

STATE OF VICTORIA
Inquiries Act 2014 (Vic)
 BOARD OF INQUIRY
 INTO THE COVID-19 HOTEL QUARANTINE PROGRAM

Witness statement of Sam Krikelis 17 August 2020
on behalf of MSS Security Pty Limited

I, Sam Krikelis of Level 3, 650 Lorimer Street Melbourne in the state of Victoria, state as follows:

Introduction

1. This statement is prepared in answer to a Notice to Produce directed to me which was issued by the Inquiry on 10 August 2020. Where I refer in this statement to numbered questions, those questions have been extracted from the list of questions referred to in the Notice to Produce.
2. In the preparation of this statement I have had regard to the records of MSS Security Pty Ltd (**MSS Security**) consisting of emails received or sent by me. Except where indicated in the statement, in the time available I have not been able to conduct broader inquiries within the company to assist in answering the questions.
3. In this statement I refer to the Department of Health & Human Services as **DHHS**. I refer to the Department of Jobs, Precincts & Regions as **DPJR**.

Index to documents

4. In preparing this statement I have created or found the documents in the following table.

No.	Document description	Paragraph	Document ID
1.	Document SK 1 - Schedule of shifts worked by MSS Security	15	MSSS.0001.0014.0003
2.	Notes recorded on my phone re visit on 5 April at the Mercure	42(a)	MSSS.0001.0013.0002
3.	Notes recorded on my phone re visit on 5 April at the Park Royal	42(b)	MSSS.0001.0013.0001
4.	Notes recorded on my phone re visit on 7 April at the Sheraton	42(c)	MSSS.0001.0013.0005
5.	Notes recorded on my phone re visit on 7 April at the Travelodge	42(d)	MSSS.0001.0013.0003
6.	Notes recorded on my phone re visit on 30 April at the Stamford	42(e)	MSSS.0001.0013.0004

1. What is your title and role within MSS Security?

5. I am employed by MSS Security as 'Business Manager, Event Services'.
6. MSS Security is Australia's largest private security provider. It operates nationally across many different areas of business including airports, universities, corporate facilities, Crown Casino, industrial sites and office buildings.

7. Event Services is a business division within MSS Security. The focus of the division is providing security officers for large scale events. The Events Services division assists in the supply of security services to some of Victoria's most significant major sporting events and concerts
8. As Business Manager, my role is to ensure these events can operate. I assist in the co-ordination of:
 - (a) logistics;
 - (b) rostering;
 - (c) manpower assessments;
 - (d) training;
 - (e) selection of personnel; and
 - (f) on-site induction.
9. My role is managerial. As a result, although I am involved in overseeing the co-ordination of the above tasks, my role is to make sure that the job is done, rather than to do it myself.
10. Before a major event I usually participate in planning meetings to understand the security needs of the client. I assist in determining how the security services needed might be supplied. I am often the client's point of contact for security needs. Our usual process is to have early planning meetings to work out how many security officers will be needed; whether they will be required for day or nightshift; and what zones they will be required to secure. I am usually part of the committee that also works with external agencies at the event such as police and emergency services.
11. During large events, there is always a management team present and I am usually on site for part of the time, based in a control room but also with time in the field. The time I spend on site depends on the security needs of the particular job. I will often give a presentation to the security team at the start of the event. I provide an overview of the event as well as the instructions and guidance we have been given about how the event is expected to operate. I explain how the roles (usually security officers and supervisors) will assist in an event's success.

2. What is your relevant professional background and work history?

12. I have been working at MSS Security since 1995 (the company was previously known as Chubb and prior to that as Wormald).
13. I commenced work as a site security officer myself and have worked my way up through the ranks to my current position of Business Manager. I am familiar with what a site security officer's day-to-day role entails.

The hotels at which your company provided security services

14. MSS Security provided security services to five hotels:
 - (a) Park Royal Melbourne Airport (**Park Royal**) - 6 April 2020 to 10 July 2020;
 - (b) Four Points by Sheraton (**Sheraton**) - 7 April 2020 to 3 July 2020;
 - (c) Holiday Inn Melbourne Airport (**Holiday Inn**) - 8 April 2020 to 10 July 2020;
 - (d) Travelodge Docklands (**Travelodge**) - 10 April 2020 to 25 April 2020;
 - (e) Stamford Plaza (**Stamford**) - 30 April 2020 to 2 July 2020.

3. For each hotel at which your company provided security services, please state –

(a) the number of persons rostered to each shift;

15. I have set out in a spreadsheet (*Document SK 1 - Schedule of shifts worked by MSS Security* MSSS doc reference to be provided) the number of MSS Security staff rostered to work across the hotels in respect of which MSS Security provided security services. This document is created from MSS's internal rostering system (called Rolecall). Each tab lists the shifts per hotel for the fortnight referred to in the tab.
16. I consider a shift to be the time a person is onsite covering a role. For security roles at major events when 24 hour a day coverage is required, the usual shift times are 8 or 12 hour shifts. The structure of our rosters for hotel quarantine was to have two 12 hour shifts per day to meet the required coverage. The staff who worked, were rostered on for regular shifts. We used a 4 days on, 4 days off rotation so that our people were not overworked.
17. To the extent that contractors were used by MSS Security for the provision of hotel quarantine security services, we recommended to our contractors that they adopt the same approach to rotations. I don't have any knowledge about the specific procedures that the contractors adopted in this case. However, I am aware that all our MSS Security contractors are required to sign agreements which detail what MSS Security policies require. As part of these agreements, contractor personnel provided to MSS Security are also required to know and follow MSS Security policies and procedures.
18. The contractors used by MSS Security for the provision of hotel quarantine security services were long-term contractors; frequently used by MSS Security across various events. Our staff know their personnel; in most cases by name. The contract personnel used were not just people recruited from social messaging platforms.

