worn.

Tunics

The decision to wear a tunic is at the discretion of an individual commissioned officer or as otherwise directed by a senior commissioned officer or equivalent (or their delegate) or an OIC.

Tunics are not an individual issue to non-commissioned officers except for permanent specialised positions e.g. prosecutions. Tunics may be loaned and worn by non-commissioned officers in the following situations:

(i) during official duties at special occasions;

(ii) relieving prosecutor duties;

(iii) as an aide-de-camp; or

(iv) as a ministerial liaison officer.

Tunics are to be:

(i) fully fastened at all times; and

(ii) worn with a Service issued tie.

Ties

For uniformed members, only Service issue ties and tie pins may be worn.

Look to the Stars uniform

The bespoke Indigenous Artwork Look to the Stars (LTTS) was created in consultation with First Nations communities to build trust, respect and relationships between the Service and First Nations peoples.

The LTTS operational polo and baseball cap may be worn as part of operational or day dress uniform by the following members:

(i) PLOs and TSIPLOs;

(ii) cross cultural liaison officers;

(iii) district crime prevention coordinators; and

(iv) youth co-responder team members.

The LTTS operational polo and baseball cap may be worn by the following members at the discretion of a commissioned officer (or equivalent):

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(i) officers and uniform staff members who are required to engage with First Nations and multicultural communities as part of their day-to-day duties; and

(ii) officers and uniform staff members during events, meetings and functions of cultural significance including (but not limited to) NAIDOC Week and Reconciliation Week.

The LTTS operational polo shirt and baseball cap is available as general uniform allocation in lieu of operational polo shirt and operational baseball cap.

The LTTS operational polo shirt may be worn with either operational pants or day dress pants.

When worn with day dress pants, the LTTS operational polo shirt may be worn in a tucked or untucked fashion.

When worn with operational pants, the LTTS operational polo shirt should be worn tucked into the pants.

The LTTS operational polo shirt and baseball caps are official police uniform and are not to be given as a gift or otherwise disposed of outside of normal uniform policy.

Torres Strait uniform

The bespoke artwork which forms the Torres Strait operational polo and baseball cap was created in consultation with First Nations communities within the Torres Strait. Designed to build trust, respect and relationships between the Service and First Nations peoples.

The Torres Strait operational polo shirt and baseball cap is currently available for issue to all officers and uniform staff members within the Torres Strait Patrol Group.

The Torres Strait operational polo and baseball cap may also be worn by the following members at the discretion of a commissioned officer (or equivalent):

(i) officers and uniform staff members who are required to engage with Torres Strait peoples or communities as part of their day-to-day duties; and

(ii) officers and uniform staff members during events, meetings and functions of cultural significance including (but not limited to) NAIDOC Week and Reconciliation Week; and

(iii) youth co-responder team members.

Issue of the Torres Strait operational polo shirt and baseball cap is available as general uniform allocation in lieu of operational polo and operational baseball cap.

The Torres Strait operational polo shirt may be worn with either operational pants or day dress pants.

When worn with day dress pants, the Torres Strait operational polo shirt may be worn in a tucked or untucked fashion.

When worn with operational pants, the Torres Strait operational polo shirt should be worn tucked into the pants.

The Torres Strait operational polo shirt and baseball caps are official police uniform and are not to be given as a gift or otherwise disposed of outside of normal uniform policy.

Pride polo shirt

The Pride operational polo shirt was created in consultation with LGBTQIA+ communities to build trust, respect, and relationships between the Service and LGBTQIA+ community members.

The Pride operational polo shirt may be worn as part of operational or day dress uniform by officers and uniform staff members performing duties as QPS LGBTQIA+ liaison officers and district crime prevention coordinators.

The Pride operational polo shirt may be worn by the following members at the discretion of a commissioned officer (or equivalent):

(i) officers and uniform staff members who are required to engage with LGBTQIA+ communities as part of their day-to-day duties; and

(ii) officers and uniform staff members during LGBTQIA+ events, meetings and functions of significance including (but not limited to) IDAHOBIT Day, Wear it Purple Day and Pride Festival.

The Pride operational polo shirt is available as a general uniform allocation in lieu of the operational polo shirt.

The Pride operational polo shirt may be worn with either operational pants or day dress pants.

When worn with day dress pants, the Pride operational polo shirt may be worn in a tucked or untucked fashion.

When worn with operational pants, the Pride operational polo shirt should be worn tucked into the pants.

The Pride operational polo shirt is official police uniform and is not to be given as a gift or otherwise disposed of outside of normal uniform policy.

For Look to the Stars uniform, Torres Strait uniform and Pride polo shirt see s. 12.16: ‘Return, disposal and destruction of uniforms and personal issued equipment’ of this chapter.

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12.2.6 Court appearance

Officers when attending court are to wear day dress uniform to project a professional image. Operational uniform is not to be worn unless exceptional circumstances exist or where prior approval has been given.

An identification tag is to be worn when attending court. Identification is to display the officer's full name unless approval to wear an officer's registered number or equivalent has been issued for security purposes.

12.3 Standard of dress—Detectives/plain clothes officers

Authorisation is not required for officers to wear plain clothes when an officer is appointed to a plain clothes position.

Plain clothes officers, as representatives of the Service, are to present a professional image and dress in business attire unless inappropriate for a particular duty or task (e.g., casual clothing for covert, surveillance, crime patrol duties or when executing search warrants).

The type of clothing worn must not interfere with the safe and proper use of accoutrements and is to be neat and clean and not excessively faded/discoloured or damaged unless approved by an OIC for a specific operation or task.

Ties

Plain clothes officers are not required to wear a tie when performing routine duties. Ties must be worn for court purposes or if directed e.g., for a media briefing.

Footwear

Plain clothes officers are to wear styles of footwear which are operationally effective and suitable for Operational Skills and Tactics (OST). Supervises are to ensure officer footwear complies with s. 12.8: 'Footwear' of this chapter.

For the carriage of firearms while in plain clothes see ss. 14.4: 'Service issued weapons' and 14.9.1: 'Plain clothes officers' of the OPM.

Authorisation from a commissioned officer or equivalent (or their delegate) or an OIC, is required for members in a uniformed position to wear plain clothes, examples include where:

(i) required to perform a specific duty (e.g., assisting the CIB in the execution of search warrants or crime patrols);

(ii) pregnant and physically unable to wear a uniform;

(iii) recovering from an injury or has a specific medical condition; or

(iv) served with a stand down notice.

Issuing of Service uniforms to appointed plain clothes officers

Although not entitled to uniforms in the scale of issue, plain clothes officers may purchase uniform items for use in conducting special duties.

Plain clothes officers selected for temporary relieving duties in a uniform position may be authorised for the issue of uniform items by an OIC. Requests for uniform issue are to be in writing to the officers OIC for approval by a commissioned officer. Uniform approvals for plain clothes officers are centrally funded.

For situations that do not fall within this policy, an OIC is to contact Supply Services for further guidance and approvals.

12.4 Standard of dress—Staff members and uniform staff members

All staff members and uniform staff members are to dress to a professional standard at all times and are to comply with s. 12.1: 'General standards of dress and appearance for all members' of this chapter.

12.4.1 Staff members

In general, staff members are to dress in attire consistent with items available by approved suppliers and consistent with the 'Corporate wardrobe catalogue' available on the Uniform Support SharePoint page.

Examples of items of dress that are inappropriate for staff members, and are not to be worn, include:

(i) any item of clothing that contains graphic or inappropriate images or wording; and

(ii) shorts, denim jeans, tracksuit pants, clothing exposing the midriff, short skirts and casual footwear e.g. thongs.

A commissioned officer or equivalent (or their delegate) or an OIC may:

(i) determine an item of dress is inappropriate and direct a member not to wear the item;

(ii) authorise items of dress suitable to a function or role; and

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(iii) for workplace health and safety reasons, direct a member to wear footwear and clothing suitable to their function or role e.g., warehouse duties.

12.4.2 Uniform staff members

Uniform staff members are to comply with the standards of dress for their particular employment as outlined in the QPS Uniform Catalogue.

12.4.3 Travelling to and from work

To ensure member safety, all staff members and uniformed staff members are to remove or cover any items identifying them as a Service employee when travelling to and from work, which includes removing their Service identification, identification tag and lanyard.

12.5 Standard of dress—Variations to uniform policy

12.5.1 Religious, cultural and gender diversity recognition

The Service recognises and respects a member's religious and cultural beliefs as well as gender diversity. All variations to the standard of dress of uniform officers must take into account the ability to perform operational skills and tactics and undergo assessment and approval by Safety and Wellbeing. Assistance should also be sought from First Nations Division and Multicultural Affairs.

12.5.2 Variations to uniform entitlement due to gender identity

On written application by a member, with relevant supporting documentation, an assistant commissioner or equivalent may consider an individual's request to vary their uniform entitlement as per the scale of issue due to their gender identity. In making their determination, the decision maker will take into consideration anti-discrimination legislation as well as the need to maintain consistent standards of professionalism for the Service.

Due to the personal nature of a member's application to vary uniform entitlement, written applications are to be made direct to the member's OIC and forwarded direct by the OIC to the relevant assistant commissioner.

12.5.3 Religious headdress

Uniformed members seeking to wear religious headdress are to obtain written approval from an assistant commissioner or equivalent prior to wearing. In deciding to approve religious headdress, the assistance of Safety and Wellbeing, First Nations Division and Multicultural Affairs is to be sought.

Headdress that covers the head e.g. Hijab, must have a quick release capability and be approved for use by Safety and Wellbeing.

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12.5.4 Sikh religious conventions

A member of the Sikh religion may adhere to the following religious conventions:

(i) keep the hair on their head, face and body uncut with hair on their head covered by a Turban or Patka.

(ii) wear a:

(a) Kangha (wooden comb), worn and concealed in the hair.

(b) Kara (iron band), worn on right wrist.

(c) Kachera (cotton undergarment).

(iii) carry a Kirpan (resembles a small sword normally kept in a sheath, attached to a strap, worn underneath clothing near the waist and is not normally visible).

Officers are to seek guidance for the wearing of Kirpans and Karas from Safety and Wellbeing to ensure operational skills and tactics risks are minimised. Officers are to be aware of the additional risks of injury e.g. Kara being caught on objects and take reasonable precautions to prevent such injuries by taping or wearing a protective sleeve. See also s. 12.12.4: 'Personal jewellery' of this chapter.

Clean shaven directives

Where a clean-shaven directive is issued by the Commissioner in response to an emergency event, and an officer wishes to adhere to their religious requirements, the officer is be aware they may be temporarily transferred to alternate duties.

12.5.5 Swimwear

Swimwear that is in keeping with religious requirements for modesty may be worn during swimming training activities.

12.5.6 Specialist requirements

Members are to be aware that while assessments may be undertaken regarding the accommodation of religious requirements, there may be cases in which such requirements are not compatible with operational standards which apply to some Service specialist areas e.g., SERT and dive squad.

12.6 When to wear prescribed headdress

Headdress remains an important part of policing as it helps to establish immediate recognition and presence of police in public and for occupational health and safety purposes.

Uniformed officers and uniformed staff members are to wear headdress when on duty and in view of the public, unless:

(i) in a police establishment or performing duty at a prescribed building;

(ii) indoors and not in the view of the general public e.g., a private residence;

(iii) travelling in a motor vehicle;

(iv) travelling on public transport;

(v) wearing of headdress is not practical due to environmental or operational considerations e.g., high winds;

(vi) on the tarmac in the vicinity of an operating aircraft;

(vii) inside a place of religious worship where it is appropriate to remove headdress, unless the member is a member of a flag party or performing another ceremonial role;

(viii) at an outdoor church service when the officiating chaplain requests the removal of headdress; or

(ix) prior approval has been obtained from a commissioned officer or equivalent (or their delegate) or OIC.

For religious exemptions and requirements see s. 12.5.3: ‘Religious headdress’ of this chapter.

12.6.1 How to wear prescribed headdress

Unworn headdress is not to be hung from or attached to the Service firearm.

Service issue headdress is to be worn square to and level on the head.

Uniformed non-commissioned officers acting in commissioned officer positions are authorised to wear commissioned officers’ epaulettes for the authorised relief period; however, officers acting in a commissioned officer’s position are not permitted to wear a commissioned officer’s hat, regardless of any endorsement from the officer’s supervisor or the provision of a cost centre code.

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12.6.2 Baseball caps

Baseball caps are not to be worn with day dress or ceremonial uniforms.

12.6.3 Service-issue beanies

Service-issue beanies may be worn by:

(i) uniformed officers generally between the hours of 6pm and 6am;

(ii) water police officers whilst performing duties on the water at any time; or

(iii) at any time in extreme weather conditions where prior approval has been given by a supervisor.

A commissioned officer or equivalent (or their delegate) or OIC may direct uniformed officers not to wear a beanie where in the circumstances it would detract from the professional image of the Service.

12.7 Epaulettes

Members are to wear epaulettes appropriate to their rank/grade on all relevant uniform items as specified in the Online Uniform Requisition catalogue.

Officers meeting the eligibility criteria are permitted to wear epaulettes recognising length of service.

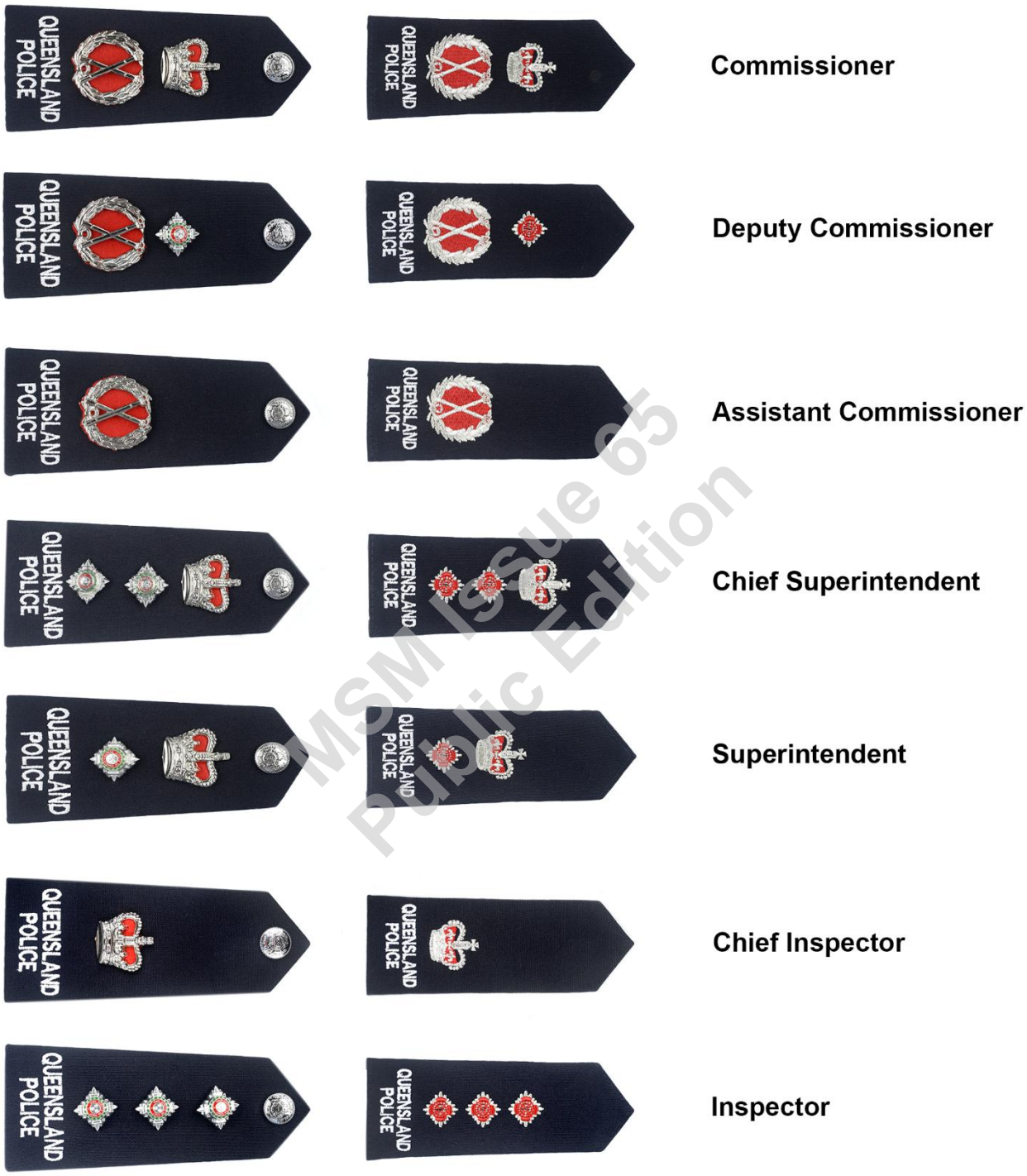
An officer who is required to perform duties at a higher rank is to wear epaulettes applicable to the higher rank, except Protective Service Officers (PSO).

Only qualified PSO are permitted to wear the epaulettes of a Senior PSO.

Service ranks

Commissioned officer rank soft fabric epaulettes are only to be worn with a Service-issued uniform polo shirt, field dress shirt, load bearing vest or integrated load bearing vest.

COMMISSIONED OFFICERS



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NON-COMMISSIONED OFFICERS





Senior Sergeant





Sergeant



Leading Senior Constable





Senior Constable



Constable



Special Constable



PACE



Recruit

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Officers performing duties within some specialist units are issued and wear non-reflective epaulettes in accordance with operational requirements.

Senior Protective Service Officer and Protective Service Officer



Senior Watch-house Officer and Watch-house Officer



Senior Police Liaison Officer and Police Liaison Officer



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Senior TSI PLO and TSI PLO Officer



Aviation Staff

Epaulette				
Fixed Wing	Not Applicable	Not Applicable	**Pilot – LC Classification** • Caravan Pilot in Command • B1900/B350 First Officer	**Pilot – LF Classification** • B1900/B350/Jet Pilot in Command • Check & Training Pilot • Deputy Chief Pilot • Chief Pilot
Rotary Wing	Rescue Crew Officer (RCO)	Aircrew Officer (ACO)	• Senior Aircrew Officer (SACO) • Check & Training Aircrew Officer • Chief Aircrew Officer	• Pilot • Check & Training Pilot • Head of Check & Training • Deputy Chief Pilot • Chief Pilot

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Police Chaplain



Emergency Management



12.8 Footwear

Uniformed officers are to wear current serviceable Service issued footwear. Footwear is to be kept clean and polished at all times. Where alternative footwear is required to be worn for health and safety reasons, a report with supporting documentation (e.g. a specialist medical certificate) is to be furnished prior to use. Refer to 'non-standard issue footwear reimbursement' of this section.

Uniformed officers are to wear Service issue socks, or socks which are black or dark blue in colour.

Uniform officers wearing skirts:

(i) may wear stockings in one of the following colours:

(a) nude;

(b) black;

(c) grey; or

(d) dark blue; and

(ii) may purchase operationally effective black or ink blue court shoes.

Non-Standard issue footwear reimbursement

The cost of court shoes (see s. 12.8.2: 'Court shoes for representational, ceremonial and court duties' of this chapter) and alternate footwear for health and safety reasons may be reimbursed up to $150 for the purchase of one pair of shoes in accordance with the scale of issue timelines. Reimbursement does not apply to protective service officers, watch-house officers, plain clothes officers; and staff members.

To ensure eligibility, officers for:

(i) court shoes, are to submit a report to their supervisor / OIC for approval; and

(ii) alternate footwear, obtain:

(a) a medical certificate from a specialist/podiatrist (not general practitioner); and

(b) submit the medical certificate with report to their district officer for approval.

Once approval is obtained, officers are authorised to purchase alternate footwear.

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For reimbursement, officers are to submit their request through Fraedom and upload the following supporting documents:

(i) approval report;

(ii) tax invoice, and

(iii) where relevant, medical certificate.

12.8.1 Officers in plain clothes

All officers wearing plain clothes are to wear footwear which is operationally effective and suitable where operational skills and tactics are required. Such footwear must be stable, fully enclosed and not easily slipped off the foot.

In circumstances where covert duties may necessitate a style of footwear that may not be classed as operationally effective, a commissioned officer authorisation is required.

