



This section provides an executive summary of the Office's performance, general information about the Office and the Office's Performance Management Framework.

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Ombudsman's Foreword

It is a privilege to present the 2015-16 Annual Report of the Western Australian Ombudsman. The Ombudsman is an independent, impartial statutory officer who reports directly to the Western Australian Parliament.

The office of the Ombudsman (**the Office**) has four principal functions, which are to:

- Receive, investigate and resolve complaints about State Government agencies, local governments and universities;
- Review certain child deaths and family and domestic violence fatalities;
- Improve public administration for the benefit of all Western Australians through own motion investigations and education and liaison programs with public authorities; and
- Undertake a range of additional functions, including statutory inspection and monitoring functions.



The Ombudsman also concurrently holds the roles of Energy and Water Ombudsman and Chairman, State Records Commission.

Timely and efficient resolution of complaints is a critical role for the Office. During 2015-16, the continuation of our major complaint handling improvement program, introduced in 2007, resulted in 95 per cent of complaints being finalised within three months. Overall, since June 2007, the average age of complaints has reduced from 173 days to 27 days. Over the same period, the cost of handling complaints has reduced by 36 per cent.

This year, we continued to undertake important work in relation to our child death and family and domestic violence fatality review roles and have expanded our reporting of our work on these vital functions in this Annual Report.

Importantly, in November 2015, we tabled in Parliament the report of a major own motion investigation, *Investigation into issues associated with violence restraining orders and their relationship with family and domestic violence fatalities*, that contained 54 recommendations to four government agencies about ways to prevent or reduce family and domestic violence fatalities. In 2015-16, we have undertaken work on a report on the implementation of the 54 recommendations arising from the findings of the investigation. The report will be tabled in Parliament in November 2016. The Office also undertook significant work on a major own motion investigation into ways to prevent or reduce child deaths by drowning. The report of this major investigation will be tabled in Parliament in 2016-17.

The Office also has an important role to undertake a range of statutory inspection, monitoring and reporting functions, including the inspection of telecommunication interception records and the Ombudsman's monitoring functions under the *Criminal Organisations Control Act 2012*.

This year, significant work has been undertaken on the Office's function to monitor the Infringement Notices provisions of *The Criminal Code*. The Office's role is to keep under scrutiny the operation of these provisions for a period of 12 months, prepare a report on the Office's work and activities and furnish a copy of the report to the Minister for Police and the Commissioner of Police. The scrutiny is to include a review of the impact of the operation of the provisions on Aboriginal and Torres Strait Islander communities.

The Office is undertaking a range of work as part of this monitoring role, including, critically, a wide range of consultative activities. An important part of these activities in 2015-16 was that we consulted members of the community who have experience with the operation of Criminal Code infringement notices. In particular, we have consulted Aboriginal and Torres Strait Islander communities. The report on our work and activities will be completed in 2016-17.

In 2007-08, we introduced a new program aimed at significantly enhancing awareness of, and accessibility to, the Office for regional and Aboriginal Western Australians. The program continued this year with visits to the Indian Ocean Territories, the Pilbara and the Kimberley.

In addition, in 2015-16, we enhanced awareness and access to the Office for children and young people through a range of mechanisms, including a new visiting program to vulnerable groups of children in the child protection system, a new youth space on our website and youth-friendly publications.

The work of the Office is a product of a highly dedicated and hard-working team. I take this opportunity to thank each member of my staff team for their outstanding work during the year.



Chris Field
Western Australian Ombudsman





Year in Brief

- We received 11,663 contacts, comprised of:
 - 9,700 enquiries; and
 - 1,963 complaints.
- We finalised 95% of complaints within 3 months.
- Since 2007, we have:
 - Decreased the age of complaints from 173 days to 27 days; and
 - Reduced the cost of resolving complaints by 36%.
- Public authorities accepted 100% of our recommendations.
- We received:
 - 41 investigable child deaths; and
 - 22 reviewable family and domestic violence fatalities.

- We tabled in Parliament the report of a major own motion investigation, *Investigation into issues associated with violence restraining orders and their relationship with family and domestic violence fatalities*, that contained 54 recommendations about ways to prevent or reduce family and domestic violence fatalities, all of which were accepted by the relevant agencies.
- Significant work was undertaken on a major own motion investigation into ways to prevent or reduce child deaths by drowning.
- Significant work was undertaken in relation to our role to monitor the Infringement Notices provisions of *The Criminal Code*.
- We enhanced regional awareness and access to the Office through visits to the Indian Ocean Territories, the Pilbara and the Kimberley.
- We enhanced awareness and access to the Office for children and young people through a range of mechanisms, including a new visiting program to vulnerable groups of children in the child protection system, a new youth space on our website and youth-friendly publications.