(b) the number of shifts per day; and

19. As set out above, 12 hour shifts were rostered on a 4 days on, 4 days off rotation. In some instances, there were shifts of shorter duration. For instance, some of the escort shifts were 8-10 hours.
20. There were also some times that shifts were shortened to 4 hours. These occurred because in some cases we rostered staff on to work because we had been told that an aircraft was due to arrive during the shift. We were later told (or heard) that it had been delayed or cancelled. At other times we rostered staff to cover security services for an entire hotel; however, 2 or 3 floors were not activated meaning that the staff were not required.
21. We rostered as best we could with the information with which we were provided. The information often came at very short notice from DJPR. The type of information provided to us included information about the number of flights expected and when they were due to arrive. When we were told about an incoming flight, we organised staff to cover the flights and also let out sub-contractors know. However, it was uncertain, at any point in time, what would be coming in and when.
22. In relation to the Stamford for instance, this hotel became a quarantine hotel later than the Holiday Inn, the Park Royal, the Sheraton or the Travelodge. When a request for MSS Security to provide services for the Stamford was made at short notice, to meet this request, personnel from the Travelodge– including direct MSS Security supervisors and staff as well as contract personnel provided by the Security Hub and United Risk Management - were moved across to work at the Stamford as MSS Security was scheduled to cease providing security services to the Travelodge at around the same time the Stamford was expecting to take its first hotel quarantine guests.
23. In addition to day-to-day uncertainties surrounding how many security officers and supervisors were required at each hotel, there was also uncertainty about how long MSS Security's services would be required. It wasn't like a usual job with a start date and a finish date. Initially we were

told our services would be required for a two week operation. It later became a 2 to 3 month operation and the scope of our services increased from the initial hotels we were servicing to cover 4 or 5 hotels.

(c) the duties of the staff rostered for each shift.

24. On each shift we had rostered to work as site security supervisor – either an MSS Security supervisor or a long-term regular contract supervisor - and then a number of security officers.
25. The site security supervisor was the supervisor for that shift. That person was the site contact for liaison with stakeholders (in this case, stakeholders included officers of DHHS and DJPR, the nurse on site, hotel staff and sometimes others such as catering contractors, cleaners and similar). The supervisor had responsibility to oversee the operation of the security services during the shift. That person was the first point of contact onsite at MSS Security in the event there was a need to change operational security arrangements, or if there was a security issue of any type. That person co-ordinated who on the shift filled each of security officer posts, as well as arranged breaks, relief and the like. That person came under the direction of the DHHS authorised officer onsite.
26. The DHHS authorised officers made final decisions about site based questions. For instance if a guest was causing issues, the authorised officer was notified and that person would deal with the issue. The security personnel would accompany the DHHS team leader or DJPR authorised officer in case things became difficult from a security perspective. There was a nurse appointed by the DHHS onsite 24 hours a day, 7 days a week. The nurses assisted with any medical issues which the guests had.
27. The roles of the security staff were security focused. In general terms they looked after the hotel levels and made sure no-one got out; they looked after packages that arrived and they guarded the foyer.
28. The security officers filled designated roles or posts which can be divided into four categories:
 - (a) foyer guard;
 - (b) floor or level guard;
 - (c) escort guard; and
 - (d) relievers.
29. The foyer guard's duties included surveillance of the foyer area, co-ordination of security for arrivals, and scanning and delivery of parcels for cigarettes, alcohol and drugs.
30. The floor or level guard's role was principally to monitor potential exit points to ensure that guests did not leave unless authorised. The big concern was that someone would rush out of a room and escape down a fire escape.
31. Escort guards were assigned to escort guests on authorised trips to or from their rooms. For instance, guests were initially permitted to go on 'fresh air breaks' and were accompanied by an escort guards. Over time 'smoke breaks' were also permitted. I recall that this happened initially at the Park Royal. I remember this because we had not factored into our initial rosters the additional escort officers needed to cover the 'smoke breaks'. We had to roster additional staff when we received the direction that 'smoke breaks' would be permitted.
32. As time progressed, requests were made to the MSS Security onsite supervisors to provide additional onsite services. For instance, at the Stamford Plaza Hotel and the Four Points by Sheraton in the middle of the operation, DHHS and DJPR decided to set up areas of the hotel for families to visit (one family at a time). This required additional security and we rostered family room security officers and escort guards whose job was to escort a family to and from the family area. The escort guards were also used to escort an authorised visitor (such as the

nurse) to a guest room. Floor level guards were also asked to deliver meals to guests. We were given authorisation to roster additional guards for meal deliveries.

33. Relievers would take over any other role to ensure that the guards would get their designated breaks.
34. The particular duties of staff members were otherwise arranged on a shift by shift and site by site basis as determined on each shift by the site supervisor, in accordance with directions that person received from the DJPR representatives when onsite, the DHHS authorised officers and other onsite stakeholders such as DHHS team leaders and the nurses. The MSS Security staff and contract personnel were not in a position to tell the experts how to do their job.

4. Did the numbers of persons and shifts or the nature of the duties change over time? If so, please detail the nature of those changes.

