



# Appendices

Appendix 1 – Complaints Received and Finalised

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## Appendix 1 - Complaints Received and Finalised

	Total Complaints Received in 2018-19	Complaints finalised at assessment				Complaints finalised at investigation			Total Complaints Finalised in 2018-19
		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back to the public authority	Investigation not warranted	Resolved	Not sustained, cannot be determined, or discontinued	Withdrawn	
<b>PUBLIC SECTOR</b>									
Agricultural Produce Commission						1			1
Auditor General, Office of the	1	1							1
Biodiversity, Conservation and Attractions, Department of	4	1		1	1				3
Building and Construction Industry Training Fund	1					1			1
Central Regional TAFE	1								
Chief Psychiatrist, Office of the	1				1				1
Communities, Department of	170	9	19	38	27	73	1	8	175
East Metropolitan Health Service	10	2	4		2	3			11
Education, Department of	26	1	6	2	3	6	1	1	20
Electrical Licensing Board	1				1	1			2
Finance, Department of	6	1			3	2			6
Fire and Emergency Services, Department of	1			1					1
Gold Corporation	1		1						1
Government Employees Superannuation Board	2	1	1						2
Health and Disability Services Complaints Office	3				1	1			2
Health Support Services	1		1						1
Health, Department of	11	3	3	3	2			1	12
Insurance Commission of Western Australia	4		3						3
Justice, Department of	322	17	36	43	70	127	3	5	301
Landcorp (WA Land Authority)	1				1				1
Landgate	4		1	1	1	1			4
Law Reform Commission	1				1				1
Legal Aid WA	7	1			1	3	1		6
Legal Practice Board						1			1

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Legal Profession Complaints Committee	7			2		3			5
Local Government, Sport and Cultural Industries, Department of	2		1			1			2
Lotteries Commission	5	1	1		1	1		1	5
Main Roads Western Australia	16	2	7	2	4	2			17
Mines, Industry Regulation and Safety, Department of	29	1	5	6	4	9		2	27
Mental Health Commission	1				1				1
Metropolitan Cemeteries Board	1								
North Metropolitan Health Service	6		4	1	1	2			8
North Metropolitan TAFE	7		1	4	1	2		1	9
Planning, Lands and Heritage, Department of	6	3	1	2	1	1			8
Primary Industries and Regional Development, Department of	11		1		6	4			11
Prisoners Review Board	4			1	2				3
Public Sector Commission	2	3				1			4
Public Transport Authority	22	2	7		2	8		1	20
SERCO - Acacia Prison	64	5	7	5	10	39		1	67
Sodexo - Melaleuca Remand and Reintegration Facility	66	5	4	17	26	33	1	2	88
South Metropolitan Health Service	7		4			2			6
South Metropolitan TAFE	2			2			1		3
Teacher Registration Board	2		1			1			2
Training and Workforce Development, Department of	5				4			1	5
Transport, Department of	55	6	12	5	5	27	1	5	61
VenuesWest (Western Australian Sports Centre Trust)	2		1			1			2
Veterinary Surgeons' Board	5		2	1		4			7
WA Country Health Service	12		7	1	1	2		1	12
Water and Environmental Regulation, Department of	6	1			3	1		1	6
Water Corporation		1							1
Western Australia Police Force	127	6	51	40	13	19		1	130
Workcover	2	1	1			1			3
<b>TOTAL PUBLIC SECTOR COMPLAINTS</b>	<b>1053</b>	<b>74</b>	<b>193</b>	<b>178</b>	<b>200</b>	<b>384</b>	<b>9</b>	<b>32</b>	<b>1070</b>

	Total Complaints Received in 2018-19	Complaints finalised at assessment				Complaints finalised at investigation		Withdrawn	Total Complaints Finalised in 2018-19
		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		
<b>LOCAL GOVERNMENT</b>									
Albany, City of	4		1	1		1	2		5
Armadale, City of	10	1		2	1	4	1		9
Ashburton, Shire of	1								
Augusta / Margaret River, Shire of	1						1		1
Bassendean, Town of						1			1
Bayswater, City of	4		1			2		1	4
Belmont, City of	5		3	1		2			6
Bunbury, City of	3	1	1			1			3
Busseton, City of	3		1		1				2
Cambridge, Town of	5		3	1	1				5
Canning, City of	21	1	3	1	1	8	2	3	19
Capel, Shire of	5		3		2				5
Carnarvon, Shire of							1		1
Chapman Valley, Shire of	1		1						1
Chittering, Shire of	1					1			1
Claremont, Town of	3		3						3
Cockburn, City of	9	1	1		4	3	3	1	13
Collie, Shire of	1					1			1
Cottesloe, Town of	5		3		1	2	1		7
Cunderdin, Shire of	1					1			1
Dandaragan, Shire of	1					1			1
Dardanup, Shire of	3				1			1	2
Denmark, Shire of	2			1	1				2
Donnybrook / Balingup, Shire of	1					1			1
Dumbleyung, Shire of	1		1						1
Dundas, Shire of	1			1					1
East Fremantle, Town of	1		1						1
Exmouth, Shire of	2					1			1
Fremantle, City of	6		1			2		1	4
Gingin, Shire of	1					1			1
Gosnells, City of	9	3			2	5	1		11
Greater Geraldton, City of	6	2	1	1	1	2			7
Joondalup, City of	22	1	7	2		7	1		18
Kalamunda, City of	3			1	2	2			5
Kalgoorlie / Boulder, City of	2			1					1
Karratha, City of	2		1			2			3
Katanning, Shire of	1		1						1
Kellerberin, Shire of	1				1				1
Kwinana, City of	2					1	1		2
Mandurah, City of	5				3	1	1		5
Manjimup, Shire of	3		1			2			3
Melville, City of	17	1	4	1	6	5	1		18
Merredin, Shire of	2					2			2
Mingenew, Shire of	1					1			1

