



# Appendices

Appendix 1 – Complaints Received and Finalised

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## Appendix 1 – Complaints Received and Finalised

	Total Complaints Received in 2022-23	Complaints finalised at assessment				Complaints finalised at investigation			Total Complaints Finalised in 2022-23	
		Issue not in jurisdiction	More appropriate body to handle complaint	Referred back to the public authority	Investigation not warranted	Resolved	Sustained	Not sustained, cannot be determined, or discontinued		Withdrawn
<b>PUBLIC SECTOR</b>										
Biodiversity, Conservation and Attractions, Department of	4	1	2			1			4	
Central Regional TAFE	2									
Child and Adolescent Health Service	2		1		1				2	
Communities, Department of	271	22	27	77	32	86		4	6	254
East Metropolitan Health Service	9	1	2	1	2	1				7
Economic Regulation Authority	1									
Education, Department of	33		7	3	9	12			2	33
Finance, Department of	14		3	3	2	6			1	15
Fire and Emergency Services, Department of	3	1	1			1				3
Fremantle Port Authority	1	1								1
Gold Corporation	3		2			1				3
Health and Disability Services Complaints Office	7		1	2	2	3				8
Health, Department of	39	2	3	17		21		1	1	45
Insurance Commission of Western Australia	5			2		2				4
Jobs, Tourism, Science and Innovation, Department of	2				1	1			1	3
Justice, Department of	220	15	33	58	51	60			5	222
Landgate	7	1			2					3
Legal Aid WA	12		3	4	2	1			2	12
Legal Practice Board	6		2	2	1			1		6
Legal Services and Complaints Committee	6	3			1	2				6
Local Government, Sport and Cultural Industries, Department of	9	1	1	1	4	3				10
Main Roads Western Australia	13	3	7	2		2				14
Mental Health Advocacy Service	1					1				1
Metronet	3	1	1			2				4
Metropolitan Cemeteries Board	3				1					1
Mines, Industry Regulation and Safety, Department of	26	4	5	5	2	9			1	26
North Metropolitan Health Service	7		3		1	1				5

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North Metropolitan TAFE	5					4			4	
PathWest	3		1	1	1				3	
Planning, Lands and Heritage, Department of	12	1	2	2	5	1			11	
Primary Industries and Regional Development, Department of	8		1	2	1		1		5	
Prisoners Review Board	2				2	1			3	
Public Advocate	11	2	3	4		1		1	11	
Public Sector Commission	2	1		1					2	
Public Transport Authority	19		5	1	4	6	1	1	18	
Public Trustee	36	2	2	12	9	12		1	38	
SERCO - Acacia Prison	36	4	6	12	7	7		1	37	
Small Business Development Corporation	79	19		2	7	57		1	86	
South Metropolitan Health Service	6	1	3		2				6	
South Metropolitan TAFE	2			1		1			2	
South Regional TAFE	3		1	1				1	3	
Teacher Registration Board	1	1							1	
Training Accreditation Council	1									
Training and Workforce Development, Department of	4			2	1			1	4	
Transport, Department of	58	3	8	17	11	16		1	56	
WA Country Health Service	14		10	1	1	2			14	
Water and Environmental Regulation, Department of	6	1	1	2		1			5	
Water Corporation	1				1				1	
Western Australia Police Force	121	9	50	39	9	9			116	
<b>TOTAL PUBLIC SECTOR COMPLAINTS</b>	<b>1,139</b>	<b>100</b>	<b>197</b>	<b>277</b>	<b>175</b>	<b>334</b>	<b>0</b>	<b>8</b>	<b>27</b>	<b>1,118</b>