35. The numbers of persons and shifts did change frequently throughout the period. The spreadsheet I have prepared (see paragraph 15 above) provides some indication of the changes.
36. There were three reasons for changes. One was that the number of guests who were accommodated within the hotels, changed over time as guests arrived and then, after quarantine, left.
37. Each day during the operation DJPR would publish an email to an email group comprising all relevant contractors (for example the email entitled 'Hotel allocations Tuesday 9 June – hotel change for flight EK408' (MSSS.0001.0005.1457)) explaining the anticipated flight arrivals and the anticipated destination for their accommodation. As more people arrived at a hotel where MSS Security provided the security, we would roster on more people. As people left after their quarantine period, we would reduce the rostered numbers.
38. The second reason for a change in numbers of security officers was that our duties changed over time. For instance, when 'smoking' or 'fresh air' breaks were introduced, we rostered on additional people as escort guards for these. Similarly, when we were asked to deliver meals to rooms, we increased our roster of escort guards to accommodate this. Additionally, as our duties became more consistent over the weeks which passed, we were able to reduce the number of contingency officers for each shift.
39. The third reason for a change in security officer numbers was because of a reassessment of security needs generally. I understand this was to meet a client request for a reduction in security numbers, although I have not seen the communication. MSS Security conducted a review of its security operation at the hotels, with a view to reducing numbers. It was true that although the initial concern was of guests attempting to leave quarantine, there were almost no instances of this. As a result, in this review we decreased the recommended number of floor or level guards for each site.
40. We provided a recommendation to DJPR regarding reduced numbers. After a period of further consultation, DJPR officially reduced the numbers of security staff on 21 June 2020 (see the email entitled 'Hotel Changes' (MSSS.0001.0005.1213)).

5. How were decisions made about the number of staff to be rostered on?

41. Before operations commenced, myself and members of my team (as well as representatives from DHHS and DJPR, hotel management and others) participated in site reviews or 'walk arounds'. As a result of observations and discussions at that time, I made an assessment as to the number of security staff required at the venue.
42. I participated in five such walk arounds and on each occasion made notes on my phone:

- (a) On 5 April at the Mercure (we were originally identified to provide security on this site, but were later informed it would go to another contractor) (my notes are document MSSS.0001.0013.0002);
 - (b) On 5 April at the Park Royal (my notes are document MSSS.0001.0013.0001);
 - (c) On 7 April at the Sheraton (my notes are document MSSS.0001.0013.0005);
 - (d) On 7 April at the Travelodge (my notes are document MSSS.0001.0013.0003); and
 - (e) On 30 April at the Stamford (my notes are document MSSS.0001.0013.0004).
43. I did not attend the Holiday Inn walk around as I had another engagement that day which prevented me from attending.
44. It was at these meetings, particularly the first two, where I heard from the DJPR and DHHS officials about the role which the security guards were expected to play in the operation. Using the information I was told, and the physical layout of the hotel, I assessed how many security officers would be needed on each site.
45. There were many variables to take into account. Using the categories above:
- (a) The number of **foyer guards** depended upon the size of the foyer; the number of guests expected in the hotel; and the arrangements for diverse matters such as scanning of parcels and whether or not meals were provided by the hotel (At some hotels, although not all, MSS Security was directed to undertake these responsibilities);
 - (b) The number of **floor guards** depended upon the size of each level and how many rooms there were; the layout and number of access points to each level; and the number of levels anticipated to be in operation at any time. (Initially I allowed for a guard to staff at least each floor entry (ie each fire stair) on the floor. When we reviewed security needs at a later time, we allocated one 'rover' for each floor);
 - (c) The number of **escort guards** depended on the number of guests anticipated; and
 - (d) The number of **relievers** depended upon the total number of other guards – that is, the number of people who would need to take breaks during the shift.
46. In addition to these bare numbers, I allowed a 'buffer' or contingency in case further staff were needed for particular duties, or staff were late for work or simply didn't arrive for their shift. This meant additional staff were rostered on to cover such contingencies.
47. Once I had formulated a proposed number of staff for each site, I discussed it with my supervisor Anthony Bandieras to come up with a firm recommendation of numbers for each site. Anthony then sought approval from the client for those staff numbers, but I was not involved in that process.
48. As set out above, there were also circumstances that arose in the course of completing the hotel quarantine security work that meant additional staff had to be rostered on for duty. The example of the creation of the family rooms at the Sheraton and Stamford is a good example. In other cases, staff numbers had to be reduced because planes did not arrive or guests had completed a period of quarantine, but new guests had not arrived.

6. For each hotel at which your company provided services –

(a) who was your contact at the Department of Health and Human Services (DHHS); and

49. I did not have a particular contact at DHHS for any of the hotels. At each site, the site supervisor on each shift had direct contact with the DHHS team leader on shift at the same time. The team leader would change shift to shift.

(b) what directions, information and requests were given to you by DHHS regarding the way in which security services should be performed?

50. During the walk throughs discussed above, I received information and direction from DHHS regarding the services to be performed. Based on my notes from those visits (see paragraph 42 above), I recall the directions included:
- (a) Guests are not allowed to leave their rooms;
 - (b) 100% no smoking – security officers to report any instances of smoking;
 - (c) We need to supply radios;
 - (d) We will manage our own breaks;
 - (e) Everyone needs to wear PPE;
 - (f) DHHS will provide training;
 - (g) Australian Federal Police have oversight at the airport, then Victoria Police in the travel to the hotel, then MSS Security have oversight once the guests are within the hotel;
 - (h) We were to enforce social distancing laws;
 - (i) DHHS were to inspect all goods arriving at the Mercure but MSS Security would need to inspect parcels at the Park Royal and Sheraton;
 - (j) There will be unexpected needs so roster additional people to accommodate these in advance;
 - (k) DHHS are supposed to supply PPE, but this is still being confirmed/clarified;
51. Although these were the types of matters discussed during the initial walk arounds, I was not the MSS Security contact point on site to receive directions, information or requests from DHHS regarding the way in which security services should be provided at any particular hotel. Directions provided were directed to Anthony Bandieras. I was copied into a number of these emails from DHHS. Examples include the emails entitled 'Hotel Quarantine – Prohibited Items' (MSSS.0001.0005.3855) and 'Hotel Quarantine – Emergency Evacuation Planning' (MSSS.0001.0005.1043). I was also kept informed by site supervisors as to the directions and information they were given on site from the DHHS team leaders.
52. I also received a direct email notification on 22 May from DHHS (email entitled 'Four Points: Opening of new level 7 area' MSSS.0001.0004.1519) regarding what services were needed when the play area opened up at the Four Points Sheraton, but as the email says, this was more on an FYI basis.