Operational Structure

The Role of the Ombudsman

The Parliamentary Commissioner for Administrative Investigations – more commonly known as the Ombudsman – is an independent officer of the Western Australian Parliament. The Ombudsman is responsible to the Parliament rather than to the government of the day or a particular Minister. This allows the Ombudsman to be completely independent in undertaking the Ombudsman's functions.

Functions of the Ombudsman

The Office has four principal functions derived from its governing legislation, the [*Parliamentary Commissioner Act 1971*](#), and other legislation, codes or service delivery arrangements.

Principal Functions

<u>Investigating and resolving complaints</u>	Receiving, investigating and resolving complaints about State Government agencies, local governments and universities.
<u>Reviewing certain deaths</u>	Reviewing certain child deaths and family and domestic violence fatalities.
<u>Undertaking own motion investigations and promoting improvements to public administration</u>	Improving public administration for the benefit of all Western Australians through own motion investigations and education and liaison programs with public authorities.
<u>Other functions</u>	Undertaking a range of additional functions, including statutory inspection and monitoring functions.

Other Functions of the Ombudsman

<u>Complaints and appeals by overseas students</u>	Under the relevant national code, the Ombudsman can receive complaints or appeals by overseas students.
<u>Public Interest Disclosures</u>	The Ombudsman can receive disclosures of public interest information relating to matters of administration, and public officers.
<u>Complaints from residents of the Indian Ocean Territories</u>	Under a service delivery arrangement between the Ombudsman and the Australian Government, the Ombudsman can investigate complaints from residents of the Indian Ocean Territories (Christmas and Cocos (Keeling) Islands) about public authorities in the Ombudsman's jurisdiction.
<u>Complaints from persons detained under terrorism legislation</u>	Persons detained under relevant terrorism legislation can make a complaint to the Ombudsman.
<u>Inspection of Telecommunications Interception records</u>	The Ombudsman inspects the records of the Western Australia Police and the Corruption and Crime Commission to ascertain the extent of compliance with relevant telecommunications interception legislation.
<u>Monitoring functions under the <i>Criminal Organisations Control Act 2012</i></u>	Under the <i>Criminal Organisations Control Act 2012</i> , the Ombudsman monitors and reports on the exercise of powers conferred on the Commissioner of Police and police officers under the legislation for a five year period.
<u>Monitoring the Infringement Notices provisions of <i>The Criminal Code</i></u>	The Ombudsman monitors the Infringement Notices provisions of <i>The Criminal Code</i> and reports on the first 12 months of operation.
<u>Energy and Water Ombudsman</u>	The Energy and Water Ombudsman Western Australia resolves complaints about electricity, gas and water services providers. The Ombudsman undertakes the role of the Energy and Water Ombudsman. The costs of the Energy and Water Ombudsman are met by industry members.

A full list of legislation governing these functions can be found in the Appendices Section in [Appendix 2](#).



Our Vision, Mission and Values

Our Vision

Lawful, fair and accountable decision making and practices by public authorities.

Our Mission

To serve Parliament and Western Australians by:

- Receiving, investigating and resolving complaints about State Government agencies, local governments and universities;
- Reviewing certain child deaths and family and domestic violence fatalities;
- Improving public administration for the benefit of all Western Australians through own motion investigations and education and liaison programs with public authorities; and
- Undertaking a range of additional functions, including statutory inspection and monitoring functions.

Our Values

- **Fair:** We observe the requirements of our legislation at all times, use a 'no surprises' approach in all of our work and provide our services equitably to all Western Australians.
- **Independent:** The Ombudsman is an officer of the Parliament, independent of the government of the day and impartial in all of our work.
- **Accountable:** We should be, and are, accountable for our performance and proper expenditure of taxpayers' money. Being accountable means being:
 - **Rigorous:** We undertake work that is important to the community and our decisions are supported by appropriate evidence.
 - **Responsible:** All recommendations for change to public administration are practical and proportionate to the problem identified and have a net public benefit.
 - **Efficient:** We undertake our work in a timely way at least cost. We value working with other agencies that further good public administration but we never duplicate their work.