12.8.2 Court shoes for representational, ceremonial and court duties

Court shoes are to be of a style and height that allows an officer to be able to respond to any incident in accordance with their operational skills and tactics (OST) training. Footwear such as stilettos or high heels are not suitable and are likely to result in a serious injury to an officer when engaging in an OST response. As required, supervisors are to conduct a risk assessment to ensure footwear is appropriate and seek the assistance of Safety and Wellbeing when in doubt.

Court shoes are not to be worn with trousers, slacks or shorts.

12.8.3 Commissioned officers

Commissioned officers may privately purchase operationally effective footwear. The cost allowance of the footwear may be reimbursed by submitting a request to the Supply Service Customer Service team to ensure eligibility, and then submit reimbursement request through ExpenseMe Pro.

12.8.4 Non-Service issued footwear

ORDER

Non-Service issued footwear must be operationally effective and suitable for Operational Skills and Tactics response in accordance with the due diligence principles of the *Work Health and Safety Act*.

12.9 Utility belts, load bearing vests and integrated load bearing vests

Only Service issued utility belts, load bearing vests (LBV) and integrated load bearing vests (ILBV) are to be worn.

Service issue accoutrements are only to be worn on Service issued utility belts, LBVs and ILBVs within Service issued accoutrement carriers.

Additional accoutrement carriers are not to be worn on a Service issued utility belt, LBV or ILBV until assessed and approved for use by the Operational Equipment Committee (OEC). Officers are not to attach pins (including Remembrance Day pins/ribbons), medals, award ribbon bars, patches or badges to an ILBV or wear them underneath an ILBV.

Officers are not to wear award ribbons or medals on an LBV.

12.10 High visibility and reflectorised safety vests

Officers wearing, or not wearing, an integrated load bearing vest (ILBV) **are to** wear Service-issued reflectorised safety vests whilst performing planned duties, which includes routine traffic intercepts at any time of day, at an event in or adjacent to traffic, including work sites, in quarries or on construction haul roads. For duties arising without prior planning, in or adjacent to traffic, including work sites, in quarries or on construction haul roads a Service-issued reflectorised safety vest **should** be worn.

For clarity, entering a roadway to set up or remove a tyre deflation device, or when stopping traffic for that purpose, although often urgent, is a planned duty as detailed herein, and a reflectorised vest is to be worn. Noting, the reflectorised vest is to be removed when officers are safely off the roadway to increase their concealment (see s. 14.30.7: ‘Officer responsibilities’ of the OPM).

Exemptions to these requirements are permitted where officers reasonably consider that tactical safety would be compromised by wearing a reflectorised safety vest and the decision can be justified. Officers are not to wear damaged or unserviceable vests or jackets. Officers are not to attach pins (including Remembrance Day pins/ribbons), medals, award ribbon bars, patches or badges to a high visibility vest, reflectorised vest or jackets.

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12.11 Service identification cards, identification tags and lanyards

Only identification cards, identification tags and lanyards issued or authorised by the Service are to be worn. Nick names are not permitted on Service nametags. It is permissible for an officer to shorten a first name e.g. Alexander to Alex.

12.11.1 Uniformed officers and uniform staff member identification tags

Officers are to:

(i) wear Service issue identification tags on all relevant uniform items including a load bearing vest; and

(ii) have the option of having their full name or registered number on their identification tag.

Identification tags for officers are in two- or three-line formats. Two-line formats are used for all positions except OIC and prosecutors who use a three-line format to include their position.

Officers are to have their rank displayed above their name (or registered number) on their identification tag, with the exception of the Senior Executive who may display their name above their rank.

The identification tag must be centred on the right pocket flap so that the top of the tag is level with the top of the pocket on current issue shirts or on blouses without pockets, in a similar position (e.g. lined up with 2nd top button) as depicted below.





Officers performing relieving duties are to wear identification tags with their acting rank as represented below.





Uniform staff members are to comply with the requirements for uniformed officers of this section.

12.11.2 Staff members

Staff members have the option of wearing a Service identification tag. Identification tags for staff members are in one-, two-, or three-line formats. One-line formats are used for all positions except counter staff, managers and civilian prosecutors who use a three-line format to include their position.

Counter staff have the option of an identification tag depicting their position and payroll number using a two-line format.

The placement of identification tags for civilian staff is to the upper left or right chest area.

12.11.3 Detectives and plain clothes officers

Detectives and plain clothes officers are not required to wear an identification tag but are to carry their Service identification whilst on duty.

Plain clothes officers wearing a firearm and accoutrements without a jacket or in plain view of the public are to:

(i) wear their Service identification on a Service lanyard; or

(ii) wear badge identification with leather strap on their belt or waistband.

12.11.4 Service identification and lanyards

For policy in relation to the issue, replacement and return of Service identification, see s. 4.4: 'Service identification and other identity cards' of this Manual.

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Members of the Service not in uniform are to physically display their Service identification whilst in Service facilities to ensure ready identification of unauthorised persons.

Service identification may be worn either on a Service lanyard around the neck or attached to the belt or waistband. Plain clothes officers may wear the badge identification with leather strap on their belt or waistband, but are to carry their Service identification at all times.

Uniform officers are to carry their Service identification but are not required to physically display it. Uniform officers may attach an access swipe card to a Service lanyard.

Approved Service lanyards are contained in the register of QPS Approved Pins, Badges and Lanyards as outlined in the QPS Uniform Catalogue, see s. 12.14.1: 'Application process for approval of pins, patches, badges and lanyards' of this Manual.

The Service Academy issues specifically coloured lanyards to recruits and external course attendees for identification purposes.

Special occasion lanyards

The Commissioner may approve the wearing of a special occasion lanyard with the member's Service identification attached. Members will be advised by statewide General Notification, which will include any specific conditions relating to the lanyard.

Special occasion lanyards are not to be worn outside the specific day or time period or in contravention with a condition placed on the approval by the Commissioner.

12.12 Standard of personal appearance of members

12.12.1 Tattoos and body alterations

The nature, location and prominence of any tattoos is not to detract from the professionalism or image of the Service.

Tattoos are not permitted in any location on the body above the uniform collar unless they relate to approved medical, religious or cultural beliefs and practices and have been approved by an assistant commissioner or equivalent. This policy does not apply to employees with existing tattoos in these locations; however, these tattoos must be covered whilst on duty.

Tattoos considered offensive are not to be applied to a member's body permanently or temporarily. This includes but is not limited to:

(i) associations with illegal gangs, promotion of racism, sexual vilification or criminal behaviour; or

(ii) graphic depictions of a sexual nature or nudity.

Where a commissioned officer or OIC reasonably believes a tattoo may be inappropriate and not present a professional image for the Service, they may direct a member to cover the tattoo.

Police recruit applicants—tattoo assessment

Where a recruit applicant has facial tattoos, tattoos above the collar line or other tattoos visible while in uniform, the tattoos are to be assessed during the recruitment process having regard to their nature, location, prominence and consistency with the professional image of the Service.

Any decision relating to facial tattoos or tattoos above the collar line is to be referred to the Assistant Commissioner, RDC, for approval.

The assessment, decision and supporting rationale are to be documented on the applicant's recruitment file.

Intentional body alterations

For this section, body alterations do not include genuine medical procedures and relate to the intentional alteration for appearance purposes that are unnatural. Body alterations for unnatural appearance purposes are not permitted unless approved for medical or religious purposes. This includes but is not limited to:

(i) the insertion of objects or implants to produce a pattern or abnormal shape(s);

(ii) body stretching of earlobes, lips, or other body parts to gradually enlarge a pierced hole using pieces of jewellery ranging from rings to plugs;

(iii) subdermal implantation, allowing the body to heal over the implant and creating a raised design. Also known as horns or beading;

(iv) transdermal implantation, placed partially below and partially above the skin, also known as anchors;

(v) tongue bifurcation, in which the tongue is shaped into an unnatural shape;

(vi) sharpening or shaping of teeth into unnatural shapes such as points; and

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(vii) ear cropping/shaping to give an unnatural appearance.

Approval for body alterations

Where a member seeks approval for a body alteration or has previously undergone body alterations prior to the commencement of this policy, they are to advise their OIC and seek approval or exempted status from their assistant commissioner. An assistant commissioner in making their decision is to seek advice from Office of the General Counsel, Safety and Wellbeing, First Nations Division and Multicultural Affairs.

12.12.2 Cosmetics

Female members are to ensure make-up is worn in moderation. Makeup is to be of a professional nature. Excessive facial makeup, brilliant or vivid colours are not to be worn.

12.12.3 Fingernails

Fingernails are to be kept clean and neatly trimmed. Nails are not to extend more than 3mm beyond the tip of the finger or thumb due to the potential risk of injury to officers or members of the public when undertaking an operational skills and tactics response.

Female officers are permitted to wear nail polish. Nail polish colour is to be of a professional nature and is not to be of brilliant or vivid colours and is to be a single colour for all nails. Multicolour nails are not permitted, and nails are not to be adorned with images or embellishments. Male officers are not authorised to wear nail polish on duty unless approved by a commissioned officer for specific purposes or duties.

12.12.4 Personal jewellery

A female officer with pierced ears may wear only one pair of small matching studs of a size no greater than 8mm in diameter. Male officers are not authorised to wear earrings on duty.

The Service does not permit piercings to be worn under Service uniform. Any such piercings are to be removed, or if unable to be removed, taped over to prevent injury whilst on duty.

Permitted jewellery items include a wristwatch that are not outlandish or of extreme colours and approved emergency or memorial bracelets. Where there is a risk of injury, jewellery should be removed or taped.

A maximum of three rings of moderate size and simple design may be worn. Rings are only to be worn on the middle, ring or little finger. If a neck chain is worn, it is not to be seen while wearing Service uniforms.

Deviation of this policy may only be approved by a commissioned officer or equivalent for a specific purpose or duty.

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12.12.5 Eyewear

Service issue sunglasses are available for officers and police liaison officers. Non-service issue glasses are not to:

(i) unduly restrict the range of the wearer's vision;

(ii) unduly attract attention;

(iii) disguise the officer's facial features; or

(iv) contain reflective mirror type lenses.

12.12.6 Scarves

Due to choking risks, scarves are not to be worn by officers.

12.12.7 Hair and facial hair

Member hair and facial hair styles are to be maintained in a clean, neat and tidy condition and in compliance with this section. Hair styles are to be kept conservative and not tinted, streaked or bleached in heavily contrasting colours. Hair maybe dyed to the natural hair colour of an officer.

ORDER

If a supervisor is of the opinion the appearance of a member's hair does not comply with this section, or is untidy or unkempt, the member is to be directed to comply with this section. If a hair style may be a safety issue, advice is to be sought from Safety and Wellbeing.

For religious exemptions see s. 12.5: 'Standard of dress—Variations to uniform policy' of this chapter.

Uniform members and recruits are to ensure their hair, for:

(i) males, including plain clothes officers:

(a) is neatly trimmed;

(b) does not extend below the top of the shirt collar; and

(c) is clear of the ear; and

(ii) female uniform members:

(a) is maintained in a neat and tidy condition while on duty;

(b) does not extended below the bottom of the collar;

(c) is in a style that does not interfere with the correct wearing of the headdress; and

(d) if long, is:

- styled to be clear of the front and sides of the face;
- does not extended below the bottom of the collar;
- worn in a bun style with an ink-coloured or ink and white chequered hair tie no wider than 4cm and clear of the collar;
- is not worn in a pony-tail or plaits; and
- is worn with thin elastic bands, hair clips, combs and bun covers of a similar colour to the hair.

Female officers completing plain clothes duties are to ensure hair is presented in a neat and tidy style, reflecting a professional, businesslike appearance and does not interfere with their operational skills and tactics response. Female officers are to ensure their hair:

(i) is neatly trimmed;

(ii) is maintained in a neat and tidy condition while on duty; and

(iii) if long, is styled to be clear of the front and sides of the face.

12.12.8 Wigs and hairpieces

A member may wear a wig or hairpiece to cover natural baldness or as a result of a medical procedure or accident. When worn, a wig or hairpiece is to conform to the standard criteria for hair of this chapter.

12.12.9 Facial hair

ORDER

Members are to be clean shaven at the commencement of their shift or in compliance with the following facial hair guidelines.

Members may be directed to be clean shaven, where:

(i) the Commissioner issues a directive for removal of facial hair for a specific purpose; and

(ii) a Service entity requires members to be clean shaven to ensure the safe and effective use of a breathing apparatus or a facial protective covering.

For religious exemptions see s. 12.5: ‘Standard of dress—Variations to uniform policy’ of this chapter.

Sideburns

Sideburns are not to extend beyond a line where the ear lobe joins the face and should not be thick, bushy, increase in width throughout their length or extend onto the cheek.

Beards

A full beard (King George V style) is the only approved beard style. For Sikh religious conventions see s. 12.5.4: ‘Sikh religious conventions’ of this chapter.



An officer who chooses to wear a beard will ensure that that it is:

(i) grown whilst on leave, or otherwise absent from duty;

(ii) a minimum of three weeks growth prior to resuming duty;

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(iii) kept neat, clean and consistently trimmed across the entirety of the beard;

(iv) maintained to a maximum clipper guard size of 5 (16mm) with a moustache;

(v) no portion of the beard may be exceptionally longer than the rest;

(vi) not extreme in style or colour; and

(vii) cleanly shaved from the lower jaw to the shirt collar.

Moustaches

A moustache is to be kept neatly trimmed and is not to extend below the upper line of the top lip or beyond the corners of the mouth. It must be of the style approved for beards.

ORDER

If a supervisor, is of the opinion the appearance of an officer's or recruit's facial hair does not comply with this section, they are to be directed to remove or trim the facial hair. If facial hair may be a safety issue, advice is to be sought from Safety and Wellbeing.

12.13 Wearing of medals and citations

The Honours and Awards unit defines the guiding principles and protocols for the bestowing of honours and awards to Service members. The National Honours and Awards are worn on the left and State Awards are worn on the right-hand side of the uniform.

Medals, ribbon bars and citations are to be worn in the manner outlined on the Honours and Awards SharePoint page in the order of precedence for wearing official and unofficial awards.

Medals, ribbon bars and citations are only to be worn on the Service light blue day dress shirt, tunics and ceremonial day dress jacket. They are not to be worn on operational polo shirts, load bearing vests, or reflectorised safety vests/jackets. For the wearing of pins with medals see s. 12.14: 'Approved pins, patches and badges' of this chapter.

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12.13.1 Medals

Medals are to be worn at ceremonial occasions with ceremonial uniform or as directed by a commissioned officer or equivalent (or their delegate). At formal and ceremonial functions full sized medals should be worn.

For evening functions, only miniature medals are worn. Miniature service medals are to be worn above the left breast of the corporate uniform, evening dress or lounge suit.

12.13.2 Ribbon Bars

All members can wear ribbon bars. Ribbon bars are to be attached as close as practicable above the top seam of the appropriate pocket (or similar position on the blouse), in line with the centre of the pocket.

Ribbon bars are not to be worn at evening functions.

12.14 Approved pins, patches, badges and lanyards

Only approved pins (a pin may be of metal, plastic or fabric construct), patches, badges and lanyards authorised by the Commissioner may be worn on or with the Service uniform or accoutrements. Although there are multiple Service approved pins, only two pins (members choice) may be worn at any one time.

Pins (including Remembrance Day pins/ribbons), medals, ribbon bars, patches or badges are not to be attached to an integrated load bearing vest (ILBV) or worn underneath a ILBV.

Where a pin, patch, badge or lanyard does not appear in the table of approved items as outlined in the QPS Uniform Catalogue, it is not to be worn. On occasions there may be special approval issued for an item not listed in the table. Members will be advised of the authorisation to wear any such item by a statewide General Notification. This will include any specific conditions and time periods relating to the item.

12.14.1 Application process for approval of pins, patches, badges and lanyards

Only the Police Uniform Committee (PUC) can endorse pins, patches, badges or lanyards of any kind that are intended to be worn on or with the QPS uniform.

A report with endorsement from the relevant assistant commissioner is to be forwarded to the PUC for consideration and approval by the Commissioner.

12.14.2 Wearing pins with medals or ribbon bars

Only Remembrance Day, Anzac Day and Police Remembrance Day pins are to be worn on the left side and commemorate events related to the awarding of National medals. The pins are to be worn 12mm to the bottom of the pin above medals or ribbon bars and in centreline of pocket.

All other pins are to be worn centreline of pocket on the right side and 12mm to the bottom of the pin above nametags or State issued ribbon bars or medals. See the Honours and Awards SharePoint page for the wearing of medals and ribbon bars with nametags.

Where:

(i) two pins are worn and are required to be worn on the same side, the pins are to be worn horizontal with a 12mm spacing; or

(ii) an officer who has not been awarded a medal or ribbon bar, the pin is to be worn 12mm to the bottom of the pin above the pocket or nametag.

12.15 Police Uniform and Operational Equipment Committees

The Police Uniform Committee (PUC) delivers governance decisions and/or recommendations regarding the Code of Dress and Appearance and is responsible for the implementation, oversight and review of uniform.

The Operational Equipment Committee (OEC) delivers governance and fiscal oversight in the planning, acquisition, disposals, development and delivery, maintenance and leasing of QPS 'operational equipment' (as defined in the SMD).

Both committees work consultatively to ensure consistency and interoperability and function in alignment with the provisions of the Asset Subcommittee and Corporate Governance Manual—with the authority of the Executive Director, Assets Division. These committees adopt a consultative process and seek to deliver appropriate representation in the provision of governance.

The Assistant Commissioner, Recruiting and Development Command is the chairperson for the PUC and the superintendent, Operational Equipment and Capability Management, Assets Division undertakes this role for the OEC.

Membership of the PUC and OEC is to be specified within the terms of reference of each and is to be displayed on the relevant committee's SharePoint page.

Recommendations for changes or improvements to uniform or operational equipment items are to be made through an officer's OIC to the:

(i) Uniform Development Manager—Supply Services for PUC matters; and

(ii) Inspector, Operational Equipment and Armoury, for operational equipment (see s. 14.6.9: 'Operational equipment development and approval' of the OPM).

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12.16 Return, disposal and destruction of uniforms and personal issued equipment

Member return of uniform and equipment items on separation

All members separating from the Service are to comply with the requirements of an applicable QP 0933: 'Separations checklist' and return all items listed to their OIC or manager. An OIC or manager may retain current issue personal equipment as station or establishment spares e.g. current holsters and pouches.

Return of items to Supply Services

The OIC or manager of a station or establishment is not to return uniform items and personal issued equipment to Supply Services. Approval is required by the Warehouse Manager or Uniform Development Manager Supply Services if an item should be returned e.g. warranty claims or to investigate failures of uniform or personal equipment.

The OIC or manager of a station or establishment is to ensure an ILBV and its components are returned to Supply Services within 14 days of receipt from a member.

The OIC or manager of a station or establishment is to ensure that an applicable QP 0933 (available in Forms Select) is completed and accompanies the items.

Return of items to QPS Armoury

The OIC or manager of a station or establishment is to ensure that a member's firearm and accessories, baton, handcuffs and key are returned to the QPS Armoury within 14 days of receipt from a member.

The OIC or manager of a station or establishment is to ensure that an applicable QP 0933 (available in Forms Select) is completed and accompanies the items.

Disposal and destruction

Members are to comply with s. 4.6: 'Disposal and swapping of uniform' of this Manual regarding the disposal of unwanted or unserviceable personal issued uniform and equipment. This includes destroying all Service insignia.

Current Service uniform items with insignia or chequered police banding that has been removed may be retained by the member, including motorcycle helmets.

ORDER

Members disposing of unneeded, obsolete or unserviceable personal issued uniform or equipment e.g. holsters, are not to provide these items to third parties unless written approval has been obtained from an assistant commissioner.

Alternate Destruction

There are no viable commercial entities available to recycle or destroy high density plastic (HDP) items such as holsters and load bearing vests or items constructed with a combination of metal and HDP.

Where holsters and uniform equipment (other than body armour) cannot be safely destroyed, OICs are to:

(i) utilise local waste facilities to deep bury;

(ii) have a member present to ensure items are buried; and

(iii) certify items have been buried.

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Chapter 13 Workplace Safety

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13.1 Drugs including alcohol matters

The intent of this policy is to assist with supporting the health, welfare, and safety of all members of the Service with regard to the use of drugs including alcohol. This policy also identifies support mechanisms available to persons of the Service.