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Moora, Shire of	1								
Mosman Park, Town of	2					2			2
Mundaring, Shire of	5		2			4	1		7
Murray, Shire of	2			1					1
Nannup, Shire of	1					1			1
Nedlands, City of	3			1		1			2
Ngaanyatjarraku, Shire of						1			1
Northam, Shire of	5				2	3			5
Northampton, Shire of						1			1
Perth, City of	14	1	11	2					14
Pingelly, Shire of	1		1						1
Plantagenet, Shire of							1		1
Ravensthorpe, Shire of	1		1						1
Rockingham, City of	13	2	2	2	2	3		2	13
Sandstone, Shire of	1		1						1
Serpentine / Jarrahdale, Shire of	3	1			1	1			3
Southern Metropolitan Regional Council	1			1					1
South Perth, City of	10	1	5		1	2			9
Stirling, City of	23	1	4	1	7	4	2		19
Subiaco, City of	5		1			3		1	5
Swan, City of	23		1		5	15	1	3	25
Three Springs, Shire of	1			1					1
Toodyay, Shire of	5		1			4			5
Victoria Park, Town of	10	1	5		3	2			11
Victoria Plains, Shire of	2		1						1
Vincent, City of	9	1	6			4			11
Wandering, Shire of	1					1			1
Wanneroo, City of	24	2	3	2	4	4	1	1	17
Wyndham / East Kimberley, Shire of	1				1	1			2
York, Shire of	2				1	1			2
<b>TOTAL LOCAL GOVERNMENT COMPLAINTS</b>	<b>347</b>	<b>21</b>	<b>87</b>	<b>25</b>	<b>55</b>	<b>121</b>	<b>22</b>	<b>14</b>	<b>345</b>

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<b>UNIVERSITIES</b>									
Curtin University	41	4	2	3	1	16	11	1	38
Edith Cowan University	32	1	6	12	3	7	10		39
Murdoch University	10		3	1		6	1		11
University of Western Australia	11			3	2	6	1	2	14
<b>TOTAL UNIVERSITIES</b>	<b>94</b>	<b>5</b>	<b>11</b>	<b>19</b>	<b>6</b>	<b>35</b>	<b>23</b>	<b>3</b>	<b>102</b>
<b>AGENCIES OUT OF JURISDICTION</b>									
Organisation not identified	9	1	3		3			2	9
Agencies out of jurisdiction	461	56	403					1	460
<b>TOTAL AGENCIES OUT OF JURISDICTION</b>	<b>470</b>	<b>57</b>	<b>406</b>		<b>3</b>			<b>3</b>	<b>469</b>
<b>TOTAL COMPLAINTS</b>									
Total complaints about agencies in jurisdiction	1494	100	291	222	261	540	64	49	1517
Total complaints about agencies out of jurisdiction	470	57	406		3			3	469
<b>GRAND TOTAL</b>	<b>1964</b>	<b>157</b>	<b>697</b>	<b>222</b>	<b>264</b>	<b>540</b>	<b>54</b>	<b>52</b>	<b>1986</b>

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

<b>Energy and Water Ombudsman</b>	<ul style="list-style-type: none"> <li>• <a href="#"><u>Economic Regulation Authority Act 2003</u></a></li> <li>• <a href="#"><u>Electricity Industry Act 2004</u></a></li> <li>• <a href="#"><u>Energy Coordination Act 1994</u></a></li> <li>• <a href="#"><u>Water Services Act 2012</u></a></li> <li>• <a href="#"><u>Constitution of the Energy and Water Ombudsman (Western Australia) Limited</u></a></li> <li>• <a href="#"><u>Charter of the Energy and Water Ombudsman (Western Australia) Limited</u></a></li> </ul>
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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](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
- 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 15 community languages)
- Ombudsman Western Australia 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
- 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

### **Integrity Coordinating Group Publications**

The following publications have been produced by the Integrity Coordinating Group and are available at [www.icg.wa.gov.au](http://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