

Significant Issues Impacting the Office

The significant issues impacting the Office are:

- Timely investigation is a significant issue that can impact the provision of effective and efficient resolution of complaints and improving the standard of public administration. In 2022-23, 96% of complaints were resolved within three months and, as at 30 June 2023, the average age of complaints was 37 days, compared to 173 days at 30 June 2007. Further, at 30 June 2023, the percentage of allegations on hand less than three months old was 93%, compared to 33% at 30 June 2007.
- Effective and efficient resolution of complaints and improving the standard of public administration is a significant issue that can impact the delivery of the Office's services at least cost. In 2022-23, the cost of resolving complaints was 47% lower than 2007-08.
- The acceptance and implementation of recommendations made by the Ombudsman following investigations is a significant issue that can impact the Office's effectiveness and efficiency. In 2022-23, the percentage of recommendations accepted was 100%. This would be the sixteenth consecutive year that 100% of recommendations made by the Ombudsman have been accepted.
- The undertaking of major own motion investigations is a significant issue that can impact improving the standard of public administration regarding the most serious matters. In 2022-23, the Office tabled in Parliament three reports: *Investigation into family and domestic violence and suicide*; *A report on giving effect to the recommendations arising from An investigation into the Office of the Public Advocate's role in notifying the families of Mrs Joyce Savage, Mr Robert Ayling and Mr Kenneth Hartley of the deaths of Mrs Savage, Mr Ayling and Mr Hartley*; and *A report on giving effect to the recommendations arising from the Investigation into the handling of complaints by the Legal Services and Complaints Committee*.
- The undertaking of programs to increase accessibility and awareness to the Office's services can impact the provision of effective and efficient resolution of complaints and improving the standard of public administration. In 2022-23, the Office has undertaken programs to enhance awareness of, and accessibility to, its services for Western Australians living and working regionally and remotely. These programs include a focus on enhancing awareness of, and accessibility to, its services for Aboriginal Western Australians.
- In response to the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, the Ombudsman has been funded to establish

a legislated Reportable Conduct Scheme. The Scheme commenced on 1 January 2023, with the Ombudsman's functions including monitoring, overseeing and reviewing investigations undertaken by organisations into allegations of, and convictions for, abuse of children involving any of the organisation's employees.

Timely Investigation and Resolution of Complaints

A principal function of the Ombudsman is to provide a means by which Western Australians can resolve their complaints about the actions of public authorities. Critical principles for the Ombudsman in undertaking complaint resolution are to provide timely, inexpensive and informal resolution processes that provide, where appropriate, remedies for complainants and identify and investigate systemic issues and create improvements in public administration.

In 2007-08, the Office introduced a major complaint handling improvement program with an initial focus on the elimination of aged complaints. Building on the program, the Office developed and commenced a new organisational structure and processes in 2011-12 to support the early resolution of complaints.

As a result of the program, the Office has reduced the average age of complaints from 173 days at 30 June 2007 to 37 days at 30 June 2023. At the same time, the average cost per finalised allegation has reduced by a total of 47% from \$2,941 in 2007-08 to \$1,547 in 2021-23.

Own Motion Investigations

One of the ways that the Office endeavours to improve public administration is to undertake investigations of systemic and thematic patterns and trends arising from complaints made to the Ombudsman and from child death and family and domestic violence fatality reviews. These investigations are referred to as own motion investigations.

Own motion investigations are intended to result in improvements to public administration that are evidence-based, proportionate, practical and where the benefits of the improvements outweigh the costs of their implementation. The Office is currently undertaking a number of investigations as shown in the [Own Motion Investigations, Monitoring and Improvement section](#) of the report.

Each of the recommendations arising from own motion investigations is actively monitored by the Office to ensure its implementation and effectiveness in relation to the observations made in the investigation.

Providing Awareness of, and Access to, Ombudsman Services

The Office continues to seek to ensure its services are accessible to all Western Australians, with a particular focus on regional and Aboriginal Western Australians and children and young people, through a range of strategies, including the Office's Regional Awareness and Accessibility Program and the *Aboriginal Action Plan*. The Office also has a number of other strategies to promote awareness of, and access to, the Ombudsman's services, as shown in the [Collaboration and Access to Services section](#) of the report.

The Office is continuing to undertake a range of strategies to engage effectively with public authorities to strengthen their capacity in complaint handling and decision

making through a range of mechanisms, as shown in the [Own Motion Investigations, Monitoring and Improvement section](#) of the report.

Other Functions

In addition to investigating complaints, reviewing child deaths and family and domestic violence fatalities, and undertaking own motion investigations, the Office undertakes a range of other functions, including inspection of telecommunications interception records, overseas student appeals and undertaking the role of the Western Australian Energy and Water Ombudsman.

In 2022-23, the Ombudsman commenced a new function to undertake the Reportable Conduct Scheme (**the Scheme**) under amendments to the *Parliamentary Commissioner Act 1971*. The Scheme, which became operational on 1 January 2023, requires heads of relevant entities that exercise care, supervision or authority over children to notify allegations of, or convictions for, child abuse by their employees to the Ombudsman and then investigate these allegations. The Ombudsman's functions include monitoring, overseeing and reviewing investigations undertaken by relevant entities. More information about this function is in the [Reportable Conduct Scheme section](#) of the report.

The *Charitable Trusts Act 2022* received Royal Assent on 1 November 2022, and commenced on 21 November 2022. The *Charitable Trusts Act 2022* establishes the Western Australian Charitable Trusts Commission, constituted by the Ombudsman. More information about this function is in the [Charitable Trusts section](#) of the report.

From 24 December 2022, the Office commenced a new function under the *Liquor Control Act 1988* (**the Act**). Part 5AA of the Act was amended to provide for the establishment of Protected Entertainment Precincts, which are prescribed in Regulations, and for the exclusions of people who behave in an unlawful, antisocial, violent, disorderly, offensive, indecent or threatening way, or are convicted of specified serious offences. Under the Act, the Ombudsman must keep under scrutiny the operation of, and the exercise of powers under, the provisions of Part 5AA of the Act and relevant regulations. More information about this function is shown in the [Own Motion Investigations, Monitoring and Improvement section](#) of the report.