

OmbudsmanSA

Ombudsman SA

Investigation arising from a death at the Echunga Police
Training Reserve on 4 October 2016 | October 2019



OmbudsmanSA

Investigation of a matter referred to the Ombudsman pursuant to section 24(2)(a) of the *Independent Commissioner Against Corruption Act 2012* concerning the Department of Planning, Transport and Infrastructure and the South Australian Police Department.

Ombudsman ref: 2018/03368

DPTI ref: 2018/03474/01

SAPOL ref: A2017-0002

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SENSITIVE: *Independent Commissioner
Against Corruption Act 2012*

(unless and until authorised by the Ombudsman)

Introduction

On the evening of 4 October 2016 the body of Ms Debra Summers, a casual cook and cleaner employed by the South Australian Police Department (**SAPOL**), was discovered in a walk-in freezer located at the Echunga Training Reserve, a facility staffed and operated by SAPOL.

A police inquiry was launched into the death of Ms Summers. That inquiry concluded that Ms Summers had become trapped in the freezer while working alone at the facility. SAPOL identified that an emergency door-release mechanism fitted to the freezer was not functioning correctly, rendering it largely inoperable on the evening in question.

At the time of Ms Summers' death, items of plant and equipment at the Echunga Training Reserve were serviced by the Department of Planning, Transport and Infrastructure (**DPTI**) under the Across Government Facilities Management Arrangement (**AGFMA**). Under this arrangement, DPTI was responsible for providing preventative maintenance services at the facility.

Prior to the fatality, the walk-in freezer was not included on the schedule of items requiring preventative maintenance at the Echunga Training Reserve and, consequently, the emergency release mechanism was not regularly tested or serviced. Whether the freezer should have been included on the preventative maintenance schedule remains a point of contention between SAPOL and DPTI.

Under the AGFMA, DPTI was responsible for undertaking regular audits and inspections of the government worksites falling within its service responsibility for the purpose of identifying all items of plant and equipment that required preventative maintenance. In the course of its inquiry into the death of Ms Summers, SAPOL formed the view that the Echunga Training Reserve had not been inspected by DPTI for approximately nine years.

On the information available to it, SAPOL also formed the view that DPTI had failed to regularly inspect the majority of SAPOL's other worksites. The Independent Commissioner Against Corruption (**the Commissioner**) subsequently referred the matter to my Office as raising potential issues of misconduct and maladministration in public administration on the part of SAPOL, DPTI and their respective public officers.

On receipt of the referral I commenced a full investigation into the matter under the *Ombudsman Act 1972*. In conducting the investigation, it quickly became apparent that there was considerable disagreement between SAPOL and DPTI as to the extent of DPTI's preventative maintenance obligations to SAPOL, as well as to other participating agencies, under the AGFMA.

According to SAPOL's interpretation of the arrangements, DPTI was required to regularly attend and inspect SAPOL's worksites in order to verify that all items requiring preventative maintenance were being appropriately serviced. In SAPOL's view, the omission of the walk-in freezer from the Echunga Training Reserve's preventative maintenance schedule was emblematic of DPTI's failure to properly inspect the worksites falling under its responsibility and review the accuracy of the data in its systems.

Until recently, DPTI took a very different view of its responsibilities under the AGFMA. It considered that its obligation to inspect and audit the worksites falling under its service responsibility did not necessarily require it to conduct regular physical site inspections. In DPTI's view, the AGFMA process required participating agencies to nominate assets requiring preventative maintenance and to take ultimate responsibility for information included in the preventative maintenance schedules prepared by DPTI and approved by the agencies.

SAPOL and DPTI have each taken steps to remedy the issues that came to light as a result of the death of Ms Summers. In the aftermath of the fatality, SAPOL and DPTI agreed for external audits to be undertaken in respect of several SAPOL worksites. Following those audits, DPTI formed an Asset Assurance and Inspection Unit and developed a set of criteria for the regular inspection of all worksites falling under its service responsibility. Among other things, it also overhauled its guidelines relating to the preventative maintenance of walk-in freezers of the kind at the Echunga facility.

For its part, SAPOL has implemented a number of measures to better ensure that items requiring preventative maintenance are identified by its staff and nominated through the AGFMA processes. Immediately after the fatality, it decommissioned the walk-in freezer and arranged for an external audit of the Echunga Training Reserve's preventative maintenance schedule. It was instrumental in convincing DPTI to audit its other worksites and, ultimately, in ensuring that DPTI reformed its approach to its inspection responsibilities.

SAPOL and DPTI were each prosecuted under the *Work Health and Safety Act 2012* in respect of the Echunga fatality. SAPOL acknowledged its guilt at the earliest available opportunity and was ordered to pay a substantial fine. The charges against DPTI were withdrawn after it agreed to enter into an enforceable undertaking requiring, among other things, that it arrange for an across-government review into the division of responsibilities under the AGFMA framework and its communications with the participating agencies in respect of the same. In accordance with the enforceable undertaking, DPTI has also commissioned a work, health and safety review of the AGFMA framework and is on track to implement all of the recommendations arising from this process.

In light of some of these developments, I gave serious consideration to discontinuing this investigation. In doing so, I noted the degree to which the parties appeared to have already remedied potential inadequacies in their processes and I asked myself whether, in the circumstances, the investigation was likely to result in any further meaningful administrative improvement.

I ultimately determined to proceed with the investigation, not because I held any great concerns about the remedial action carried out by the parties, but because it appeared to me that, notwithstanding the changes it had implemented, DPTI remained unwilling or unable to acknowledge that there were serious problems with how it purported to discharge its inspection and audit responsibilities prior to the fatality. In the circumstances, it appeared that there was little preventing DPTI from regressing into its old practices.

Before it received my provisional report, DPTI asserted that there were no systemic issues with the provision of preventative maintenance services under the AGFMA prior to the events of October 2016. In content and in tone DPTI's response appeared more concerned with DPTI's liability in respect of the Echunga fatality than with the identification of poor administrative practices and their possible rectification.

SAPOL's response to the investigation was in stark contrast to DPTI's. SAPOL readily conceded that it had been responsible for ensuring that its facilities were regularly inspected and that it had largely failed to do so prior to the Echunga fatality.

The investigation examined the practices of DPTI and SAPOL in light of the allegations referred by the Commissioner. In doing so, the investigation considered the AGFMA framework and the various administrative arrangements and instructions relating to it, as well as submissions from DPTI and SAPOL as to how the framework operated and was to be interpreted.

Among other things, the investigation also reviewed witness statements prepared by SAPOL in connection with the Echunga fatality, records extracted from the AGFMA information

systems and the results of the external audits concerning the Echunga Training Reserve and other SAPOL worksites following the fatality.

The investigation ultimately concluded that both DPTI and SAPOL had committed maladministration in public administration.

The investigation found that, prior to the fatality at the Echunga Training Reserve, DPTI had failed to undertake regular and meaningful inspections of the worksites falling within its service responsibility, contrary to its obligations under the AGFMA framework.

The investigation found that DPTI had been placed on notice that critical items of plant and equipment were being omitted from the preventative maintenance program applying to SAPOL's worksites in July 2015, when SAPOL supplied DPTI with a report warning that the processes in place at that time presented an unacceptable risk to the safety of SAPOL's workers.

The investigation found that, among other things, DPTI's failure to conduct regular and meaningful site inspections under the AGFMA framework had created an unreasonable risk to the health and safety of persons using government premises.

The investigation found that, prior to the Echunga fatality, SAPOL had also failed to ensure that its worksites were regularly inspected by DPTI in accordance with the AGFMA framework. As in the case of DPTI, the investigation found that SAPOL had identified systemic issues with the preventative maintenance program concerning its worksites but had failed to meaningfully address these concerns prior to the fatality. As with DPTI, the investigation found that SAPOL's practices had created an unreasonable risk to the health and safety of persons using SAPOL's premises.

I was pleased when, following receipt of my provisional report, DPTI formally acknowledged that there were a number of inadequacies in its AGFMA processes prior to the Echunga fatality. In its response to the report, DPTI indicated that it was prepared to accept my views about its former practices, albeit subject to the request that I reconsider some of those views. I have considered DPTI's position and have made some modifications to the report; however, the substantive conclusions remain the same.

Consistent with its prior engagement with the investigation, SAPOL did not take issue with my conclusions concerning its practices.

What, if anything, should follow this investigation? The report makes several recommendations to DPTI that are intended to supplement the changes it has already made to its practices. Those recommendations have been re-formulated in light of submissions made by DPTI in response to my provisional report. At the same time, they are not the precise recommendations that DPTI would have me make.

Most significantly, I have included an additional recommendation to the state government aimed at ensuring that DPTI is adequately resourced to implement a program of regular and meaningful site inspections, as was originally envisaged by DPTI's Asset Assurance and Inspection Unit. I would be concerned if that inspection program, which in my view already strikes an appropriate balance between considerations of safety, risk and value for money, was scaled back due to budgetary constraints.

I am hopeful that DPTI and the state government will give my recommendations favourable consideration.

Finally, it should be emphasised that the report expresses no conclusions as to which agency, if any, was primarily responsible for the death of Ms Summers. That issue was not referred to my Office for investigation.

Glossary

AGFMA	Across Government Facilities Management Arrangement
Commissioner	Independent Commissioner Against Corruption
DPTI	Department of Planning, Transport and Infrastructure
DPTI-FS	Facilities Services division of the Department of Planning Transport and Infrastructure
FAMIS	Facilities Management Information System
FMS Framework	Facilities Management Services Framework
FMSU	Facility Management and Strategy Unit of the Physical Assets Service Branch of South Australia Police
ICAC Act	<i>Independent Commissioner Against Corruption Act 2012</i>
PASB	Physical Assets Service Branch of South Australia Police
SAMIS	Strategic Asset Management Information System
SAPOL	South Australian Police Department
Service Agreement	Facilities Management Service Agreement endorsed by the Commissioner of Police
Service Level Guidelines	Service Level Guidelines that replaced the Facilities Management Service Agreement
Spotless	Spotless P & F Pty Ltd
Referral	The referral from the Independent Commissioner Against Corruption to the Ombudsman pursuant to section 24(2)(a) of the <i>Independent Commissioner Against Corruption Act 2012</i>
Work Procedure Manual	Agency Work Procedure Manual issued by the Department of Planning, Transport and Infrastructure

Jurisdiction

This matter was referred to the Ombudsman by the Independent Commissioner Against Corruption pursuant to section 24(2)(a) of the *Independent Commissioner Against Corruption Act 2012* (ICAC Act) as raising potential issues of misconduct and maladministration in public administration within the meaning of that Act (**the referral**).

Section 14B of the *Ombudsman Act 1972* provides:

14B—Referral of matter by OPI or ICAC

- (1) If a matter is referred to the Ombudsman under the ICAC Act, the matter—
 - (a) will be taken to relate to administrative acts for the purposes of this Act; and
 - (b) must be dealt with under this Act as if a complaint had been made under this Act and—
 - (i) if the matter was the subject of a complaint or report under the ICAC Act—as if the person who made the complaint or report under that Act was the complainant under this Act; or
 - (ii) if the matter was assessed under that Act after being identified by the Commissioner acting on the Commissioner’s own initiative or by the Commissioner or the Office in the course of performing functions under any Act—as if the Commissioner was the complainant under this Act.
- (2) In this section—

Commissioner means the person holding or acting in the office of the Independent Commissioner Against Corruption under the ICAC Act;

ICAC Act means *Independent Commissioner Against Corruption Act 2012*;

Office means the Office for Public Integrity under the ICAC Act.

The referral gives rise to two primary issues:

1. Whether DPTI committed maladministration in public administration by failing to conduct regular inspections of designated worksites under the Across Government Facilities Management Arrangement.
2. Whether the South Australian Police Department committed maladministration in public administration by failing to ensure that its worksites were regularly inspected under the Across Government Facilities Management Arrangement.

The terms of the referral also encompassed the conduct of DPTI and SAPOL’s respective public officers. Having regard to the turnover in relevant staff and the nature and extent of the practices observed prior to the Echunga fatality, I determined to focus my consideration on the question of maladministration at the agency level.

I have exercised my ‘own initiative’ investigation power under section 13(2) of the Ombudsman Act to determine whether the facts relevant to the referral give rise to conclusions about deficient administrative acts for the purposes of section 25(1) of the Ombudsman Act.

Investigation

The investigation has involved:

- assessing the information provided to the Office for Public Integrity
- seeking and considering a response from SAPOL
- seeking and considering a response from DPTI
- clarifying the information provided by SAPOL and DPTI and seeking further information from each agency
- meeting with representatives of SAPOL and DPTI
- reviewing documents and other materials relevant to the AGFMA, including:
 - the Service Agreement and Service Level Guidelines endorsed by SAPOL
 - the Facilities Management Services Framework
 - the Agency Work Procedure Manual
 - the contract for services between the Crown and Spotless P & F Pty Ltd
 - records extracted from the Strategic Asset Management Information System and the Facilities Management Information System
- reviewing witness statements and other records compiled for the purposes of SAPOL's internal inquiry into the Echunga fatality
- reviewing other records compiled after or in response to the fatality, including:
 - the results of external audits concerning the Echunga Training Reserve and other SAPOL worksites
 - SAPOL's report into the Echunga fatality
 - information relating to the SafeWork SA prosecution
- considering:
 - the Work Health and Safety Act
 - the Ombudsman Act
 - the ICAC Act
- preparing a provisional report and seeking the views of SAPOL and DPTI
- considering SAPOL and DPTI's response to the provisional report
- preparing this final report.

The standard of proof I have applied in my investigation and report is on the balance of probabilities. However, in determining whether that standard has been met, in accordance with the High Court's decision in *Briginshaw v Briginshaw* (1938) 60 CLR 336, I have considered the nature of the assertions made and the consequences if they were to be upheld. That decision recognises that greater care is needed in considering the evidence in some cases.¹ That principle is best summed up in the decision as follows:

The seriousness of an allegation made, the inherent unlikelihood of an occurrence of a given description, or the gravity of the consequences flowing from a particular finding, are considerations which must affect the answer to the question whether the issue has been proved ...²

¹ This decision was applied more recently in *Neat Holdings Pty Ltd v Karajan Holdings Pty Ltd* (1992) 110 ALR 449 at pp. 449-450, per Mason CJ, Brennan, Deane and Gaudron JJ.