7. For each hotel at which your company provided services –

(a) who was your contact at the Department of Jobs, Precincts and Regions (DJPR); and

53. Although I was not involved in client liaison for this job, my understanding is that DJPR did not have a particular contact dedicated to a particular hotel; the DJPR representatives looked after more than one hotel and would move between them.
54. So far as DJPR provided an oversight role in security issues, that was mostly via Personal Inform of DJPR who liaised with Anthony Bandiera of MSS Security.

(b) what directions, information and requests were given to you by DJPR regarding the way in which security services should be performed?

55. Aside from discussions at the original walk arounds, I did not receive any other directions, information or requests from DJPR regarding the way in which security services should be provided at any particular hotel. The role of DJPR appeared to me to be more directed at ensuring that the operation was carried out, rather than *how* it was carried out. It was DHHS which provided guidance regarding the way in which security services were to be performed.
56. However there were some occasions when DJPR provided direction, such as on 24 May 2020 when Personal Informant of DJPR informed my colleague Anthony Bandieras of new guidelines regarding guests seeking delivery of alcohol and cigarettes (see email entitled 'Hotel Quarantine – Prohibited Items' MSSS.0001.0003.1616). The new guidelines indicated that from then cigarettes were on going to be permitted; however by the next day DHHS at the Sheraton Four Points had made a decision not to allow cigarettes see email entitled 'Hotel Quarantine – Prohibited Items' (MSSS.0001.0003.1366), the email attached to that email entitled 'Cigarette policy' (MSSS.0001.0003.1367), and the further email entitled 'Hotel Quarantine –Prohibited Items' (MSSS.0001.0005.3855). When there were conflicting messages such as this, MSS Security personnel and contractors took their direction from the DHHS authorised officer on site.

8. What were the arrangements in place at each hotel for security staff to meet, eat, use toilet facilities and take breaks?

57. As part of the walk around process, I ascertained the location which the hotel planned to allocate to security staff for them to meet, eat, use toilet facilities and take breaks. This was important in our consideration as to the logistics at each site. In each case I was satisfied that the room provided for that purpose, met what I anticipated would be the needs of our staff. That is, I considered the rooms were going to be large enough and the toilet numbers would be sufficient in number and in a sensible location to enable our staff to use them. In summary, the arrangements were as follows:

Park Royal

58. Security staff had access to a staff room on level 5, which was used to sign on and sign off shifts. It was also used as the lunch room. There were toilets on level 5 which were allocated for security staff to use.

Holiday Inn

59. At this hotel the meeting point was in the lobby. A dedicated room was not necessary given the relatively small number of security personnel being engaged and the large size of the lobby. The hotel provided the security team with break rooms for meal breaks and comfort breaks, and in each of the break rooms there were toilet facilities.

Travelodge

60. This hotel also had a large function room on level 4 ('the Bourke') to use as a security operations room and as the lunch / break room. We also had access to toilets.

Four Points Sheraton

61. The hotel provided a security operation room on level 1. Security personnel were able to store radios and bags etc in that room. The room was also used as the break room. There were toilets available on the same floor. We were also provided with two fridges, tea and coffee making facilities.

Stamford Plaza Hotel

62. There was a generous break room provided at Stamford Plaza Hotel on (as I recall it) level 1. There were toilets just outside the room which were able to be used by security staff.

Training and Supervision

9. What if any training was provided to your staff by DHHS, DJPR or any other government department regarding COVID-19 and how to work in a safe manner?

63. To the best of my knowledge there was no co-ordinated face-to-face training program provided by DHHS, DJPR or any other government department to our staff.
64. I was informed during the walk arounds that DHHS would conduct training on site so that security staff would understand the particular requirements of the job. I did not manage or audit this process, but was informed by site supervisors that some informal training and instruction was given by DHHS staff on site. I understood that our staff were shown how to safely use PPE.
65. MSS received two guidelines from DHHS regarding PPE:
- (a) the email sent on 29 May 2020 entitled 'PPE Guidance' (MSSS.0001.0005.1029) and the attachment to that email described as '90. PPE Advice for hotel Security & AOs' (MSSS.0001.0005.1030); and
 - (b) the email sent on 11 June 2020 entitled 'PPE Guidance' (MSSS.0001.0005.0253) and the attachment to that email described as 'PPE Advice for Hotel Security & AOs in contact with Quarantined Individuals (Inward Facing)' (MSSS.0001.0005.0254).
66. The Departmental PPE Guidelines were put on doors, entry points and rooms so that everyone knew what the guidelines involved.

