

# Overview of the Ombudsman's Office

This section provides an overview of the annual report as well as an introduction to the Ombudsman's office and a discussion of the significant issues impacting on the agency during the past year and into the future.

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# Executive Summary

## Ombudsman's Report



The twelve month period documented in this annual report has been the busiest and most productive since I commenced as Ombudsman.

Our ongoing program to improve the quality and timeliness of complaint handling has seen us exceed all Key Efficiency Indicator targets and at a lower cost per finalised allegation than last year. Indeed over the last five years, the average age of open complaints has been reduced by 64%, there

has been a 90% reduction in open complaints older than twelve months and a 63% reduction in open complaints older than six months.

Our Administrative Improvement Team has enabled a more strategic approach to improving public administration at a systemic level. The Team undertakes evidence-based projects and any recommendations for improvement to public administration must be practical, proportionate, well-targeted and cost-beneficial. In June this year we were very pleased to release a report of a major administrative improvement project, *2009-10 Survey of Complaint Handling Practices in the Western Australian State and Local Government Sectors*.

Another critical achievement has been the significant work undertaken in the first year of the child death review jurisdiction. In this jurisdiction, we review the circumstances in which certain child deaths occur, identify patterns or trends in relation to these deaths and identify improvements to practices to prevent or reduce child deaths.

The achievements of my office are the achievements of a very talented and dedicated staff team. Each member of that team has made an enormous contribution to our work this year and I take this opportunity to thank each of them.

Western Australians look to my office to provide independent and timely resolution of their complaints about public administration and to contribute to government hallmarked by integrity, accountability and responsiveness. I am confident that we are undertaking these vital responsibilities effectively, efficiently and always in the public interest.

**Chris Field,**  
Western Australian Ombudsman

## Highlights 2009-10

### Complaint Resolution

#### Complaint numbers

- 8,123 contacts were made to the office, including:
  - 6,114 enquiries.
  - 2,009 complaints.

#### Complaint outcomes

- 45% of investigated complaints were resolved by early resolution.
- 111 actions were initiated by public authorities to assist complainants.
- 60 improvements to the practices of public authorities were made as a result of Ombudsman investigations.

#### Timely complaint handling

- Timely complaint handling in 2009-10 resulted in all targets for resolving allegations being exceeded:
  - 82% of allegations were finalised within 3 months.
  - 99% of allegations were finalised within 12 months.
  - 63% of allegations on hand at 30 June were less than 3 months old.
  - 97% of allegations on hand at 30 June were less than 12 months old.

#### Reducing aged cases

- There has been a significant reduction in aged cases over the last five years:
  - The average age of open complaints has decreased by 64%.
  - Open complaints more than 12 months old have decreased by 90%.
  - Open complaints more than 6 months old have decreased by 63%.

#### Cost-effective complaint handling

- The cost of finalising complaint allegations has reduced for the second year in a row from \$2,941 in 2007-08 to \$1,999 in 2009-10.



## Administrative Improvement

### Major administrative improvement projects

- A report analysing a comprehensive survey of complaint handling systems by Western Australian public authorities showed:
  - They take complaint handling seriously, largely have appropriate practices in place to handle complaints, and are generally doing a good job of handling complaints.
  - There are opportunities for improvement of complaint handling practices.
  - Effective and efficient implementation of complaint handling principles can be achieved through a 'fit for purpose' system.
- A review of how public authorities manage personal information was commenced.

## Child Death Review

### Child death review

- A new function to review the deaths of certain children has been implemented.
- 92% of the 73 cases transferred to the office upon the commencement of the Ombudsman's child death review function on 30 June 2009 have been finalised.
- 63% of the 76 child death notifications received during the year have been finalised.

### Establishment of key relationships

- Strong working relationships with key stakeholders have been established including:
  - Appointing a Child Death Review Advisory Panel.
  - Building networks with relevant public authorities.

## Improving Awareness and Access

### Improving awareness of, and access to, the Ombudsman's office

- Regional visits continued to be a successful initiative with three visits undertaken during the year.
- A new website was launched with dedicated pages to assist the community and public authorities.
- Indigenous Western Australians have improved access to services through the appointment of a Principal Indigenous Liaison Officer and outreach work with Indigenous communities.