² *Briginshaw v Briginshaw* at pp. 361-362, per Dixon J.

The Across Government Facilities Management Arrangement

1. The AGFMA is a Cabinet-approved framework for the provision of asset management services to government agencies across the South Australian public sector.
2. The AGFMA is intended, among other things, to reduce the costs associated with maintaining and operating government-owned land and assets through economies of scale and to improve forward planning, asset maintenance and risk management in respect of government assets and infrastructure.
3. Under the AGFMA, participating government agencies source certain asset management services through two designated service providers, one being an administrative unit of DPTI.
4. Services falling within the scope of the AGFMA include:
 - planned services, such as preventative maintenance and the planned replacement or refurbishment of assets
 - unplanned services, such as breakdown maintenance and the unplanned replacement or refurbishment of assets
 - property services, such as grounds maintenance, security services and waste management services.
5. The terms of the relevant Cabinet approval stipulate that the majority of government agencies are to participate in the facilities management processes established under the AGFMA.
6. Individual agencies enter into the AGFMA by executing an administrative agreement with DPTI. Most government agencies have done so, with notable exceptions being Housing SA and Ambulance Services.
7. Ombudsman SA does not receive services under the AGFMA.

DPTI

8. DPTI is responsible for South Australia's planning policy, transport system and public infrastructure. At all material times DPTI has administered the AGFMA as contract administrator.
9. During the period relevant to the investigation DPTI had a Safety and Service Division which was comprised of four directorates, including an Asset Management Directorate.
10. The Asset Management Directorate was in turn comprised of various business units, including the AGFMA Section and DPTI Facilities Services (**DPTI-FS**). Following a restructure, these units now sit within DPTI's Across Government Services Division.
11. The AGFMA Section is responsible for administering the AGFMA at a strategic level. During the period relevant to the investigation it included, among other persons, a Section Manager, a Principal Contract Manager, a Service Manager and various 'Agency Advocates'.
12. DPTI-FS is distinct from the AGFMA Section and provides facilities management services under the AGFMA at an operational level. It is the designated service provider for approximately 4,459 worksites across South Australia, including 138 sites operated by SAPOL.
13. DPTI-FS employs a number of 'Facilities Managers'. Participating agencies may contact these individuals to obtain quotes for work orders under the AGFMA. DPTI-FS may then subcontract the work out or have the work performed by its own staff. In practice, a significant body of work is subcontracted out and then overseen by DPTI-FS.

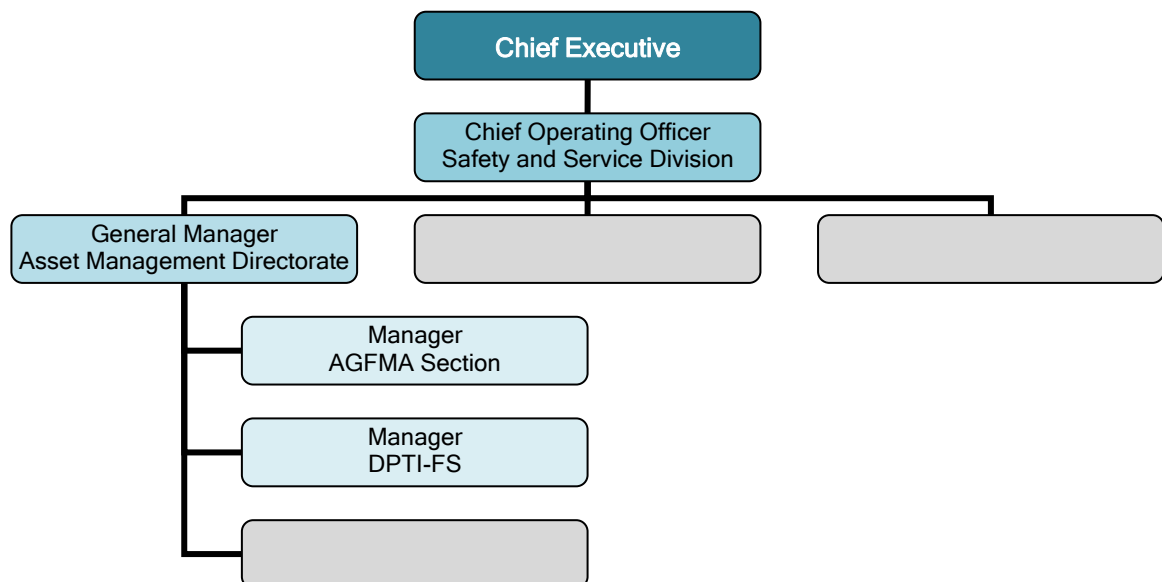


Figure 1: Simplified DPTI organisational chart depicting the administrative units with AGFMA responsibilities, as at approximately February 2017 (DPTI; Ombudsman SA)

SAPOL

14. SAPOL has participated in the AGFMA since approximately 1998.
15. SAPOL's administrative wing is divided into four services, all of which report to the Commissioner of Police. Services are then divided into branches, sections and so on. Each service is overseen by an Assistant Commissioner of Police and has its own Planning and Audit Officer.
16. The Physical Assets Service Branch (**PASB**) sits within SAPOL's Business Service. PASB is responsible, among other things, for SAPOL's strategic asset management and planning, property management for corporate sites and for the oversight of capital works projects relating to SAPOL's physical assets. PASB is also responsible for breakdown maintenance at a strategic level across SAPOL.
17. Each SAPOL service is responsible for initiating, managing and approving breakdown maintenance requests via the AGFMA or other public-private partnership arrangements, as applicable.
18. The Facility Management and Strategy Unit (**FMSU**) sits within PASB and is responsible for initiating, managing and approving breakdown maintenance requests in respect of corporate sites.

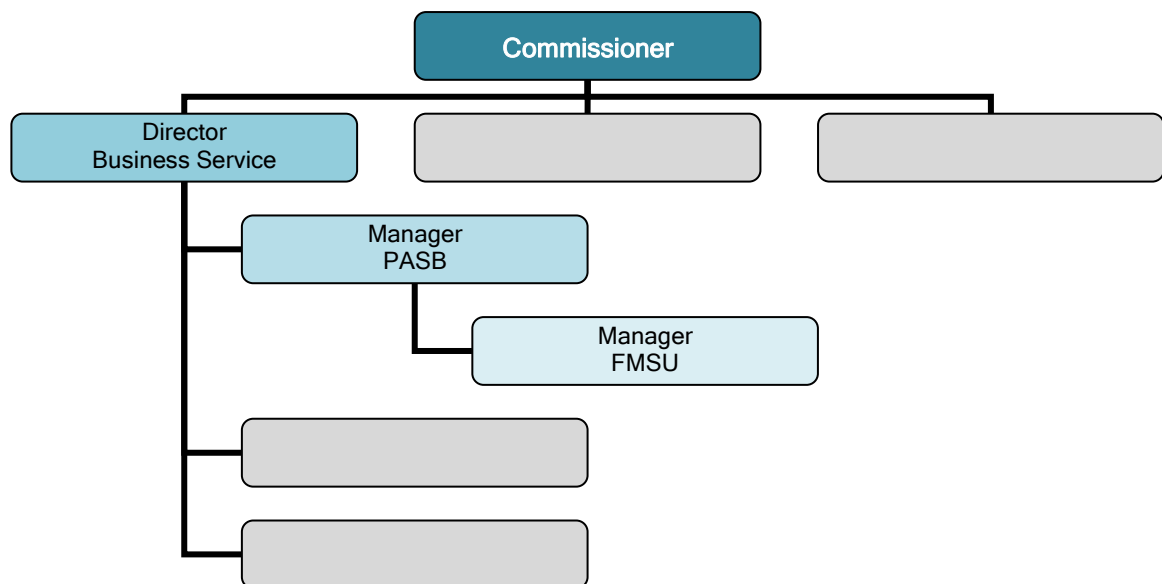


Figure 2: Simplified SAPOL organisational chart depicting the administrative units with AGFMA responsibilities, as at approximately October 2016 (SAPOL; Ombudsman SA)

The Service Agreement and Service Level Guidelines

19. From approximately April 2008 until July 2015, SAPOL participated in the AGFMA in accordance with a Facilities Management Service Agreement endorsed by the Commissioner of Police (**the Service Agreement**). In approximately July 2015 the Service Agreement was replaced with a set of Service Level Guidelines (**the Service Level Guidelines**).
20. There are four geographic regions for the purposes of the AGFMA. Prior to July 2015, DPTI-FS was responsible for the regions designated as 'Metropolitan Region A' and 'Regional South Australia' and Spotless P & F Pty Ltd (**Spotless**) was responsible for the regions designated as 'Metropolitan Region B' and 'Metropolitan Region C'.
21. The boundaries of the metropolitan regions were expanded under the 2015 Service Level Guidelines. The regions were also renamed at this time. Since July 2015 DPTI-FS has been responsible for the regions designated as 'Region S' (broadly encompassing the southern Adelaide metropolitan area) and 'Regional SA'. Spotless is in turn responsible for the regions designated as 'Region N' and 'Region C' (broadly encompassing the northern and central Adelaide metropolitan areas, respectively).
22. Under the arrangement, DPTI-FS and Spotless are formally designated as 'facilities management service providers'.
23. Both the Service Agreement and the Service Level Guidelines set out the services to be provided by the facilities management service providers, including, relevantly, the provision of preventative maintenance to agency worksites.
24. Preventative maintenance was defined in the Service Agreement as 'maintenance undertaken to ensure that an asset continues to deliver the specified performance.'
25. The Service Level Guidelines provide a more expansive definition of the term:

Preventative maintenance services are planned services and comprise of services undertaken to ensure that:

 - a site continues to deliver the specific performance required by the agency consistent with its asset management plan by the continued operation of building fabric, plant and equipment as originally specified;
 - the expected life of building fabric, plant and equipment is achieved by undertaking maintenance at regular recommended intervals according to PR [preventative maintenance] schedules and technical data schedules where provided or, where appropriate, in accordance with manufacturers' recommendations and;
 - systematic inspection, detection and observation take place in a timely manner to prevent premature failure.
26. Both the Service Agreement and the Service Level Guidelines set out various common objectives relevant to the AGFMA and require that DPTI and SAPOL undertake a collaborative approach to the arrangement. The documents do not assign specific contractual obligations to the parties but identify specific 'roles and responsibilities'.

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27. The Service Agreement provided that SAPOL, as asset owner, was, among other things, expected to:
- collaborate with DPTI and the service providers to achieve the common AGFMA objectives
 - undertake portfolio and asset planning using the historical information derived from relevant asset management systems
 - specify the service needs and standards in consultation with the service providers
 - determine the work to be undertaken over a specific period of time based on the relevant asset plan
 - verify that work was carried out in accordance with requirements.
28. Under the Service Agreement, DPTI, as contract administrator, was, among other things, expected to
- collaborate with SAPOL and the service providers to achieve the common AGFMA objectives
 - manage the performance of the service providers and monitor the effectiveness of services provided
 - carry out regular reviews of the arrangements, with input from the participating agencies
 - maintain the computer systems and databases required for the proper administration and verification of the service providers' work and performance.
29. The Service Level Guidelines assign responsibilities to DPTI's AGFMA Section (as contract administrator), DPTI-FS and SAPOL.
30. Under the Service Level Guidelines, DPTI's AGFMA section is, among other things, expected to:
- administer the service arrangements
 - provide advice on the scope of services included under the arrangements
 - ensure the service providers provide value for money services
 - audit the works and services undertaken by the service providers.
31. Under the Service Level Guidelines, DPTI-FS is, among other things, expected to:
- provide facilities management services to all SAPOL sites
 - ensure planned maintenance programs are developed in liaison with SAPOL representatives
 - deliver planned maintenance services in accordance with a schedule that is discussed, planned and approved during annual meetings with the agency
 - provide expert technical and design advice concerning facilities issues and projects
 - provide services in a manner that is as close as practicable to the requirements applying under the contract with Spotless.
32. Under the Service Level Guidelines, SAPOL is, among other things, expected to:
- promote the AGFMA in regular communications with its worksites
 - distribute and comply with the AGFMA Agency Work Procedure Manual
 - provide information to facilitate the development of annual estimated budgets
 - define and agree to service requirement specifications and expectations and determine the work to be undertaken over a specific period of time based on its own strategic asset management plan
 - monitor project delivery through to completion.