10. What if any training was provided to your staff by your company regarding COVID-19 and how to work in a safe manner?

67. MSS Security required that before any supervisor or security officer worked on site at a quarantine hotel, that the security officer or supervisor had completed a COVID-19 online training module on infection control, provided through www.covid-19training.gov.au.
68. Each security officer needed to provide a certificate of completion of that training before being permitted on site. I was not directly involved in this process. My colleague [REDACTED] co-ordinated it. I was copied into some emails concerning this; especially at the early stages of the project. One such email is entitled 'Full Coverage Tomorrow morning and Nightshift ParkRoyal' at MSSS.0001.0004.0033.
69. Sub-contractor management had also been requested on 30 March to make sure that completion of MSS Security's Infection Prevention and Control training module was a requirement for all their staff. That module was available on MSS Security's subcontractor portal (see email from A Bandiera 30 March 2020 'Infection Prevention and Control for Subcontractors' MSSS.0001.0003.0857).
70. MSS Security's training section also included ongoing training onsite – particularly when DHHS guidance changed (for instance initially security personnel were directed that masks and gloves were to be worn and personnel were to observe social distancing rules by remaining 1.5 metres apart, but this later changed such that personnel were directed not to wear gloves). In the time available I have not been able to ascertain the specifics of the onsite on-the-job training.
71. I am also aware of a training session conducted by one of our sub-contractors on 26 June, for the benefit of their staff who had been working at the Holiday Inn, but were then transferred to work at the Park Royal. I was informed of this by email on 25 June (see email entitled 'UPS names for Park Royal Hotel – training Fri 26/06/20' MSSS.0001.0004.3032). DHHS also attended this and provided training on PPE.
72. There was a similar session on 24 June at the Stamford.

11. What onsite supervision was in place for your company's security staff at each hotel?

73. On every shift there was a designated shift supervisor who was an experienced security officer, credentialed at a higher level. I have discussed the role of shift supervisor above (paragraph 25)
74. Our roster arrangements were that the shift supervisors for day shifts were almost always MSS Security employees. The night shift supervisors were often sub-contractors. We wished to have MSS Security employees on during the day as that was when interaction with other stakeholders (such as DJPR, DHHS and hotel management) was most likely and we preferred our direct employees to be engaged in that interaction. Most flights arrived during the day also.

12. In cases where all or some of the staff on duty were engaged via a subcontractor, did that subcontractor also provide onsite supervision? If not, how were the subcontractor's staff supervised?

75. As mentioned above, most day shift supervisors were MSS Security employees, and most night shift supervisors were employees of subcontractors. The shift supervisor in each case was an experienced supervisor. I have not reviewed the rosters in any detail, but believe that I had extensive prior personal experience with every shift supervisor from other events where MSS Security had provided security. They were not strangers to me and I had good working relationships with all of them.

Rosters and salary arrangements**13. Who was responsible for the recruiting and rostering of staff?***Recruitment*

76. In terms of MSS Security staff, I do not believe any were recruited during the relevant period. All of them, to my knowledge, were part of MSS Security's then current staff team.
77. The subcontractors may have conducted recruitment using their own recruitment processes. I am not aware of these. I did not expect the subcontractors to engage in a large scale recruitment process as they had all supplied larger numbers of staff at prior events, and there were no large public events taking place during this period.

Rostering

78. In terms of rostering, as outlined above, MSS Security determined the number of guards and supervisors required for each shift on each site. Those positions were filled by a combination of MSS Security staff and sub-contractors.
79. In the case of MSS Security staff, we have a dedicated rostering system which operates by SMS sent to the employees. In this case, as is usual practice, for the Park Royal, the Holiday Inn, the Travelodge and the Sheraton, an SMS message was sent to employees. The employees were asked if they were interested in working in the hotel quarantine program and, if so, whether they were available for work on a certain date. The employees responded to the SMS message with their availability. Alison Cafferkey, my colleague at MSS Security who was responsible for rostering, collated the data from the employees' replies and created a staff roster. She is the co-ordinator of the SMS system described above. The process described is the way we create staff rosters for the majority of our jobs. Part of my role is to oversee the rostering process that Alison undertakes.
80. As set out above, the process of identification of initial staff to work at the Stamford was different. MSS Security already had staff who were working at the Travelodge. MSS Security was scheduled to cease providing security services to the Travelodge at around the same time the Stamford was expecting to take its first hotel quarantine guests. The MSS Security staff who were working at the Travelodge were transferred to work at the Stamford.
81. For sub-contractors, MSS Security's involvement in the rostering process involved provision of a blank roster spreadsheet to the subcontractors, which identified the number of positions to be

filled. The subcontractors then returned the roster, completed with names of the security officers they proposed to deploy to fill each position for each shift.

82. Because it was such a large site and was likely to impose upon Alison's time, I assumed responsibility for overseeing the sub-contractor rostering of the Stamford site. I sent the emails to the sub-contractors with the blank rosters for the Stamford site and made sure they were returned.

14. Where subcontractors had been engaged, what if any limitation was placed on the means by which they could recruit and roster staff?

83. The subcontractors were each required to abide by the subcontract agreements they had entered into with MSS as follows:
- (a) Subcontract signed by The Security Hub – MSSS.0001.0005.2953;
 - (b) Subcontract signed by Australian Protection Group (**APG**) – MSSS.0001.0005.2955;
 - (c) Subcontract (unsigned) re Ultimate Protective Services (**UPS**) – MSSS.0001.0005.2958;
 - (d) Subcontract signed by United Risk Management (**URM**) – MSSS.0001.0005.2965 (signature pages only).
84. The key elements of these arrangements were that sub-contractors were to employ, and not further sub-contract (no ABNs) and all staff were to be paid in accordance with the relevant industrial agreement.
85. For this project, sub-contractors were required to undergo particular training (see paragraph 69).
86. Aside from this, there were no limitations placed upon the means by which subcontractors could recruit and roster staff for this project. I was not aware of any such limitations which had been imposed by the DJPR or DHHS upon MSS Security. MSS Security had worked closely with the sub-contractors chosen over many years and did not identify a need to place any limitation on their methods of recruiting and rostering.