Our Strategic Focus

- Complaint resolution that is high quality, independent, fair and timely, with an emphasis on early resolution, practical remedies for members of the public and improvements to public administration.
- Improved public administration through own motion investigations, making practical recommendations for improvement and monitoring their implementation.
- Review of certain child deaths and family and domestic violence fatalities, identifying patterns and trends and making recommendations to public authorities about ways to prevent or reduce these deaths.
- Inspection of certain records and reports to ensure statutory compliance by the Western Australia Police and the Corruption and Crime Commission and monitoring and reporting on the exercise of certain powers by Western Australia Police under defined legislation.
- Collaboration with other Ombudsman and accountability agencies, raising community awareness, making our services accessible and promoting good decision making practices and complaint handling in public authorities.
- Strong and effective governance and attracting, developing and retaining a skilled and valued workforce with a culture that supports high quality, responsive and efficient service.



Executive Management

Executive management of the Office is undertaken by the Executive Management Group comprised of the Ombudsman, Deputy Ombudsman, and Principal Assistant Ombudsman Investigations and Legal Services, and the Office's Corporate Executive which includes each member of the Executive Management Group and the leaders of the Complaint Resolution and Administrative Improvement teams.

The role of executive management is to:

- Provide leadership to staff and model the Office's values;
- Set and monitor the strategic direction of the Office and monitor and discuss emerging issues of relevance to the work of the Ombudsman;
- Monitor performance, set priorities and targets for future performance; and
- Ensure compliance with relevant legislation and corporate policies.

For more information, see the [Disclosures and Legal Compliance section](#).

Our Corporate Executive

Chris has held the position of Ombudsman since March 2007. He concurrently holds the roles of Energy and Water Ombudsman and Chairman, State Records Commission. Prior to his appointment as Ombudsman, Chris held a number of senior roles in Western Australia and Victoria in the public and private sectors.



Chris Field, Ombudsman



Mary was appointed Deputy Ombudsman in April 2014 and concurrently holds the role of Deputy Energy and Water Ombudsman. Prior to her appointment Mary worked in a number of senior executive roles in the Office, from February 2008. Mary has more than 30 years' experience in the public sector, including strategic and corporate leadership roles in line and accountability agencies.

Mary White, Deputy Ombudsman

Lisa commenced her role as Principal Assistant Ombudsman Investigations and Legal Services in November 2015. She is a legal practitioner with significant experience in administrative and criminal law, including 14 years as a member of various tribunals.



**Lisa Ward, Principal Assistant Ombudsman
Investigations and Legal Services**



Kim commenced her role as an Assistant Ombudsman in June 2008. She has more than 25 years' experience in government roles, working at the Commonwealth and State levels, in both line and central agencies, and has a strong background in evaluation.

Kim Lazenby, Assistant Ombudsman Administrative Improvement

Belinda joined the office in 2008 and commenced the role of Assistant Ombudsman Monitoring in August 2014. She has more than 25 years' experience working in the public sector in financial and performance auditing and leadership roles in both line and accountability agencies.



Belinda West, Assistant Ombudsman Monitoring



Michelle joined the Office in 2007 and commenced her role as an Assistant Ombudsman in December 2015. She has more than 15 years' public sector experience in investigations and complaint handling.