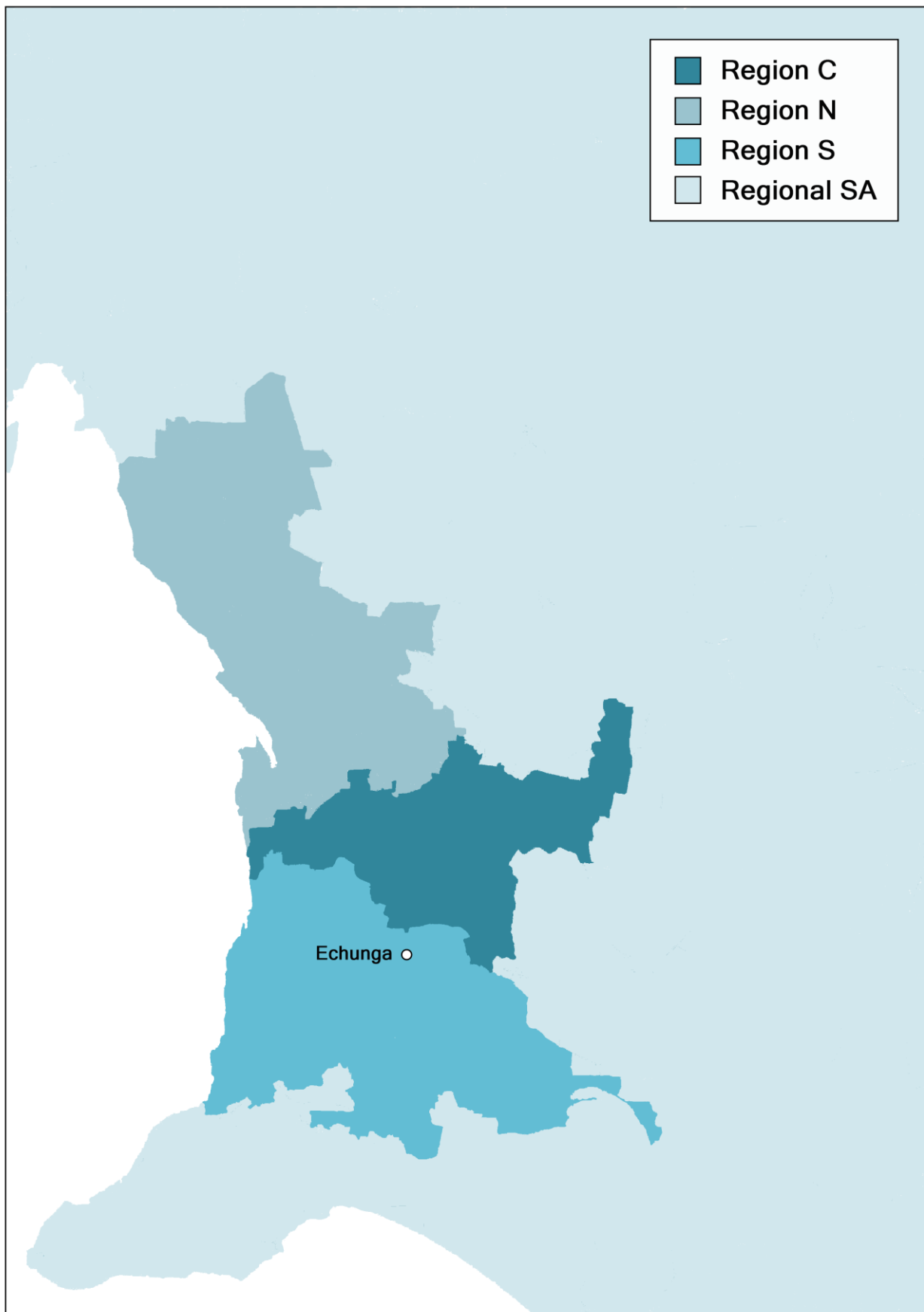


Figure 3: Map displaying the AGFMA service region boundaries and the approximate location of the Echunga Training Reserve (DPTI; Ombudsman SA)

The FMS Framework

33. There is also a Facilities Management Services Framework (**FMS Framework**) which sets out the manner in which DPTI-FS is expected to provide facilities management services under the AGFMA in respect of the regions falling under its responsibility. SAPOL is not a party to the FMS Framework.
34. There are two versions of the FMS Framework relevant to the investigation. The first is dated 2011–2012 and the second is dated 2015–2024. The former version of the document was observed until July 2015.
35. As in the case of the Service Agreement and Service Level Guidelines, the FMS Framework seeks to reinforce a collaborative approach to facilities maintenance between the agency, DPTI-FS and DPTI's AGFMA Section.
36. Under the FMS Framework, DPTI-FS is required to prepare and supply service delivery plans and budgets to each agency prior to the start of each year. The agency is then provided an opportunity to approve or reject these documents.
37. The FMS Framework introduces the concept of 'designated locations', being agency worksites at which DPTI-FS is required to carry out reimbursable services including preventative maintenance.
38. The FMS Framework requires DPTI-FS to regularly consult with each agency, carry out inspections of each designated location and review documents, information and data as necessary to:
 - fully inform itself as to the requirements (including any changed requirements) of each agency for facilities management services at each designated location; and
 - enable it to ensure that at all times the facilities management services are directed towards meeting the current requirements of the agency.
39. The FMS Framework also requires that DPTI provide documents and information and consult with each agency as necessary to ensure that the agency is fully informed as to:
 - the facilities management services which DPTI-FS is performing at the agency's designated locations; and
 - any instructions or other assistance DPTI-FS requires from the agency to enable it to perform those services.
40. The FMS Framework requires that DPTI-FS maintain a plant and equipment register that includes all items of plant and equipment requiring preventative maintenance at each designated location, specifying in each case:
 - the designated location of the item
 - a description of the item
 - an identifier of the item
 - the quantity of the item
 - the type and frequency of maintenance required for the item by law
 - the year in which the item is assessed as reaching its end life.
41. Under the FMS Framework, DPTI-FS is required to undertake an annual audit of designated locations to determine all items of plant and equipment that require preventative maintenance.³

³ The current version of the document also extends to items of building fabric.

42. DPTI-FS is also required to prepare a revised Inspection, Testing and Audit Plan prior to the start of each year, to ensure that:
- the designated locations remain at all times in a proper operating condition
 - facilities management services are at all times being conducted as required under the FMS Framework
 - all users of the designated location are safe, there is minimal disruption to normal operation of the designated locations and relevant statutory requirements are being adhered to.
43. DPTI-FS is required to adhere to the Inspection, Testing and Audit Plan in carrying out all inspections, tests and audits in respect of the facilities management services and designated locations falling under its responsibility. Under the FMS Framework, DPTI-FS in any case must ensure that it carries out such inspections, tests and audits as are necessary to ensure that the above goals are met.

Table 1: Summary of DPTI-FS's audit and inspection responsibilities under the FMS Framework (Ombudsman SA)

Source	Activity	Purpose	Frequency
Clause 9.1	Consult with each agency, inspect each worksite and review documents, information and data	To fully inform itself of the requirements of each agency and to ensure that services are directed towards meeting those requirements	Regularly, as necessary to achieve the aforementioned purpose
Clause 13.8	Audit each worksite	To determine all items of plant and equipment requiring preventative maintenance	At least once per year
Clause 15.2	Carry out inspections, tests and audits of worksites and services provided under the AGFMA	To ensure that services are being provided in a manner that maintains each worksite in a proper operating condition and as otherwise required under the FMS Framework	As necessary to achieve the aforementioned purpose

44. Under the FMS Framework, DPTI-FS is expected to comply with the work, health and safety obligations of a 'person with management or control of fixtures, fittings or plant at a workplace' within the meaning of the Work Health and Safety Act.
45. The FMS Framework otherwise requires that DPTI-FS deliver facilities management services 'safely as so as to fully protect persons and property' and 'undertake all things necessary to ensure the safety of all persons [...] using any designated location.'

The Agency Work Procedure Manual

46. There is also an Agency Work Procedure Manual concerning the AGFMA (**the Work Procedure Manual**). The stated purpose of this document is to provide 'internal guidance' to agencies participating in the AGFMA.
47. The Agency Work Procedure Manual is qualified by a disclaimer which states that the manual does not 'alter or affect the respective rights, obligations and liabilities of the parties under any contract or Framework.'
48. The Work Procedure Manual clarifies the nature and purpose of preventative maintenance under the AGFMA:

11.1. Preventative maintenance information

Preventative maintenance comprises those FM services undertaken to ensure that:

- an asset continues to deliver the specific performance by the continued operation of building fabric, plant and equipment as originally specified;
- the expected life of building fabric, plant and equipment is achieved by undertaking maintenance at regular recommended intervals according to PR schedules and technical data schedules where provided or, where appropriate, in accordance with manufacturers recommendation's and;
- systematic inspection, detection and observation takes place in a timely manner to prevent premature failure.

Preventative maintenance also comprises those facilities management services undertaken to ensure that Statutory Requirements including requirements under Work Health and Safety ("WHS") legislation are met.

49. The Work Procedural Manual introduces the concept of 'mandatory' and 'recommended' preventative maintenance.
50. 'Mandatory' preventative maintenance comprises:
 - services that must be carried out to satisfy Statutory Requirements such as fire services, maintenance of residual current devices, back flow prevention devices, cooling towers, exit lights and compliance with WHS legislation.
51. The Work Procedure Manual specifies that items that receive mandatory preventative maintenance 'have an associated technical data schedule [...] detailing the type and frequency of servicing required.'
52. The Work Procedure Manual defines 'recommended' preventative maintenance as services which are carried out 'to satisfy the maximum serviceable life of building fabric, plant and equipment'. According to the Manual, the provision of these services is 'not necessary to satisfy Statutory Requirements and is to be developed in conjunction with Agencies according to their Service Delivery Budgets.'
53. The Work Procedure Manual specifies certain responsibilities regarding the preparation of the preventative maintenance service delivery plans and budgets. These responsibilities are divided between the agency, the AGFMA contract administrator (being the Chief Operating Officer of DPTI's Safety and Service Division) and the facilities management service provider (being DPTI-FS or Spotless).

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54. Under the Work Procedure Manual, both the agency and the contract administrator are responsible for confirming the available budget for preventative maintenance at each designated location, the 'level of expectation of the performance of preventative maintenance services', and the priority to be afforded to services to be included in the final preventative maintenance service delivery plan in respect of each designated location.
 55. The agency is also required to provide DPTI-FS access to the designated locations and other relevant information to assist in preparation of the service delivery plan.
 56. The Work Procedure Manual specifies that during the annual planning period, DPTI-FS is to, among other things:
 - conduct an audit of the designated locations to determine all items of building fabric, plant and equipment requiring preventative maintenance
 - prepare a draft service delivery plan that:
 - is based on the agency's requirements and available budget
 - complies with all legislative requirements
 - includes mandatory services
 - gives consideration to recommended services for items of plant and equipment that are 'critical to [the] success' of the preventative maintenance program
 - provide advice to the agency as to the appropriateness of preventative maintenance at each location, including by way of 'conducting, updating and maintaining equipment surveys and condition appraisals' to determine the extent to which preventative maintenance is required at each designated location.
 57. The Work Procedure Manual recognises that items of plant and equipment at a designated location may change and requires DPTI-FS to update the preventative maintenance service delivery plans to reflect any such changes.

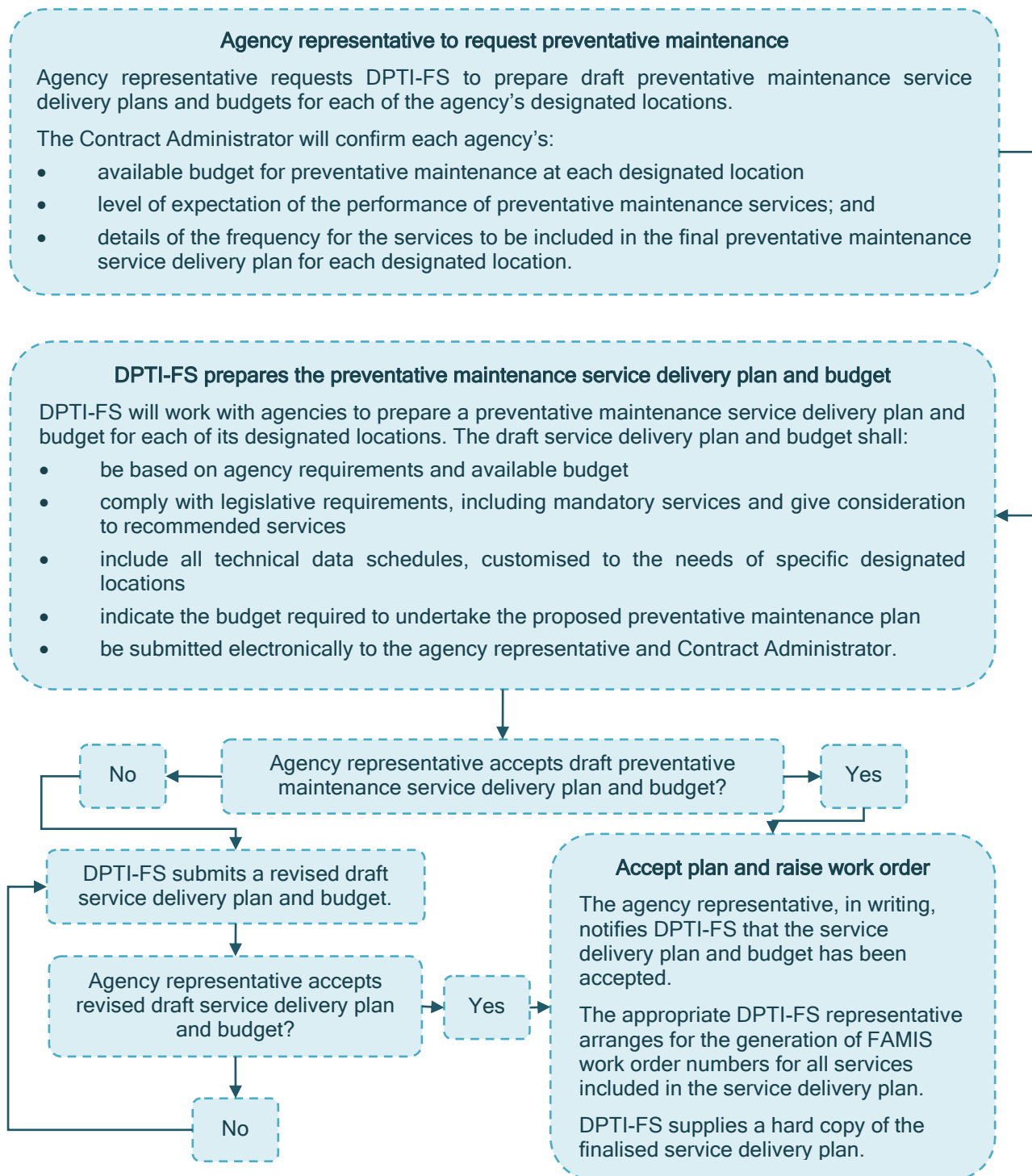


Figure 4: Simplified version of the Work Procedure Manual preventative maintenance flowchart (DPTI; Ombudsman SA)

Preventative maintenance schedules and technical data schedules

58. In practice, preventative maintenance is undertaken at each designated location in accordance with a preventative maintenance schedule.
59. Under the Work Procedure Manual, DPTI is required to include a draft preventative maintenance schedule for each designated location within each year's draft service delivery plan. The agency is then provided with an opportunity to approve or reject the preventative maintenance schedule as part of its consideration of the draft service delivery plan and associated budget.
60. Under the Work Procedure Manual, the agency may at any stage request that additional preventative maintenance be conducted at a designated location. In this event, a budget is agreed between DPTI and the agency and the service delivery plan is updated accordingly.
61. DPTI-FS is also responsible for updating the service delivery plan to reflect any changes to items of building fabric, plant or equipment at a designated location.
62. The maintenance interval in respect of each item of plant or equipment included in a preventative maintenance schedule is calculated by reference to a relevant technical data schedule.
63. Technical data schedules are produced by DPTI and identify the relevant servicing guidelines for classes of equipment. The relevant technical data schedule is linked to each item of plant and equipment in the preventative maintenance schedule.
64. DPTI maintains a library of technical data schedules, which is made available online to agency representatives.
65. Under the Work Procedure Manual, DPTI-FS must include all technical data schedules relevant to items of building fabric, plant and equipment at a designated location in the annual draft service delivery plan.