13.1.1 Use of drugs including alcohol

ORDER

Members must not use illicit drugs including prescription and over the counter medications which have not been lawfully prescribed.

Members must not consume:

(i) alcohol while on duty or during meal breaks except where related to the member's official duties and subject to a superior member's approval and conditions; or

(ii) licit drugs including alcohol when a requirement to go on duty is reasonably foreseeable and imminent where such consumption will:

(a) adversely affect the ability to conduct official duties;

(b) result in unsatisfactory work performance; or

(c) affect the safety of others.

Special circumstances may lead to some relaxation of this direction but these will be very rare. The reasons for this restriction are evident; they include the risk of impaired efficiency that accompanies the consumption of any alcohol and the damage to the Service's public image when members who have been drinking then interact with members of the public.

Members and other persons who work in police stations or establishments must ensure that the consumption of licit drugs (i.e. aspirin, prescribed medication) including alcohol does not adversely affect the performance of their duties.

13.1.2 Self-reporting misuse of drugs including alcohol

Self-reporting misuse of drugs including alcohol is encouraged by all members.

Members may self-report problems with misuse of drugs including alcohol to their local human service officer, chaplain or the Alcohol & Drug Testing Coordinator (ADTC), Workforce Management and Wellbeing Division. Such action is regarded as a positive sign that a member is willing to take action to address their problems. There is a process under ss. 5A.21A: 'Agreements about counselling and rehabilitation' of the *Police Service Administration Act* and 66: 'Agreements about counselling or rehabilitation' of the Police Service Administration Regulation, called **'Self-Reporting'** which is only applicable to members, for further information please contact the ADTC.

13.1.3 Consumption and storage of alcohol at police establishments

The use of Service premises for social occasions is encouraged, however it imperative to ensure that these are managed professionally and if alcohol is available it is consumed responsibly.

PROCEDURE

Officers in charge of stations and establishments should ensure that:

(i) a function held at a police establishment is well-conducted according to law with a responsible person appointed to take charge;

(ii) there is no interference with the usual running of the establishment and the function is kept separate from duty areas;

(iii) spouses and families are invited, whenever possible;

(iv) low alcohol/non-alcoholic drinks are available;

(v) arrangements for transport (i.e. taxis) are arranged; and

(vi) the reputational risk to the Service is managed.

There is no objection to the storage or consumption of liquor in reasonable quantities:

(i) in living quarters, or the premises associated with quarters;

(ii) at or in immediate connection with a specific social function organised at the establishment. The officer in charge is expected to make arrangements for appropriate control over the function; and

(iii) in connection with other specific events organised in the interests of the Service where alcoholic drinks might reasonably be served.

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Apart from the above instances, the consumption and storage of alcohol at police stations or establishments is to be kept under strict control by the officer in charge.

13.1.4 Relevant persons for alcohol and drug testing

Statutory alcohol and drug testing of relevant persons is defined under Parts 5A: 'Alcohol and drug tests' of the *Police Service Administration Act* (PSAA) and 12: 'Alcohol tests', 13: 'Targeted substance tests' and 14: 'Self-reporting for counselling or rehabilitation in relation to alcohol or drug use' of the Police Service Administration Regulation (PSAR).

ORDER

A relevant person (see s. 5A.3: 'Persons to whom pt 5A applies' and 'critical area' in s. 5A.2: 'Definitions for pt 5A' of the PSAA) must not have evidence of a dangerous drug present in their urine at any time.

13.1.5 Critical incident testing

Any relevant persons involved in a critical incident will be required to undergo alcohol and targeted substance (drug) testing as soon as practicable after the incident (see ss. 5A.2: 'Definitions for pt 5A', 5A.8: 'Circumstances for alcohol testing' and 5A.13(1)(a)(i): 'Circumstances for targeted substance testing' of the PSAA).

Critical incident alcohol test

An authorised person (inspector or above of higher rank than the relevant person):

(i) is to make a verbal or written requirement to obtain a breath test on persons involved in a critical incident using an approved alcolmeter as soon as practicable after a critical incident;

(ii) will usually be a local regional duty officer (RDO);

(iii) can provide a requirement over the phone and delegate an officer to obtain the sample if in a rural and remote area, where they are unable to attend the incident;

(iv) should use the suggested wording for this requirement on QP 0568: 'Alcohol & Drug Tests Return';

(v) is required to complete a QP 0568 and provide this to the:

(a) investigating officer for Ethical Standards Command; and

(b) Alcohol and Drug Testing Coordinator via email; and

(vi) is to complete a QP 0570: 'Notification of a Positive Alcohol Test Result of Failure/Refusal to Provide a Specimen of Breath' where a relevant person:

(a) refuses or fails to supply a specimen of breath; or

(b) supplies a positive alcohol test result (e.g. above prescribed limits).

Critical incident targeted substance test

In the event of a critical incident Ethical Standard Command (ESC) or a delegate will call the Alcohol and Drug Testing critical incident phone number as soon as practicable.

An authorised person (inspector or above of higher rank than the relevant person) can obtain a QP 0588: 'Alcohol and Drug Testing Record and Continuity of Specimen', which outlines the testing procedures.

Usually a Safety and Wellbeing member will attend the incident with a registered nurse and will:

(i) complete all administration in relation to a critical incident;

(ii) provide a requirement template for the authorised person and nurse collecting the specimen (which can be found on the QP 0588);

(iii) take the sample to the laboratory; and

(iv) provide results.

In the event a Safety and Wellbeing member is not able to attend follow the procedures as outlined in the QP 0588 or as provided over the phone.

If a relevant person:

(i) refuses to submit to a test, complete the relevant section of QP 0588; or

(ii) is unable to provide a specimen due to a medical condition have the person speak with the registered nurse or doctor to obtain their opinion.

Samples are analysed and results returned to members electronically and by post as soon as practicable.

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13.1.6 Random alcohol testing

A random alcohol testing notice (RATN) is randomly generated by a computerised program and emailed to the Alcohol and Drug Testing Coordinator (ADTC), Safety and Wellbeing in compliance with ss. 5A.9(3)(b): 'Random alcohol testing' of the *Police Service Administration Act* (PSAA) and 47: 'When random alcohol test may be conducted without approval of commissioner or deputy commissioner' Police Service Administration Regulation.

The ADTC makes contact with the relevant random alcohol testing local coordinator (group coordinator) with instructions to action the notice, by sending or scheduling to send the notice via email:

(i) to the group coordinator to:

(a) complete; or

(b) select an authorised testing officer (ATO); or

(ii) directly to the ATO.

The ATO will be required to action the notice within the specified timeframes of the notice by testing all relevant persons contained in all units listed on the notice at the time of testing and

(i) entering the results online via the RATN email link and upload rosters; or

(ii) by completing a QP 0568: 'Alcohol and Drug Test Return' with relevant details, obtain relevant roster and sending to the ADTC via email or hard copy,

as soon as practicable (see QP 0568 for further information in relation to completing a RATN).

Random alcohol testing with written approval

Section 5A.9(2)(a) of the PSAA allows for written approval from the Commissioner or deputy commissioner to conduct random testing on a group or class of person rather than an individual person.

This provision is not to be used to target an individual covertly (see s. 13.1.7: 'Reasonable suspicion testing' of this chapter), it is only to be used where a problem is known or suspected at a work unit or class of persons.

For advice or queries in relation to random alcohol testing with approval contact the ADTC.

13.1.7 Reasonable suspicion testing

All relevant persons must:

(i) be below their legislated alcohol limits as stipulated in ss. 5A.6: 'When is a person over the limit' and 5A.7: 'Alcohol limits' of the PSAA when reporting for duty, while on duty or while on call; and

(ii) not have evidence of the presence in the person's urine at any time of a:

(a) dangerous drug; or

(b) substance that may impair a person's physical or mental capacity that is a:

- regulated substance under the *Medicines and Poisons Act*; or
- another substance.

See s. 5A.4: 'Substances to which pt 5A applies' and 5A.12: 'Targeted substance levels' of the PSAA.

In the event that any member reasonably suspects an officer or other relevant member of the Service (**'relevant person'**) has contravened the:

(i) alcohol limits (see s. 5A.8: 'Circumstances for alcohol testing' of the PSAA); and/or

(ii) targeted substance levels (see s. 5A.13(1)(b): 'Circumstances for targeted substance testing' of the PSAA),

they are to:

(i) document any suspicions or evidence including indicia; and

(ii) provide this information to their supervisor as soon as practicable.

The supervisor (unless an inspector or above (**'authorised officer'**)) must report and document the suspicions including indicia to an authorised officer as soon as practicable, who:

(i) should confirm the:

(a) person is a relevant person and on duty; and

(b) reasonable suspicions;

(ii) should contact the Alcohol and Drug Testing Coordinator (ADTC) to determine if the relevant person is subject to (as appropriate) any further:

(a) random alcohol testing schedule; and/or

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(b) targeted substance testing schedule;

(iii) should require the person to submit as appropriate to:

(a) an alcohol test by obtaining a QP 0568: 'Alcohol & Drug Tests Return' for the testing procedures and if a positive alcohol test or refusal to provide is returned:

- complete a QP 0570: 'Notification of a Positive Alcohol Test Result or Failure/Refusal to Provide a Specimen of Breath';
- send a copy to the ADTC; and
- consider further action (under TO(RUM)A) if the person drove to work prior to the reasonable suspicion test; and/or

(b) a targeted substance test by:

- obtaining a QP 0568 and QP 0588: 'Alcohol and Drug Testing Record and Continuity of Specimen' for the testing procedures;
- contacting the ADTC or critical incident phone (see QP 0588) who will assist with the provision of a nurse and staff member to assist with the administration of testing;
- ensuring the person is not called to their place of residence for the purpose of the test;
- if the person refuses to submit to a test:
  - complete the QP 0588; and
  - send a copy to the ADTC;
- if the person cannot provide a specimen due to a medical condition, have the person speak to the registered nurse to obtain their opinion; and
- if the member requests to be informed of the test results, obtain their contact details (phone and/or email). Results must be provided as soon as practicable (electronically and hard copy) unless alternative arrangements have been agreed to by all parties involved.

In the event the person is not classified as a relevant person refer to s. 91(5): 'Grounds for discipline' of the *Public Sector Act*.

13.1.8 Departmental traffic crashes

In the event of a departmental traffic crash a tasked supervising officer will:

(i) conduct an alcohol breath test;

(ii) recorded the test and results on a QP 0568: 'Alcohol and Drug Tests Return';

(iii) submit this form to the Alcohol and Drug Testing Coordinator by email as soon as practicable (see QP 0568 for details).

13.1.9 Further testing

Further testing is a testing schedule created for a member who has either:

(i) entered into a voluntary treatment agreement (VTA); or

(ii) required to complete an alcohol management plan (AMP)

For further details on VTAs and AMPs contact the Alcohol & Drug Testing Coordinator (ADTC), Safety and Wellbeing.

An authorised person (inspector or above):

(i) will be identified either by the subject member or ADTC;

(ii) will receive some additional information and a random alcohol testing matrix to record all alcohol testing; and

(iii) must:

(a) consider the frequency of testing as per the agreement, which is an 'at least', so the subject person can be tested more often, however this must not be excessive or unnecessary;

(b) conduct the tests in a private and confidential manner;

(c) ensure testing:

- occurs in the first hour of commencing shift; and
- does not become predictable, when possible (e.g. consider night-time testing);

(d) ensure subject person is on duty before conducting the test;

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(e) not conduct the test at the subject person's place of residence;

(f) ensure they have easy access to an Alcolmeter;

(g) complete the Alcohol Breath Testing Table after conducting each test and email it to the ADTC as soon as practicable;

(h) inform the ADTC if they or the subject member goes on leave; and

(i) provide advice as soon as practicable to the ADTC should any test return a positive result or there are any concerns regarding the person and their agreement.

13.1.10 Recruit testing

Section 5A.13(2): 'Circumstances for targeted substance testing' of the *Police Service Administration Act* makes provisions to test recruits for a targeted substance upon their appointment as a recruit.

Recruits whilst at the academies (Oxley and Townsville) will be:

(i) random alcohol tested; and

(ii) targeted substance tested soon after induction.

In the event a recruit who has been required to submit to a targeted substance test and the sample provided is classified as a dilute specimen (creatinine level below 200mg/L) a secondary sample will be obtained as soon as practicable.

13.1.11 Voluntary testing

A relevant person can request a voluntary targeted substance (drug) test by contacting the Alcohol & Drug Testing Coordinator.

In the event of a relevant person who has been required to submit to a targeted substance test due to reasonable suspicion or a critical incident and the sample provided is classed as a dilute specimen (creatinine level below 200mg/L) where the sample is unable to be sufficiently analysed for certain substances, the relevant person can voluntarily request to have their specimen taken again. If a positive test for a targeted substance is returned in a dilute specimen, returning of a negative test on a voluntary test does not mitigate the first test result.

13.1.12 Exemptions from random alcohol testing

A relevant person or class of relevant persons may be exempt from random alcohol testing subject to approval in writing by an assistant commissioner or above (see HR Delegation 202 and s. 5A.9(4): 'Random alcohol testing' of the *Police Service Administration Act* (PSAA)).

Exemption categories

Category A exemptions apply to police officers presently performing duties or seconded to the Covert and Specialist Operations Group, Crime Command. An application for a Category A exemption should only be prepared and submitted by the Detective Inspector, Covert and Specialist Operations Group.

Category B exemptions refer to all other applications. Approval may be granted upon application by a relevant person class of relevant persons within an organisational unit.

Category B procedures

Persons seeking an exemption are to submit a report to their OIC outlining:

(i) the duty to be undertaken, including any legislation being enforced;

(ii) the need to consume alcohol whilst performing this duty and any impact of policing effectiveness if alcohol cannot be consumed should also be stated;

(iii) whether the exemption is sought for a relevant person or class of relevant person. The particulars of the person/s are to be provided except where the particulars are confidential, i.e. in the case of covert police operatives. Where the particulars are confidential, this should be indicated;

(iv) the period for which the exemption approval is sought (i.e. three months); and

(v) any other relevant circumstances (e.g. should any member be under case management in relation to a self-reported problem with alcohol).

OICs, when receiving a report, are to make a firm recommendation with regards to the application. The report is to then be forwarded by the chain of command to the assistant commissioner.

Relevant persons are still subject to the requirements of s. 5A.7: 'Alcohol limits' of the PSAA until an exemption approval has been issued.

Approval

The assistant commissioner or above is to consider the contents of the report with respect to but not limited to:

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(i) the period being sought, and a commencement date;

(ii) any legislative requirements that should be met (e.g. the alcohol limit for the driving of a motor vehicle);

(iii) whether the class of relevant person should be narrowed, redefined, etc.;

(iv) the named individuals and any case management plans that may apply, where the particulars are indicated to be confidential, liaison should be made with the OIC who recommended the application to obtain those particulars;

(v) any restrictions or conditions to be placed on any subsequent exemption approval. Such a condition might be that the exemption approval only applies where the relevant person is directly engaged with persons subject of a controlled operation, and not otherwise; and

(vi) a suitable expiry date for the exemption approval being sought.

Where the application is supported, the executive officer should:

(i) approve in writing the exemption of a relevant person or class of relevant persons from random alcohol testing, together with conditions appropriate for the exemption approval;

(ii) forward the exemption approval to the OIC of the relevant organisational unit. Where the OIC forms part of the class of relevant members, the exemption approval is to be forwarded to that officer's OIC; and

(iii) forward a copy of the exemption approval to the Manager and the Alcohol and Drug Testing Coordinator (ADTC), of Safety and Wellbeing.

Upon receipt of an exemption approval, the ADTC is to record the particulars of the exemption approval, together with any stipulated conditions, onto a register kept for that purpose.

The OIC of the relevant organisational unit is to bring to the attention of all relevant persons subject to the exemption approval the conditions and expiry date of the approval.

Review and re-assessments

The Director, Safety and Wellbeing, in the case of Category B exemptions may conduct assessments as to the effectiveness of the exemption approvals or a particular exemption approval. Where an exemption approval may need to be modified or revoked, the Director, Safety and Wellbeing is to forward advice to the relevant assistant commissioner for consideration.

An executive officer may modify or revoke an exemption approval at any time, in writing.

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14.1 Introduction

The *Financial Accountability Act 2009* (FAA) is the legislative framework under which all procurement activities are carried out. The Queensland Procurement Policy (QPP) derives its authority from the FAA. Compliance with the QPP is mandated by s. 14(2)(b)(i): 'Expense management' of the Financial and Performance Management Standard 2019.

The hierarchy of policy documentation that governs procurement activities is as follows:

(i) *Financial Accountability Act*;

(ii) Financial and Performance Management Standard;

(iii) Queensland Procurement Policy 2023;

(iv) this chapter; and

(v) supporting procurement frameworks, standards and guides as published by Procurement Services Group (PSG).

14.1.1 Definitions

For the purpose of this chapter:

CPO

means the Chief Procurement Officer, Procurement Services Group.

CSA

means a common-use supply arrangement (see Queensland Government Arrangements Directory).

PO

means a purchase order.

PSG

means Procurement Services Group.

QG

means the Queensland Government.

QGAD

means the Queensland Government Arrangement Directory.

QPP

means the Queensland Procurement Policy 2023.

RFQ

means a request for quote.

SAP

means the core finance system used across Service.

SOA

means a standing offer arrangement (see SOA Catalogue).

Significant procurement

includes goods or services identified as being high expenditure (over $250,000) or for which there is a high degree of business risk (see Chapter 5: 'Definitions' of the QPP).

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14.2 The procurement function within the Service

All procurement activity carried out within the Service must be conducted within the provisions of the QPP, this chapter and PSG supporting guidelines. This chapter establishes the procedures to be complied with by all personnel involved with any aspect of procurement activities within the Service.

Where PSG engagement is needed, the Procurement HelpDesk functions as PSG's front door to receive the following requests:

(i) new procurement sourcing activity—following the procure to pay process (see s. 14.5.1: 'Standard procurement processes' of this chapter);

(ii) select purchase order releases; and

(iii) general procurement policy or practice enquiries.

14.3 Delegations

There are four delegations relevant to the procurement of goods and services within the Service, which are:

(i) expenditure delegation—the delegation to incur expenditure (see Delegation D 12.11);

(ii) procurement delegation—the delegation to:

(a) undertake and certify that an appropriate procurement process has been followed;

(b) release a purchase order; and

(c) execute a contract,

where they are not the financial delegate that is incurring the expenditure, complies with the QPP (see Delegation D 12.8);

(iii) purchasing delegation—the delegation to only purchase goods and raise a purchase order but does not include the delegation to undertake or certify a procurement process or execute a contract. An example is where an inventory officer at Supply Services needs to raise a new purchase order for additional stock, from an approved supplier that has been approved via a certified procurement process (see s. 14.3.3: 'Purchasing delegations' of this chapter); and

(iv) project commencement—the delegation to commence a project (see Delegation D 12.11).

14.3.1 Expenditure delegation

The delegation to incur expenditure under Delegation D 12.11 is referred to as the expenditure delegation. This delegate needs to be separate from the procurement or purchase delegate.

An expenditure delegation is solely the delegation to approve expenditure of funds from a specific budget for a particular purchase prior to the purchase being made, by the appropriate method by a person with an appropriate purchasing delegation. An expenditure delegation is stated inclusive of GST.

An expenditure delegate is not authorised to sign official purchase orders unless they also have a purchasing delegation to that dollar value. Wherever possible, separation of duties must be maintained, e.g. OIC of an establishment to approve the expenditure (expenditure delegation) and administration officer to undertake purchasing activities and authorise the official purchase order (purchasing delegate).

Before a purchase order is raised, the appropriate expenditure delegate must provide written approval to expend the amount of funds necessary for the particular purchase prior to any official purchase order being placed.

Where the entire scope of work is unable to be defined at the outset of the project, it would be practical for the project officer to seek expenditure approval for an amount that includes reasonable provision for unforeseen contingencies.

Recurrent Expenditure

It should be noted that recurrent expenditure refers to expenditure incurred for services of a repetitive or periodic nature. Expenditure approval for services of this nature must be traceable to an initial expenditure approval for the total contract value, e.g. expenditure approval for annual software support/maintenance services paid in monthly increments must be traced back to an expenditure delegation for the value of those services for the entire period of the contract. The initial contract approval requires approval from an authorised delegate with a non-recurrent approval limit that covers the total of the yearly contract.