15. What factors were relevant to how frequently staff were rostered on?

87. As set out above, MSS Security arranged the rosters for this project to provide for a security officer to be rostered on to work for 4 shifts, each of 12 hour duration, and then to be rostered off for the next four days. We know this as a '4 on, 4 off' rotation.
88. MSS used that frequency, primarily, to ensure that officers are not overworked, and therefore fatigued and less likely to perform well in their position. We also wished to ensure there was a steady flow of work to the security officers – this tends to ensure they are more committed to the role and thus bring a more professional attitude to the job. It is the usual approach the Event Services division of MSS Security adopts to rostering shifts for major events with duration over more than a few days.

16. What records were kept of hours worked?

89. There were various records of hours worked. They include:
- (a) rosters prepared before shifts, where workers' names and the anticipated hours were recorded;
 - (b) sign on/off sheets on site; and
 - (c) electronic payroll records.

90. The sign on/off sheets are the primary record of hours worked. They were maintained on site. Once completed, they were sent to MSS Security where the data from them was placed into the payroll system. There is a checking process to ensure that payroll records correlate with the sign on/off sheets, but I am not involved in that aspect of the business.

17. What were the applicable hourly rates of pay?

91. I am not involved in the rates of pay and cannot answer this question. I was aware of the hourly rates charged to MSS Security for the sub-contractors, but I do not know how much the sub-contractor employees were actually paid other than that it was based on level 1 of the relevant award.
92. United Risk Management informed me of their rates by way of email dated 8 April ('Re: Travelodge' (MSSS.0001.0004.0114) and the attached 'URM schedule rates' (MSSS.0001.0004.0115)).
93. The Security Hub informed me of their rates by way of email dated 5 April 'TSH COVID-19 Hotel Supply Rates' (MSSS.0001.0004.0039) and the attached 'Quote TSH Covid 19 MSS Hotels' (MSSS.0001.0004.0040)
94. I received an email on 14 April from Anthony Bandiera informing me of the system hourly rates for Ultimate Protective Services. See the email entitled 'New Subcontractors Victoria' and the attachment to that email 'VMF-Ultimate Security' which is (MSSS.0001.0006.0207 and MSSS.0001.0006.0208).

18. How were security staff paid?

95. Again, this is not my area. However I know that MSS Security employees are paid fortnightly, and that sub-contractors are paid weekly for the work performed by their employees. I do not know whether the sub-contractors pay their employees weekly or fortnightly.

19. To your knowledge were any security staff rostered to work at your hotels also working at other locations and/or for other security contractors?

96. I was not aware at the time of any security staff rostered at MSS Security hotels working at other locations or for other security contractors or sub-contractors.
97. My understanding is that the sub-contractors MSS Security uses work primarily for MSS Security.
98. We attempted to ensure that there was no intermingling between sub-contractors on each of the hotel sites. The arrangements were:
- (a) Sheraton – was staffed by APG and MSS Security personnel;
 - (b) Holiday Inn – was staffed by UPS and MSS Security personnel;
 - (c) Parkroyal – was staffed by The Security Hub and MSS Security personnel; and
 - (d) Stamford– was staffed by The Security Hub, URM and MSS Security personnel.
99. After about 17 June 2020, when MSS Security guards first tested positive, we had to isolate 150 people and find security staff to replace them on the rosters. We therefore moved guards from UPS (who we were informed had not worked at the Holiday Inn) to work at the Stamford, in addition to the staff there from The Security Hub and URM.

Personal protective equipment

20. What PPE was provided by your company for staff use?

100. MSS Security provided the PPE that DHHS directed that its security staff have including gloves, masks and hand sanitiser. MSS Security tracked the PPE it purchased to provide for staff use on this project. A spreadsheet setting out the PPE provided (including the item, hotel recipient and date provided) is document MSSS.0001.0003.0055 (entitled inventory 3.xlsx). This formed the basis for MSS Security to seek reimbursement from DJPR for the supplies.
101. In addition to supplies recorded in the spreadsheet, there may have been occasions when PPE from MSS Security's general stock was used or purchased, but for which MSS Security did not seek reimbursement. However I believe that most PPE we supplied would have been accounted for by inclusion in the spreadsheet.

21. What PPE was provided by DHHS or any other government department?

102. DHHS provided PPE on site including gloves, masks and hand sanitiser.

22. Were your staff at any time required to provide their own PPE?

103. To my knowledge, no MSS Security staff member nor sub-contractor in the quarantine hotel project was ever asked to provide their own PPE.

23. What training was given to your staff regarding the correct use of PPE? Who provided that training?

104. As set out above, before any MSS Security staff member worked at a hotel quarantine site, he or she was required to complete the online training module on infection control, provided through the DHHS and available at www.covid-19training.gov.au. This included information about PPE.
105. We received signage which was placed on doors, entry points and rooms so that everyone knew what the guidelines involved including the entry door of the security break rooms.
106. MSS Security also received guidance from Charles Hooper, our Health, Safety and Environmental Manager about the requirements MSS Security was being asked to follow. Our security supervisors then provided ongoing on-the-job training of staff about PPE – how to wear it, when to wear it, how to remove PPE correctly and how to dispose of it safely. This was particularly necessary because the directions from the DHHS authorised officers or nurses did change over time; for instance, as to whether or not gloves should be worn, or whether masks were necessary if security officers were more than 1.5m away from guests.
107. In addition there were two training sessions provided at the Stamford on 24 June and at the Park Royal on 26 June. I was told that DHHS staff provided PPE training at these. The training session for the Stamford is referenced in the email entitled 'Re: Security Contacts' (MSSS.0001.0005.1707). The training session for the Park Royal is referenced in the email entitled 'Re: Final Security Guard education pack for Park Royal 26/6/20 session' (MSSS.0001.0005.1632).

