



Appendices

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Appendix 1 – Complaints Received and Finalised

	Total Complaints Received in 2017-18	Complaints finalised at assessment				Complaints finalised at investigation		Withdrawn	Total Complaints Finalised in 2017-18
		Issue not in jurisdiction	More appropriate body to handle complaint	Referred back to the public authority	Investigation not warranted	Resolved	Not sustained, cannot be determined, or discontinued		
PUBLIC SECTOR									
Agricultural Produce Commission	2	1					1		2
Biodiversity, Conservation and Attractions, Department of	4		1	1	2		2	1	7
Communities, Department of	234	12	13	49	34	119	4	5	236
East Metropolitan Health Service	6		5			1	3		9
Education, Department of	40	5	13	4	9	11	3	1	46
Electoral Commission	2	2					1		3
Electrical Licensing Board	1						1		1
Finance, Department of	3		3				2		5
Forest Products Commission	1		1				1		2
Freight and Logistics Council of Western Australia	1					1	1		2
Gold Corporation	1				1		1		2
Government Employees Superannuation Board	1						1	1	2
Health and Disability Services Complaints Office	2			1		1	1	1	4
Health, Department of	11	1	3			5	2		11
Horizon Power	2	1			1		1		3
Insurance Commission of Western Australia	4		2		2		1		5
Jobs, Tourism, Science and Innovation, Department of	2				1	1	1		3
Justice, Department of	318	23	38	43	83	121	24	12	344
Keep Australia Beautiful Council (Western Australia)	2		1		1		1		3
Land Surveyors Licensing Board	1				1		1		2
Landcorp (WA Land Authority)	1						1		1
Landgate	15	3	2	2	3	5	1		16
Legal Aid WA	7	1		1	1	3	1		7
Legal Practice Board	3				1	1	1		3
Legal Profession Complaints Committee	4			2	2		1		5
Local Government, Sport and Cultural Industries, Department of	8	2	3		1	4	5		15

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Lotteries Commission	2	1					1	1	3
Main Roads Western Australia	10	1	2			6	1	1	11
Mental Health Advocacy Service	1			1			1		2
Metropolitan Cemeteries Board	1					1	1		2
Metropolitan Redevelopment Authority	1					1	1		2
Mines, Industry Regulation and Safety, Department of	29	2	6	5	3	12	6		34
National Trust of Australia (WA)	1		1				1		2
North Metropolitan Health Service	14		5	2	2	3	4		16
North Metropolitan TAFE	9	1	1	2	1	3	1		9
Planning, Lands and Heritage, Department of	6	4	1			1	4		10
Primary Industries and Regional Development, Department of	7	1	2	1	1	2	3		10
Prisoners Review Board	5	1		1	1	2	1		6
Public Sector Commission	3	1					1		2
Public Transport Authority	28	1	11	2	4	6	1	3	28
SERCO - Acacia Prison	69	3	8	12	11	28	1	1	64
Sodexo - Melaleuca Remand and Reintegration Facility	100	1	8	9	23	37	1		79
South Metropolitan Health Service	12		6	4	1	1	4		16
South Metropolitan TAFE	4			3			1	1	5
South Regional TAFE	2			1		1	1		3
Training and Workforce Development, Department of	4				2		1		3
Transport, Department of	87	21	10	9	7	39	1	2	89
Veterinary Surgeons' Board	6					4	1		5
WA Country Health Service	6		4			2	6		12
Water and Environmental Regulation, Department of	9	5			3		3		11
Water Corporation	5	2	1				1		4
Western Australia Police	142	16	28	52	22	22	1	5	146
Workcover	2		2			1	1		4
TOTAL PUBLIC SECTOR COMPLAINTS	1241	112	181	207	224	445	113	35	1317

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LOCAL GOVERNMENT									
Albany, City of	2						1		1
Armadale, City of	5	1	1		2	2			6
Ashburton, Shire of	1		1						1
Augusta / Margaret River, Shire of	1		1						1
Bassendean, Town of	5	2		1	1	1			5
Bayswater, City of	7		1		3	4	3		11
Belmont, City of	4		1			2			3
Boddington, Shire of	1	1							1
Bridgetown / Greenbushes, Shire of	1					1			1
Broome, Shire of	2		1		1				2
Broomehill, Shire of	1					2			2
Bunbury, City of	5			1		3	1		5
Busselton, City of	7			1	1	2	3		7
Cambridge, Town of	1					2			2
Canning, City of	8		3	1		3			7
Capel, Shire of	2	1	1						2
Carnamah, Shire of	1		1						1
Carnarvon, Shire of	2	1	2		1	4			8
Chittering, Shire of	5				1	4			5
Claremont, Town of	1					1			1
Cockburn, City of	15		4		1	4	2	2	13
Cocos (Keeling) Islands, Shire of	1					1			1
Collie, Shire of	4		1		1	1		1	4
Coorow, Shire of	3		1			2	1		4
Cottesloe, Town of	4				1	2			3
Cranbrook, Shire of	1		2				1		3
Cuballing, Shire of	4		2			2			4
Cunderdin, Shire of						1			1
Dandaragan, Shire of	1				1				1
Dardanup, Shire of	1					2			2
Denmark, Shire of	4		2	1	1				4
Derby / West Kimberley, Shire of	2				1	1			2
East Pilbara, Shire of	1					1			1
Esperance, Shire of	2	1			1				2
Fremantle, City of	11		1	1		9	1		12
Gingin, Shire of	1			1					1
Gosnells, City of	12	1	1	1	1	6	1		11
Greater Geraldton, City of	4				2	1			3
Harvey, Shire of	1					1			1
Irwin, Shire of	1		1			1			2
Jerramungup, Shire of	1	1							1
Joondalup, City of	25	2	9	3	3	11		1	29
Kalamunda, City of	11		4		2	3	1		10
Kalgoorlie / Boulder, City of	3				1	2			3