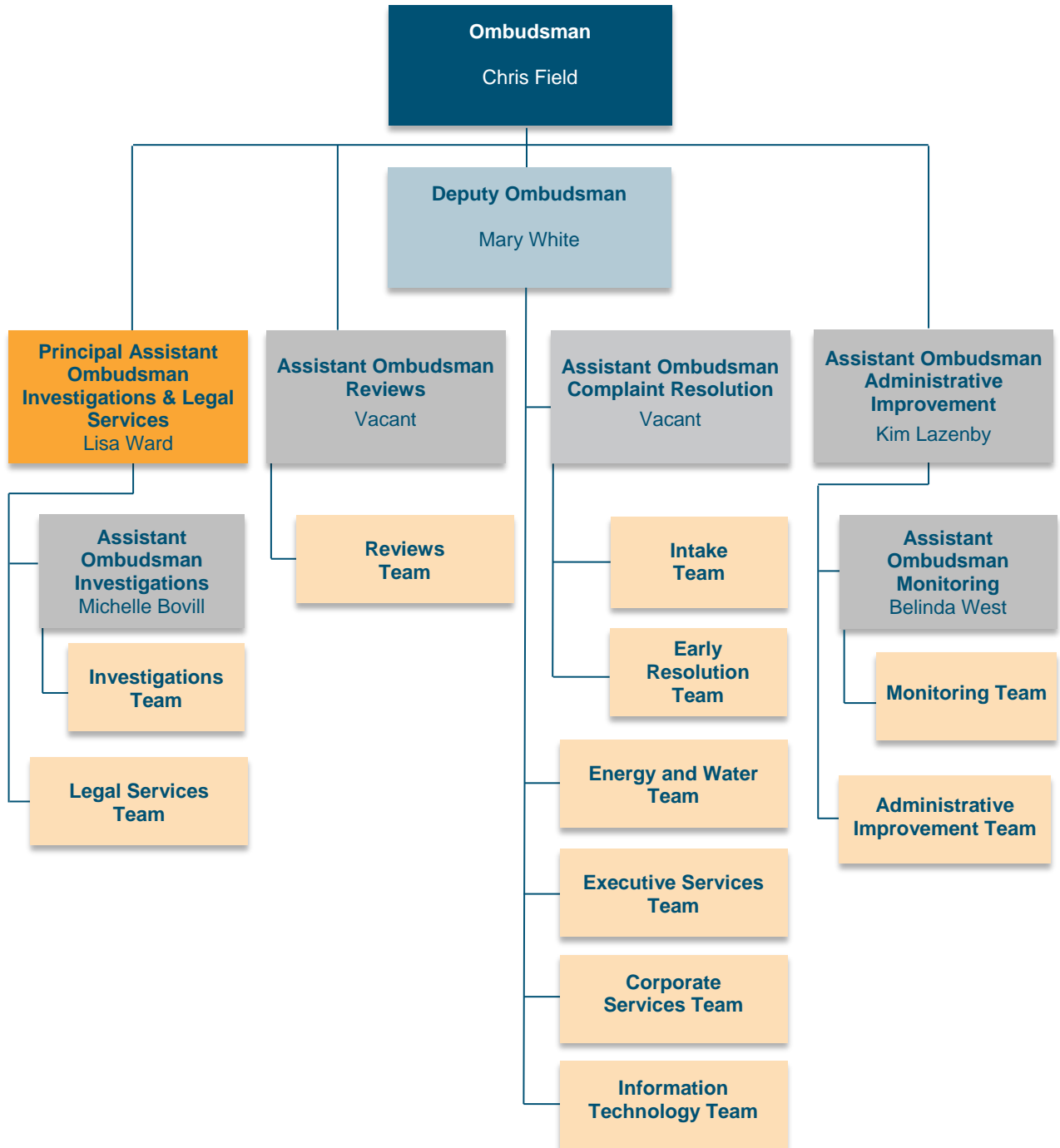
Michelle Bovill, Assistant Ombudsman Investigations

The positions of Assistant Ombudsman Complaint Resolution and Assistant Ombudsman Reviews are vacant.



Our Structure and Teams

Organisational Structure as at 30 June 2016



Operational Structure

Team Responsibilities

- The **Complaint Resolution Team** includes the Intake Team and the Early Resolution Team and has responsibility for handling enquiries, receiving and assessing complaints, and undertaking the early resolution of complaints, where appropriate, through informal investigations.
- The **Administrative Improvement Team** undertakes own motion investigations and other strategies aimed at improving public administration.
- The **Monitoring Team** monitors and reports on the operation of powers conferred on the Western Australia Police under legislation and undertakes inspections of telecommunications interception records.
- The **Reviews Team** reviews certain child deaths and family and domestic violence fatalities, identifies patterns and trends arising from these reviews and makes recommendations to relevant public authorities to prevent or reduce these deaths.
- The **Investigations Team** handles the investigation of complaints and the **Legal Services Team** provides legal services across the Office.
- The **Energy and Water Team** has responsibility for handling enquiries and receiving, investigating and resolving complaints about electricity, gas and water services providers.
- The **Executive Services, Corporate Services** and **Information Technology Services Teams** support the Office in strengthening its strategic focus, corporate communications, governance and business services.





Performance Management Framework

The Ombudsman's performance management framework is consistent with the Government goal of *Results-Based Service Delivery: Greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.*

Desired Outcomes of the Ombudsman's Office

The public sector of Western Australia is accountable for, and is improving the standard of, administrative decision making, practices and conduct.

Key Effectiveness Indicators

- The percentage of recommendations accepted by public authorities.
- The number of improvements to practices or procedures as a result of Ombudsman action.

Service Provided by the Ombudsman's Office

Resolving complaints about the decision making of public authorities and improving the standard of public administration.

Key Efficiency Indicators

- Percentage of allegations finalised within three months.
- Percentage of allegations finalised within 12 months.
- Percentage of allegations on hand at 30 June less than three months old.
- Percentage of allegations on hand at 30 June less than 12 months old.
- Average cost per finalised allegation.
- Average cost per finalised notification of death.
- Cost to monitor the Infringement Notices provisions of *The Criminal Code*.
- Cost of monitoring and inspection functions.