ME04

Preventative maintenance Technical data schedules

Air Conditioner - Window \ Wall Type
MECHANICAL

Activity		Type of service				
		A	B	C	D	E
Last amendment date: 22/03/2018						
1	Clean filter			Y	Y	
2	Check operation of all controls				Y	
3	Check:- - coils for condition; clean if required - fan blades for condition and any build-up of foreign matter - for excessive noise or vibration				Y	
4	ELECTRICAL - carry out a visual inspection for obvious damage to the equipment - carry out earthing continuity test - carry out an insulation test as per AS 3760 - ensure hard-wired units have the main terminal block shrouded				Y	
5	Check and clean condensate tray and drain				Y	
6	Record all results in log book			Y	Y	

Special comments and technical data

- C Expected service frequency 6 monthly, but may vary depending on site requirements
D Service to be undertaken annually

Preventative Maintenance Services Service Agreement - Schedule

Site asset: 04109 Port Germein Police Station/Residence
Building: 01 Police Station/Residence
Specification: 220-PR-2006 Preventative maintenance 2006-2007 30-JUN-2006

Plant and equipment	TDS	Qty	Responsibility	Schedule of work					
				Jul	Aug	Sep	Oct	Nov	Dec
FIRE									
Portable fire extinguisher - Carbon dioxide (CO2)	F21	1	Contractor				B		C
Portable fire extinguisher - Water - Stored pressure	F23	1	Contractor				B		C
MECHANICAL									
Air Conditioner - Window \ Wall type	ME04	1	Contractor			D			C
Air Conditioner - Split Type	ME05	2	Contractor			D			C
PLUMBING									
Roofs, gutters and downpipes	PL27	1	Contractor						D

Figures 5.1 & 5.2: An example of a technical data schedule and simplified preventative maintenance schedule. The preventative maintenance schedule links to the technical data schedule (DPTI; Ombudsman SA)

SAMIS and FAMIS

66. There are two primary information systems relevant to the AGFMA that are operated by DPTI and made accessible to DPTI-FS and agency representatives: the Strategic Asset Management Information System (**SAMIS**) and the Facilities Management Information System (**FAMIS**).
67. SAMIS is an online facility assets management system. It includes an asset register which is intended to identify all relevant agency worksites and every item of building fabric, plant and equipment located at each worksite.
68. DPTI-FS and agency representatives can also use SAMIS to view site and building plans for each relevant worksite.
69. Under the Work Procedure Manual, DPTI-FS is responsible for updating entries and adding new items of plant and equipment in SAMIS in the course of delivering maintenance and construction works under the AGFMA.
70. Under the Work Procedure Manual, DPTI-FS is also required to certify to the participating agencies that all items of building fabric, plant and equipment resulting from minor works have been entered correctly into SAMIS.
71. Agencies are otherwise responsible for updating information within SAMIS to capture any work done outside of the AGFMA framework.
72. FAMIS is an online program designed to process work orders in respect of breakdown and routine maintenance, minor works and small construction works.
73. Participating agencies use FAMIS to initiate work requests under the AGFMA. The agency and DPTI-FS are then able to use FAMIS to track the work request from its inception through to the invoicing and payment stages.
74. FAMIS records the budget and billing information in respect of each relevant work order. Participating agencies and DPTI-FS can use FAMIS to view all previous and scheduled work requests for each site and building. This includes a description of the work requested, the date of entry and the identity of the person who entered the request.
75. Participating agencies and DPTI-FS can also use FAMIS to view the previous and current preventative maintenance schedules for each worksite.

The Echunga fatality

76. The Echunga Training Reserve is located in the Adelaide Hills. The facility is predominantly used for police training; incorporating a firing range, living quarters and a staff kitchen. Meals for cadets attending the facility are prepared onsite by casual SAPOL employees.
77. On the evening of 4 October 2016, the body of Ms Debra Summers, a casual cook and cleaner employed by SAPOL, was discovered in a detached walk-in freezer located at the Echunga Training Reserve. Ms Summers had been rostered to work at the site earlier that day. A subsequent post-mortem examination attributed her death to hypothermia.
78. Subsequent enquiries by SAPOL determined that a nylon push rod within the interior safety release mechanism of the freezer was not functioning correctly, rendering it largely inoperable. The freezer was also discovered to lack an internal audible alarm system and light switch, in apparent contravention of the Australian Building Code.
79. The Echunga Training Reserve is a designated location for the purposes of the AGFMA and is situated within the geographic area identified as 'Region S'. DPTI-FS assumed responsibility for providing facilities management services to the site in 2006. Spotless was the relevant service provider prior to this date.
80. The Echunga Training Reserve is classified by SAPOL as a corporate site, meaning that the Facility Management and Strategy Unit of PASB is responsible for initiating, managing and approving breakdown maintenance requests in respect of the facility.
81. The walk-in freezer was installed at the Echunga Training Reserve in or around September 2000. The installation was performed by a sub-contractor engaged by Spotless through the AGFMA processes which preceded the 2008 Service Agreement. It received breakdown maintenance through the AGFMA in March 2005 and again in August 2008 and October 2012. It was included in the SAMIS floorplan for the site from at least 2008 onwards.
82. There was a technical data schedule applicable to such freezer units which was in effect prior to the fatality. This document recommended that any 'locked in' alarms and escapes forming part of the freezer be inspected every six months.
83. At all material times there was a preventative maintenance schedule in place in respect of the Echunga Training Reserve. The walk-in freezer was never included on this schedule.
84. There is no evidence to suggest that the freezer's safety mechanisms were ever inspected or tested, whether under the AGFMA or otherwise.

Enquiries following the fatality

SAPOL's preliminary enquiries

85. In the days following the fatality the Acting Deputy Commissioner of Police ordered an internal inquiry into the incident. Some of the provisional conclusions of this inquiry are set out later in this report.
86. SAPOL also undertook to review the records available in SAMIS in an effort to determine whether the preventative maintenance schedules concerning its worksites were accurate and complete.
87. In the course of these efforts SAPOL prepared a list of its worksites together with the corresponding 'last inspection date' identified in SAMIS. The contents of that list are summarised in Schedule 1 of this report.
88. Setting aside the Echunga Training Reserve, this list purported to identify that, of the SAPOL worksites serviced by DPTI-FS under the AGFMA:
 - 21 had been inspected within the previous five years, including 13 which had been inspected within the previous two years
 - 79 had not been inspected within the previous five years, including nine which had not been inspected within the previous 20 years
 - 28 lacked any recorded inspection date.⁴

Enquiries of PASB

89. SAPOL's investigators obtained statements from several current and former members of PASB with responsibility for overseeing the delivery of preventative maintenance to the Echunga Training Reserve and other SAPOL worksites.
90. There was consensus amongst those interviewed that SAPOL had relied upon DPTI-FS to identify assets requiring preventative maintenance at worksites falling under its service responsibility.
91. Most acknowledged that SAPOL had a responsibility under the AGFMA processes to scrutinise the preventative maintenance schedules prepared by DPTI-FS, although there was disagreement as to whether this was for the limited purpose of validating the proposed budgets or was intended to encompass verification of the items included in the schedules.
92. There was a common view that SAPOL lacked the necessary technical knowledge to determine the specific preventative maintenance requirements of its worksites and that DPTI-FS, as service provider, was best equipped to satisfy this responsibility.
93. In practice, SAPOL's verification of the preventative maintenance schedules was limited to identifying any items which had 'dropped off' the previous year's schedules – there being an assumption that DPTI-FS had visited each site and identified any additional items requiring preventative maintenance.
94. Prior to the fatality, there was some awareness that items requiring preventative maintenance were being omitted from the preventative maintenance schedules. In this regard, in the months preceding the fatality the Manager of PASB's Facility Management Strategy Unit initiated a review of SAPOL's preventative maintenance schedules and introduced several new data validation processes.

⁴ Some of the identified worksites were constructed during the relevant period.

95. The consensus was that SAPOL relied upon DPTI-FS to discharge its audit and inspection responsibilities in respect of each worksite. Some of those interviewed acknowledged that prior to the fatality SAPOL was aware that its sites were not being regularly inspected by DPTI-FS. Most acknowledged that SAPOL had a responsibility to ensure that inspections were conducted.
96. There was general consensus that the walk-in freezer at the Echunga Training Reserve should have been identified and included on the site's preventative maintenance schedule.

The 2014 preventative maintenance review

97. SAPOL's internal inquiry also received evidence of a 'preventative maintenance review' that was commenced by PASB in early 2014. The project scoping paper concerning that review observed that PASB had identified 'servicing irregularities' in respect of the delivery of preventative maintenance under the AFGMA.
98. A total of five interim reports were produced in connection with the project. The conclusions and recommendations made in the first interim report, dated September 2014, differed from those made in the fifth interim report, dated May 2015.
99. The following observations were common to both versions of the report:
 - existing preventative maintenance schedules appeared inadequate, insofar as items requiring preventative maintenance were being missed across multiple SAPOL worksites
 - initial site surveys undertaken by the service providers appeared flawed and unreliable
 - the format in which draft preventative maintenance schedules were provided to PASB made it impractical for PASB to identify any alterations made to the previous year's schedule
 - PASB appeared to lack the technical competence necessary to meaningfully review the preventative maintenance schedules prepared by the service providers.
100. Both versions of the report warned that there was a risk to SAPOL personnel, visitors and facilities arising from potential servicing inconsistencies under the AGFMA framework.
101. The 2014 interim report also observed that there were 'no additional services currently provided' by DPTI-FS which ensured that service provision at SAPOL's worksites was 'compliant or adequately cover[ed] site requirements.' The report argued that PASB was 'not currently resourced to comprehensively review all site schedules and ensure the site relevance of solution application.'
102. These observations were not replicated in the May 2015 version of the report.
103. The 2014 interim report also made a number of recommendations directed at remedying the perceived inadequacies in the existing processes. Among other things, it recommended that SAPOL 'approve PASB [to] formally approach' DPTI's AGFMA Section and the service providers 'for a comprehensive review of these issues (and those yet to be identified)'.
104. The report recommended that this encompass:
 - DPTI-FS and Spotless completing a 'new survey of all SAPOL sites' in relation to schedules and budgets

- soliciting options from the service providers 'for complete and legislatively compliant mandatory services'
 - arranging for PASB to be present during 'all comprehensive site surveys'
 - ensuring the provision of 'accurate annual site inspection schedules and budgets'
 - arranging for 'agreed minimum site audit annual coverage' of ten per cent of SAPOL's regional and metropolitan worksites 'with 100% compliance'
 - further technical training for PASB personnel.
105. These recommendations were also not replicated in the May 2015 version of the report.
106. No final report was ever produced and the project was effectively terminated after the production of the May 2015 interim report.
107. It appears that the report was not brought to the specific attention of SAPOL's directorate until after the fatality at the Echunga Training Reserve.
108. A copy of the interim report was emailed to a senior officer within DPTI-FS in July 2015, although it is unclear what action DPTI took in response to its conclusions.

External audit of the Echunga Training Reserve

109. In the immediate aftermath of the fatality, SAPOL and DPTI arranged for an external audit of the plant and equipment at the Echunga Training Reserve.
110. This audit resulted in the addition of approximately 39 items to the SAMIS asset register. Thirty-three of these items were identified as requiring mandatory preventative maintenance under the AGFMA.⁵

External audits of the Christies Beach and Sturt Police Stations

111. Following the fatality DPTI and SAPOL also arranged for the external audit of the Christies Beach and Sturt Police Stations, both being worksites serviced by DPTI-FS under the AGFMA.
112. The audit identified that close to ten per cent of all items of plant and equipment at the Christies Beach and Sturt Police Stations were either missing from the SAMIS asset register or were otherwise recorded with incorrect quantities.
113. The audit identified seven 'critical items' missing from the Christies Beach Police Station asset register (defined as items of 'critical importance' to the function of the worksite or otherwise posing 'significant safety concerns'). The audit identified 12 such items missing from the Sturt Police Station asset register.

Formation of the Asset Assurance and Inspection Unit

114. Following the audits of the Christies Beach and Sturt Police Stations a briefing was presented to DPTI's Chief Operating Officer recommending that DPTI-FS establish an Asset Assurance and Inspection Unit.
115. The briefing observed, among other things, that:
- the 2015 update to the AGFMA placed 'a greater level of responsibility upon the service providers to deliver a number of enhanced requirements' when compared to the previous arrangements

⁵ SAPOL's Health Safety and Welfare Branch also conducted its own inspection of the Echunga Training Reserve following the fatality. This inspection identified several workplace hazards at the facility requiring rectification.