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Karratha, City of	1								
Kwinana, City of	1							1	1
Mandurah, City of	7		2	2	1	2	1		8
Melville, City of	16		6		1	6			13
Menzies, Shire of	1					1			1
Moora, Shire of	1						1		1
Mosman Park, Town of	1					1			1
Mt. Marshall, Shire of	1		1						1
Mundaring, Shire of	7	1			1	1	1		4
Murray, Shire of	2		1		1				2
Narrogin, Shire of	1		1						1
Nedlands, City of	7	1	2		2	3			8
Ngaanyatjarraku, Shire of	1								
Northam, Shire of	6	1	1			5			7
Northampton, Shire of	2					2			2
Nungarin, Shire of	1			1					1
Perth, City of	18	1	8	1	5	1	2		18
Pingelly, Shire of	1		1						1
Plantagenet, Shire of	1						1		1
Port Hedland, Town of	1		1						1
Quairading, Shire of	1					1			1
Rockingham, City of	14	1	4	1	1	8			15
Serpentine / Jarrahdale, Shire of	1	1		1				1	3
South Perth, City of	6		1		2	4			7
Stirling, City of	27		5	2	3	17	1	2	30
Subiaco, City of	4		1			2	1		4
Swan, City of	13	1	2	4		3			10
Toodyay, Shire of	5	1	1		1	1	1		5
Victoria Park, Town of	7	1	1	2		2			6
Victoria Plains, Shire of	2				1	1			2
Vincent, City of	10	1	5		2	2			10
Wanneroo, City of	10			1		8	1		10
Waroona, Shire of	1					1			1
Wongan / Ballidu, Shire of	1					1			1
Wyalkatchem, Shire of	1	1							1
Wyndham / East Kimberley, Shire of	3		1			1			2
York, Shire of	3		1		1				2
TOTAL LOCAL GOVERNMENT COMPLAINTS	361	22	87	26	48	156	25	8	372

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UNIVERSITIES									
Curtin University	54	5	6	7	6	12	12	3	51
Edith Cowan University	32			10	2	9	4	1	26
Murdoch University	8				1	4	2		7
University of Notre Dame	1				1				1
University of Western Australia	18		2		6	6	2	1	17
TOTAL UNIVERSITIES	113	5	8	17	16	31	20	5	102
AGENCIES OUT OF JURISDICTION									
Organisation not identified	13	5	2		6				13
Agencies out of jurisdiction	507	81	423		2				506
TOTAL AGENCIES OUT OF JURISDICTION	520	86	425		8				519
TOTAL COMPLAINTS									
Total complaints about agencies in jurisdiction	1715	139	276	250	288	632	199	48	1832
Total complaints about agencies out of jurisdiction	520	86	425		8		7		526
GRAND TOTAL	2235	225	701	250	296	632	206	48	2358

Appendix 2 – Legislation

Principal Legislation

- Parliamentary Commissioner Act 1971

Legislation and Other Instruments Governing Other Functions

Complaints and appeals by overseas students	<ul style="list-style-type: none"> • <u>National Code of Practice for Providers of Education and Training to Overseas Students 2018</u>
Public Interest Disclosures	<ul style="list-style-type: none"> • <u>Public Interest Disclosure Act 2003</u>
Complaints from residents of the Indian Ocean Territories	<ul style="list-style-type: none"> • <u>Indian Ocean Territories (Administration of Laws) Act 1992</u> • <u>Christmas Island Act 1958 (Commonwealth)</u> • <u>Cocos (Keeling) Islands Act 1955 (Commonwealth)</u>
Complaints from persons detained under terrorism legislation	<ul style="list-style-type: none"> • <u>Terrorism (Preventative Detention) Act 2006</u>
Inspection of Telecommunications Interception records	<ul style="list-style-type: none"> • <u>Telecommunications (Interception and Access) Act 1979 (Commonwealth)</u> • <u>Telecommunications (Interception and Access) Western Australia Act 1996</u> • <u>Telecommunications (Interception and Access) Western Australia Regulations 1996</u>
Monitoring functions under the <i>Criminal Organisations Control Act</i>	<ul style="list-style-type: none"> • <u>Criminal Organisations Control Act 2012</u>
Monitoring of the Infringement Notices provisions of <i>The Criminal Code</i>	<ul style="list-style-type: none"> • <u>The Criminal Code</u> • <u>Criminal Code Amendment (Infringement Notices) Act 2011</u> • <u>Criminal Code (Infringement Notices) Regulations 2015</u>

Energy and Water Ombudsman	<ul style="list-style-type: none"> • <u>Economic Regulation Authority Act 2003</u> • <u>Electricity Industry Act 2004</u> • <u>Energy Coordination Act 1994</u> • <u>Water Services Act 2012</u> • <u>Constitution of the Energy and Water Ombudsman (Western Australia) Limited</u> • <u>Charter of the Energy and Water Ombudsman (Western Australia) Limited</u>
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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;
- Occupational Safety and Health Act 1984;
- 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 and in hard copy by request to 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 Flyer
- 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

- How to complain to the Ombudsman (translated into 15 community languages)
- Making a complaint to the Ombudsman (summary information sheet)
- Complaining to the Ombudsman - Information for prisoners
- 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 a decision about 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

- 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

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

Integrity Coordinating Group Publications

The following publications have been produced by the Integrity Coordinating Group and are available at www.icg.wa.gov.au and via links from the [Ombudsman's website](#):

- Integrity in decision making
- Conflicts of interest
- Gifts, benefits and hospitality
- Taking action on integrity issues – a guide for public officers