14.3.2 Procurement delegation

A procurement delegation (see Delegation D 12.8) is the delegation to:

(i) undertake and certify that an appropriate procurement process has been followed and complies with the QPP and this chapter;

(ii) release a purchase order; and

(iii) execute a contract,

where they:

(i) are not the financial delegate that is incurring the expenditure; and

(ii) have completed:

(a) any prerequisite training course as specified in the conditions of the delegation; and

(b) the required annual procurement delegate training each financial year as specified by the CPO.

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Except where a purchase is to be made from a SOA, only members holding a procurement delegation (see Delegation D 12.8) are authorised to undertake or certify a purchase or procurement process, ensuring activities such as sourcing of offers/quotes, evaluation of offers and supplier selection is conducted in a transparent, fair and equitable manner in accordance with this chapter.

14.3.3 Purchasing delegation

While all procurement delegates hold a purchasing delegation, not all purchasing delegates are procurement delegates.

Purchasing delegations enable the delegate to carry out purchasing activities and/or sign official purchase orders in accordance with the requirements of their role if the expenditure has been approved by an appropriate delegate. Whilst most of the Service's operational, and some tactical purchasing is conducted by Queensland Shared Service (QSS), the ability to establish purchasing delegates on a needs basis has been retained. Personnel must only conduct their purchasing activity in accordance with their respective delegations. A purchasing delegation must not be mistaken to be the same as an expenditure delegation (see Delegation D 12.11). These are two distinct authorities.

There are also a set of thresholds that determine the process to be followed to conduct purchases at specific levels (see s. 14.5.1: 'Standard procurement processes' of this chapter. These thresholds ensure the best possible value for money outputs from procurement activities whilst at the same time providing probity and accountability of the procurement process.

Purchasing delegates with regions, divisions (i.e. Legal Division) and commands hold a level of delegation consistent with the nature of purchasing conducted within their areas.

Purchasing delegation is delegated to individual personnel and positions in accordance with a range of established delegations that cater for all levels of procurement activity within the Service. Only personnel holding a purchasing delegation are authorised to carry out purchasing activities and/or sign official purchase orders.

The below-mentioned delegations apply regardless of whether an individual purchase is a "one-off" or purchased under any type of standing offer arrangement or preferred supplier arrangement.

Purchasing delegation is delegated, exclusive of GST, as follows:

(i) all persons listed under Delegation D 12.8, with the delegation to undertake and certify that an appropriate procurement process has been followed, release a purchase order and execute a contract, where they are not the financial delegate that is incurring the expenditure, complies with the QPP and Service policy;

(ii) all persons authorised to hold and issued a QG corporate card, to the transaction limit of the card;

(iii) low value and low risk purchases valued at $50,000 and less:

(a) for inventory purposes only—members occupying the positions of inventory control officers, Supply Services;

(b) members with Level 1 (Fundamentals) QG Procurement Certification;

(iv) low to medium value and low risk purchases valued at $100,000 and less—members with Level 2 (Intermediate) QG Procurement Certification;

(v) purchases valued at $100,000 and less—QSS procurement personnel; or

(vi) purchases valued at $250,000 and less—Manager, Supply Services, Operational Equipment and Capability Management, Assets Division (inventory items only).

14.3.4 The contract management function within the Service

A comprehensive contract review process that provides a mechanism to ensure high value and strategic contracts and the Service/vendor relationship are managed throughout their life cycle is undertaken within Procurement Services Group (PSG), Finance and Procurement Division. The contract review process incorporates:

(i) the consideration of contractual and legal issues during the negotiation and development of each contract to ensure the Service is afforded adequate legal protection in its major procurement activities;

(ii) the management of all contract variations by PSG to ensure such amendments are consistent with Service requirements and are contractually and legally sound;

(iii) ensuring the project milestones are completed and scheduled payments made;

(iv) management of special conditions and contractual clauses to ensure all parties' obligations are complied with;

(v) negotiation and management of issues and disputes during the life of the contract to achieve a successful outcome; and

(vi) management and retention of records relevant to the contract, e.g. price variations, performance failures, delivery extensions.

The management of all contracts throughout their duration will ensure both the Service and supplier fulfill their contractual obligations in accordance with the specifications and agreed terms and conditions.

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14.4 Queensland Procurement Policy (QPP)

14.4.1 Queensland Procurement Policy objectives

The QPP sets out six procurement principles:

(i) achieve value for money;

(ii) apply a responsible public procurement approach;

(iii) behave ethically, and embed integrity, probity and accountability;

(iv) be leaders in procurement practice;

(v) collaborate for more effective outcomes; and

(vi) support strong governance and planning.

Further explanation and details of the principles are located in Chapter 2: 'Procurement principles' of the QPP.

14.4.2 Procurement planning

Planning for significant procurement

Planning for significant procurement, as required by the QPP, establishes a structured planning process for the procurement of things that includes: goods or services identified as being of high expenditure or for which there is a high degree of business risk.

The significant procurements can be defined as:

(i) of a high value relative to general Service discretionary expenditure;

(ii) having a significant impact on Service operations; and

(iii) potentially requiring more complex procurement activities to acquire the goods or services.

Significant purchases may involve planning for a one-off purchase of a product or service that is of high value or which constitutes a major purchase. Alternatively, it may involve planning for the establishment of a long-term supply arrangement (e.g. standing offer arrangement) for the purchase of frequently used goods/services or where it is sensible to consolidate those purchases.

Analysing supply markets

Analysis of supply markets is conducted for purchases where supply is difficult to secure and/or the goods and services are of high relative expenditure (significant purchases).

The key elements include:

(i) understanding the various supply markets from which the Service may purchase;

(ii) identifying the position of the Service within those supply markets; and

(iii) assessing the impact of Service purchasing activities within those supply markets.

A supply market includes the areas of a market that compete against each other to deliver similar goods and/or services.

Understanding the competitiveness and reliability of the relevant supply market includes analysis of:

(i) the number of suppliers in a particular market, or in each market;

(ii) substitute or alternative goods and/or services;

(iii) the degree and type of competition between suppliers;

(iv) the nature and quality of the supplier's supply chain (e.g. material suppliers to QPS shirt manufacturers);

(v) the value of the Service as a customer; and

(vi) environmental factors affecting the supply market.

PSG compiles a procurement profile annually. This data assists in the analysis of supply markets. Data extracted from that profile enables the Service to:

(i) reduce transaction costs;

(ii) identify comparable substitute goods or services that may provide better value for money and/or better meet Service requirements; and

(iii) identify opportunities to better manage the supply chain, thus reducing expenditure.

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14.4.3 Other Government policy requirements

Local industry policy

The Queensland Charter for Local Content is the local industry policy under the *Queensland Industry Participation Policy Act*. The objectives of the policy are to have regard to the following objectives:

(i) maximising employment and business growth in Queensland by expanding market opportunities for local industry;

(ii) providing agencies and government owned corporations with access to a wide range of capable local industry in Queensland that can deliver value for money;

(iii) supporting regional and rural development in Queensland;

(iv) developing local industry's long-term international competitiveness, and flexibility in responding to changing global markets, by giving local industry a fair opportunity to compete against foreign suppliers of goods and services;

(v) promoting local industry's involvement in value-adding activities in Queensland; and

(vi) driving technology transfer, research and development, innovation and improved productivity for local industry in Queensland, to enhance value for money.

As outlined in s. 4.0: 'Procurement subject to the charter' of the Queensland Charter for Local Content: Best Practice Guidelines for Agencies June 2023 provides a mechanism for government agencies to be able to effectively and efficiently give consideration to a wide range of potential suppliers when making procurement decisions. The charter does not mandate that government agencies must use local suppliers.

Procurement of information and communication goods and services

Whilst the QPP applies to all Government purchasing, generally there are additional principles and guidelines specific to the purchase of information and communication technology (ICT) goods and services.

These standards and guidelines are contained in Information Standard 13: Procurement and disposal of ICT products and services policy, as published on the QG website.

The Service must adhere to the requirements of Information Standard 13.

Quality Assurance

In accordance with the QG's Quality Assurance Policy managed by the QG Chief Procurement Officer, quality assurance requirements must be determined for individual purchases based on the level of risk to the Service. The level of risk can be determined as follows:

(i) high—quality system standard to be specified;

(ii) moderate—selected elements from a quality system standard to be specified third party certified quality system is accepted; and

(iii) low—no quality system standard to be specified.

It is QG policy that agencies shall not require quality assurance for purchases valued at less than $100,000 except if determined to be high risk purchases.

Leasing, other than real estate, commercial or residential

A lease is an agreement by which the legal owner of goods (the 'lessor') allows another party (the 'lessee') to use those goods for a stated period of time in return for a series of payments.

Leasing arrangements cannot be used as a way of reducing the pressure on budget allocations. There is no justification for entering into a leasing arrangement that increases the overall cost of an acquisition to the Service.

Where a lease proposal is being considered as an acquisition alternative, it is important to understand the distinction between an operating lease and a financial lease and the methodologies which should be used to classify a lease. A lease should not be classified as finance or operating simply because the lessor has labelled it as such. Leases should be appropriately classified by the lessee in accordance with the Australian Accounting Standard 16.

Finance leases -v- operating leases:

(i) finance leases: may be compared to a loan or deferred payment that includes the subsequent purchase of an item. Guaranteed periodic lease payments are made against the item with a predetermined residual value owing to the lessor at the end of the lease period. All risks and costs associated with the item through the term of the agreement are borne by the lessee, despite ownership of the item remaining with the lessor.

(ii) operating leases: are generally for a shorter term than finance leases. There are still periodic lease payments to be made and these are usually higher than finance leases. However, all the risks/costs associated with the item remain the responsibility of the lessor, as does ownership of the item. No predetermined residual value

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remains owing by the lessee at the end of the lease period. The lessor is also responsible for the re-sale or re-lease of the item.

When considering the possibility of leasing over an outright purchase the Procurement Services Group, Finance and Procurement Division can provide advice to ensure all policy and procedural issues have been addressed.

Queensland Treasury has issued policies and guidelines in relation to leasing in the form of the 'Queensland Leasing Approval Policy for Public Sector Entities'. The requirements of this policy document are to be adhered to. See also s. 4.3.2: 'Service leased properties and facilities' of this Manual.

14.5 Service procurement processes

14.5.1 Standard procurement processes

The following thresholds have been established for various levels of purchasing transactions. These thresholds set a dollar limit on the value of individual procurement transaction that delegates undertake and certify.

Personnel given purchasing delegation must ensure they conduct all procurement activity within the limits of their delegation and in accordance with the requirements of these thresholds.

These thresholds have been established to ensure the best possible value for money outputs from its procurement activities whilst at the same time ensuring probity, accountability and compliance with the QPP.

The value of individual purchasing transactions must be the total amount of the purchase (excluding GST) e.g. the purchase value of contract services to be provided over a 12-month period must be based on the total annual cost of the services, not based on weekly, fortnightly etc. costs.

Where a new project is planned, approval is required to commence the project from the authorised delegate (Delegation D 12.11) before a procurement process can be started.

Existing arrangements

Where an existing arrangement exists (i.e. SOA) that can supply goods or services required that are fit for purpose, they are to be utilised over the use of other suppliers unless justified. For existing arrangements and to identify if the requirement can be sourced from an existing arrangement, see:

(i) Service standing offer arrangement (SOA) catalogue on the Procurement Services Group (PSG) Service Intranet website; or

(ii) QGAD.

Where other agency arrangement access is restricted or permission required, upon request, PSG will coordinate and register such access. Where permission is granted, consideration is to be given to including the SOA within the SOA Catalogue. Such requests can be directed to Procurement HelpDesk.

Members are not to depart from utilising mandated existing arrangements, as detailed above.

Members accessing an SOA are to:

(i) use the RFQ template (see PSG templates on the Service Intranet) to source quotes from different suppliers in accordance with the procure to pay minimum quote thresholds (see subsection: 'Procurement utilising an existing arrangement' of this section below)—regardless of quoting requirements detailed in the buyer's guide); and

(ii) adhere to the buyer's guide, fact sheet, or schedule of details—where the buyer's guide requires local benefits test application, the member is required to consult with PSG via Procurement HelpDesk.

If using SOA with a single supplier, only one quote is required.

Where pricing is fixed under the SOA, no quote is required.

If an appropriate arrangement is not available, members are to comply with the procurement processes set out at the subsection: 'Procurement where no arrangement exists' of this section below.

Procurement utilising an existing arrangement

When an existing arrangement is in place, such as there is an existing supplier of the particular goods or services procurement under a:

(i) Service standing offer arrangement (see SOA Catalogue);

(ii) common-use supply arrangement (see QGAD); or

(iii) Service preferred suppliers panel (PSP),

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a purchasing delegate (see s. 14.3.3: 'Purchasing delegation' of this chapter) or procurement delegate (see Delegation D 12.8) has the delegation to conduct the purchasing activity and sign official purchase orders on behalf of the Service, where:

(i) the expenditure approval has been granted by another person who is an expenditure delegate (see Delegation D 12.11);

(ii) the purchasing activity is within their purchasing threshold (see s. 14.3.3 of this chapter);

(iii) the purchase is in line with the terms and conditions of the SOA buyer's guide;

(iv) the procurement involves a total expenditure of:

(a) up to and including $100,000, the below requirements are met and processes are followed:

- the procurement is a one-off purchase;
- there is no anticipated regular requirement;
- a minimum of one written quote response has been received by email via:
  - SOA/PSP quote or order form; or
  - request for quote;
- no extension options are to be included if potential costs will exceed $100,000;
- where the cost of the procurement is over $10,000:
  - the procurement has been registered with PSG for contract disclosure purposes; and
  - the executed contract or order form must be entered into the Vendor Panel by contacting PSG;
- any SOA required documentation and procurement conditions have been followed in accordance with the SOA buyer's guide; and
- an evaluation matrix (signed by all evaluators) where more than one quote is obtained; and

(b) over $100,000, the below requirements are met and processes are followed:

- a minimum of three written quote response has been received by SOA/PSP Quote / Order via Vendor Panel;
- any SOA required documentation and procurement conditions have been followed in accordance with the SOA buyer's guide; and
- complete the following documents (signed by all evaluators):
  - a routine sourcing plan; and
  - an evaluation plan; and
  - an evaluation report.

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Procurement where no arrangement exists

When an existing arrangement is not in place, such as there is an existing supplier of the particular goods or services procurement under a:

(i) Service standing offer arrangement (see SOA Catalogue);

(ii) Service PSP; or

(iii) common-use supply arrangement (see QGAD),

a purchasing delegate (see s. 14.3.3: 'Purchasing delegation' of this chapter) or procurement delegate (see Delegation D 12.8) has the delegation to conduct the purchasing activity and sign official purchase orders on behalf of the Service, where:

(i) the expenditure approval has been granted by another person who is an expenditure delegate (see Delegation D 12.11);

(ii) the purchasing activity is within their purchasing threshold (see s. 14.3.3 of this chapter);

(iii) the procurement involves a total expenditure of:

(a) up to and including $100,000, the below requirements are met and processes are followed:

- the procurement is a one-off purchase;
- there is no anticipated regular requirement;

- a minimum of one written quote response has been received by email via a request for quote;
- no extension options are to be included if potential costs will exceed $100,000; and
- an evaluation summary/matrix (signed by all evaluators) where more than one quote is requested;

(b) over $100,000 and up to and including $250,000, the below requirements are met and processes are followed:

- where the purchase is to be made with a recognised Aboriginal or Torres Strait Islander business:
  - engage with Procurement Services Group by logging a job with the PSG Helpdesk;
  - a minimum of one written quote response has been received by email via a request for quote; and
  - where the executed contract is greater than $10,000, that it is entered into Vendor Panel; or
- otherwise:
  - a minimum of three written quote responses has been received by email via a request for quote via Vendor Panel; and
  - complete the following documents (signed by all evaluators):
    - routine or strategic sourcing plan (depending on risk);
    - evaluation plan; and
    - evaluation report; and

(c) over $250,000, the below requirements are met and processes are followed:

- engage with PSG to commence an open market process, by logging a job with the PSG Helpdesk. The process is to be managed by PSG;
- complete:
  - a significant procurement plan;
  - an evaluation plan;
  - an evaluation report (signed by all evaluators); and
  - an invitation to offer (advice to be sought from PSG); and
- advertise via Vendor Panel.

Queensland Shared Services (QSS)—operational procurement

QSS may be utilised to undertake operational purchasing for the following:

(i) the creation of a purchase order at any value;

(ii) the amendment of a purchase order at any value; and

(iii) release a purchase order where:

(a) the value is less than $100,000; or

(b) raised by QSS.

QSS is not to be utilised to undertake low value purchases via corporate card or expenditure voucher.

To engage QSS for an operational procurement, a request including supporting documentation is to be forwarded via email to operationalprocurement@police.qld.gov.au.

The supporting documentation is to include:

(i) the appropriate expenditure approval in the form of a signed QG Purchase Requisition (unless otherwise agreed to by PSG) as it clearly details:

(a) what is being purchased including quantities;

(b) the expenditure delegate;

(c) the value the delegate is authorising;

(d) company code and account assignment details; and

(e) vendor details;

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(ii) proof a valid procurement process has been followed (for example quotation/s, exemption, tender evaluation in accordance with this Manual).

Separation of duties

To minimise exposure to financial loss or error, best practice is for a different member to provide each delegation approval related to the purchase of goods/services.

It is recognised that on rare occasion under extenuating circumstances, the following best practice approach may not be achievable. In such conditions, the circumstances that prevent the required action must be documented and included as part of the procurement's supporting documentation. The following controls are considered best practice and should be followed:

Delegation		Purchase order	Formal agreement / contract
A—Expenditure		✓	✓
B—Procurement	B1—competently undertake or certify a procurement process	✓	✓
	B2—raise a purchase order	✓	
	B3—release a purchase order in accordance with values	✓	
	B4—create goods receipt of SAP purchase order	✓	
C—Contract execution			✓
D—Invoice receipt		✓	

The following conditions apply to the above table:

(i) authorisations A, B1 and C are not to be performed by the same member;

(ii) authorisations B2, B3 and B4 are intentionally controlled by SAP System Business Profiles (i.e. SAP Access) that prohibit the same member from performing all three actions on the same purchase order;

(iii) where a member is performing authorisation B4 on behalf of another member, written advice (i.e. a goods or service receipt advice) is to be evidenced and attached to the PO in SAP; and

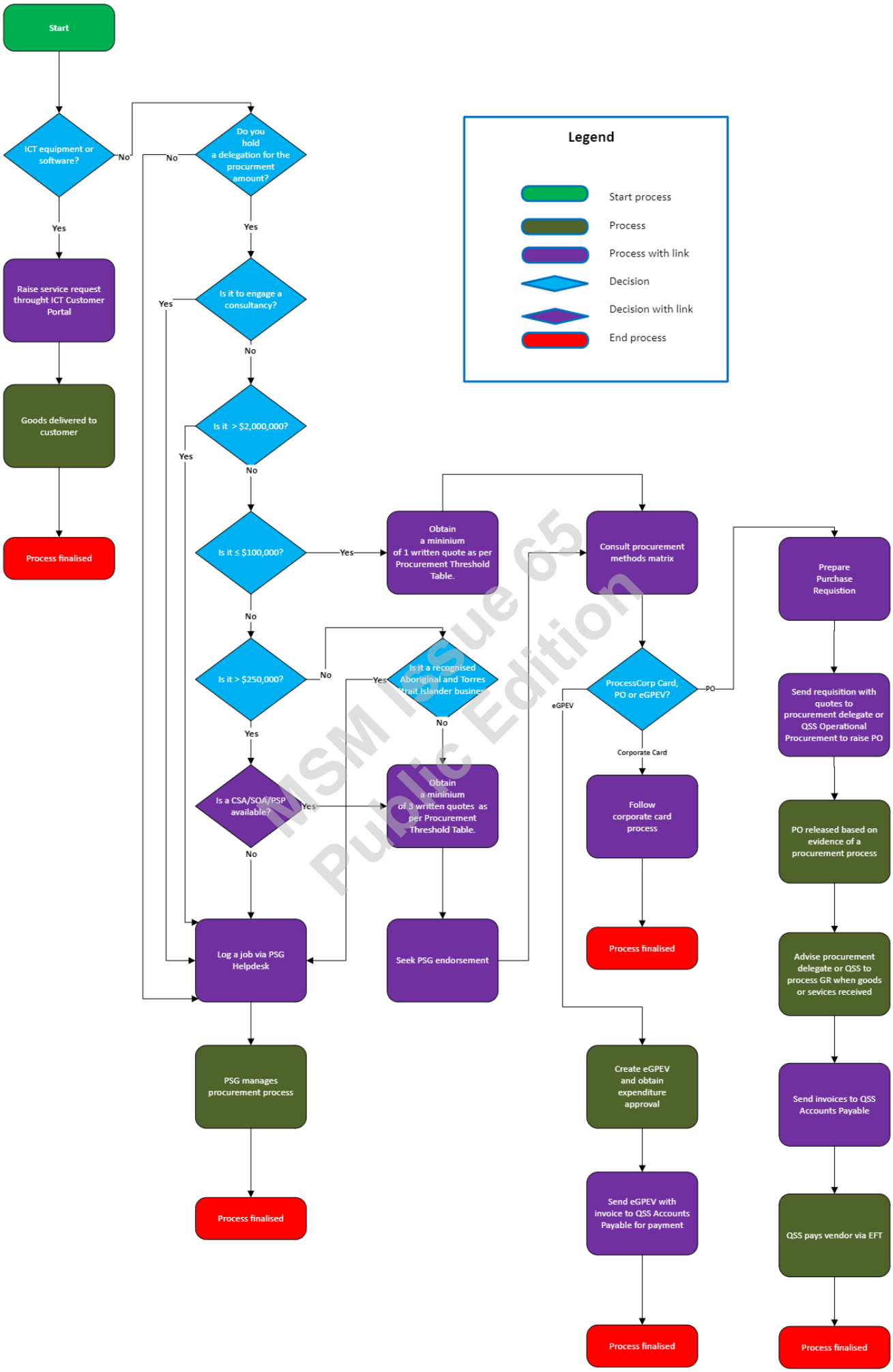
(iv) authorisations B4 and D is not to be performed by the same member on the same purchase order.