24. Did your company at any time experience a shortage of PPE? If so, how was that shortage managed?

108. We did have concerns regarding potential shortages of PPE during parts of the project; however to my knowledge there was only one occasion when staff were at risk of working without sufficient PPE. I discuss this below.
109. Over Easter in particular, I had a concern that there may not have been sufficient PPE. I recall that there were restrictions on the amount of PPE which a person could buy.
110. On Sunday 12 April I dropped off 100 large gloves, 100 medium gloves and 40 masks the Sheraton. This is recorded in an email I sent to the security supervisor Jarrod Mendez on

Monday 13 April (see my email entitled 'PPE Equipment' which is MSSS.0001.0004.0274). I also dropped supplies to the Travelodge over Easter. I recall that I was informed that DHHS were struggling with supply at that time (see my email to MSS management on 14 April 2020 "RE: Positive Covid 19 Guest FPS - MSSS.0001.0005.2079).

111. MSS continued to monitor PPE stocks during Monday 13 April (see the email entitled Re: PPE Equipment - MSSS.0001.0005.3013).
112. By Tuesday 14 April I was assured by the site supervisor that at least at the Sheraton there was sufficient stock of PPE (see email Monday 13 April 2.01pm from Jarrod Mendes Re: PPE Equipment – MSSS.0001.0005.3107).
113. We remained concerned about supplies of PPE during the following week and on Thursday 16 April our safety officer Charles Hooper asked my colleague and me to purchase more gloves from Bunnings (email entitled 'Re: Gloves' - MSSS.0001.0004.0374).
114. On Sunday 19 April Charles Hooper again asked management to purchase gloves as reserves had run out that day at Travelodge and Sheraton (email entitled 'Re: Gloves' - MSSS.0001.0004.0439).
115. On Monday 20 April at 7.32 am we received an email message from the shift supervisor informing us that security staff had run out of PPE and that DHHS had refused to supply more. There were six guards without PPE at that time. At 8.07 am we received a further email to advise that the nurses from Sheraton had supplied 10 masks which had been distributed to the six guards. The six guards had not performed duties without PPE – they were escort guards and simply did not do any escorts until the masks arrived (See the email entitled 'Re: PPE' - MSSS.0001.0004.0447).
116. I requested details of the amount of PPE on site and at 4.08 pm that day received an email from the day shift supervisor Ugo Crino, which informed of the levels of PPE on site, which I considered to be sufficient to meet the immediate ongoing needs (see email entitled 'RE: PPE' MSSS.0001.0005.1209).
117. On Tuesday 21 April I had a further email exchange with Charles Hooper in which I advised him that I had purchased two boxes of large latex gloves, but had been struggling to find any stock of nitrile gloves (See email entitled 'RE: PPE' MSSS.0001.0004.0480).
118. Also on Tuesday 21 April Charles Hooper advised me that he had taken delivery of an order of masks. I informed him that I had also purchased 3 boxes that day. (See email entitled RE: Masks - MSSS.0001.0004.0517).
119. From around that time (that is, from late April), the supply of PPE became more regular and to my knowledge we were able to supply stock as needed on site.

25. What if any arrangements were in place at the hotels for which you had responsibility for temperature checking of security staff? Who instituted and monitored any such arrangement?

120. There were no arrangements in place for temperature checking of security staff at the hotels for which I had responsibility.
121. MSS Security was never informed that this was a requirement or even recommended.

Complaints and concerns

26. Who was responsible for identifying and acting on instances of poor or unacceptable conduct by security staff?

122. Site supervisors are generally responsible for identifying, acting on and reporting instances of poor or unacceptable behaviour by staff on their shift.

123. Depending on the conduct in question, any identified bad behaviour was dealt with solely by the supervisor, or it may have been escalated to me for further action.

27. Who was responsible for identifying and acting on complaints or concerns regarding unsafe work conditions for security staff?

124. Every MSS Security employee or contract employee on an MSS Security site (which includes any sites at which MSS Security is performing work) has a responsibility to identify and act upon any concern regarding unsafe conditions for staff or for any other person on site.
125. Shift supervisors have an ongoing active duty to identify areas of risk.
126. In addition, it is part of my role when carrying out site inspections – both before and during our operations - to identify potential risks. MSS Security's workplace safety officer visits sites on the same basis. Both of us visited the hotel sites on this basis.
127. If complaints or concerns are raised, these are to be acted upon by the appropriate person depending upon the issue. For instance, site supervisors could correct minor risks without formal reporting (eg asking cleaners to mop up a wet floor). More significant risks are required to be escalated.

28. Did your company identify or receive notice of poor or unacceptable conduct by any security staff? How were those issues dealt with?

128. MSS Security did identify or receive notice of a small number of instances of poor or unacceptable conduct by security staff.
129. These were the subject of investigation – usually by the site supervisors, but sometimes by more senior officers of the sub-contractor in conjunction with me. The investigations usually consisted of the persons involved being asked to provide their account of events.
130. Following investigation, either MSS Security or the sub-contractor determined the action to be taken. Sometimes the investigation demonstrated a misunderstanding, or no serious concern. In these instances, no further steps were taken. In other instances there was substantiation of the misconduct and disciplinary action followed.
131. I set out below the incidents that I recall and that I have been able to retrieve from my email records in the time available. I did not consider the number or nature of complaints to be unusual given the number of man hours involved.