- a key requirement of the AGFMA was ‘an accurate asset database [...] to ensure that assets are appropriately service and maintained’
 - the AGFMA envisaged that there would be an annual audit of designated locations ‘to determine all items of building fabric, plant and equipment are accurate as far as practical’
 - the AGFMA documents were ‘unclear’ as to what constituted an audit and ‘whether it is a desktop audit or physical site inspection or combination of the two’; this notwithstanding, ‘the outcome required is that the listing of assets is as up to date as possible’
 - annual physical site inspections, together with information gathered from the agencies and through the delivery of services under the AGFMA, would provide a framework to capture asset data in accordance with AGFMA requirements.
116. In this regard, the briefing observed that the audits of the Christies Beach and Sturt Police Stations had identified that the preventative maintenance schedules prepared by DPTI-FS ‘could be improved as systems and processes had not captured some critical plant and equipment.’
117. The briefing also observed that ‘internal analysis, and client agency feedback’ had indicated that the accuracy of plant and equipment data required ‘further enhancement for strategic planning purposes.’
118. The briefing recommended that DPTI-FS implement a ‘risk managed’ inspection regime, whereby ‘significant and highly complex’ sites were to be physically inspected annually, ‘medium complexity’ sites were to be inspected every 18 months and sites deemed of ‘low complexity’ were to be inspected every two years.
119. The briefing otherwise observed that the resources allocated to DPTI-FS were not sufficient to implement the proposed inspection regime and that it would be necessary to recruit seven additional members of staff – including three inspectors and one senior inspector – in order to ensure the ‘higher level of compliance with [the] AGFMA framework’ presented by the proposal.
120. The briefing was endorsed by the General Manager of DPTI’s Asset Management Unit as a ‘critical need of the AGFMA’ and subsequently approved by DPTI’s Chief Operating Officer.

The Guidance Note

121. Following the formation of the Asset Assurance and Inspection Unit DPTI produced an Annual Inspection, Testing and Audit Plan Guidance Note.
122. According to DPTI, this document, which was tabled before the May 2018 meeting of the Facilities Management Governance Group, ‘was prepared to provide clarification on what was realistically expected’ of the audits required by the Work Procedure Manual.
123. The Guidance Note provided for a ‘structured condition assessment process’, which comprised:
- a physical inspection of the site and buildings
 - assessment of the condition of individual elements, services and buildings
 - identification of any maintenance works required
 - ranking of required maintenance works in order of priority
 - determination of any immediate action required to mitigate potential risks.

124. The Guidance Note requires that a physical site inspection be conducted at each designated location 'at least once every three years, depending on the nature of the building, its building elements and the services at that location.'
125. Under the Guidance Note, agencies are responsible for determining 'the appropriate [inspection] interval in terms of risk, asset criticality to service delivery and complexity of the building asset'. The Guidance Note envisages that particularly critical or complex assets are to be inspected at least once per year.
126. The Guidance Note provides that in developing the Annual Inspection, Testing and Audit Plan, DPTI-FS will engage with agencies to determine the frequency and level of assessments, having regard to criteria including:
- the likelihood of workplace health and safety risks
 - the nature of the building and its associated engineering services
 - the age of the building and its essential components
 - the actual state and rate of deterioration of the building and any associated risks
 - the operating environment and its impact of the rate of deterioration
 - the agency's level of service requirements
 - the agency's appetite for risk
 - the cost and value to the agency of more frequent assessments.

SAPOL's response to the allegations

127. On 27 March 2018 I wrote to the Commissioner of Police⁶ to notify SAPOL of the investigation and to request further information and documents, together with a response to the allegations.
128. I attended a brief meeting with SAPOL's General Counsel and Acting Senior Solicitor on 11 April 2018. At that meeting, SAPOL provided an overview of the (then) various concurrent investigations into the death of Ms Summers. I was also informed that the inquiry into the fatality on behalf of the Commissioner of Police was yet to be concluded.
129. The Commissioner of Police subsequently responded to my investigation by way of letter dated 7 May 2018. Included with the Commissioner's response was a copy of the witness statements and draft report prepared in connection with SAPOL's internal inquiry.
130. In response to the allegations, the Commissioner of Police deferred to the conclusions expressed in Part 12 of the draft report.
131. In brief, Part 12 of the draft report observed that:
- SAPOL did not possess the necessary expertise to properly assess the building and preventative maintenance requirements of its worksites and senior managers within PASB believed that SAPOL was paying DPTI-FS to provide this expertise
 - SAPOL relied upon the expertise and advice of DPTI to accurately compile, record and amend the preventative maintenance schedules and associated budgets
 - PASB did not provide sufficient oversight and governance in respect of services provided under the AGFMA; although PASB and DPTI senior staff met regularly, PASB did not raise the perceived lack of regular physical site inspections and PASB did not otherwise address the perceived shortcomings in facilities management service delivery through other channels
 - DPTI indicated that it expected SAPOL to identify items of plant and equipment which required preventative maintenance and amend the preventative maintenance schedules and supply these to DPTI; DPTI indicated that it did not have authority to add items to SAPOL's preventative maintenance schedules because SAPOL was required to authorise the costs associated with all items added to the schedule
 - after the Echungu fatality, an examination of DPTI's records demonstrated that, of the SAPOL worksites serviced by DPTI-FS under the AGFMA, the majority lacked recent inspection dates and some did not appear to have been inspected at all
 - DPTI did not adhere to the terms and conditions of the AGFMA instruments because it failed to conduct site inspections at the Echungu Training Reserve
 - PASB failed to exercise the governance and oversight necessary to ensure that DPTI-FS adhered to the terms of the AGFMA instruments.
132. The report arising from SAPOL's internal inquiry makes a number of comments which criticise DPTI's performance of its obligations under the AGFMA. I make it clear that I have not relied upon any of these criticisms in formulating my views in respect of the allegations concerning DPTI.

⁶ The Commissioner of Police is the chief executive of SAPOL; Police Regulations, regulation 3.

133. The Commissioner of Police advised that there had been a corporate review into SAPOL's workplace inspections and preventative maintenance practices following the death of Ms Summers.
134. This review made a number of recommendations concerning the frequency and nature of SAPOL's internal inspections and in respect of its auditing regime. I infer from the Commissioner's response to my investigation that the recommendations have been (or are in the process of being) implemented by SAPOL.
135. In response to further enquiries by the investigation, the Commissioner clarified:
- setting aside any worksite sign-in sheets, SAPOL did not maintain its own record of inspections conducted by or on behalf of DPTI under the AGFMA prior to Echunga fatality
 - SAPOL staff were unaware of the circumstances in which the 'last inspection date' field in SAMIS would be updated.

DPTI's response to the allegations

First response

136. I notified DPTI's Acting Chief Executive Officer of my investigation and sought a response to the allegations by way of letter dated 27 March 2018.
137. I found it necessary to repeat my request to the Acting Chief Executive Officer by way of a further letter to DPTI dated 3 May 2018 and then, having still received no response, by way of successive telephone calls from my delegate to the Office of the Chief Executive on 22 May 2018, 29 May 2018 and 20 June 2018. In these communications it was necessary to remind DPTI of my power to issue a summons for the requested materials under the *Royal Commissions Act 1917*.
138. I was subsequently informed that DPTI's omission to respond to my enquiries was 'due to an unfortunate administrative oversight.' DPTI ultimately responded to my investigation by way of letter dated 26 July 2018. I then sought further written responses from DPTI in November 2018 and February 2019.
139. In its response DPTI denied the allegation that the Echunga Training Reserve was not inspected by DPTI-FS between October 2007 and the date of the fatality and denied that there were otherwise systemic issues with the provision of facilities management services under the AGFMA.
140. DPTI submitted that neither the Service Level Guidelines nor the FMS Framework impart any legal obligations upon DPTI.
141. In this regard, DPTI contended that the FMS Framework constitutes an 'internal document' between DPTI as contract administrator and DPTI-FS, submitting:
- the FMS Framework provides 'a guideline as to how DPTI-FS should provide services across government'
 - SAPOL is not a party to the FMS Framework
 - the FMS Framework provides that DPTI should provide services 'as close as practicable' to Spotless
 - the FMS Framework 'enshrines a collaborative "one team" approach for the AGFMA', in which DPTI and the participating agencies are 'expected to work together to deliver outcomes'.
142. DPTI submitted that there were 'many ways' in which DPTI-FS could meet its responsibilities under clause 9.1 of the FMS Framework (being the requirement that it, *inter alia*, carry out inspections of each designated location and review other information as necessary to fully inform itself of the requirements of each location).
143. In this regard, DPTI observed that:
- DPTI-FS maintained an ongoing dialogue with site managers, asset managers and other persons across government through which it would receive 'formal and informal' communication about site requirements
 - DPTI-FS and its contractors were also 'often on site performing services' and so were familiar with the requirements of the worksites falling under its service responsibility.
144. In respect of clause 15.8A of the FMS Framework (being the requirement that DPTI-FS undertake an annual audit of designated locations to determine all items and equipment that require preventative maintenance), DPTI submitted that 'this does not necessarily require a specific physical site inspection'.

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145. In this regard, DPTI observed that it worked ‘collaboratively with all clients to agree to the annual service delivery plan and preventative maintenance schedule for the following year.’
146. DPTI observed that the FMS Framework had an ‘explicit Cabinet endorsed objective to maximise value for money for each agency’. DPTI submitted that the level of service provided depended on a ‘risk-based assessment’ which was in turn contingent on each agency’s ‘service level requirements’ and budgets.
147. DPTI contended that the full inspection of worksites with a ‘relatively low risk’ and no ‘significant changes year on year’ would not present value for money, insofar as it could ‘put unnecessary resource pressure on the client agency without necessarily changing the risk profile’.
148. DPTI nevertheless observed that ‘if SAPOL requested site inspections then DPTI-FS would provide them or arrange for them to occur.’
149. DPTI submitted that DPTI-FS was required to collaborate with the participating agencies to determine which worksites and assets were to be physically inspected and assessed each year, taking into account considerations such as the likelihood of workplace health and safety risks, the agency’s service expectations and its appetite for risk.⁷
150. DPTI submitted that, notwithstanding the above, each agency participating in the AGFMA was ‘ultimately responsible for developing its own asset management strategy and plans and determining its risk profile, asset criticality to service delivery, building complexity and budget constraints.’
151. DPTI submitted that it ‘reasonably relied’ on the information in SAMIS and FAMIS when it assumed service responsibility for the Echunga Training Reserve in July 2006, noting that the previous service provider had been required to create and maintain records under the AGFMA.
152. DPTI denied the allegation that the Echunga Training Reserve was not inspected between 9 October 2007 and the date of the fatality, submitting that ‘[i]nspections take many forms depending (for example) on the purpose of the inspection, scope of inspection [and] what is being inspected.’
153. DPTI submitted that the results of an inspection under the AGFMA are ‘reflected in various ways in SAMIS and other systems but may not be specifically captured as an inspection per se.’
154. In this regard, DPTI also submitted that inspections that provided data ‘consistent with that already captured on a system’ would not necessarily result in a record of an inspection being created in that system.
155. Concerning DPTI’s record of site inspections, DPTI submitted:
- there is ‘no one data source’ capable of capturing all site inspections
 - site inspections can be completed without a data record
 - the SAMIS ‘last inspection date’ field ‘cannot be relied upon’ because SAMIS can be updated without that field being changed
 - site inspections may take place with ‘no need’ to update DPTI’s systems
 - site inspections can be completed by various parties, such as facility managers, contractors, data collectors and asset owners.

⁷ In this regard, DPTI recited the criteria identified in the Guidance Note.

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156. DPTI submitted that it had 'believe[d] that there was sufficient knowledge' of the Echunga Training Reserve, having regard to the fact that 'DPTI-FS, other DPTI staff, SAPOL asset management staff and contractors were [...] regularly on [site].'
157. In this regard, DPTI supplied a list of site visits to the Echunga Training Reserve conducted by DPTI-FS and its contractors – summarised in Schedule 2 of this report – which it observed was 'likely to be underestimated in terms of actual activity'.
158. DPTI observed that administering the AGFMA presented several challenges:
- the complex structure caused 'some level of misunderstanding' on the part of persons accessing facilities management services under the framework
 - there was 'a varying level of asset management maturity' across the agencies participating in the arrangement
 - limited resources and a limited pool of contractors made it difficult for DPTI-FS to provide services across the breadth of the state
 - many systems are legacy systems which do not easily integrate with the AGFMA processes.
159. Notwithstanding the above, DPTI argued that there were 'no systemic issues with the provision of facilities services provided under the AGFMA'. In this regard, DPTI observed that, although DPTI-FS was able to provide advice to participating agencies, 'any service delivery plan must be prepared in accordance with the client's requirements and authority.'
160. DPTI submitted that it was 'ultimately the asset owner' that was responsible for ensuring the safety of its worksites. DPTI observed that an inspection regime was 'only a point in time check' and would 'not necessarily change the risk profile of the asset.'
161. DPTI submitted that it had 'yet to be provided any evidence that any reasonable inspection regime would have prevented' the Echunga fatality. It nevertheless indicated that it would 'fully consider' any evidence resulting from enquiries made by SafeWork SA and the Coroner and 'make the appropriate changes to [its] policies, procedures and practices.'

Second response

162. In my subsequent correspondence I requested that DPTI supply in respect of each SAPOL worksite falling within its service responsibility:
- a list of all dates on which DPTI claimed to have conducted or arranged for a physical site inspection for the purpose of identifying all items of plant and equipment requiring preventative maintenance
 - a list of all dates on which DPTI otherwise claimed to have audited the worksite for the purpose of satisfying clause 15.8A of the FMS Framework.
163. In responding to this request, DPTI referred to the preventative maintenance schedules which existed for each worksite, submitting that to 'substantiate specified dates of attendance' would require it to 'assess numerous systems administered by DPTI and manually recall and assess invoices, WHS risk assessments and work service reports.'
164. DPTI observed that the annual service delivery plans and budgets often replicated information from previous years and that it was 'not unusual' for participating agencies to provide no response to DPTI's request for authorisation of these documents, causing DPTI to deem them to be in effect.
165. Concerning my request for a list of all audits conducted for the purpose of satisfying clause 15.8A of the FMS Framework, DPTI reiterated its position that the auditing

process envisaged by this provision did 'not necessarily require a physical site inspection.' DPTI referred to its collaboration with the participating agencies in developing the annual service delivery plans and budgets and the preventative maintenance schedules, submitting that no list of any further audits existed.

