

Meet the Integrity Group

**Presentation to IPAA
2009 Members Twilight Seminar**

The role of the Ombudsman

Chris Field, Ombudsman

11 March 2009

Outline of presentation

- Function, jurisdiction and complaint profile of the Ombudsman
- Our 2009 work program
- Key principles underpinning our work

Function of the Ombudsman

- The key function of the Ombudsman is to ensure that public authorities are fair, accountable and responsive in their administration of the laws of Parliament.
- We undertake that function in two principal ways:
 - Resolving complaints about the administrative decision making of public authorities; and
 - Improving the standard of public administration.

Our jurisdiction

- We have a broad jurisdiction to investigate the administrative decisions of nearly all government departments, public authorities, public universities and local governments.

Our jurisdiction (contd)

- We are also given specific jurisdiction to undertake such activities as:
 - Receiving disclosures under the *Public Interest Disclosure Act*;
 - Complaints from persons detained under the *Terrorism (Preventative Detention) Act*;
 - Appeals from international students under the *National Code for Overseas Students*;
 - Complaints from residents of the Indian Ocean Territories; and
 - Auditing telecommunication intercept activities of the Police and the CCC.

Complaint Profile

In 2007/08:

- Over 5,000 people contacted our office.
- Most common complaint areas involve:
 - prisons and juvenile justice centres;
 - local government;
 - police;
 - child protection;
 - housing and works;
 - planning and infrastructure; and
 - education and training.

Complaint Profile (cont)

- We dealt with 1,118 complaints;
- The majority of complaints are dealt with informally – a highly cost-effective and timely way of resolving concerns; and
- In a number of cases, we made recommendations, or suggestions, for improvements to public administration and 100% of these were accepted by public authorities.

Our 2009 work program - Key Initiatives

- Raise awareness of our role and provide improved access to our services for people in regional Western Australia and Indigenous people;
- Re-invigorate our work in improving public administration;
- Further improve our complaint resolution service delivery; and
- Develop and promote guidance materials for public authorities on good administrative practices and decision making.

Regional Awareness and Accessibility Program

- The program will significantly enhance awareness of, and accessibility to, our services for regional Western Australians including Indigenous Western Australians.
- Three regional visits will be undertaken in 2009:
 - Goldfields (May 2009)
 - Midwest (June 2009)
 - Peel (October 2009)

Regional Awareness and Accessibility Program (contd)

- The program will be coordinated with the work of other relevant public sector agencies including the Office of the Public Sector Standards Commissioner, the Commonwealth Ombudsman's office, the Office of Health Review and the Office of the Information Commissioner.

Administrative Improvement Program

- In June 2008 we established a specialist team focusing on a critical area of our work – improving the quality of public administration.
- Four main areas of activity in 2009:
 - A number of major projects, including the consideration of own motion investigations, into selected areas of public administration;
 - Establishing a three year forward program of potential major projects;
 - Selected review of internal investigations by agencies into matters of public administration; and
 - Continuous improvement of processes for inspecting record keeping and reporting relating to telecommunications intercepts.

Complaint resolution service delivery

- A strong focus over the past two years has been the consistency, efficiency and timeliness of our complaint handling processes with significant achievements being made:
 - In 2007/08, our average time to resolve matters improved by 36% on the previous year; and
 - Since October 2008, the office has reduced the number of cases older than 18 months by 75%.
- In 2009, we will continue to improve our service delivery in complaint resolution

Develop and promote guidance materials for public authorities

- In 2009 we will be:
 - Launching a new website with a web page specifically focusing on products to assist public authorities with their complaint handling and decision-making roles;
 - Developing guidelines on good decision making for public authorities; and
 - Developing guidelines on complaint handling which will include information on our unreasonable complainant conduct guidelines (developed in conjunction with other Ombudsman offices across Australia).

Our approach to our work – Key Principles

- **Rigorous:** We only undertake work on the basis that it is a materially important matter that is supported by an appropriate evidence base. The complaints received by the Ombudsman are an important source of evidence for our work.
- **Fair:** We observe procedural fairness at all times and use a ‘no surprises’ approach to our investigations and recommendations.
- **Responsible:** All recommendations for change to public administration must be proportionate to the problem identified, practical and must demonstrate a net benefit to the Western Australian public.

Our approach to our work – Key Principles (contd)

- **Efficient:** We undertake our work in a timely way at least cost. Our work can build upon but should never duplicate the work of other agencies.
- **Independent:** The Ombudsman is an officer of the Parliament, independent of the government of the day, but it should be, and is, accountable for its performance and proper expenditure of taxpayers money.
- **Collaborative:** We value working with other organisations committed to furthering good public administration, including the ICG members, other accountability agencies, universities and others.