14.5.2 Procure to pay process, quote thresholds and procedures

The procurement of goods or services will be undertaken in accordance with the procure to pay process as provided for in the below flow chart. This process is a graphic depiction of the standard procurement process above.

The sourcing of quotes, in accordance with the procure to pay minimum quote thresholds, must be from different suppliers, multiple quotes from the same vendor counts as one quote.

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14.5.3 Request for quote template and terms and conditions

Unless otherwise exempted by the CPO, PSG members seeking to engage suppliers or source quotes or offers are to use the PSG RFQ templates—General goods and services or ICT which:

(i) detail the RFQ conditions;

(ii) prompt the buyer to consider and provide the QG with protections through the referenced and applicable terms and conditions (i.e. SOA, QG General Contract Conditions or QITC); and

(iii) ensure consideration of and compliance with QG procurement policy aims, targets and commitments (including but not limited to supporting local suppliers, increase QG procurement with Indigenous businesses, ethical supplier threshold and Buy Queensland first for all food and beverages procurement for event and corporate functions).

Where a supplier submits their own terms and conditions or quotation, members are to request the supplier to submit their quotation using the RFQ templates. Supplier terms, conditions and contracts are not to be accepted (or signed) unless approved by the CPO or a Procurement Services Manager, PSG.

The member coordinating the purchase must review the RFQ responses to ensure:

(i) compliance with QG conditions, specification, insurance and other requirements;

(ii) supplier declaration section is completed, there are no compliance issues or concerning content;

(iii) RFQ response is signed and dated; and

(iv) quote validity is clear and appropriate.

An Insurance Guide is published to the PSG intranet page to assist with interpreting insurance needs as part of the RFQ process.

14.5.4 RFQ response evaluation

All RFQ responses are to be evaluated:

(i) on an equitable basis, ensuring fairness and transparency at all times;

(ii) against the criteria detailed in the RFQ issued; and

(iii) using cost effective ratio methodology to assess pricing.

Where a response does not comply with a mandatory requirement or criterion, such response should not be considered further. Compelling reasons would be required to accept an offer that does not meet a mandatory criterion.

The RFQ evaluation are to be documented and as a minimum, should include:

(i) details of the supplier selection including the circumstances and actions taken that demonstrate all options were exhausted to address QPP aims, targets and commitments (i.e. identify and invite local suppliers, Indigenous business and small business);

(ii) details of the criteria and scoring; and

(iii) sign-off by evaluating members—it is considered best practice to have more than one member involved in an RFQ evaluation.

A copy of the RFQ evaluation shall form part of the supporting documentation required to have a purchase order released and shall be attached to the PO in SAP.

Evaluation plan

An evaluation plan, including evaluation criteria and the use of cost-effective ratio methodology is to be:

(i) developed for all invitation to offer procurement activities (excluding purchases against an existing SOA);

(ii) signed by all evaluation panel members prior to the closing date for offers, unless otherwise agreed in writing by the procurement delegate; and

(iii) signed by the appropriate procurement delegate.

This includes an evaluation relating to SOA establishment where the CPO, PSG has approved the sourcing plan strategy to establish an SOA.

Procurement delegates are not to release offers to the evaluation panel prior to sign-off of an agreed evaluation plan and a confidentiality and disclosure declaration (PSG template) by all parties involved with the procurement.

Evaluation report

An evaluation report must be developed for all high value/high risk procurement activities (excluding purchases from SOAs) following completion of the evaluation process.

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As a minimum, evaluation reports are to include:

(i) the methodology for approaching the market e.g. open or select tender;

(ii) release and closing dates;

(iii) evaluation methodology applied (compliant with the executed evaluation plan);

(iv) results of the comparative assessment of all offers (including comments that support differentiation in scoring between offers);

(v) rationale supporting decisions to exclude any offers from further evaluation;

(vi) outcome of any clarification undertaken as part of the evaluation;

(vii) outcome of any post-offer negotiations;

(viii) any other information supporting the outcome; and

(ix) recommendation as to preferred supplier/s.

The evaluation report is to have a signed:

(i) endorsement from each evaluation panel member;

(ii) endorsement from the appropriate procurement delegate (including an evaluation relating to SOA establishment where the CPO, PSG has approved the sourcing plan strategy to establish an SOA);

(iii) endorsement from the business owner; and

(iv) approval from the procurement delegate with authority that aligns with total value of procurement.

Evaluation reports are subject to right to information legislation and may become public documents and must be defensible in light of any public scrutiny.

Debrief and feedback to unsuccessful offerors

As part of the procurement process, written notification to unsuccessful offerors is to include the opportunity to partake in a debriefing session. Upon written request, the debriefing session may be conducted over the phone or in person.

The advice provided during a debriefing session is intended to provide the supplier with sufficient information to assist them in submitting an improved offer on the next occasion and will likely limit a formal complaint.

In relation to a formal tender process, contact is made with the PSG sourcing lead who will liaise with members of the evaluation panel to coordinate a debriefing session.

It is imperative that only the details pertaining to the requesting supplier/organisation's offer are discussed during a debriefing session. The name of the successful offeror may be disclosed, however specific details of the successful offer are likely to be commercial-in-confidence and are not to be disclosed.

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14.5.5 Procurement exemption approval

A procurement exemption approval can be granted by:

(i) the Commissioner;

(ii) a deputy commissioner;

(iii) the Deputy Chief Executive; and

(iv) a PSG procurement delegate (see Delegation D 12.8),

from obtaining competitive quotes or offers in accordance with the minimum quote requirements. The exemption types and the justification requirements are detailed below.

Members who anticipate that the minimum quote requirements cannot be met for a sourcing activity are to, prior to offers or quotes being sought from the relevant supplier/s:

(i) contact the appropriate procurement delegate to discuss; and

(ii) ensure that the appropriate procurement delegate agrees that an exemption from inviting competitive offers is the appropriate and defensible sourcing strategy.

Where the procurement delegate deems the grounds for a procurement exemption to be justified and defensible, they will guide the requesting member in relation to the content required. The requesting member will be responsible for:

(i) documenting the basis for the exemption;

(ii) evidencing the circumstances required to demonstrate the exemption grounds; and

(iii) detailing as a minimum, an estimate of overall cost that was used to determine the appropriate procurement delegate for exemption approval.

The approval of an exemption is at the sole discretion of the procurement delegate who is exercising their procurement authorisation.

Exemption types

Members may seek an exemption in the following circumstances:

(i) sole supply—where thorough research of the supply market has been clearly documented and has identified only one supplier capable and/or available to supply the required goods or services;

(ii) limited supply—where thorough research of the supply market has been clearly documented and has identified a limited number of suppliers capable and available to supply the required goods or service;

(iii) criticality—where securing the goods or services from a nominated proven supplier is critical to ensure uninterrupted provision of services. Under this scenario, the engagement of an alternative supplier would present significant risk and additional cost to delivering business outcomes;

(iv) disaster management—where activity is in direct response to a declared disaster under the *Disaster Management Act*. In such cases, expediency is the prime criterion in evaluating value for money, therefore normal quoting thresholds need not apply;

(v) recency—where a contract or purchase order for the same or very similar goods or services has been previously executed as the result of a full procurement process within the prior twelve (12) months;

(vi) other jurisdictional arrangements—where the same or very similar goods or services can be sourced from a contract or supply arrangement established by a non-Queensland State Government agency. Under this scenario, an assessment of the manner in which the contract or supply arrangement was established must be undertaken by PSG to ensure the procurement decision was sound and that utilisation of the arrangement can be supported in light of public scrutiny; or

(vii) security or confidentiality—where the procurement involves a high level of sensitivity and there are risks associated with divulging the requirement to multiple suppliers. Procurements falling within this category will require potential offerors to complete a confidentiality agreement prior to the release of any RFQ or invitation to offer.

An exemption under this section only constitutes approval to seek less offers than the minimum number stipulated and does not provide an exemption to any other aspect of this chapter.

14.5.6 Procuring during an emergency response

This process can only be used when an emergency has been declared and the procurement of goods or services are directly required to support the emergency response.

Members with a purchasing delegation may be granted exemptions from the requirement to obtain competitive offers for the purchase of goods and services up to the dollar value of their purchasing delegation, where a genuine urgency exists.

Such exemptions may be granted on the basis of genuine urgency and must be supported by a written submission from the technical authority providing detailed justification for not obtaining competitive offers from the marketplace. Relevant records of any exemption granted must be retained on file for audit purposes.

Members are not to exceed their delegated procurement or purchasing limit during an emergency.

Phases of response

There are three general phases of emergency response related to procurement:

(i) immediate response—to provide immediate relief to critical events that have a direct impact on life or community safety;

(ii) sustained emergency relief—to urgently sustain State infrastructure or core services, where the context is not one where there is an imminent risk to human life or environmental or infrastructure damage; and

(iii) recovery response—once the emergency situation has been contained and the urgency to sustain services and infrastructure no longer exists.

Emergency procurement process

When conducting a procurement during:

(i) a recovery response, members are to utilise standard procurement processes; or

(ii) an immediate response or sustained emergency relief, members are to:

(a) specify and prioritise immediate procurement requirements, including essential urgent goods or services that have a direct impact on life or community safety;

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(b) seek assistance by contacting district and State disaster liaison officers where existing procurement arrangements are:

- no longer suitable;
- suppliers are unable to deliver on time;
- there are logistical barriers; or
- all whole of government options have been exhausted;

(c) if an existing arrangement exists, the common-use supply arrangement should continue to be used, if practical. However, it can be departed from for supply to:

- regional or remote locations; or
- meet urgent needs;

(d) seek one or minimal quotes, using:

- the Procurement Services Group (PSG) 'Request for quote' template; and
- email;

(e) the evaluation of quotes should:

- apply a common-sense approach;
- use sound reasoning;
- good judgement; and
- ensure recording of decisions and rationales;

(f) notify the preferred supplier and PSG that the contract is being awarded;

(g) use standard Service terms and conditions where appropriate to accelerate contract formation and utilise short form or simplified terms and conditions contacts. For sustained emergency relief, have the option to vary contracts and extend if required and advise suppliers that the purchase is subject to emergency arrangements that may be revoked at any point when the situation is deemed contained or reverted to a normal procurement process for a longer-term solution;

(h) contract approval for:

- immediate response, can be obtained verbally at a minimum followed up in writing as soon as possible, with the financial delegate. Digital signature and electronic approval should be maximised where possible; or
- sustained emergency relief, confirm all arrangements in writing and seek approval with the expenditure delegate;

(i) collect invoices from suppliers and details of purchased goods/services and coordinate with PSG and Finance and Procurement Division to facilitate payment. If using a corporate card, members deployed during emergency disaster situations with access to additional disaster related cost centres may incur expenditure to the card transaction limit during an emergency disaster situation;

(j) ensure all receipts are collected; and

(k) as standard purchasing methods do not apply, prioritise receiving goods or services and collecting invoices to be paid. Once the emergency response is completed, corporate services across the Service will work to reconcile necessary documentation and conduct fraud and risk assessment.

14.5.7 Sole or limited supply

Members with a purchasing delegation may be granted exemptions from the requirement to obtain competitive offers for the purchase of goods and services up to the dollar value of their purchasing delegation, where a sole or limited supply situation exists.

Such exemptions may be granted on the basis of sole or limited supply and must be supported by a written submission from the technical authority providing detailed justification for not obtaining competitive offers from the marketplace. Relevant records of any exemption granted must be retained on file for audit purposes.

Some examples of sole or limited supply justification would consist of:

(i) equipment that is a proprietary product using proprietary software and/or hardware (proprietary means manufactured and sold only by the owner of the patent, formula, brand name or trademark associated with the product);

(ii) compatibility requirements with existing equipment; and

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(iii) additional purchase of Service standardised equipment.

It is not acceptable to provide a copy of a company statement indicating their sole supplier status as a justification for this exemption. Additional market research must be undertaken to confirm the accuracy of the claims made by the company. Documentation of the research conducted must be included in the covering report, e.g. the number of companies contacted and their inability to supply the required product/service.

14.5.8 Tender cancellation authority

The CPO, PSG is the only member authorised to cancel a tender process. The CPO's determination to exercise this authority will include consideration of the evaluation team chair's recommendation contained within the evaluation report.

14.6 Procurement considerations

14.6.1 Specifying your requirements

When a requirement has been identified, the specifics of that requirement must be clearly established prior to seeking quotations. When seeking quotations, potential suppliers must be given consistent information in sufficient detail to ensure the supplier fully understands the goods or services required. It is essential that quotations be obtained for 'like' items.

14.6.2 Entire value of the purchase

To determine the appropriate quotation threshold, the entire value of the purchase must be considered as follows:

(i) initial purchase—if it is an initial purchase of goods or services for which there is anticipated future demand, the aggregate value of the requirement (initial and future purchases for the period of the order, contract or arrangement);

(ii) component of a larger requirement—if the purchase is for goods or services that are a smaller component of a larger or future need, the aggregate value of the requirement e.g. the purchase of simple software development which then commits the Service to both a future course of action or supplier; and

(iii) whole of life costs—identify all costs associated with the goods, not just the purchase price e.g. maintenance, consumables, disposal.

Members should exercise a more risk adverse approach when determining the entire value of the purchase. Where any doubt exists, advice should be sought from PSG.

14.6.3 Proof of concept, pilots, trials and unsolicited supplier offers

To ensure the Service is not put in a position that may induce a future commitment or complaint, members are not to enter into any agreement for proof of concepts (PoC), pilots or the supply of trial products without seeking approval from the CPO, PSG, regardless of any future intent to purchase or as a PoC. Due to the risks associated with the trialling of products, ideally, products being considered for trial should be purchased outright. In seeking the CPO's approval, the request must include the Service intentions post PoC, pilot or trial (including funding), evaluation criterion (covering both a successful and unsuccessful outcomes). Any ICT enabled pilots are to also have the appropriate authorisation including endorsement by the Chief Information Officer.

From time to time a supplier may approach the Service uninvited to promote their products or services, sometimes leveraging from past or existing relationships. When an unsolicited supplier offer is received, members are to consult with PSG to seek instruction prior to engaging with the supplier to ensure the approach is managed in line with policy and legislation. Accepting an unsolicited offer may create an unethical situation or may not represent a fair and equitable process.

14.6.4 Supporting local suppliers and small businesses

Members are to use their best endeavours to support the QG commitment to build regions by increasing participation of Queensland suppliers, local workforces and small businesses in procurement opportunities to supply goods and services.

Where the quote thresholds and procedures require multiple quotes, members are to ensure that one regional and one Queensland supplier, where possible, is invited to submit a quote or offer.

The only exemption is:

(i) when using a SOA or common-use supply arrangement—which in most cases will have been established through a public, competitive tendering process; or

(ii) where detailed in a sourcing plan.

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Details of the supplier selection are recorded as part of the RFQ evaluation (see s. 14.5.4: 'RFQ response evaluation' of this chapter) including circumstances and actions taken that demonstrate all options were exhausted to identify and invite local suppliers, Aboriginal or Torres Strait Islander businesses and small businesses.

The QPP defines local supplier as a supplier of goods or services that maintains a workforce whose usual place of residency (i.e. where they normally live, sleep and eat) is located within a 125 kilometre (km) radius of where the good or service is to be supplied. If a capable local supplier does not exist within the 125 km radius, the radius should be extended progressively to the local region, then Queensland, then Australia, until a suitable supplier is identified.

14.6.5 Increasing Government procurement with Aboriginal and Torres Strait Islander businesses

The Queensland Indigenous (Aboriginal and Torres Strait Islander) Procurement Policy (QIPP) provides a whole-of-government framework to increase procurement with Indigenous businesses. Under the QIPP, an Indigenous business is at least 50% owned by Aboriginal people and Torres Strait Islander people.

The Black Business Finder (www.bbf.org.au) is QG's Indigenous business database listing businesses across a wide range of goods and services.

The Department of Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism (DWATSIPM) has information on local Indigenous businesses.

14.6.6 Consultancy and professional service engagements

All consultancy engagements (regardless of value) must be referred to PSG in the first instance.

A consultancy or professional service is to:

(i) not commence or continue in a role without a valid purchase order and contract covering the period of engagement (the use of a purchase order will ensure that the obligations for QG reporting on spending in this category is met and also to manage contract management requirements including the capture of agreed terms and conditions including KPI monitoring, payment structure, insurance etc); and

(ii) be subjected to appropriate security/background checks prior to commencement (Security screening form)—as a minimum, a criminal history check is to be undertaken where one of the following circumstances is applicable to the consultant or professional service engagement:

(a) access to Service owned or managed ICT information assets or systems; and

(b) access to facilities.

Consideration must be given to due diligence requirements including the execution of a confidentiality and disclosure declaration.

14.6.7 Splitting orders

Members must not intentionally split or divide the value of a purchase or use multiple purchasing methods to remain within a specific procurement (quotation) threshold, corporate card limit, expenditure delegation or procurement delegation. Members who become aware of such activity are obligated to immediately contact Procurement Services Group (PSG) for potential investigation. Suspected order splitting may be referred to ESC or the Crime and Corruption Commission for review and investigation.

It is not acceptable to split purchases in order to remain within a specified purchasing threshold or delegated expenditure/purchasing delegation. These thresholds and authorities have been put in place to ensure adequate contractual protection is provided to the Service. Order splitting is subject to audit scrutiny; therefore, all purchase requisitions must be approved in accordance with Delegation D 12.11 by the appropriate expenditure delegate.

Purchase requisitions within a region/command/division with a total dollar value that exceeds the purchasing thresholds and established delegated purchasing authorities must be forwarded to PSG, Finance and Procurement Division for appropriate procurement action.

14.6.8 Probity and accountability

One of the three foundation concepts of the QPP is to ensure probity and accountability for outcomes.

Probity requires the procurement process to be conducted:

(i) ethically;

(ii) honestly; and

(iii) with fairness to all participants.

Accountability is the obligation to be able to explain or account for the way particular duties have been performed. Accountability for outcomes requires purchasing delegates to be able to explain or account for how the purchase has achieved its anticipated outcomes.