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	Total Complaints Received in 2022-23	Complaints finalised at assessment				Complaints finalised at investigation			Total Complaints Finalised in 2022-23
		Issue not in jurisdiction	More appropriate body to handle complaint	Referred back to the public authority	Investigation not warranted	Resolved	Sustained	Not sustained, cannot be determined, or discontinued	
<b>LOCAL GOVERNMENT</b>									
Albany, City of	3			2		1			3
Armadale, City of	5			4	1				5
Augusta / Margaret River, Shire of	4		1			1			2
Bassendean, Town of	3	1		1		2			4
Bayswater, City of	9		1	1	3	2	2		9
Belmont, City of	8	5			2	1			8
Boyup Brook, Shire of	1					1			1
Bridgetown / Greenbushes, Shire of	2					2			2
Broome, Shire of	2			1	1				2
Bunbury, City of	3					2		1	3
Busselton, City of	1					1			1
Cambridge, Town of	7	1	2		3	3	1		10
Canning, City of	15		2	6	2	8			18
Capel, Shire of	5	1		2		2		1	6
Chittering, Shire of	3		1						1
Claremont, Town of	2		1			1			2
Cockburn, City of	9	2	5	1	2	6		1	17
Collie, Shire of	2	1				1			2
Coolgardie, Shire of	1					1			1
Corrigin, Shire of	1								
Cottesloe, Town of	3			1				1	2
Dandaragan, Shire of	1					1			1
Denmark, Shire of	1			1	1				2
Derby / West Kimberley, Shire of			1						1
Dundas, Shire of	1	1							1
East Pilbara, Shire of	3		1			2			3
Exmouth, Shire of	1								
Fremantle, City of	10		1	2	3	5			11
Gingin, Shire of	1								
Gosnells, City of	11		1	2	2	4	2		11
Greater Geraldton, City of	2		1			1			2
Harvey, Shire of	3		2			1			3
Joondalup, City of	24	2	1	4	1	6		2	16
Kalamunda, City of	8	1	4	1	2	2			10
Kalgoorlie / Boulder, City of	1			1					1
Karratha, City of	2			1					1
Katanning, Shire of	1			1					1
Kojonup, Shire of	1				1				1
Kwinana, City of	5		1		1	1		2	5
Laverton, Shire of	2		2						2
Mandurah, City of	9			1	2	3			6
Manjimup, Shire of	1				1				1
Meekatharra, Shire of	1				1				1
Melville, City of	11	2	3	1	4	3			13
Mosman Park, Town of	4				2	1			3
Mundaring, Shire of	7		3	1					4

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Nannup, Shire of	1					2			2	
Narrogin, Shire of	5			1	2	1			4	
Nedlands, City of	8	2	2	1	1				6	
Northam, Shire of	1					1			1	
Perenjori, Shire of	1	1							1	
Perth, City of	14		11	2		1			14	
Plantagenet, Shire of	2							1	1	
Port Hedland, Town of	4			1		2			3	
Ravensthorpe, Shire of	1									
Rockingham, City of	16	1	2	3	3	3	1		13	
Serpentine / Jarrahdale, Shire of	3	1	1					1	3	
South Perth, City of	2			1		2			3	
Stirling, City of	25		3	7	5	9		1	25	
Subiaco, City of	2					1			1	
Swan, City of	15		2	2	2	2		4	12	
Tammin, Shire of	1		1						1	
Three Springs, Shire of	1					1			1	
Toodyay, Shire of	2									
Trayning, Shire of	1		1						1	
Upper Gascoyne, Shire of						1			1	
Victoria Park, Town of	12		2	3	1	3			9	
Victoria Plains, Shire of						1			1	
Vincent, City of	6		2	2		2		1	7	
Wanneroo, City of	20		5	3	3	10		2	24	
York, Shire of	1		1						1	
<b>TOTAL LOCAL GOVERNMENT COMPLAINTS</b>	<b>344</b>	<b>22</b>	<b>67</b>	<b>61</b>	<b>52</b>	<b>107</b>	<b>1</b>	<b>7</b>	<b>17</b>	<b>334</b>