## Financial Overview

### Revenue

- In 2009-10 the Ombudsman received income of \$6.812 million comprised of:
  - Total income from State Government of \$5.859 million to undertake the role of the State Ombudsman.
  - Revenue of \$953,000 from other sources including \$903,000 under a service agreement with the Board of the Energy Ombudsman Western Australia to cover expenses associated with the role of Energy Ombudsman.

### Expenditure

- The total cost of services in 2009-10 was \$6.965 million.
- The majority of the expenses (72%) related to staffing costs for salary and employee benefits.
- The remainder was primarily for accommodation, communications and office equipment.

### Assets and Liabilities

- Total assets at the end of 2009-10 were \$3.001 million, including fixed asset additions during the year of \$62,000 for routine purchases of computer and office equipment.
- Total liabilities for the year were \$1.700 million, primarily for provisions for annual and long service leave.

# Operational Structure

## The Ombudsman

### History of the Ombudsman

The office of the Ombudsman was first established in Sweden in 1809 to oversee government administration. The word 'Ombudsman' loosely translates to 'citizen's defender', or 'representative of the people'.

Western Australia was the first Australian State or Territory to establish an Ombudsman in 1972.

The Parliamentary Commissioner for Administrative Investigations – more commonly known as the Ombudsman – is an independent officer appointed by the Governor of Western Australia. 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 the investigation and resolution of complaints about public authorities (State Government agencies, statutory authorities and boards, local governments and universities).

## Functions of the Ombudsman

The Ombudsman's office has three principal functions under its governing legislation, the **Parliamentary Commissioner Act 1971** and a range of other functions derived from other legislation, codes or service delivery arrangements.

### PRINCIPAL FUNCTIONS

#### Resolving complaints

The Ombudsman investigates and resolves complaints from the public about the decision making and practices of public authorities.

#### Improving public administration

The Ombudsman aims to improve the standard of public administration through:

- Making suggestions and recommendations as a result of the investigation of complaints;
- Providing advice and guidance to public authorities; and
- Investigations initiated by the Ombudsman about significant issues relating to the practices of public authorities.

#### Child death review and investigation

The Ombudsman reviews and investigates the sudden or unexpected deaths of certain children in Western Australia and makes recommendations to the Department for Child Protection and other public authorities in relation to preventable deaths of children.

## OTHER FUNCTIONS

<b>Telecommunications Interception</b>	The Ombudsman inspects the records of Western Australia Police and the Corruption and Crime Commission to ensure compliance with telecommunications interception legislation.
<b>Right of appeal for overseas students</b>	The <i>National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007</i> gives overseas students a right to make a complaint to an external, independent body, such as the Ombudsman, if their internal appeals are unsuccessful at school, college or university level.
<b>Energy Ombudsman</b>	The Energy Ombudsman Western Australia was formed in 2005 and deals with complaints about electricity and gas. The Ombudsman undertakes the role of the Energy Ombudsman. The costs of the Energy Ombudsman are met by industry members.
<b>Public Interest Disclosure</b>	The Ombudsman receives public interest disclosures about matters of State and local government administration that affect an individual.
<b>Terrorism</b>	The Ombudsman can receive complaints from a person detained under the <i>Terrorism (Preventative Detention) Act 2006</i> about administrative matters connected with his or her detention.
<b>Indian Ocean Territories</b>	Under a service delivery arrangement between the Ombudsman and the Australian Government, the Ombudsman handles complaints from residents of the Indian Ocean Territories (Christmas and Cocos (Keeling) Islands) about public authorities in the Ombudsman's jurisdiction.

A full list of legislation governing these functions can be found in [Appendix 2](#). See more in the [Report on Operations](#) section about each of these functions.

## Executive Management Team

The Corporate Executive is made up of six members whose role 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 and set priorities and targets for future performance; and
- Ensure compliance with relevant legislation and corporate policies.

The Corporate Executive provides leadership to the office and ensures strong corporate governance. See more in the [Disclosures and Legal Compliance](#) section.