Two guards disrespectful - Sheraton

132. On Tuesday 14 April I received a report that two sub-contracted guards at the Sheraton had been disrespectful to other MSS Security contract staff, including the supervisor. There was also a suggestion made by other guards that possibly the two in question had been engaged in sexual activity.
133. By the time I received the email report, the shift supervisor had already directed the sub-contractor (Australian Protection Group) not to deploy those staff on an MSS Security job again. On receiving this report I confirmed that I did not want these disrespectful staff to work for MSS Security at events again.
134. I was informed by the managing director of APG later that day that '*There was no major incident just two staff members that got a bit comfortable working together*'; that their actions had not jeopardised their work and that they would not be working on MSS sites again.
135. This is recorded in an email chain entitled 'RE: Incident with a couple of guards' at MSSS.0001.0005.1259.

136. To my knowledge, those personnel did not work on an MSS Security site again during the hotel quarantine program.

Overly personal conversations - Travelodge

137. On Saturday 18 April I received an email from [REDACTED] (DHHS) in which she reported that the mental health nurse on duty the night before had raised issues concerning a particular security guard. The complaint was that the guard had engaged in conversations of a personal nature with guests and may have breached their confidences in reporting details of the conversation to the nurse.
138. I responded by email on 20 April indicating that I would speak to the guard in question. [REDACTED] responded indicating that the behaviour had continued between 18 and 20 April. I then spoke with [REDACTED] to understand more about the complaint. (see MSSS.0001.0004.0473)
139. I subsequently spoke with the guard in question informing him of the details of the complaint and that he and the other guards should ensure they keep conversations to a professional level. I did not receive further complaint regarding this conduct.

Guard coughing and sniffing

140. On 21 May I received an email from [REDACTED] concerning a complaint about a guard at the Park Royal. A guest had complained that the guard was coughing and sniffing and not wearing a mask. The complaint had been investigated by the site supervisor. The guard stated that he had eaten a muesli bar without a drink and it had made him cough. MSS Security (Alison Cafferkey) instructed the supervisor to investigate further and instructed that if he was not well he needed to be sent home.
141. The guard was cleared by the DHHS nurse to stay after his temperature was checked. See email entitled 'RE: Park towers security complaint – Guard coughing and sniffing' - MSSS.0001.0004.1508).

Guard falling asleep – Holiday Inn

142. On 1 June, there was a complaint from our subcontractor supervisor about an MSS Security guard on night shift falling asleep. The supervisors were asked to speak with the guard and he would be performance managed by MSS Security if necessary. See email entitled 'Holiday Inn-security guard issue (concern) - MSSS.0001.0004.1924). I do not believe there was any further action requested or needed with respect to this report.

Guard too physically close to guests - Stamford

143. On 12 June I received an email from the managing director of URM which forwarded an email complaint from a URM employed guard concerning another guard. It was alleged that the guard had become too physically close with some guests and had been abusive to other staff when the issue was raised with her. A supervisor investigated and was informed that the guard was interpreting for a new arrival, did not swear, and was wearing a mask and gloves at the time. See email entitled: 'Complaint Stamford' - MSSS.0001.0004.2269).

Guards smoking and not distancing - Stamford

144. On 16 June I received an email from the General Manager of the Stamford reporting that guests (under supervision of MSS Security officers) were smoking in an inconvenient location, and that there had been a complaint from another guest concerning lack of social distancing amongst security guards. This was addressed at a site meeting the following day. See email entitled: 'Stamford Plaza' - MSSS.0001.0004.2387).

Guard taking food

145. On 20 June I was informed of an incident where a guard had been seen taking food out of guests' meal bags. He was stood down. See email entitled: [REDACTED] (MSSS.0001.0004.2709).

Guest attempts to leave

146. On 26 June I was informed of an incident where a quarantined guest made his own way down to the hotel lobby despite a floor guard being assigned to the level to prevent this. The guard was on his mobile phone and did not prevent the guest from entering the lift. The guest was apprehended in the lobby and escorted back to his room. The guard who was on his mobile phone was sent home after the incident. See emails entitled 'Sheraton Four Points Incident' - MSSS.0001.0004.3100, MSSS.0001.0004.3114, and MSSS.0001.0004.3115

Positive feedback

147. We did also receive positive feedback, including an email from the DHHS team leader at Four Points Sheraton who on 11 May complemented our staff and contractors in an email to me (see MSSS.0001.0003.0395).

29. Did your company identify or receive notice of unsafe work conditions? How were those issues dealt with?

148. I did not identify or receive notice of unsafe work conditions on this project. I was aware of emails being sent by Worksafe Victoria to Ishu Gupta at The Security Hub regarding the Covid outbreak at the Stamford Hotel – see email entitled RE: COVID-19 Case - MSSS.0001.0004.3190. However I understand this was a general inquiry by Worksafe, and there had not been any identification of unsafe work conditions.
149. The emails from Worksafe Victoria to MSS were directed to Charles Hooper (see email entitled RE: COVID-19 Case MSSS.0001.0012.0035). I was not copied in on that email and am not aware of Mr Hooper's response.

Additional information**30. If you wish to include any additional information in your witness statement, please set it out below.**

150. I do not wish to include any additional information

Signed:

Sam Krikelis

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Sam Krikelis

17 August 2020