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<b>UNIVERSITIES</b>										
Curtin University	32		5	7	3	8		5		28
Edith Cowan University	27	2	2	4	3	2		8		21
Murdoch University	16	1	2	6	3	2		3		17
University of Western Australia	26	2	2	4	2	7		4		21
<b>TOTAL UNIVERSITIES</b>	<b>101</b>	<b>5</b>	<b>11</b>	<b>21</b>	<b>11</b>	<b>19</b>	<b>0</b>	<b>20</b>	<b>0</b>	<b>87</b>
<b>AGENCIES OUT OF JURISDICTION</b>										
Organisation not identified	10	3	3		5				2	13
Agencies out of jurisdiction	766	75	677						2	754
<b>TOTAL AGENCIES OUT OF JURISDICTION</b>	<b>776</b>	<b>78</b>	<b>680</b>		<b>5</b>				<b>4</b>	<b>767</b>
<b>TOTAL COMPLAINTS</b>										
Total complaints about agencies in jurisdiction	1,586	127	275	360	238	461	1	35	44	1,541
Total complaints about agencies out of jurisdiction	776	78	680		5				4	767
<b>GRAND TOTAL</b>	<b>2,362</b>	<b>205</b>	<b>955</b>	<b>360</b>	<b>243</b>	<b>461</b>	<b>1</b>	<b>35</b>	<b>48</b>	<b>2,308</b>

## Appendix 2 – Legislation

### Principal Legislation

- [Parliamentary Commissioner Act 1971](#)

### Legislation and Other Instruments Governing Other Functions

Charitable Trusts	<ul style="list-style-type: none"><li>• <u><a href="#">Charitable Trusts Act 2022</a></u></li></ul>
Complaints and appeals by overseas students	<ul style="list-style-type: none"><li>• <u><a href="#">National Code of Practice for Providers of Education and Training to Overseas Students 2018</a></u></li></ul>
Public Interest Disclosures	<ul style="list-style-type: none"><li>• <u><a href="#">Public Interest Disclosure Act 2003</a></u></li></ul>
Complaints from residents of the Indian Ocean Territories	<ul style="list-style-type: none"><li>• <u><a href="#">Indian Ocean Territories (Administration of Laws) Act 1992</a></u></li><li>• <u><a href="#">Christmas Island Act 1958 (Commonwealth)</a></u></li><li>• <u><a href="#">Cocos (Keeling) Islands Act 1955 (Commonwealth)</a></u></li></ul>
Complaints from persons detained under terrorism legislation	<ul style="list-style-type: none"><li>• <u><a href="#">Terrorism (Preventative Detention) Act 2006</a></u></li></ul>
Inspection of Telecommunications Interception records	<ul style="list-style-type: none"><li>• <u><a href="#">Telecommunications (Interception and Access) Act 1979 (Commonwealth)</a></u></li><li>• <u><a href="#">Telecommunications (Interception and Access) Western Australia Act 1996</a></u></li><li>• <u><a href="#">Telecommunications (Interception and Access) Western Australia Regulations 1996</a></u></li></ul>
Scrutiny of police powers in relation to unlawful consorting and prohibited insignia	<ul style="list-style-type: none"><li>• <u><a href="#">Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021</a></u></li></ul>
Scrutiny of powers in relation to Protected Entertainment Precincts	<ul style="list-style-type: none"><li>• <u><a href="#">Liquor Control Act 1988</a></u></li></ul>

## Energy and Water Ombudsman

- [Economic Regulation Authority Act 2003](#)
- [Electricity Industry Act 2004](#)
- [Energy Coordination Act 1994](#)
- [Water Services Act 2012](#)
- [Constitution of the Energy and Water Ombudsman \(Western Australia\) Limited](#)
- [Charter of the Energy and Water Ombudsman \(Western Australia\) Limited](#)