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14.6.9 Internal/external audit

All purchasing activity carried out is subject to audit scrutiny and is to be conducted in a way that demonstrates integrity throughout the procurement process. Purchasing delegates, project managers and members, members evaluating offers and members making recommendations to purchase, must be aware that they are responsible and accountable for their decisions.

Personnel conducting purchasing activities are acting on behalf of the Service. All personnel involved in the procurement process must ensure that their actions do not reflect adversely on the professionalism of the Service or place it in a contractually unsound position.

14.6.10 Disclosure of information

Personnel conducting procurement activities must ensure that the information contained within a potential supplier's offer is not disclosed to any third party. Information of this nature is generally considered to be commercial-in-confidence and must remain confidential. Disclosure of information in this manner gives that offeror a commercial advantage and compromises the procurement process to such an extent that it may be necessary to terminate the procurement process. If there is any uncertainty in this regard, contact should be made with the PSG.

Procurement projects received in the PSG are allocated to a procurement officer who is the delegate throughout the life of the project. During the invitation process, clarification and confirmation of details contained within the invitation to offer document can be provided to potential offerors by the PSG procurement delegate. If it becomes apparent that the specification is unclear or incomplete, relevant clarification must be provided to all potential offerors in writing to ensure that no offerors are disadvantaged (see also s. 5.7: 'Right to information and privacy' of this Manual).

Commercial-in-confidence

Information regarding pricing structure has a commercial value that would be diminished or destroyed if disclosed. Suppliers insist on confidentiality in their dealings with the QG and members are bound to respect that position. The release of information such as pricing has the potential to harm the integrity of competitive tendering processes and the Services ability to attract private sector suppliers and future contracts/arrangements. A supplier's competitive position may be damaged by public disclosure of information such as unit pricing.

Members are to adhere to the following protocols:

(i) any request for such information should be discussed with the PSG Manager (Governance); and

(ii) where a real or suspected disclosure occurs, an appropriate and agreed course of action is to be determined in consultation with the PSG Manager (Governance) and the relevant PSG Manager.

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14.6.11 Contact with offerors

During the invitation process, the procurement delegate is the only person who may make contact with potential offerors in relation to that invitation. These precautions reduce the risk of the integrity of the procurement process being brought into question.

14.6.12 Gifts—favours

All personnel involved in the procurement process must not accept gifts or favours from suppliers or potential suppliers. Such actions create the potential for allegations of preferential treatment being given to a particular supplier and may result in investigation by ESC or the Crime and Corruption Commission.

All personnel are reminded of their obligations under s. 11: 'Gifts and benefits (all members)' of the Standard of Professional Practice and ss. 2.3: 'Gifts and Donations Policy' and 2.3.1: 'Gifts and Donations Practice' of the Financial Management Practice Manual.

For further information see the QG Gifts and Benefits directive (22/09) on the QG website.

14.6.13 Mistakes

Personnel involved in the procurement process must not take advantage of suppliers' genuine mistakes by attempting to enforce conditions which are clearly to a supplier's disadvantage, and which obviously were never the intention of the supplier.

14.6.14 Conflict of interest

A conflict of interest occurs when private interests interfere, or appear to interfere with, performing official duties. Members involved in the procurement process should declare any actual or perceived conflict of interest as early as practicable during the procurement process. It may be necessary for an individual to withdraw from involvement in a procurement activity on the basis of such conflict of interest.

Members must perform their duties in a fair and unbiased way, ensuring that decisions made are not impacted by self-interest, private affiliations, or the likelihood of gain or loss for them or others that they may wish to benefit or

disadvantage. Private interests include personal, professional or business interests, as well as the interests of individuals that you associate with, such as family, dependents and friends.

Probity advisors or probity auditors may be engaged when a procurement is seen as high value or high risk. The two roles are very different:

(i) probity advisor—provides probity planning services and probity advice arising before and during procurement. Probity advisors should be present at key intervals in the process and probity reporting is to be factored into the evaluation document; and

(ii) probity auditor—an independent and objective person providing a review of the procurement process before contract award, determining if sufficient evidence is available to confirm that probity criteria and process have been met and to identify if any risks or breaches exist.

Ensuring the independence of the probity service provider will help to make sure that they provide an objective and impartial view of probity within the procurement process.

Where a conflict of interest exists or is declared it is to be brought to the attention of the person/s responsible for the procurement and authorised delegate who is to ensure that the conflict has been managed to ensure the integrity of the procurement.

14.6.15 Expenditure approval for contract amendments

Where further work is required to complete a project and it is identified that the original expenditure approval will be exceeded, additional expenditure approval must be sought. In the case of the Minister, Commissioner and other members of the Service, an additional amount of up to 10% on the original contract value can be authorised for payment by the original approving delegation. If the total contract exceeds the limit of the original expenditure delegate by more than 10%, additional approval must be sought from the next higher approving delegate.

If the original expenditure approval has been granted by Governor in Council, variations totalling not more than 10% of the approved expenditure amount may be authorised by the Minister.

Where additional work is required which will necessitate additional expenditure delegation being obtained, the expenditure approval must be sought in advance of the additional work being approved by the contract delegation by formal contract amendment. In an emergency, additional expenditure delegation may be obtained verbally with written confirmation being obtained subsequently.

14.6.16 Contractors

The engagement of contractors is subject to the same procurement processes as for all other goods and services. Prior to the engagement of any contractors an assessment should be undertaken to see if there is an internal resource that could perform the duties of the resource.

In the case of non-ICT contractors there may be an additional requirement for the execution of a Service contracting services agreement. The agreement needs to address conditions relating to:

(i) the contract services;

(ii) negotiation of employment;

(iii) payments;

(iv) industrial, intellectual and other property;

(v) disclosure of information;

(vi) termination of agreement;

(vii) variation;

(viii) indemnities and insurance;

(ix) resolution of disputes; and

(x) subcontracting.

Reviews should be conducted on a periodic basis throughout the term of the contract to ensure the contractor is providing the services in accordance with the specifications and agreed terms and conditions.

14.6.17 Queensland Government General Contract Conditions

The QG General Contract Conditions for general goods and services is designed for procurements which are moderate risk or value.

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14.6.18 Intellectual property

Prior to the release of an invitation to offer, RFQ, expression of interest or any other activity to source goods or services consideration is to be given to intellectual property that may be attached to the goods or services and, where appropriate, a decision made as to how existing or future intellectual property will be dealt.

The conditions of contract selected in the RFQ template will detail the management of intellectual property.

Intellectual property is to be dealt with in accordance with the Queensland Public Sector Intellectual Property Principles and Guidelines.

14.6.19 International vendor orders

The purchase of products from an international (non-Australian) vendor is to consider:

(i) shipping issues;

(ii) customs clearance;

(iii) biosecurity;

(iv) import tariffs;

(v) relevant contract conditions including applicable Incoterms;

(vi) foreign exchange—RFQ dual pricing;

(vii) trade-ins;

(viii) SAP purchase order population;

(ix) method of payment; and

(x) GST treatment (non-Australian vendor).

For further guidance, email your enquiry to Procurement HelpDesk.

14.6.20 Second-hand goods

Purchases of second-hand goods are exempt from the requirement to obtain competitive offers and do not require exemption approval.

Other aspects of this chapter are to be applied to the purchase of second-hand goods, including:

(i) ensuring the goods represent value for money;

(ii) decision taken is transparent and defensible; and

(iii) ensuring an asset (as defined in the FMPM) is tracked appropriately (i.e. asset shell created and appropriately recorded).

Health and safety risks with purchasing second-hand goods for use by staff should also be considered.

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14.6.21 Unsolicited offers

When an unsolicited offer is received, members are to consult with PSG initially to discuss the situation—via Procurement HelpDesk.

Where it is determined that the goods or services offered may meet a requirement, a procurement process which will include thorough investigation of the unsolicited offer to ensure that:

(i) analysis is undertaken to determine the size and competitiveness of the market;

(ii) the principles of the QPP are adhered to;

(iii) the activity does not breach legislation (i.e. *Competition and Consumer Act* (Cwlth));

(iv) the development of specification—allowing the unsolicited offeror to retain their intellectual property rights and marketing edge until such time as full proposals are sought; and

(v) a procurement strategy is developed based on the circumstances surrounding the particular situation.

14.6.22 Donations

Where a proposal is received from an external party offering to donate goods or funding to purchase certain goods, equipment or services, the receiving member is to forward the proposal to PSG for review. This review or assessment will:

(i) be undertaken by PSG in consultation with members from the relevant unit; and

(ii) incorporate consideration of a variety of factors including, but not limited to:

(a) fitness for purpose—do the goods, equipment or services meet needs or specifications;

(b) suitability—do the goods, equipment or services meet relevant standards;

(c) value for money—is the donation good value (i.e. equivalent to the value of the items required to be purchased);

(d) lawful—does the activity breach any legislation; and

(e) appropriate—does the proposal require any advertising on the goods or equipment that promotes something that the QG does not want to be associated with.

14.6.23 Purchasing from other Government departments and jurisdictions

In accordance with the Intragovernmental Procurement Advisory Note (published by the Office of the Chief Advisor—Procurement (Department of Housing and Public Works)), members may choose to deal directly with other QG agencies without the necessity to obtain:

(i) competitive offers; or

(ii) exemption approval.

Members are obligated to demonstrate that value for money has been achieved and that any decision taken is transparent and defensible.

14.6.24 Queensland Government Ethical Supplier Mandate

The Ethical Supplier Mandate outlines the manner in which the QG will manage instances where a supplier fails to meet a policy requirement.

The Mandate applies to all suppliers engaged by any procuring agency within the scope of the mandate. The definition of supplier includes subcontractors within the supply chain.

Members buying goods or services in the building construction and maintenance category including minor works are to search the online Supplier Check tool to ensure the proposed successful supplier has not been excluded under the threshold or sanctioned under the mandate.

14.6.25 Record keeping and maintenance

Full and complete records of the purchase, sufficient to support any purchasing or procurement decision in light of audit, or government oversight must be maintained by the delegate. This may include:

(i) request for quote;

(ii) confidentiality and disclosure declaration forms;

(iii) invitation to offer;

(iv) financial approvals (including purchase requisition);

(v) quotations or offers received;

(vi) quotes;

(vii) evaluation plan or methodology;

(viii) purchase requisitions;

(ix) evaluation reports and other documents supporting the evaluation decision;

(x) purchase orders; and

(xi) other contract documents.

All documents and records associated with purchasing or procurement activity are to be identified, captured and archived in an accessible format and shall be retained in accordance with Service records management, see s. 5.1: ‘Records management’ of this Manual.

14.6.26 Annual procurement planning

The CPO, PSG will:

(i) develop an annual procurement plan in consultation;

(ii) develop and maintain a program of work identifying known and new future procurement activity;

(iii) prioritise work within the program of work; and

(iv) allocate available and suitable procurement resources to the identified activity in an optimal manner.

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14.7 Purchasing methods

Members are to utilise one of the following methods to complete a purchase in the order of precedence as detailed below.

14.7.1 Queensland Government corporate purchasing card (corporate card)

Corporate card is the preferred purchasing mechanism for all permitted low value, low risk, purchases of goods or services within the cardholders approved limits. Refer to ss. 5.8: 'Corporate card policy' and 5.8.4: 'Corporate card—permissions/restrictions/forbidden purchases' of the Financial Management Practice Manual (FMPM) for further details.

Members must endeavour to utilise a corporate card wherever appropriate to minimise QSS transactional costs associated with processing purchase orders and expenditure vouchers.

14.7.2 SAP purchase order

The completion of a SAP purchase order (PO) is the preferred purchasing mechanism for all purchases that cannot be transacted utilising corporate card including:

(i) assets;

(ii) goods deemed to be portable and attractive in accordance with s. 5.8.4: 'Corporate card—permissions/restrictions/forbidden purchases' of the Financial Management Practice Manual;

(iii) goods or services either exceeding a corporate cardholder's transaction limit or that are otherwise prohibited purchases via corporate card; and

(iv) other high value purchases.

The raising of a purchase order:

(i) evidences a contractual commitment to purchase within the finance system (SAP);

(ii) allows supporting documentation (i.e. expenditure approval, procurement process validation, email correspondence etc.) to be attached to the PO within the finance system (SAP) for future reference or audit purposes;

(iii) permits the tracking of goods receipts and payments; and

(iv) provides the ability to analyse transactional data for reporting purposes.

SAP PO is to be released by an appropriate procurement delegate in relation to PO creation and PO release responsibilities (see s. 14.5.1: 'Standard procurement processes' of this chapter).

Procurement delegates responsibilities

The procurement delegate releasing the PO is to be satisfied that the following is substantiated:

(i) expenditure approval—appropriate expenditure approval has been obtained, as follows:

(a) delegate has an authority to incur expenditure for the total value—as detailed in Delegation D 12.11;

(b) a signed purchase requisition (or PO amendment form) is the source document that clearly details what is being purchased including quantities, the expenditure delegate's name and title, the value the delegate is authorising, vendor details, company code and account assignment details (unless otherwise agreed to by PSG);

(c) approval to incur expenditure is provided prior to PO issue (or contract being executed); and

(d) where relevant, confirmation of financial treatment (i.e. recurrent expenditure acknowledgement);

(ii) procurement process—a valid procurement process that is compliant with this chapter—for example:

(a) number of quotation/s obtained meets quoting thresholds and quote validity is current;

(b) signed RFQ evaluation including buy local policy requirement considerations;

(c) approved procurement exemption;

(d) tender evaluation;

(e) the applicable terms and conditions provide protection to the QG; and

(f) where accessing an SOA, the buyer's guide or schedule of details has been followed;

(iii) SAP PO structure—PO is structured correctly, including:

(a) vendor number and name matches the requisition and accepted quote;

(b) quote is referenced (ensuring it references the applicable terms and conditions);

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(c) contact and delivery information and the account assignment matches the purchase requisition and is the appropriate type – cost centre, internal order or asset etc.; and

(d) correct terms and conditions are stated in the SAP header text—SOA or QG General Contract Conditions (see s. 14.6.17: 'Queensland Government General Contract Conditions' of this chapter);

(iv) supporting documentation—supporting documentation that evidences the above aspects is attached to the PO in SAP—refer to SAP Guide; and

(v) QG Ethical Supplier Threshold and Mandate—ensure that supplier has not been excluded under the threshold or sanctioned under the mandate via the online ACN checking tool.

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15.1 Introduction

Definitions

For the purpose of this chapter:

Accommodation contribution

means a sum of money determined by this policy, which members of QPS housing are required to pay to the Service on a fortnightly basis via payroll deduction or direct payment where payroll deduction cannot occur.

Centre

means a location to which an employee has been appointed, transferred, redeployed or promoted.

DHPW leased residence

means a unit of accommodation which the Service leases from Department of Housing and Public Works (DHPW) and which is intended for occupancy by a Service member.

Discrete First Nations communities

include Aurukun, Bamaga, Cherbourg, Doomadgee, Hopevale, Horn Island, Kowanyama, Lockhart River, Mornington Island, Palm Island, Pormpuraaw, Thursday Island, Woorabinda, Wujal Wujal and Yarrabah.

Exceptional circumstance

means any circumstance that is not addressed within the provisions of this policy.

Exempt location/residence

means locations and/or individual residences that are approved for exemption by the State Housing Management Committee (SHMC). Members residing in approved exempt locations/residences are excluded from payment of the accommodation contribution.

As of 1 January 2019 exempt locations include Aurukun, Bamaga, Cherbourg, Coen, Doomadgee, Hopevale, Horn Island, Kowanyama, Lockhart River, Mornington Island, Palm Island, Pormparaaw, Thursday Island, Woorabinda, Wujal Wujal and Yarrabah. These locations are reviewed annually. An exemption status may be removed or added to a location/residence by the SHMC where justified.

Fixed term agreement

refer to Schedule 2: 'Dictionary' of the *Residential Tenancies and Rooming Accommodation Act* (RTRAA).

Housing fringe benefits

means fringe benefits tax (FBT) legislation determines residential housing provided by the Service to members which is located within 100 km of Brisbane or the Gold Coast (by shortest practical surface route) is termed 'non-remote housing'. Non-remote housing is a housing fringe benefit which is subject to FBT. Residential housing located further than 100 km from Brisbane or the Gold Coast is termed 'remote housing' and is exempt from FBT.

Local government service charge

means the charges outlined in the rates notice issued by the relevant regional government council for a residence.

Member

means an officer, recruit and staff member (see s. 2.2: 'Membership of service' of the PSAA). For this policy, the term member is regularly interchanged with tenant.

Multiple tenancy accommodation

means any unit of QPS housing which is designated for occupancy by more than one member at any given time. A single bedroom in multiple tenancy accommodation is allocated for the use of one member only. Multiple tenancy accommodation includes any accommodation where members share a bathroom, or a lounge/common room, or a kitchen. Multiple tenancy accommodation does not include instances where two members of the Service reside together in a spousal/partner relationship and have exclusive use of the unit of accommodation.

Neighbourhood police beat

means where a member resides in QPS housing within the designated beat area and operates from an office attached to the residence.

Periodic tenancy

refer to Schedule 2 of the RTRAA.

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Private dwelling

means any residential dwelling (including investment properties) located within 45 km via shortest route of the member's centre where:

(i) the member;

(ii) the member's spouse/partner;

(iii) any entity controlled by the member of the member's spouse/partner; or

(iv) the member, spouse or partner is entitled to any dividend disbursement or benefit, owns or has an interest in.

QPS housing

means any unit of accommodation occupied or unoccupied, that is allocated by the Service and made available to members for residential occupation. QPS housing includes:

(i) QPS owned housing;

(ii) housing leased from DHPW;

(iii) housing leased from the private rental market; and

(iv) housing leased from local government authorities (e.g. local and Aboriginal councils) and other government agencies.

Note: this definition also applies to unit of accommodation which is regularly interchanged with QPS housing within this policy.

Rental assistance

means a sum of money approved by the SHMC and reimbursed to a member to subsidise the cost of private rental accommodation.

Service charge

refer to s. 164: 'Meaning of *service charge*' of the RTRAA.

Short term accommodation

means members who reside in any type of QPS housing for planned periods not exceeding three months.

Single tenancy accommodation

means accommodation where a member has exclusive use of a single unit of QPS housing.

Station/single tenancy combination accommodation (including neighbourhood police beats)

means a single unit of QPS housing which is utilised for both operational and residential accommodation purposes in a shared arrangement.

Tenancy agreement

refer to s. 12: 'Residential tenancy agreement' of the RTRAA.

Tenant

means members utilising QPS housing are regarded as tenants in accordance with the RTRAA.

The Act

refers to the RTRAA.

The agreement

refers to the Queensland Police Certified Agreement in force at a particular time.

Unit of accommodation (UoA)

follows the same definition as QPS housing within this policy. UoA also refers to any UoA, occupied or unoccupied, that is allocated by the Service and made available to members for residential occupation.

Purpose

The Service provides housing to strategically support the delivery of policing services. The objective of the QPS Housing Policy is to provide a consistent, transparent, simple and fair framework to aid in the administration and management of QPS housing. It is accepted that this policy will not address every aspect of QPS housing management and discretionary decision making may need to be undertaken by the relevant governance bodies referred to within. Both the Queensland Police Union of Employees (QPUE) and the Queensland Police Commissioned Officers Union of Employees (QPCOUE) are represented within both governance bodies. The Service acknowledges the contribution of both the QPUE and QPCOUE in the development of this policy.

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This policy replaces the 2010 Residential Housing Policy in its entirety from 01 January 2019 and is to be read in conjunction with the RTRAA, the DHPW, Government Employee Housing (GEH) Standards and Guidelines, any relevant industrial agreement provisions and procedural guidelines as contained within the QPS Housing database. Nothing in this policy shall override the Commissioner's responsibilities in accordance with s. 4.8: 'Commissioner's responsibility' of the PSAA to determine the eligibility for QPS housing on a case by case basis.

This policy will regularly utilise the term QPS housing when referencing any UoA, occupied or unoccupied, that the Service makes available to members for residential occupation. This includes QPS owned housing, and leased accommodation, including instances where the Service leases accommodation and funds the median market rent value and the member contributes any additional rent above this value.

Relevant forms, documents and procedural workflows are available on the QPS Housing database and will not be duplicated further within this policy. Reference may also be made to the Residential Tenancies Authority (RTA) webpage.