166. DPTI otherwise observed that 'there is a large operational overlap with respect to the terminology of "site inspection", "site attendance" and "audits"', and that these terms 'have been used synonymously in various AGFMA documents.'
167. DPTI advised that, setting aside the relevant preventative maintenance schedules, prior to the Echunga fatality it did not maintain a schedule of anticipated physical site inspections in respect of the SAPOL worksites falling under its service responsibility. DPTI observed that in February 2018 its Asset Assurance and Inspection Unit commenced 'developing a process for scheduling site inspections across agencies.'
168. I asked DPTI whether it could say with confidence that it had undertaken an audit of each relevant SAPOL worksite to determine all items requiring preventative maintenance at least once per year. DPTI did not directly answer this question, instead submitting that '[t]he annual audit/site inspection is a process that has been detailed [in earlier responses] and forms part of the SDPBs [service delivery plan and budget] process.'
169. I also asked DPTI whether it could say with confidence that it had conducted a site inspection in respect of each SAPOL worksite falling under its responsibility at least once every three years. DPTI did not directly answer this question, instead submitting:
 - site inspections under the AGFMA 'can be for several purposes'
 - when a representative of DPTI or a contractor visits a site to undertake work, 'this may be regarded as an inspection'
 - site requirements can be identified through site inspections, preparation of the service delivery plans and budgets, desktop audits and attendance at the physical site 'when required'.
170. I asked DPTI to identify the process it followed in auditing designated locations for the purposes of clause 15.8A of the FMS Framework, including any guidelines or instructions relevant to the task. DPTI submitted that the process it observed prior to February 2018 was '[a]s detailed' in paragraph 169 above.
171. DPTI submitted that since February 2018 it 'liaises with the asset owners/agency representatives to attend and review the site in accordance with the Guidance Note.'
172. When asked to elaborate on its submission that the 'last inspection date' field in SAMIS was not a reliable indication of the most recent inspection date, DPTI advised:
 - the field does not automatically update
 - the field can be manually updated by users when a service is provided in respect of an asset
 - the field may not update when an inspection is carried out that does not result in a change to a relevant asset.
173. DPTI acknowledged there were circumstances in which items requiring preventative maintenance could be omitted from SAMIS and the preventative maintenance schedules, including where:
 - an agency determines to manage the life-cycle of an item itself
 - items are installed outside of the AGFMA processes, in contravention of the relevant Cabinet direction
 - other issues manifest themselves, for example:
 - human or system errors

- the procurement of 'discretionary items' which are not made available for inspection or preventative maintenance
 - incorrect item counts.
174. DPTI submitted that although information in SAMIS 'can help inform' the preparation of a preventative maintenance schedule, this data does not 'primarily generate' the schedule. DPTI reiterated that it was not its 'unilateral decision' to determine whether an asset required preventative maintenance.
175. I asked DPTI how in the absence of a physical site inspection it was able to fully inform itself of items of plant and equipment requiring preventative maintenance that were not already included in a preventative maintenance schedule or in SAMIS.
176. In response, DPTI submitted that 'there is a reliance on the asset owner to inform DPTI of any new equipment requiring preventative maintenance if it was not procured through the AGFMA processes.'
177. I also asked DPTI how it could be satisfied that it was fully informed of the requirements of each worksite in circumstances where it appeared that the fact and nature of some inspections were not being recorded in DPTI's systems.
178. In response, DPTI observed that the process required a 'collective effort from all stakeholders'. DPTI submitted that this included 'many approaches and more recently the implementation of the Asset Assurance Inspection Unit.'
179. I asked DPTI to identify which of the site visits to the Echunga Training Reserve it considered to be:
- an inspection for the purposes of clause 9.1 of the Service Framework
 - a site inspection within the meaning of the Guidance Note.
180. In response DPTI referred to its previous description of its audit and inspection processes. It did not otherwise engage with the request.
181. DPTI submitted that the walk-in freezer at the Echunga Training Reserve was not an item that required preventative maintenance under the Work Procedure Manual because 'the manual applies to services that must be carried out to satisfy statutory requirements such as fire services, maintenance of residual current devices, back flow prevention devices, cooling towers, exit lights, fire services and compliance with legislation.'
182. In this regard, DPTI referred to the distinction between mandatory and recommended preventative maintenance under the Work Procedure Manual.
183. DPTI otherwise observed that SAPOL did not utilise official channels to communicate any concerns about the AGFMA inspection processes prior to the Echunga fatality.

Third response

184. In subsequent correspondence I requested that DPTI clarify whether, prior to the Echunga fatality, it had been made aware of SAPOL's 2014 internal review into the delivery of preventative maintenance under the AGFMA.
185. I also asked DPTI to clarify:
- whether it received a copy of the interim reports arising from the 2014 review
 - whether the subject of the review was otherwise discussed between DPTI and SAPOL
 - whether DPTI took any action in response to the review.

186. In response DPTI submitted that it had been made 'informally' aware of the fact of SAPOL's internal review. DPTI acknowledged that it received a copy of the interim report but did not formally discuss the matter with SAPOL or otherwise take any action in response to the concerns raised in the report.
187. DPTI did not identify which version of the interim report it received and did not otherwise engage with my request for a copy of any documents relevant to the matter.
188. I also asked DPTI for a response to the allegation that the 2016 audit of the Echunga Training Reserve identified more than 30 additional items requiring mandatory servicing under the Work Procedure Manual. DPTI subsequently supplied my investigation with a copy of the audit documentation but did not address its conclusions.
189. DPTI otherwise clarified that it was of the view that the existence of a technical data schedule was not determinative of whether the preventative maintenance of an item was mandatory under the AGFMA. In this regard, DPTI contended that the walk-in freezer at the Echunga Training Reserve was not an item for which preventative maintenance was mandatory because there were 'no statutory requirements' relevant to the issue at the time.
190. I asked DPTI to clarify whether it considered that SAPOL's obligations under the Work Health and Safety Act required the freezer's locked-in alarms and escapes to be regularly inspected.
191. DPTI responded to observe that 'there were no alarms (either manual or electronic), or emergency escape lighting on the freezer to be inspected.'
192. DPTI otherwise acknowledged that SAPOL had an 'obligation under the Work Health and Safety Act to ensure that [the] internal release on the door handle was inspected regularly.'

Relevant law

193. Section 5 of the ICAC Act relevantly provides:

- (4) *Maladministration in public administration*—
- (a) means—
- (i) conduct of a public officer, or a practice, policy or procedure of a public authority, that results in an irregular and unauthorised use of public money or substantial mismanagement of public resources; or
 - (ii) conduct of a public officer involving substantial mismanagement in or in relation to the performance of official functions; and
- (b) includes conduct resulting from impropriety, incompetence or negligence; and
- (c) is to be assessed having regard to relevant statutory provisions and administrative instructions and directions.
- (5) Without limiting or extending the conduct that may comprise corruption, misconduct or maladministration in public administration, this Act applies to conduct that—
- (a) occurred before the commencement of this Act; or
 - (b) occurs outside this State; or
 - (c) comprises a failure to act; or
 - (d) is conduct of a person who was a public officer at the time of its occurrence but who has since ceased to be a public officer; or
 - (e) is conduct of a person who was not a public officer at the time of its occurrence but who has since become a public officer.

194. Part 2 of the Work Health and Safety Act relevantly provides:

19—Primary duty of care

- (1) A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of—
- (a) workers engaged, or caused to be engaged by the person[.]
- [...]
- (3) Without limiting subsections (1) and (2), a person conducting a business or undertaking must ensure, so far as is reasonably practicable—
- (a) the provision and maintenance of a work environment without risks to health and safety; and
 - (b) the provision and maintenance of safe plant and structures; and
- [...]
- (g) that the health of workers and the conditions at the workplace are monitored for the purpose of preventing illness or injury of workers arising from the conduct of the business or undertaking.

[...]

21—Duty of persons conducting businesses or undertakings involving management or control of fixtures, fittings or plant at workplaces

[...]

- (2) The person with management or control of fixtures, fittings or plant at a workplace must ensure, so far as is reasonably practicable, that the fixtures, fittings and plant are without risks to the health and safety of any person.

Consideration

Whether the Department of Planning, Transport and Infrastructure committed maladministration in public administration by failing to conduct regular inspections of designated worksites under the Across Government Facilities Management Arrangement

195. The AGFMA is intended to ensure that government worksites and assets are 'maintained and supported in a strategic, consistent and expert manner'.⁸
196. DPTI and the participating agencies are expected to collaborate to ensure that worksites are preserved and maintained in accordance with relevant statutory and technical standards and any individual requirements.
197. DPTI and the agencies are also expected to collaborate to ensure that services provided under the AGFMA present value for money to the government and deliver 'certainty of time, cost and quality outcomes'.⁹
198. The Service Level Guidelines, being a high-level document, do not expressly identify how the parties are expected to ensure the achievement of the above objectives nor, for that matter, monitor the delivery and performance of facilities management services under the AGFMA more generally.
199. The FMS Framework is the document which delineates and clarifies the responsibilities of DPTI-FS as service provider under the AGFMA. Although the document is internal to DPTI, in the sense that it constitutes a set of instructions from DPTI's directorate level to the AGFMA Section and DPTI-FS, its terms are nevertheless incorporated into the administrative agreement.¹⁰
200. The FMS Framework is a particularly complex document, presumably owing to a desire to replicate the contract for services between the Crown and Spotless. It stipulates that DPTI-FS must regularly 'audit' and 'inspect' the designated locations falling within its service responsibility. There are three clauses common to both versions of the FMS Framework that specify the expectations of DPTI-FS in this regard.
201. Clause 9.1 of the FMS Framework is concerned with ensuring that DPTI-FS keeps abreast of the service requirements of each agency. It requires that DPTI-FS regularly consult with each agency, review relevant records and 'carry out [...] inspections of each designated location' as necessary to fully inform itself of those requirements.
202. Clause 13.8 (formerly clause 15.8A) is concerned with DPTI-FS's obligation to maintain a register of plant and equipment located at each worksite falling within its service responsibility. It requires DPTI-FS to, among other things, at least once per year 'undertake an audit of designated locations to determine all items of plant, equipment and building fabric that require preventative maintenance'.
203. Clause 15.2 (formerly clause 19.2) is concerned with ensuring that the services provided by DPTI-FS meet relevant statutory and technical standards including, relevantly, the provisions of the Work Health and Safety Act. To this end, DPTI-FS is required to 'carry out all inspections, tests and audits' as necessary to ensure that services are being provided in a manner that maintains each worksite in a proper operating condition and ensures the safety of its users.

⁸ Service Agreement, clause 2.2; Service Level Guidelines, clause 2.

⁹ Service Agreement, clause 3.1; Service Level Guidelines, clause 3.1.

¹⁰ This obligation is also replicated in the Work Procedure Manual issued to the participating agencies.

204. The terms 'audit' and 'inspection' are not defined in the FMS Framework and it appears likely that there will be some overlap in the activities undertaken to satisfy the above requirements (e.g. an audit undertaken for the purposes of satisfying clause 13.8 might also partly satisfy the requirements of clause 15.2, etc.).
205. At the same time, it is reasonably clear from the construction of the FMS Framework that the terms are not intended to be interchangeable.¹¹
206. Prior to receiving my provisional report, DPTI asserted the contrary view. It argued that the terms 'audit' and 'site inspection' were 'used synonymously in various AGFMA documents'. That view appears at least somewhat in conflict with remarks made by DPTI's Chief Operating Officer following the Echunga fatality.¹²
207. In response to my provisional report, DPTI submitted:
- [I]t would be also be reasonable for you to conclude that the documentation relied on at the time by DPTI and SAPOL (as well as other Agencies) was complex, open to interpretation, not properly understood by either party, and deficient in setting our arrangements to properly administer the AGFMA.
208. DPTI observed that the requirement that it regularly undertake enquiries, including site inspections, for the purposes of fully informing itself of the requirements of each designated location 'does not necessarily require DPTI-FS to perform any one specific site inspection.'
209. Similarly, it observed that the requirement that it annually audit each designated location for the purposes of identifying all items requiring preventative maintenance 'does not necessarily require a specific physical site inspection'.
210. DPTI submitted that it was able to satisfy its audit obligations:
- through the existing preventative maintenance schedule validation systems including the Works Plans and Budgets [...], desk top audits and attendances at the site. This process engages with agencies and continues to allow agencies to adjust specific items/intervals in line with their asset management plan.
211. In effect, DPTI contended that it was able to satisfy its audit and inspection obligations through its regular communication with agency representatives and through the attendance of its staff and contractors at agency worksites in the performance of its other maintenance responsibilities:
- [W]hen a DPTI representative or contractor attends a site to undertake work, this may be regarded as an inspection.
212. In summary, DPTI's position was that:
- the requirement in the FMS Framework that it, *inter alia*, regularly inspect each worksite did not oblige it to attend and inspect each worksite at any particular time or at any particular interval
 - the requirement that it otherwise audit each worksite to determine all items requiring preventative maintenance did not require it to attend and inspect each worksite and could be satisfied through a range of other activities

¹¹ For example, clause 15.2 of the FMS Framework appears to distinguish between the terms ('...carry out all inspections, tests and audits...').

¹² Audio recording of interview conducted on 16 March 2017 (Q. Is there a difference between an audit and a site inspection? A. Yes. Q. What is the difference -- A. The very broad definition of an audit can be just a paper-based audit, but [in] a site inspection you're actually out there walking around; and, sure, a site inspection can also be considered as an audit because you are checking compliance.).