## Other Key Legislation Impacting on the Office's Activities

- *Auditor General Act 2006;*
- *Children and Community Services Act 2004;*
- *Corruption, Crime and Misconduct Act 2003;*
- *Disability Services Act 1993;*
- *Equal Opportunity Act 1984;*
- *Financial Management Act 2006;*
- *Industrial Relations Act 1979;*
- *Minimum Conditions of Employment Act 1993;*
- *Work Health and Safety Act 2020;*
- *Public Sector Management Act 1994;*
- *Royal Commissions Act 1968;*
- *Salaries and Allowances Act 1975;*
- *State Records Act 2000;* and
- *State Supply Commission Act 1991.*



## Appendix 3 – Publications

The following publications are available electronically on the Ombudsman’s website at [www.ombudsman.wa.gov.au](http://www.ombudsman.wa.gov.au) and in hard copy by request to [mail@ombudsman.wa.gov.au](mailto:mail@ombudsman.wa.gov.au). Publications can also be made available in alternative formats to meet the needs of people with disability.

### Brochures and Posters

#### About the Ombudsman

- Ombudsman Western Australia Brochure
- Ombudsman Western Australia Summary Poster
- Ombudsman Western Australia Summary Brochure
- Ombudsman Western Australia Summary Postcard
- It’s OK to complain – Poster for Young People aged 5 – 10
- It’s OK to complain – Poster for Young People aged 10+
- Children and Young People Information Sheet
- ‘Have you got a problem?’ Information Sheet for Young People aged 5-10
- ‘Have you got a problem?’ Information Sheet for Young People aged 10+ (translated into 15 community languages)
- It’s OK to complain – Postcard for Young People aged 5 – 10
- It’s OK to complain – Postcard for Young People aged 10+

### Guidelines and Information Sheets for Members of the Public

#### Making a Complaint

- Making a complaint to the Ombudsman
- How to complain to the Ombudsman (in 18 languages)
- Ombudsman Western Australia Summary Information Sheet
- Complaints by overseas students
- Making a complaint to a State Government agency

### How Complaints are Handled

- Overview of the complaint resolution process - Information for complainants
- How we assess complaints
- Assessment of complaints checklist
- Being interviewed by the office of the Ombudsman
- Requesting a review of the handling of a complaint to the Ombudsman

## Guidelines and Information Sheets for Public Authorities

### General Information

- Overview of the complaint resolution process - Information for public authorities
- Information for boards and tribunals

### Information Packages for Public Authorities

The following publications are available as individual documents and as a suite of documents under the headings listed:

#### Decision Making

- Integrity in decision making
- Exercise of discretion in administrative decision making
- Procedural fairness (natural justice)
- Giving reasons for decisions
- Good record keeping

#### Effective Complaint Handling

- The principles of effective complaint handling
- Effective handling of complaints made to your organisation
- Complaint handling systems checklist
- Making your complaint handling system accessible
- Guidance for Complaint Handling Officers
- Investigation of complaints
- Procedural fairness (natural justice)
- Good record keeping
- Remedies and redress
- Dealing with unreasonable complainant conduct
- Managing unreasonable complainant conduct: Practice manual
- Complaint Handling at Universities: Australasian Best Practice Guidelines

### **Conducting Investigations**

- Conducting administrative investigations
- Investigation of complaints
- Procedural fairness (natural justice)
- Giving reasons for decisions
- Good record keeping

### **Management of Personal Information**

- Management of Personal Information
- Checklist - Management of Personal Information
- Good practice principles for the management of personal information

Local Government collection of overdue rates for people in situations of vulnerability:  
Good Practice Guidelines

## **Reportable Conduct Scheme Information Sheets**

### **Information for organisations**

- Frequently Asked Questions
- Information Sheet 1 - Overview of the Reportable Conduct Scheme
- Information Sheet 2 - About the Reportable Conduct Scheme
- Information Sheet 3 - Identifying Reportable Conduct
- Information Sheet 4 - Responsibilities of the head of the organisation
- Information Sheet 5 - Self Assessment Guidance
- Information Sheet 6 - Risk management following a reportable allegation