Inquiries relating to the management of QPS housing should be directed to QPSHousing@police.qld.gov.au in the first instance and may be referred to the State Housing Management Committee via SHMC.Secretariat@police.qld.gov.au, if a decision relating to the implementation of this policy is required.

15.2 Policy review

To remain current and compliant with legislative and industrial provisions, the State Housing Management Committee will conduct an annual review of this policy in the first quarter of each calendar year.

15.3 Governance

The QPS housing portfolio functions under the authority of the Deputy Commissioner, People and Assets. The Service has implemented two governance bodies to manage and administer the QPS Housing portfolio, namely:

(i) State Housing Management Committee (SHMC) core membership consisting of:

(a) a regional assistant commissioner (chair);

(b) a regional assistant commissioner (deputy chair);

(c) the Executive Director, Assets Division;

(d) the Director, Capital Assets and Facilities Management Group (CA&FMG);

(e) the Director, Financial Resource Services;

(f) a principal finance officer;

(g) a representative from the Queensland Police Union of Employees (QPUE);

(h) a representative from the Queensland Police Commissioned Officers Union of Employees (QPCOUE); and

(i) a district officer as nominated by the QPUE on rotation as a non-voting advisory member.

(ii) District Housing Management Committees (DHMCs) consisting of (at a minimum):

(a) a district officer or assistant district officer (chair);

(b) a patrol group inspector(s) or support services inspector;

(c) an employee wellbeing representative(s) (senior psychologist, senior social worker or peer support officer); and

(d) a representatives from the QPUE and/or QPCOUE.

The SHMC and DHMCs through governance processes will have a holistic perspective of housing issues across the state to ensure that the Service maximises the effective delivery of housing related programs.

Additional members will be appointed to either committee at the discretion of the chair to perform administrative roles (e.g. secretariat, advisor), however these members will not form part of the core membership of the committee. The chair retains the discretionary right to invite stakeholder representatives to attend committee meetings in an advisory capacity. A DHMC must consult with commands or divisions where matters involving hosted members/positions are to be determined. Invitational attendees will not form part of the core membership of either committee.

The SHMC is governed by a single term of reference which outlines the roles, responsibilities and reporting obligations of the committee. DHMCs will be required to align with the principles contained within the SHMC terms of reference. This does not preclude the formation of informal housing administration bodies within a region/district as deemed necessary for effective service delivery, nor the appointment of additional members to a DHMC.

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Unless explicitly specified, DHMCs are the primary governance body for decision making processes relating to QPS housing matters within districts. The delegate decision maker is the appointed district officer in consultation with the DHMC. Where agreement cannot be reached at the level of the DHMC, the matter under consideration may be referred to the relevant assistant commissioner for overview and referral to the SHMC if required.

Minutes of every DHMC meeting are to be forwarded to the SHMC secretariat within two working days.

15.4 Supply of housing

QPS housing may be provided to members to:

(i) attract and/or retain members at locations to support the operational needs and organisational capabilities of the Service to effectively and efficiently deliver policing services; or

(ii) support established or anticipated management and/or operational needs and organisational capabilities of the Service to effectively and efficiently deliver policing services.

QPS housing may be provided through any of the following:

(i) QPS owned housing;

(ii) housing leased from the Department of Housing and Public Works (DHPW);

(iii) housing leased from the private rental market; or

(iv) housing leased from local government authorities (e.g. local and Aboriginal councils) and other government agencies.

QPS housing allocated for occupancy by members is available in any of the following categories:

(i) single tenancy accommodation; or

(ii) multiple tenancy accommodation; or

(iii) station/single tenancy combination accommodation (including neighbourhood police beats).

To best support the operational needs and organisational capabilities of the Service to effectively and efficiently deliver policing services and maximise the availability of residential accommodation to members, a District Housing Management Committee may designate a category to any unit of accommodation.

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15.5 Capital planning/acquisition of housing

The State Housing Management Committee and Capital Assets and Facilities Management Group will conduct regular reviews of the housing portfolio to ensure that it continues to support the management of a location and/or the operational needs and organisational capabilities of the Service to effectively and efficiently deliver policing services. Reviews and viability assessments may be undertaken to:

(i) determine if there is a need to acquire additional housing; and/or

(ii) determine if there is a need to rationalise housing at current locations; and/or

(iii) examine any planned or unplanned events/factors which are impacting (or have potential to impact) police housing and the delivery of policing services throughout the state. This includes both demographic and industry changes.

Such assessments will be conducted in consultation with relevant stakeholders. In some cases, recommendations will be presented to the Demand and Capability Committee for consideration and endorsement.

15.6 Eligibility

No member is entitled to QPS housing unless provided for in an industrial instrument or under the provision of a contract of employment. QPS Housing may however be reserved to best support the management of a location and/or the operational needs and organisational capabilities of the Service to effectively and efficiently deliver policing services. The eligibility of any member to reside in QPS housing will be assessed on a case by case basis in accordance with this policy.

Vacant positions, with the exception of district officer positions in Far North, Townsville, Mackay, Capricornia, Wide Bay Burnett, Darling Downs, Mt Isa and South West districts, and regional crime co-ordinator positions in Central, Southern and Northern/Far Northern (whether the position is in Townsville or Cairns), will not be advertised with a specified housing entitlement. Members filling or applying for a vacancy are to make inquiries with the district regarding the availability of QPS housing.

The below circumstances may deem a member ineligible for QPS housing:

(i) the member owns a private dwelling (refer to definitions of this policy) within 45 km by shortest route of the member's centre. Any exceptions to this provision are to be referred to the State Housing Management Committee for further consideration and determination; or

(ii) an alternative housing option is available (e.g. partner/spouse is provided housing in connection with their employment within the same centre); or

(iii) a member has resided in QPS housing for a period exceeding five years and is therefore deemed to be a permanent resident. In such cases, their eligibility for QPS housing in accordance with this policy ceases. Such determinations will be made by the District Housing Management Committee (DHMC) in full consultation with the relevant member. If exceptional circumstances are identified, the DHMC may approve the member's occupancy beyond this five-year period; or

(iv) termination of employment; or

(v) career break (members accessing career break leave whilst occupying QPS housing may be required to forfeit QPS housing prior to the commencement of such leave).

The eligibility of district officers in Far North, Townsville, Mackay, Capricornia, Wide Bay Burnett, Darling Downs, Mt Isa and South West districts, and regional crime co-ordinators in Central, Southern and Northern/Far Northern regions (whether the position is in Townsville or Cairns), will be assessed against the above-mentioned eligibility criteria (i), (ii), (iv), and (v).

It is the responsibility of the member to advise the DHMC as soon as reasonably practicable of any information which may affect their eligibility to apply for or remain in QPS housing. If a member ceases to be eligible for occupancy of QPS housing in accordance with the eligibility provisions of this policy, the tenancy agreement may be terminated in accordance with the *Residential Tenancies and Rooming Accommodation Act*.

15.7 Allocation of QPS housing

QPS housing will be allocated to members in a manner that best supports the management or operational needs and organisational capabilities of the Service to effectively and efficiently deliver policing services. This includes the attraction and retention of members performing specialist roles or functions at locations specified by the District Housing Management Committee (DHMC) in consultation with commands/divisions.

The Commissioner has determined the operational need exists to allocate QPS housing to members performing the following roles:

(i) district officer positions in Far North, Townsville, Mackay, Capricornia, Wide Bay Burnett, Darling Downs, Mt Isa and South West districts; and

(ii) regional crime co-ordinator positions in Central, Southern and Northern/Far Northern regions (whether the position is in Townsville or Cairns).

Where any UoA is assessed by the DHMC as no longer being required to be retained by the Service, rationalisation must be considered.

Where a UoA is not required to attract or retain members for a specific role or purpose but is still assessed by the DHMC as being required to attract and retain members, a formal expression of interest (EOI) process may be undertaken by the DHMC.

In cases where there is more than one applicant in an EOI process, the DHMC will prioritise allocation after considering factors including:

(i) management and/or operational needs and organisational capabilities of the Service to effectively and efficiently deliver policing services; and

(ii) personal circumstances, needs, health and wellbeing of the applicant including those directly affected by a decision; and

(iii) availability of alternate accommodation for the applicant.

If an allocation outcome cannot be reached by the DHMC, the matter under consideration should be referred to the relevant assistant commissioner for determination.

All Service supplied residences in the relevant location must be fully occupied before additional accommodation is acquired. If a Service owned residence becomes available in the same locality where leased accommodation is utilised, the DHMC may consider that the relocation of a member residing in leased accommodation to the available Service owned residence is appropriate. If initiated by the Service, relocation costs will be met by the Service.

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15.8 Multiple tenancy accommodation

To ensure that sufficient accommodation is available to support the operational needs and organisational capabilities of the Service to effectively and efficiently deliver policing services, a District Housing Management Committee (DHMC) may designate units of QPS housing as multiple tenancy accommodation. If the UoA is leased from the Department of Housing and Public Works (DHPW), written application should be made to Capital Assets and Facilities Management Group (lease managers) via email QPSHousing@police.qld.gov.au who will seek approval from DHPW.

In a multiple tenancy arrangement, one bedroom is allocated to one member. All members are required to have individual tenancy agreements which reflect the accommodation as multiple tenancy. The DHMC reserves the right to allocate other members to vacant bedrooms at any time. All attempts will be made to provide individual, securable bedrooms.

To protect the privacy and living environment of all tenants, cohabitation with a spouse/partner or guests in multiple tenancy accommodation for periods exceeding two weeks will not be permitted without prior written approval of the DHMC. In some instances where suitable accommodation may not be available to support service delivery, cohabitation may be required, however this should be considered only until alternative accommodation becomes available.

15.9 Tenancy agreements

All members allocated Service supplied residences (excluding short term accommodation) are required to sign a State Tenancy Agreement in accordance with the *Residential Tenancies and Rooming Accommodation Act* upon commencement of tenancy. Unless exceptional circumstances exist, all tenancy agreements are to be fixed term agreements for a period determined by the District Housing Management Committee (DHMC). Tenancy agreements are to be reviewed prior to the end date if the tenancy is continuing beyond the initial term.

A tenancy agreement may end prior to the end of the fixed term if mutually agreed by the DHMC and the member.

Members who reside in Service supplied residences for planned periods of short-term occupancy not exceeding three months are not required to enter into a tenancy agreement, however the relevant DHMC must be advised of their occupancy. In the unplanned event that short term occupancy is extended beyond three months, members must enter into a tenancy agreement. All members, irrespective of duration of tenancy, must comply with all relevant provisions of this policy.

Members are not permitted to sub-lease any portion of a Service supplied residence. Any request made by a member allocated a Service supplied residence for approval to sub-lease, is to be declined by the DHMC.

Any additional special terms (outside of this policy) which are deemed necessary by DHMC for inclusion within a tenancy agreement, must be consistent with the RTRA and referred to QPSHousing@police.qld.gov.au for consideration prior to implementation.

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15.10 Members on extended leave (with or without pay)

Members who are on or are granted extended leave (excluding career break leave) may be permitted to maintain their occupancy in Service supplied housing, or may be allocated a unit of housing, provided that:

(i) the provision of service to that particular community is not adversely affected in any manner;

(ii) in the case of long-term leave, a replacement member or relieving member is not denied access to existing QPS supplied accommodation; and

(iii) in the case of unpaid leave, where accommodation contributions cannot be made via payroll deductions, the member must make alternative payment arrangements in consultation with the district housing management committee (DHMC) and regional finance officer.

Prior to accessing leave, the member must make application to the DHMC for approval in writing to retain housing. Members accessing career break leave whilst occupying QPS supplied housing may be required to forfeit Service supplied housing prior to the commencement of such leave.

The DHMC reserves the right to assess each application on a case by case basis. Exceptional circumstances may be referred to the SHMC including the need to source alternative temporary accommodation where required.

15.11 Members on relieving duties

Where a relieving member occupies QPS supplied housing in their substantive location and has been allocated temporary QPS supplied housing in a relieving location, that member is required to meet the accommodation contribution on the housing in their substantive location only.

For accommodation contributions relating to short term occupancy, refer to 'Short Term Accommodation' in 'Accommodation Contribution Exemptions' of this policy.

15.12 Relocation of members

If a member residing in QPS supplied housing is approved by a district housing management committee for relocation to another residence (in the absence of an approved transfer or promotion), all costs associated with the relocation are to be met by the member. If the Service initiates the relocation, relocation costs will be met by the Service.

15.13 Use

Members must seek approval from the district housing management committee to use QPS supplied housing for a use other than for residential purposes (e.g. home operated business).

15.14 Accommodation contributions

Unless specifically provided for by this policy or any industrial agreement, all members residing in Service supplied housing will pay a fortnightly accommodation contribution to the Service. This includes members residing in private rental accommodation where the member may be contributing to the rental cost. The accommodation contribution is to be deducted from the member's base rate of pay, in accordance with the following:

(i) single tenancy accommodation—2.5% deduction from the member's full time substantive base rate of pay or equivalent amount;

(ii) multiple tenancy accommodation—1.5% deduction from the member's full time substantive base rate of pay or equivalent amount;

(iii) station/single tenancy combination accommodation (including Neighbourhood Police Beats)—1.5% deduction from the member's full time substantive base rate of pay or equivalent amount; and

(iv) one/two officer station accommodation (irrespective of housing configuration)—1.5% deduction from the member's full time substantive base rate of pay or equivalent amount.

All accommodation contributions by a member will be:

(i) paid via fortnightly payroll deductions;

(ii) established when signing a tenancy agreement;

(iii) established by payroll deduction commenced on occupancy and ceased on termination of occupancy;

(iv) remain continuous and accurate throughout the duration of the occupancy; and

(v) where payment cannot be made via payroll deduction, the member is to arrange an alternative payment method in consultation with the District Housing Management Committee (DHMC) and regional finance officer.

The Service is to ensure payroll deduction processes are operating efficiently and effectively and take steps to immediately resolve any identified errors or malfunctions. Any identified instances of accommodation contribution underpayments or overpayments are to be rectified by both the Service and member as soon as practicable.

Any change in a member's circumstance which would interrupt the payroll deduction process are to be reported to the member's supervisor within seven days. The supervisor is to investigate the circumstances and take any necessary action.

Where two members of the Service reside together in single tenancy accommodation in a spousal/partner relationship, the member allocated the QPS housing will be required to pay the accommodation contribution. This is to be the member whose transfer or promotion first initiated the allocation process for QPS housing and has signed a State Tenancy Agreement in accordance with s. 15.9: 'Tenancy agreements' of this chapter. Exceptions may be determined by the DHMC on a case by case basis.

The Service commits that no variations will be made to the amounts specified in the 'Accommodation Contribution' for the effective period of the Queensland Police Service Certified Police Agreement. Any future changes to Accommodation Contributions will be negotiated in full consultation with stakeholders including the Queensland Police Union of Employees and the Queensland Police Commissioned Officers Union of Employees

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15.15 Accommodation contribution exemptions

State Housing Management Committee (SHMC) approved exemptions—by location/residence

The Service has designated an exemption status to several units of accommodation (UoA), whereby members occupying the QPS supplied housing are not required to pay the accommodation contribution. A current list of exemptions will be maintained on the QPS Residential Housing webpage. All existing exemptions will be reviewed annually by the SHMC. The SHMC reserves the right to amend the exemption status of any UoA at any time to ensure that the needs of the Service are being met.

Should a district housing management committee identify exceptional circumstances where an exemption status should be applied to QPS supplied housing, a SHMC Business Case is to be submitted for consideration and determination.

Short Term Accommodation

Members who reside in QPS supplied housing for planned periods of short-term occupancy not exceeding three months are exempt from paying an accommodation contribution. In the unplanned event that short term occupancy is extended beyond three months, members must commence the payment of the accommodation contribution however will not be charged retrospectively for the initial three-month period.

15.16 Accommodation Contribution Reinvestment Program

The Service has committed to the reinvestment of all net funds recouped from Accommodation Contribution Revenue (ACR) into the ongoing maintenance of Service owned accommodation. The Accommodation Contribution Reinvestment Program' (ACRP) will reinvest the accommodation contributions paid by members residing in all categories of Service occupied accommodation (irrespective of ownership or leasing arrangements), into Service owned accommodation.

The reinvestment focus, of ACR member derived funds is at the discretion of the State Housing Management Committee (SHMC) with district specific input from District Housing Management Committee (DHMC). From time to time the SHMC will issue guidelines for ACRP investment. The SHMC supports flexible and discretionary decision making of the DHMC in administering the ACRP provided it meets the funding guidelines issued by the SHMC. Should any doubt exist, the DHMC is to consult the SHMC.

The Service acknowledges the ACRP is in addition to the Annual (Housing) Maintenance program and the Minor Works Schedule which are administered by Capital Assets and Facilities Management Group, Assets Division.

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15.17 Housing assistance for private rental accommodation

Subject to the following provisions, private rental accommodation will only be considered where Service owned housing, or Department of Housing and Public Works (DHPW) leased accommodation, is not available.

Where an assistant commissioner identifies a need for additional unit/s of accommodation (UoA) in an area under their control, they are to forward a submission to the Capital Assets and Facilities Management Group (CA&FMG) via email to QPSHousing@police.qld.gov.au.

A submission must:

(i) provide evidence the UoA is required to support the management of and/or the operational needs and organisational capabilities of the Service to effectively and efficiently deliver policing services;

(ii) provide evidence that a UoA cannot be provided by existing QPS owned housing or DHPW leased accommodation;

(iii) not be based on the individual needs of a member; and

(iv) identify a funding source for the provision of UoA.

CA&FMG hold responsibility for the Service housing lease budget and delegation to execute and terminate a residential lease on behalf of the Service. CA&FMG will consider the submission and where necessary, seek approval from the Executive Director, People and Assets for a nominated subsidised housing benefit.

A nominated subsidised housing benefit is to consider the median market rent (as guided by the RTA median market rent finder or equivalent statutory based guide) for a UoA of comparable standard with existing or formerly owned (divested) QPS housing in the relevant area.

Where members are in receipt of subsidised housing benefit, the lease will be taken out on behalf of the Service (as the tenant) for the approved lease period and the Service will be listed as the tenant in any private general tenancy agreement. Where the nominated subsidised benefit does not cover the total rent, the member is required to reimburse the Service for the excess amount on a fortnightly basis. The member will also be required to pay the nominated accommodation contribution as directed by this policy.

A UoA acquired under the provisions of this section will be considered as part of the QPS housing portfolio and subject to SHMC review as outlined in s. 15.5: 'Capital planning/acquisition of housing' of this chapter.

15.18 Fringe benefit tax

A fringe benefit may arise when a member is provided with a rental reimbursement or housing accommodation. Payment of any fringe benefits tax (FBT) is the responsibility of the Service, however any benefits provided to a member with FBT liability have a potential flow-on effect on a reportable fringe benefit amount (RFBA) on a member's income statement. Members should seek independent financial advice to determine if fringe benefits will impact their personal situation.

FBT concessions and exemptions are subject to on-going review and/or change by the ATO. Benefits relating to residences in a non-remote area are subject to FBT and reportable on an employee's income statement, however FBT is not payable for the period that the residence is vacant. The QPS Housing database must be updated with the vacancy period to facilitate a reduction in FBT liability, where applicable. Current rulings and more information can be found on the ATO website.

15.19 Utilities

It is the responsibility of members occupying any type of Service supplied housing, irrespective of ownership or lease arrangements, to pay for private:

(i) telephone rental and calls;

(ii) internet contracts; and

(iii) energy consumption.

Members in single tenancy accommodation will be liable for 100% of the above listed costs including connection fees.

The Service will be responsible for the connection of utilities in all station/single tenancy combination accommodation (including neighbourhood police beats) and the connection of electricity in multiple tenancy accommodation. The connection of internet and telephone services to multiple tenancy accommodation is at the discretion of the district housing management committee (DHMC).

The payment of utility costs in multiple tenancy accommodation (except for Discrete First Nations communities) will be on a proportionate basis, as advised and calculated by the DHMC in consultation with the regional finance officer. The DHMC, in consultation with the regional finance officer, reserves the right to determine an appropriate calculation methodology which will consider the individual accommodation arrangement. The DHMC will consider several factors including meterage arrangements and the duration of the member's tenancy within the billing period.