- to the extent that the FMS Framework did require it to attend and inspect each worksite, this obligation could be satisfied by site visits undertaken in the performance of routine maintenance activities.
213. I disagree with that position because it implies that DPTI-FS is not obligated to carry out regular, structured and purposeful enquiries into the service requirements of each agency worksite and the accuracy of the preventative maintenance schedules, separate and apart from the performance of its routine consultation and asset maintenance responsibilities under other clauses of the FMS Framework.
214. In effect, DPTI's position conflated at least two distinct responsibilities under the FMS Framework – on the one hand, that it formulate and deliver a program of services; on the other, that it regularly scrutinise the nature and sufficiency of services required.
215. On the information available, I am not satisfied that DPTI-FS was discharging that latter responsibility prior to the fatality at the Echunga Training Reserve.
216. There is in fact no evidence that DPTI-FS was carrying out regular and purposeful inspections of the worksites falling under its service responsibility during the relevant period. In its correspondence with the investigation, DPTI was either unwilling or unable to say whether, prior to the fatality, it had inspected each SAPOL worksite at least once every three years, as is now recommended under the Guidance Note. When asked for a list of dates on which it had inspected SAPOL's worksites for the purposes of satisfying clause 9.1 of the FMS Framework, it referred to its record of maintenance activities undertaken in respect of those locations.
217. DPTI did not maintain a dedicated schedule of planned or completed site inspections. Prior to approximately May 2018 it did not issue any guidelines or instructions clarifying the manner in which DPTI-FS was to inspect agency worksites in accordance with the FMS Framework. When asked to clarify how, in the absence of regular site inspections, it considered DPTI-FS was able to 'fully inform' itself of items of plant and equipment requiring preventative maintenance that were not already captured in its systems, DPTI could only defer to the agencies' responsibilities under the arrangement.
218. To the extent that site inspections were carried out, they were not necessarily documented as such. The specific field in SAMIS that purported to identify the date each worksite was last inspected was in fact wholly unreliable as to this issue.
219. These deficiencies appear to have been largely replicated in DPTI-FS's approach to its audit responsibilities under the FMS Framework. In its correspondence with the investigation, DPTI was either unwilling or unable to say whether it had actually audited each worksite's preventative maintenance requirements at least once per year. It did not produce evidence of any desktop audits conducted in respect of the Echunga Training Reserve or SAPOL's other worksites. Again, it did not issue any guidelines or instructions purporting to clarify the scope or methodology to be employed in the discharge of its audit function.
220. In response to my provisional report, DPTI submitted:
- As a matter of principle, we submit that to properly administer the AGFMA, the relevant documents that describe the arrangements must be consistent with the actual procedures and practices adopted by all parties, and that both must comply with the relevant legislation.
221. I disagree with this submission insofar as it suggests that expectations regarding the quality and level of services provided under the AGFMA should be determined by

informal practice rather than in accordance with formal standards developed and endorsed at the agency level and in accordance with the relevant Cabinet direction.

222. The circumstances at the Echunga Training Reserve illustrate the problems with DPTI's approach to its inspection obligations. The facility does not appear to have been meaningfully inspected between October 2009 and the date of the fatality in October 2016. There is no indication as to when, if at all, the facility was next scheduled to be inspected under the AGFMA processes.¹³ Beyond the entries made to the SAMIS asset register, DPTI also does not appear to have retained any records identifying the scope or methodology of the inspections that were (or appear to have been) actually conducted in October 2007 and March 2009.
223. In contesting the allegation that the Echunga Training Reserve had not been regularly inspected, DPTI referred to the history of visits undertaken to the facility following the handover from Spotless in 2006. Nevertheless, and notwithstanding my direct request that it do so, it declined to clarify which of those visits it considered amounted to an inspection for the purposes of clause 9.1 of the FMS Framework.
224. It is reasonable to infer that the delivery of planned or unplanned maintenance or minor works may result in updates to the AGFMA information systems. It is also reasonable to infer that such visits may even lead to the detection of discrepancies in those systems or inadequacies in the existing asset maintenance program. Yet it cannot reasonably be argued that the changing of a lightbulb or the installation of a dishwasher involves a comprehensive appraisal of a worksite's broader preventative maintenance requirements.
225. DPTI contended that the history of visits to the Echunga Training Reserve provided it with 'sufficient knowledge' of the site. Yet the outcome of the November 2016 external audit of the facility appears to wholly undermine that position. Notwithstanding my request that it do so, DPTI failed to acknowledge the conclusions of this audit in its engagement with the investigation.
226. The external audits that were subsequently undertaken in respect of the Sturt and Christies Beach police stations appear to reinforce the conclusion that DPTI's reliance upon communication with the participating agencies and the delivery of maintenance activities to identify additional assets requiring preventative maintenance resulted in critical items of plant and equipment being omitted from the preventative maintenance program. In fact, it was on notice of the deficiencies in this approach from at least July 2015, when the interim report arising from SAPOL's preventative maintenance review was supplied to senior management of DPTI-FS.
227. It was the external audits, coupled with the fatality at the Echunga Training Reserve, which prompted DPTI to form an inspection unit and develop a routine of dedicated site inspections. At least privately, DPTI appears to have acknowledged that there were inadequacies in its processes prior to the fatality. It is therefore all the more disappointing that it did not initially do so in its engagement with this investigation.
228. In response to my provisional report, DPTI submitted:

To be clear, DPTI accepts that there were a number of inadequacies in DPTI's processes prior to the Echunga fatality. The measures to which DPTI has committed in the [enforceable undertaking provided to SafeWork SA] and the completion and acceptance of the Safety-Works Review are both clear indications of our acceptance of fault and our desire to implement real and effective change.

¹³ This was the most recent 'independent site inspection' identified by DPTI's Chief Operating Officer in his statement to SAPOL following the Echunga fatality.

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229. Participating agencies are responsible for defining the service requirements of their worksites and verifying that work has been undertaken in accordance with those requirements. Yet these obligations must be considered in light of the specific audit and inspection responsibilities assigned to DPTI-FS under the FMS Framework and the degree to which the AGFMA model contemplates that participating agencies will relinquish some of their technical capacity and expertise.
230. Although the scope of the investigation does not require me to determine whether inclusion of the walk-in freezer on the Echunga Training Reserve's preventative maintenance schedule was mandatory or merely recommended under the Work Procedure Manual, it is appropriate that I comment on this issue because it has broader ramifications for the maintenance of safety equipment under the AGFMA.
231. The Work Procedure Manual defines mandatory preventative maintenance as 'services that must be carried out to satisfy Statutory Requirements [...] and compliance with WHS legislation'.¹⁴
232. At the time of the fatality there were no statutory requirements or SafeWork SA guidelines specifically applicable to the maintenance of cold storage facilities.¹⁵
233. SAPOL had a general responsibility under the Work Health and Safety Act to ensure as far as reasonably practicable the health and safety of its workers, including through the provision and maintenance of safe plant and structures and the monitoring of workplace conditions for the purposes of preventing illness or injury.¹⁶
234. Under the FMS Framework DPTI-FS was also expected to deliver preventative maintenance services as if it were a 'person with management or control of fixtures, fittings or plant at a workplace' for the purposes of the Work Health and Safety Act. In effect, this meant that DPTI-FS was to ensure (as far as reasonably practicable) that the fixtures, fittings and plant at each designated location were 'without risks to the health and safety of any person'.¹⁷
235. In its response to my provisional report, DPTI submitted that the recently-completed work, health and safety review of the AGFMA processes has 'highlight[ed] that DPTI and Agencies that participate in the AGFMA are at law concurrent duty holders.'
236. In my view, it is at the very least arguable that preventative maintenance of the walk-in freezer was mandatory under the AGFMA processes because, without adequate maintenance of its safety mechanisms, persons using the freezer were exposed to a significant risk of serious injury or death, and because it was therefore necessary for the freezer's safety mechanisms to be routinely inspected and tested for SAPOL to meet its obligations under the Work Health and Safety Act and for DPTI-FS to meet its obligations under clause 13.11 of the FMS Framework, as well as any obligations arising directly from the legislation.
237. The Work Procedure Manual otherwise provides that items for which preventative maintenance is mandatory 'have an associated technical data schedule [...] detailing the type and frequency of servicing required'.
238. SAPOL has interpreted this statement to mean that any item of plant or equipment with an associated technical data schedule is to receive mandatory preventative

¹⁴ The term 'statutory requirements' was defined in the 2011-2012 version of the FMS Framework as including 'any law applicable to the carrying out of Facilities Services Activities, including Acts, ordinances, regulations, by-laws and other subordinate legislation'. There appears to be no corresponding definition in the current FMS Framework.

¹⁵ SafeWork SA issued a Safety Alert in respect of cold storage facilities in October 2016, following the fatality.

¹⁶ Work Health and Safety Act 2012, sections 19(1) and (3). SAPOL was also specifically required to protect workers performing tasks 'in extremes of heat or cold': *Work Health and Safety Regulations 2012*, regulation 40(f).

¹⁷ Work Health and Safety Act, section 21.

maintenance under the AGFMA processes. DPTI's position is that the existence of an associated technical data schedule is not determinative of whether an item is to receive mandatory preventative maintenance.

239. In my view, the statement can be read both ways and the Work Procedure Manual should be redrafted both to clarify this issue and to specify what is intended to constitute 'compliance with WHS legislation'.
240. Under the ICAC Act, a public authority commits maladministration in public administration in circumstances where a practice, policy or procedure of the public authority results in either the irregular and unauthorised use of public money or the substantial mismanagement of public resources.
241. In the circumstances, I am of the view that DPTI's failure to undertake regular and meaningful site inspections of the worksites falling within its AGFMA service responsibility prior to the Echunga fatality was a practice which resulted in the substantial mismanagement of public resources, because it:
- was contrary to DPTI's obligations under the FMS Framework and, in turn, the administrative agreement between DPTI and the agencies participating in the AGFMA
 - was done in the knowledge that important items of plant and equipment were being omitted from the preventative maintenance program
 - resulted in public assets not receiving necessary preventative maintenance, exposing those assets to a risk of premature failure and creating an unreasonable risk to the health and safety of persons using government premises.
242. I am accordingly of the view that DPTI committed maladministration in public administration for the purposes of section 5(4) of the ICAC Act.
243. Having regard to the factors identified above, I am also of the view that DPTI's omission to undertake regular and meaningful site inspections of the worksites falling within its AGFMA service responsibility was unreasonable for the purposes of section 25(1)(b) of the Ombudsman Act.

Opinion

The Department of Planning, Transport and Infrastructure committed maladministration in public administration for the purposes of section 5(4) of the *Independent Commissioner Against Corruption Act 2012* by failing to conduct regular and meaningful site inspections of the worksites falling within its service responsibility under the Across Government Facilities Management Arrangement.

Opinion

The Department of Planning, Transport and Infrastructure's omission to conduct regular and meaningful site inspections of the worksites falling within its service responsibility under the Across Government Facilities Management Arrangement was unreasonable for the purposes of section 25(1)(b) of the *Ombudsman Act 1972*.

Whether the South Australian Police Department committed maladministration in public administration by failing to ensure that its worksites were regularly inspected under the Across Government Facilities Management Arrangement

244. Under the Service Level Guidelines, SAPOL is responsible, among other things, for defining the service requirements of its worksites and verifying that work has been undertaken in accordance with those requirements.
245. Having regard to the FMS Framework, it was reasonable for SAPOL to expect that DPTI-FS would conduct regular inspections and audits aimed at identifying the preventative maintenance requirements of each worksite falling within its service responsibility. However, in outsourcing those services SAPOL did not absolve itself of the responsibility to ensure that its assets were being maintained in a proper and safe working condition.
246. To its credit, SAPOL has never contested that it had a responsibility to ensure that its worksites were regularly inspected under the AGFMA processes.
247. Prior to the fatality SAPOL did not maintain a list of inspections conducted by DPTI-FS and its representatives. It claims to have been unaware of the circumstances in which the 'last inspection date' field in SAMIS would be updated.
248. As it was, that field suggested that the majority of SAPOL worksites were not being regularly inspected in accordance with the FMS Framework. If nothing else, that information should have prompted SAPOL to consider whether DPTI-FS was adequately discharging its audit and inspection responsibilities.
249. SAPOL's business unit with responsibility for strategic asset management, PASB, did not maintain its own record of site inspections conducted by or on behalf of DPTI-FS. To a certain extent, it appears to have relied upon staff at each facility to identify additional items of plant and equipment requiring preventative maintenance.
250. It is clear that prior to the Echunga fatality senior representatives of PASB were aware that items requiring preventative maintenance were being inadvertently omitted from the preventative maintenance schedules and that existing planning processes were not sufficient to identify and remedy these issues. The problem of servicing inconsistencies and the attendant risk to health and safety were identified in the course of the 2014 preventative maintenance review but were not meaningfully addressed prior to the fatality.
251. SAPOL's internal inquiry concluded that PASB failed to ensure that DPTI-FS adhered to the terms of the AGFMA instruments, including the requirement that DPTI-FS regularly inspect and audit the SAPOL worksites falling within its service responsibility. The internal inquiry observed that PASB should have, but did not, raise the apparent failure of DPTI-FS to conduct regular site inspections in the course of its interactions with DPTI's AGFMA Section and DPTI-FS.
252. Again, to SAPOL's credit, the Commissioner of Police has acknowledged and accepted those conclusions.
253. On the information available, it is my view that SAPOL's failure to ensure that its worksites were regularly inspected by DPTI-FS under the AGFMA prior to the Echunga fatality was a practice which resulted in the substantial mismanagement of public resources because it resulted in public assets not receiving necessary preventative maintenance, which in turn exposed those assets to a risk of premature failure and created an unreasonable risk to the health and safety of persons using SAPOL's premises.

254. Having regard to the factors identified above, I am also of the view that SAPOL's omission to ensure that its worksites were regularly inspected by DPTI-FS under the AGFMA was unreasonable for the purposes of section 25(1)(b) of the Ombudsman Act.

Opinion

The South Australian Police Department committed maladministration in public administration for the purposes of section 5(4) of the *Independent Commissioner Against Corruption Act 2012* by failing to ensure that its worksites were regularly inspected by the Department of Planning, Transport and Infrastructure under the Across Government Facilities Management Arrangement.

Opinion

The South Australian Police Department's omission to ensure that its worksites were regularly inspected by the Department of Planning, Transport and Infrastructure under the Across Government Facilities Management Arrangement was unreasonable for the purposes of section 25(1)(b) of the *Ombudsman Act 1972*.