Electricity for multiple tenancy accommodation in the following Discrete First Nations communities will be funded by the Service—Aurukun, Bamaga, Cherbourg, Doomadgee, Hopevale, Horn Island, Kowanyama, Lockhart River, Mornington Island, Palm Island, Pormpuraaw, Thursday Island, Woorabinda, Wujal Wujal and Yarrabah.

Unless exceptional circumstances exist, members residing in station/single tenancy combination accommodation (including neighbourhood police beats) will be apportioned for energy usage costs on a 50% (member) / 50% (Service) basis.

The DHMC may determine it appropriate to apply variations to the Service's contribution for utility costs. Any such costs will be met by the district/region. To support statewide consistency, the DHMC and/or regional finance officers should seek guidance from the State Housing Management Committee (SHMC) or Capital Assets and Facilities Management Group, Assets Division.

Special agreements made by the DHMC must be reflected in the special terms of the member's tenancy agreement.

Districts are required to monitor excessive water usage and investigate probable causes with occupants.

15.20 Debt recovery

Debt recovery will be considered in cases where it is identified that any charges relating to QPS accommodation have not been paid. The regional finance officer in conjunction with the district housing management committee may determine the option of an arrear's payment plan. Where a payroll deduction is not available, the member will receive an invoice for payment of outstanding monies.

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15.21 Indemnity/insurance

The Service is not liable for any loss, damage or injury to the member, the member's possessions, or any person on the premises, except to the extent allowable by law.

The Service does not insure member's possessions. It is a member's responsibility to insure their personal possessions.

15.22 Maintenance

Members are required to report maintenance (with the exclusion of unfair wear and tear) immediately upon detection to the QBuild Maintenance Response Centre. QBuild will categorise the work and response priority times.

Repairs, maintenance and upgrades to QPS owned housing will be administered by Capital Assets and Facilities Management Group (CA&FMG), Assets Division through the QPS maintenance (planned, unplanned and service maintenance) and Minor Works programs. The Accommodation Contribution Reinvestment Program (ACRP) is governed by the Service House Management Committee (SHMC) and is administered through CA&FMG and local districts. Maintenance and upgrades will be carried out in accordance with a prioritisation process and condition assessment.

Under the Maintenance Management Framework, the Service is required to conduct an audit on all properties and facilities every five years, or sooner. CA&FMG will be provided with a written assessment from QBuild, Department of Housing and Public Works (DHPW) in relation to the condition and maintenance needs of all QPS owned residences.

QPS housing which is leased from DHPW will follow a similar process however will be governed by DHPW. All requests for maintenance are to be made through QBuild.

In accordance with the *Residential Tenancies and Rooming Accommodation Act*, the tenant must provide access to the property to enable maintenance or other work to be carried out.

Deep cleaning maintenance of air conditioners and the maintenance of drinking water filters and dishwashers is the responsibility of the district. It is the responsibility of the member to advise the DHMC as soon as reasonably practicable when the drinking water filter/s require replacing or air conditioner/s require deep cleaning.

If keys are lost or damaged, it is the occupant's responsibility to replace at their own expense and provide a copy of any new keys to the DHMC as soon as practicable. If the lock is broken or faulty, this becomes a maintenance request via QBuild, who will arrange the repair/replacement of the lock.

Occupants must not contact QBuild for any maintenance matters in a private rental residence unless CA&FMG have authorised contact in writing. Any maintenance must be reported to the nominated repairer/Agent on the head-lease agreement.

The reinvestment focus, of ACR member derived funds are at the discretion of the SHMC with district specific input from DHMC. The Service acknowledges that maintenance delivered by ACR member derived funds is in addition to the maintenance and Minor Works programs which are administered by OCC. OCC is a member of the SHMC.

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15.23 Inspections

For QPS owned accommodation, the Service will undertake inspections to ensure the overall care and condition of the accommodation.

Inspections are to be undertaken by a commissioned officer or delegate, as endorsed by the District Housing Management Committee (DHMC).

Inspections (including scheduling) must comply with *Residential Tenancies and Rooming Accommodation Act*. Reference should be made to the Service Housing database for all relevant workflows and forms as referred to in this section.

Routine inspections

DHMC are responsible for ensuring inspections are undertaken at least once every 12 months. Where significant distances are involved, the DHMC may extend inspections beyond 12 months. An annual property inspection checklist should be used for recording inspection outcomes and relevant entries made in the QPS Housing database.

When a member enters/exits accommodation, DHMCs are to ensure an inspection is conducted using a Residential Tenancies Authority Form 1a (Entry Condition Report) and 14a (Exit Condition Report) and relevant entries made in the QPS Housing database. The provision and receipt of such forms should comply with the *Residential Tenancies and Rooming Accommodation Act.*

All smoke alarms must be checked at each inspection and batteries must be replaced immediately when required.

15.24 Inspection outcomes (QPS owned)

If an inspection identifies the need for fair wear and tear maintenance, the inspecting officer is required to report to the QBuild Maintenance Response Centre. QBuild will categorise the work and response priority times.

Should any minor or upgrade works be identified, the District Housing Management Committee will report to the State Housing Management Committee who are responsible for the Accommodation Contribution Reinvestment Program. This work will be prioritised and undertaken within the scope of this program, policy and legislation.

15.25 Inspections (leased unit of accommodation (UoA))

District housing management committees are not responsible for inspections of leased accommodation including Department of Housing and Public Works owned, unless explicitly stated within the lease agreement. Service members residing in leased accommodation must comply with inspection requirements as contained within the lease agreement specific to the relevant UoA.

15.26 Liability of member where abuse/neglect is identified

If an inspection of any QPS supplied housing identifies instances of abuse or neglect, the inspecting officer will direct the member to immediately remedy the situation. Such abuse or neglect is to be reported to the District Housing Management Committee and may result in the member's tenancy being ended and/or the member being excluded from occupying any other QPS supplied housing.

Should professional repairs or cleaning services be required to restore accommodation for future occupation, the member will be liable for any costs incurred.

15.27 Condition of premises at end of occupancy

At the end of the tenancy agreement, the condition of the accommodation should be consistent with the 'Cleaning Standard Factsheet' (fair wear and tear excepted). This is to ensure the premises are in a clean and habitable condition for the next member. Carpet cleaning and pest control requirements must be undertaken in accordance with the special terms contained within the tenancy agreement for single tenancy accommodation (see s. 15.29: 'Property management during occupancy' of this chapter).

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15.28 Vacant housing

If a Department of Housing and Public Works (DHPW) leased property cannot be utilised within four months of vacation, the District Housing Management Committee (DHMC) must advise Capital Assets and Facilities Management Group (CA&FMG) (as lease managers) and the property will be relinquished back to DHPW. If the Service seeks to retain a vacant DHPW leased unit of accommodation for a period exceeding four months, approval must be sought from DHPW via CA&FMG, in accordance with the QPS/DHPW Service Level Agreement. The DHMC must advise the Service House Management Committee in writing of any such instances.

The Service remains responsible for the maintenance of all vacant accommodation which is retained by the Service for the occupation of members. Vacant residences are to be monitored regularly as neglect may result in significant expense to the Service, (see s. 15.29: 'Property management during occupancy' for district's responsibilities when vacant).

The regional finance officer should be notified of periods of significant vacancy to enable a reduction to be claimed against any fringe benefits tax payable.

15.29 Property management during occupancy

The member, at their own expense, is required to keep the premises clean and in good repair in accordance with the special terms of the QPS tenancy agreement.

Pools and spas

Members are to clean any swimming pool, filter and spa equipment provided with the accommodation.

Mould

Members are to address small outbreaks of mould through targeted cleaning in accordance with Queensland Health guidelines, Queensland Government Mould Guide and QPS Mould Management Procedure. Where an outbreak is persistent, or significant in size, this is to be reported immediately to QBuild and inform Capital Assets and Facilities Management Group (CA&FMG)—BuiltAssets.Maintenance@police.qld.gov.au.

Asbestos

Members are not to undertake any maintenance or works where existing structural materials will be affected without prior consultation with CA&FMG—QPSHousing@police.qld.gov.au, as there may be a risk to health from asbestos. CA&FMG are to determine if any risk exists utilising the Built Environment Materials Information Register (BEMIR). Where available, asbestos registers are held against the address record in the QPS Housing database.

Smoke alarms

Members are to clean and test smoke alarms regularly and replace batteries when necessary.

Carpet cleaning and pest control

For single tenancy accommodation, pest control is to be carried out annually by the occupant; Far Northern and Northern Region residences are to be fumigated against Singapore ants.

If the residence is vacant for four months or more, the district is required to undertake pest control one week prior to the commencement of a new occupancy.

The district is responsible for carpet cleaning and pest control in multi-tenancy accommodation and operational areas of station/single tenancy accommodation (including neighbourhood police beats) biennially.

Pest control includes the internal and external fumigation treatment of general household pests (such as rodents, cockroaches, ants and spiders) as well as any environmental pests (such as Singapore ants in the Far Northern and Northern regions). Where pets have been kept at a premises, pest control includes internal and external fumigation treatment for fleas and ticks. Between fumigation treatments, pest control includes pest prevention by ensuring food is properly stored and using sprays and baits where necessary.

Property maintenance

Members are responsible for shrubs, lawn and garden maintenance during the tenancy. Large tree maintenance is the financial responsibility of the district.

If the residence is vacant for four months or more, the district is required to undertake lawn and garden maintenance and internal clean (if necessary) one week prior to the commencement of a new occupancy.

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15.30 Pets

Members may only keep a pet at a QPS supplied residence with the written approval of the DHMC. Applications are to be submitted via the *'QPS Housing Pet Application Form'*, prior to the member taking up occupancy. Where the residence is leased through the private market, the application is to be forwarded to the Capital Assets and Facilities Management Group who will seek approval from the property owner. Members must consider local government by-laws and where applicable, body corporate regulators prior to seeking approval to keeping a pet.

All applications must be assessed by the DHMC in accordance with the *Residential Tenancies and Rooming Accommodation Act*, and a written response provided to the member within 14 days. If approved, DHMCs must outline any conditions that are applicable to the member keeping the pet, including if the pet is allowed inside the premises. If not approved, the DHMC must provide written grounds on which the application is not approved, and the reasons for such refusal.

The member is responsible for repairing any damage to the residence, both indoor and outdoor, caused by the pet.

15.31 Furniture and equipment

Furniture and equipment may be provided to multiple tenancy dwellings at the discretion of the District Housing Management Committee (DHMC).

Where a residence is furnished with Service supplied furniture and/or equipment, an inventory is to form part of the tenancy agreement and is to be signed by members at the commencement of their tenancy and checked by the officer conducting the exit inspection.

Members are to obtain approval from the DHMC before removing any Service supplied furniture or equipment from QPS housing. The DHMC is to determine if the furniture or equipment can be stored or utilised within another residence in the same location prior to procuring a storage option. If a storage option is required, the cost is to be met by the district.

Loss or damage

Any loss or damage to furniture and equipment is to be reported to the DHMC as soon as practicable and if caused by means other than fair wear and tear, member/s may be required to make restitution of all costs associated with repair or replacement.

A determination of liability will be undertaken by the DHMC on a case by case basis and any loss is to be referred to the regional finance officer for advice and recording in the loss register.

15.32 Fixtures and fittings

Members are not to add, alter or remove any fixtures or fittings within any type of QPS supplied housing, unless prior approval has been obtained from Capital Assets and Facilities Management Group and the property owner (where the property is leased) via the District Housing Management Committee.

Members will not be recompensed for any unauthorised additions or alterations to fixtures or fittings and may be required to remove at the end of their tenancy. Removal of any unauthorised fixtures and fittings will be at the member's expense.

15.33 Disputes

If a member considers that they have been unfairly dealt with regarding the application of this chapter, the member may lodge a dispute to the District Housing Management Committee (DHMC).

If a dispute cannot be resolved at the DHMC, the matter may be referred to the relevant assistant commissioner for overview and escalation to the State Housing Management Committee (SHMC) if required. Any decision in relation to the dispute is to be consistent with the rights and responsibilities of the lessor and tenant in accordance with the *Residential Tenancies and Rooming Accommodation Act* as well as the specific tenancy agreement.

Any dispute applications which seek to waive charges associated with accommodation must be referred to the SHMC for determination. Whilst in most cases disputes will be resolved at the DHMC or SHMC levels, dispute resolution avenues are also available via the Residential Tenancies Authority and the Queensland Civil and Administrative Tribunal.

This section in no way limits or restricts the member's rights under any applicable Act, including the right to have an issue in dispute dealt with by external government bodies.

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Chapter 16 Standards and Discipline

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16.1 Discipline

The Commissioner is responsible for the efficient and proper administration, management and functioning of the Service, including the discipline of members (see s. 4.8: 'Commissioner's responsibility' of the PSAA and s. 7(k): 'Particular matters within scope of prescribed responsibility' of the Regulations). To fulfil this responsibility, the Commissioner may make guidelines relating to the disciplinary process (see s. 7.44: 'Guidelines' of the PSAA). This section and the Complaint Resolution Guidelines (see ESC webpage of the Service Intranet) exist to provide for fair and timely resolution of complaints and a system which identifies instances of unacceptable conduct and takes swift action to correct the behaviour and prevent a repeat of the conduct, primarily through management intervention strategies.

Scope

The Service consists of officers and staff members. For staff members, the Commissioner's responsibility is fulfilled in compliance with the PSAA and the *Public Sector Act* (PSA). Staff members, as well as officers, are integral members of the Service and will be treated and valued equally, while acknowledging their individual legislative and industrial entitlements.

Purpose

The purpose of discipline is to:

(i) maintain public confidence in the Service;

(ii) maintain the self-esteem of members of the Service;

(iii) maintain confidence in the ability of the Service to fulfil its statutory functions;

(iv) maintain proper standards of conduct for members of the Service (by specific and general deterrence principles);

(v) maintain the efficiency of the Service; and

(vi) protect the reputation of the Service.

Authorities

The following authorities are applicable to:

(i) officers:

(a) PSAA;

(b) Police Service Administration Regulation;

(c) *Crime and Corruption Act* (CCA);

(d) *Queensland Civil and Administrative Tribunal Act*; and

(ii) staff members:

(a) PSA;

(b) Public Sector Regulation;

(c) PSAA;

(d) CCA; and

(e) Public Service Directive No. 04/23: Appeals.

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16.1.1 The discipline system

The discipline system is a part of the overall performance management scheme employed by the Service. The effective management of conduct and performance is paramount to maintain public confidence in the Service.

General performance and conduct of a member are recorded through other systems such as the Development and Performance (DAP) system. The discipline system is to be used to record and deal with conduct which raises a reasonable suspicion a member may have committed a ground for disciplinary action. Where appropriate, outcomes and professional development strategies (PDS)/management actions (MA) are to be recorded on the DAP system to ensure the required improvements in behaviour are achieved and supervisors are provided with the information required to effectively manage their staff. Access to the DAP system is restricted to members and their supervisor. Members are entitled to have a support person, union representative or legal representative to assist them in the process.

One of the primary aims of the complaint system is to improve performance by providing appropriate training and guidance to members whose conduct has come into question due to an identified underlying issue. A member's willingness to show insight into their behaviour and take part in PDS/MA may alleviate the need to impose more arduous action to improve behaviour. Integrity, however, is the essential quality required to be a member. Members found to be lacking in integrity can expect to be dealt with in an appropriate manner.

Line supervisors are an integral part of maintaining appropriate standards of discipline within the Service. Supervisors have a crucial role in setting and maintaining standards throughout the Service. Supervisors should also be involved in drafting and implementing PDS/MA to correct subject member behaviour which needs to be improved.

PDS/MA should:

(i) be simple, effective, transparent and fair; and

(ii) provide measurable outcomes for subject members.

The Service recognises there will be instances of misconduct which are so serious, repeated in nature or of such public concern that disciplinary action provided for in the PSAA or PSA, may need to be imposed. Discipline is not meant to be punitive in nature and any disciplinary action must be imposed with the objectives of improving performance and protecting the reputation of the Service.

For further information see the Complaint Resolution Guidelines available on the ESC SharePoint page.

16.1.2 The complaint system

Receipt and assessment of complaints

A complaint against a member may be received by either the Crime and Corruption Commission (CCC) or the Service. On receipt of a complaint, nominated members of the CCC and/or the Service will assess the complaint and determine the organisation which will manage the complaint. For further information see the Complaint Resolution Guidelines available on the ESC SharePoint page.

Investigations

The disciplinary system is not intended to be legalistic or adversarial in nature. Investigations are to be conducted in a timely manner and in compliance with natural justice and the principles of procedural fairness. Flexible strategies may be employed by investigators to enable timely resolution of complaints providing they comply with all relevant legislation, policy and guidelines. Where appropriate, such strategies may include email requests for versions and early contact with the subject member. Once sufficient evidence has been obtained to establish the truth of a matter under investigation, an investigator should look at strategies to resolve the matter as soon as possible.

For staff members, before an investigation can be commenced for a matter relating to work performance, there must be evidence of management action, alternative dispute resolution or performance management strategies being taken.

For further information see the Complaint Resolution Guidelines available on the ESC SharePoint page.

Investigating complaints with criminal aspects

Due to the nature of policing duties, some complaints will deal with allegations which may constitute criminal (or regulatory) offences as well as grounds for discipline. As a general rule, consideration will be given to criminal allegations before considering disciplinary matters. Members detailed to investigate criminal aspects of a complaint are acting in their capacity as an officer and may utilise their powers pursuant to the PPRA. Members detailed to investigate disciplinary aspects of a complaint are acting in their capacity as a representative of the employer and may use appropriate powers provided by the PSAA. Information obtained using powers pursuant the PPRA must not be used in the workplace investigation. Similarly, any information obtained using powers provided by the PSAA must not be used in a criminal investigation. For further details about this issue and other matters such as natural justice and double jeopardy see the Complaint Resolution Guidelines available on the ESC SharePoint page.

Investigation outcomes

Once an investigation is finalised, a report is to be forwarded to the responsible case manager with appropriate recommendations concerning whether there is sufficient evidence to support the allegations.

Where professional development strategies (PDS)/management actions (MA) are sufficient to address the conduct, the complaint may be finalised by local management resolution (LMR). A LMR plan will be developed by the subject member's OIC/manager in consultation with the subject member.

For police officers, where PDS are insufficient to address the alleged conduct and disciplinary action is required to resolve a matter to fulfil the purpose of discipline, the responsible case manager will forward the complaint to the Discipline Referral Unit for consideration of whether the complaint is to be referred to a prescribed officer in State Discipline. Where a complaint is referred to a prescribed officer, the prescribed officer may commence a disciplinary proceeding where they reasonably believe a ground for disciplinary action against the subject member exists. The standard of proof for disciplinary proceedings is the civil standard on the balance of probabilities. Subject members who are subjected to disciplinary action are entitled to appeal any action taken against them pursuant to the relevant legislation.

If a disciplinary proceeding is required to resolve an allegation against an officer, an Abbreviated Disciplinary Proceeding (ADP) may be commenced with the agreement of the CCC. The ADP will provide the opportunity for a subject officer to resolve a complaint in a timely fashion with a known outcome.

For staff members, where MA are insufficient to address the alleged conduct, the responsible case manager will forward the complaint to a decision maker in State Discipline who has delegated authority to take disciplinary action against a

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staff member. The delegated decision maker may commence a disciplinary proceeding where they reasonably believe there is a ground for disciplinary action against the subject member.

For further information see the Complaint Resolution Guidelines available on the ESC SharePoint page.

Timeliness

The purpose of discipline is best served when complaints are resolved in a timely manner. At all stages of the disciplinary process investigators are to be cognisant of the time limitations for commencing disciplinary proceedings against officers (see s. 7.12: 'When disciplinary proceeding must be started' of the PSAA). The Service will use these time limitations as aspirational goals for any disciplinary proceedings against staff members. For serious matters, proceedings for corrupt conduct can still be considered pursuant to the *Crime and Corruption Act*. Appropriate professional development strategies can be imposed at any time and are not affected by time limitations.

Commissioner's direction (does not apply to criminal investigations)

The Commissioner has lawfully directed all members to truthfully, completely and promptly answer any question put to them by a member conducting a workplace or administrative investigation or inquiry (see s. 4.9: 'Commissioner's directions' of the PSAA). The requirement for members of the Service to answer all questions directed to them truthfully, completely and promptly and to comply with any lawful direction applies throughout the workplace investigation and during any subsequent disciplinary proceeding.

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