Summary and recommendations

It is my opinion that:

1. The Department of Planning, Transport and Infrastructure committed maladministration in public administration for the purposes of section 5(4) of the *Independent Commissioner Against Corruption Act 2012* by failing to conduct regular and meaningful site inspections of the worksites falling within its service responsibility under the Across Government Facilities Management Arrangement.
2. The Department of Planning, Transport and Infrastructure's omission to conduct regular and meaningful site inspections of the worksites falling within its service responsibility under the Across Government Facilities Management Arrangement was unreasonable for the purposes of section 25(1)(b) of the *Ombudsman Act 1972*.
3. The South Australian Police Department committed maladministration in public administration for the purposes of section 5(4) of the *Independent Commissioner Against Corruption Act 2012* by failing to ensure that its worksites were regularly inspected by the Department of Planning, Transport and Infrastructure under the Across Government Facilities Management Arrangement.
4. The South Australian Police Department's omission to ensure that its worksites were regularly inspected by the Department of Planning, Transport and Infrastructure under the Across Government Facilities Management Arrangement was unreasonable for the purposes of section 25(1)(b) of the *Ombudsman Act 1972*.

In the circumstances, I make the following recommendations under section 25(2) of the *Ombudsman Act 1972*.

Recommendation 1

That, to the extent that it has not already done so, the Department of Planning, Transport and Infrastructure, in consultation with the agencies participating in the AGFMA, develop a schedule of site inspections that:

- (a) specifies the frequency in which each designated location is to be physically inspected by DPTI-FS or its representatives, having regard to the criteria identified in the Annual Inspection, Testing and Audit Plan Guidance Note
- (b) is submitted to the relevant agency for endorsement
- (c) is made available to the agency on an ongoing basis
- (d) is subject to regular review.

Recommendation 2

That the Department of Planning, Transport and Infrastructure ensure that each designated location is regularly inspected in accordance with the above schedule.

Recommendation 3

That the South Australian government ensure that the Department of Planning, Transport and Infrastructure is adequately resourced to implement the above recommendations, including, if necessary, through the provision of further funds for that purpose.

Recommendation 4

That the Department of Planning, Transport and Infrastructure:

- (a) ensure that the various AGFMA instruments, including the Work Procedure Manual, are amended to:
 - (i) clarify the respective roles of the service providers and the participating agencies
 - (ii) clarify the circumstances in which an item should or must receive preventative maintenance under the AGFMA, including the relevance of a technical data schedule to this question
 - (iii) specify what is intended to constitute 'compliance with WHS legislation'
- (b) take other appropriate action as necessary to improve understanding of, and compliance with, the AGFMA processes.

DPTI's response to the recommendations:

The above recommendations differ somewhat from the recommendations foreshadowed in my provisional report.

The recommendations as now constituted take into account submissions made by DPTI, which sought to highlight:

- the mutual obligations of DPTI and the agencies participating in the AGFMA under the Work, Health and Safety Act
- the resources required to undertake regular and meaningful site inspections in accordance with the criteria identified in DPTI's Inspection, Testing and Audit Plan Guidance Note
- the need for better understanding of, and better compliance with, the AGFMA processes, and for reform to the AGFMA documentation in this regard.

I have not adopted all of the suggestions made by DPTI, nor do the modifications made to the recommendations necessarily reflect DPTI's exact proposals.

In this regard, I consider it appropriate that recommendations 1 and 2 remain directed at DPTI in the first instance, as the agency with primary inspection responsibilities under the AGFMA documentation.

I have also declined DPTI's request that I reformulate recommendation 1 to be less prescriptive as to the manner and frequency of site inspections. In my view, the criteria identified in the relevant Guidance Note strike an appropriate balance between considerations of safety, risk and value for money, while leaving sufficient flexibility for DPTI and the agencies to determine an inspection regime appropriate to the circumstances of each worksite.

DPTI otherwise made several specific proposals aimed at clarifying and improving the AGFMA documentation and processes. I have considered those suggestions but have ultimately taken a less prescriptive approach in re-formulating the final recommendation.

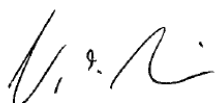
Further action

A copy of this report has been supplied to the Minister for Transport, Infrastructure and Local Government, as required by section 25(3) of the *Ombudsman Act 1972*.

In accordance with section 24(4) of the *Ombudsman Act 1972* DPTI should report to the Ombudsman by **14 April 2020** and again by **14 October 2020** as to what steps have been taken to give effect to the recommendations in this report, including:

- details of any actions that have been commenced or completed; and
- relevant dates of actions taken to implement the recommendations.

In the event that no action has been taken, reasons for the inaction should be provided to the Ombudsman.



Wayne Lines
SA OMBUDSMAN

14 October 2019

Schedule 1: List of SAPOL worksites with the corresponding 'last inspection date', as at approximately February 2017

Facility	Date	Comment
Aldinga Police Station	17 May 2007	
Amata Police Station	None identified	
Andamooka Police Station	8 December 2009	
Ardrossan Police Station/Residence	21 January 2010	
Balaklava Police Station	28 June 2010	
Barmera Police Station	26 February 2010	
Beachport Police Station	11 February 2010	
Berri Impound Property	None identified	
Berri Police Station (LSA HQ)	26 February 2010	
Blanchetown Police Station	12 July 2012	
Booleroo Centre Police Station/Residence	6 July 2010	
Bordertown Police Station/Residence	25 February 2010	
Brinkworth Police Station/Residence	8 January 2010	
Burra Police Station/Residence	18 March 2010	
Ceduna Impound Property	None identified	
Ceduna Police Station	21 June 2016	
Christies Beach Police Station (LSA HQ)	24 January 2014	
Clare Police Station	3 February 2010	
Cleve Police Station/Residence	19 June 1995	
Cockburn Police Station	16 February 2010	
Colonnades Foot Patrol	N None identified	
Coober Pedy Police Station	10 February 2010	
Coonalpyn Police Station	24 April 2015	
Cowell Police Station/Residence	20 February 2007	
Crystal Brook Police Station/Residence	26 May 2010	
Cummins Police Station/Residence	16 March 2011	
Echunga Training Reserve	22 November 2016	
Edithburgh Police Station	8 August 2007	

Elliston Police Station/Residence	29 April 2010	
Ernabella Police Complex	None identified	
Eudunda Police Station and REM Residence	11 August 2016	
Freeling Police Station & REM Residence	14 July 2015	
Fregon Police Aide Station	None identified	
Gladstone Police Station/Court & REM Residences	10 February 2010	
Glenelg Police Station	None identified	Site transferred from Spotless to DPTI-FS on 6 November 2015
Goolwa Police Station	10 May 1995	
Hallett Police Station/Residence	29 January 2010	
Hamley Bridge Police Station/Residence	7 January 2010	
Hawker Police Station	11 December 2003	
Indulkana Police Station	2 July 1995	
Jamestown Police Station/Residence	18 August 2011	
Kadina Police Station/Court & REM Residence	28 April 2010	
Kalangadoo Police Station (New)	None identified	
Kapunda Police Station and Court	14 July 2015	
Karoonda Police Station/Residence	5 August 2007	
Keith Police Station/Residence	3 February 2010	
Kimba Police Station/Residence	2 September 2008	
Kingscote Police Station and Court	6 June 1995	
Lameroo Police Station and Residence	30 April 2015	
Leigh Creek Police Station and Court	25 July 1995	
Lock Police Station	6 July 2011	
Lonsdale Impound Property	None identified	
Lot UMU415 Umuwa Demountable House	None identified	
Loxton Police Station	None identified	
Lucindale Police Station/Residence	27 January 2010	
Maitland Police Station and Court	21 January 2010	

Mallala Police Station/Residence	7 January 2010	Site transferred from Spotless to DPTI-FS on 20 March 2015
Mannahill Police Station/Residence	14 September 2011	
Mannum Police Station	17 June 2010	
Marla Police Station	4 February 2010	
Marree Police Station	3 April 2012	
McLaren Vale Police Station	None identified	
Meningie Police Station	19 March 2015	
Millicent Police Station	11 February 2010	
Mimili Police Station	None identified	
Minlaton Police Station	20 January 2010	
Minnipa Police Station	8 September 2004	
Moonta Police Station/Residence	23 August 2011	
Morgan Police Station/Residence	20 July 2010	
Mount Barker Police Station (LSA HQ)	22 December 1993	
Mount Gambier Police Station (LSA HQ)	26 February 2010	
Mount Pleasant Police Station – New Site	None identified	Site transferred from Spotless to DPTI-FS on 12 February 2015
Mt Gambier Impound Property	None identified	
Murray Bridge Impound Property	None identified	
Murray Bridge Police Station (New)	31 March 2015	
Naracoorte Police Station	27 January 2010	
Narrung Police Station/Residence	26 May 2009	
Netley Building 16	None identified	
Netley Commercial Park - Building 19	17 April 2009	
Netley Police Station	30 November 2015	
Noorla Yo-Long Camp	11 February 2010	
Normanville Police Station	None identified	
Nuriootpa Police Station (LSA HQ)	14 July 2015	
Oodnadatta Police Station	5 February 2010	

Orroroo Police Station/Residence	25 February 2010	
Penola Police Station	27 January 2010	
Penong Police Station	30 April 2010	
Peterborough Police Station	21 January 2010	
Pinnaroo Police Station	18 February 2015	
Pipalyatjara Police Station	12 February 2003	
Port Augusta Impound Property (2016)	None identified	
Port Augusta Police Station (LSA HQ)	22 March 2013	
Port Broughton Police Station	None identified	
Port Germein Police Station/Residence	30 June 2011	
Port Lincoln Police Station	None identified	
Port Macdonnell Police Station/Residence	24 June 2009	
Port Pirie Police Station (LSA HQ)	21 March 2013	
Port Victoria Police Station	21 January 2010	
Port Wakefield Police Station/Residence	6 January 2010	
Pt Lincoln Impound Property	None identified	
Pt Pirie Impound Property	None identified	
Quorn Police Station	11 September 2002	
Renmark Police Station	15 June 1995	
Riverton Police Station/Residence	5 January 2010	
Robe Police Station	11 February 2010	
Roxby Downs Police Station	None identified	
Snowtown Police Station	8 January 2010	
Snowtown Police Station (SES Building)	27 July 2015	
Spalding Police Station/Residence	9 February 2010	
Stansbury Police Station	None identified	
Stansbury Police Station/Residence	1 July 1995	
Stirling Police Station	12 March 2009	
Strathalbyn Police Station	5 March 2009	
Streaky Bay Police Station/Residence	30 April 2010	

Sturt Police Station (LSA HQ)	19 June 2012	
Swan Reach Police Station/Residence	12 July 2012	
Tailem Bend Police Station	26 March 2015	
Tumby Bay Police Station-Residence	30 June 1995	
Umuwa Office/Residence	None identified	
Waikerie Police Station	1 March 2010	
Whyalla Impound Property	None identified	
Whyalla Police Station	1 July 2011	
Williamstown Police Station	None identified	
Wirrabara Police Station/Residence	18 August 2011	
Wirrulla Police Station/Residence	24 September 2013	
Woomera Police Station	15 December 2009	
Wudinna Police Station/Residence	18 September 2013	
Yalata Police Station	10 August 2011	
Yorketown Police Station	19 January 2010	
Yunta Police Station/Residence	1 September 2011	

Schedule 2: Summary of site visits to the Echunga Training Reserve identified by DPTI

Date	In attendance	Purpose
May 2006	DPTI asbestos advisor	Inspection of STAR Force training building
October 2006	DPTI asbestos advisor	Hazardous material inspection
October 2007	Subcontractor	SAMIS register updated in respect of 287 items of equipment across multiple buildings at facility
December 2007	DPTI asbestos advisor	Hazardous material inspection
August and September 2008	Subcontractor	Attendances re request that walk-in freezer locks be re-keyed
November 2008	DPTI asbestos advisor	Hazardous material inspection
March 2009	Subcontractor	SAMIS register updated in respect of 48 items of equipment at facility
October 2009	DPTI asbestos advisor	Hazardous material inspection
December 2009	DPTI asbestos advisor	Hazardous material inspection
June 2011	DPTI-FS facility manager	Inspection of living quarters building for purposes of installing dishwasher
August 2011	DPTI-FS facility manager	Inspection of living quarters building re plumbing for coffee machine.
January 2012	Subcontractor	Hazardous material inspection
October 2012	Subcontractor	Breakdown maintenance – walk-in freezer door seals repaired
November 2012	Subcontractor	Hazardous material inspection
December 2012	Subcontractor	Breakdown maintenance – walk-in freezer door replaced
October 2013	Subcontractor	Replacement of exit light in living quarters
November 2013	DPTI asbestos advisor	Hazardous material inspection
March 2014	Subcontractor	Bird-proofing of electrical cabling between buildings
May 2014	DPTI-FS facility manager	Several site visits to repair/replace door handles for lecture rooms and living quarters
May 2014	DPTI-FS facility manager	Inspection of shower cubicles re privacy improvements
August 2014	Subcontractor	Breakdown maintenance – freezer in dormitory repaired
October 2014	Subcontractor	Site visit to inspect and quote for replacement of refrigeration system in walk-in freezer
November 2014	Subcontractor	Breakdown maintenance – walk-in freezer

November 2014	Subcontractor	Breakdown maintenance – replacement of refrigeration system and installation of new shelves in walk-in freezer
December 2014	DPTI asbestos advisor	Hazardous material inspection
February 2015	DPTI-FS facility manager	Walk-through and meeting at site with SAPOL representatives to discuss future needs
February 2015	DPTI-FS facility manager	Breakdown maintenance – inspection of dividing wall between firing ranges
March 2015	Subcontractor	Breakdown maintenance – replacement of light fittings and globes in living quarters
October 2015	DPTI asbestos advisor	Hazardous material inspection
October 2015	Subcontractor	Breakdown maintenance – repairs to security sensors/lamps around camp complex and car parks
February 2016	DPTI-FS facility manager	Meeting with SAPOL representative re rainwater drinking system; photograph taken of walk-in freezer and generator
March 2016	Subcontractor	Preventative maintenance to electrical systems
August 2016	DPTI asbestos advisor	Hazardous material inspection