### **Chris Field** *Ombudsman*

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



### **Peter Wilkins** *Deputy Ombudsman*

Peter commenced as Deputy Ombudsman in February 2009 and has more than 25 years experience in management roles in the Western Australian public sector. Peter has extensive public sector knowledge and expertise in the operation of independent accountability agencies.





### **Mary White**

#### ***Assistant Ombudsman, Strategic Services***

Mary became an Assistant Ombudsman in February 2008. Before this, she was the Executive Director Strategic and Corporate Services. Mary has 25 years experience in the public sector, including strategic and corporate leadership roles in line and accountability agencies.



### **Kim Lazenby**

#### ***Assistant Ombudsman, Administrative Improvement***

Kim commenced in the position of Assistant Ombudsman in June 2008. She has 20 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.

### **Andrew Harvey**

#### ***Assistant Ombudsman, Complaint Resolution***

Andrew joined the office in 2005 and was appointed to his current role in September 2008. Andrew has worked in management roles for a range of Commonwealth and State authorities in areas such as statistics, licensing and auditing.

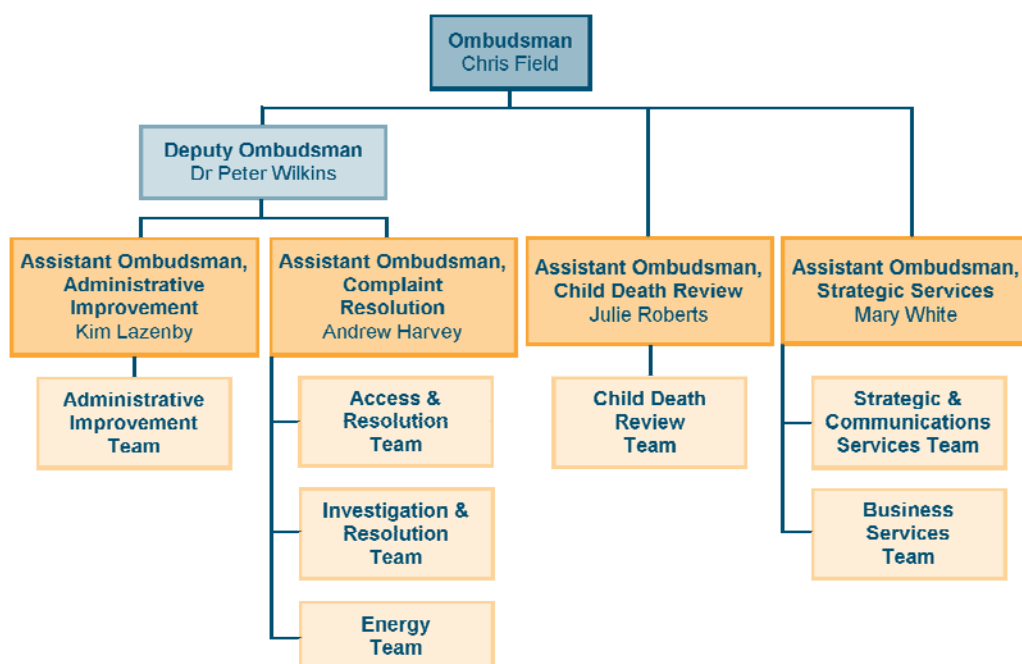


### **Julie Roberts**

#### ***Assistant Ombudsman, Child Death Review***

Julie joined the office in 2005 and commenced in her current role in June 2009. Julie has more than 25 years experience in the Commonwealth and State public sectors and the non-government community services sector.

## Organisational Structure at 30 June 2010



- The **Administrative Improvement Team** has responsibility for programs and strategies aimed at improving administrative practices across the public sector.
- The **Complaint Resolution Team** has responsibility for handling enquiries and receiving and resolving complaints.
- The **Child Death Review Team** reviews and investigates certain sudden or unexpected child deaths and identifies trends in this area with a view to advancing good decision making across the sector.
- The **Strategic and Corporate Services Team** supports the office in strengthening its strategic focus, corporate communications and governance. The team encompasses Strategic and Communications Services and Business Services.

## Performance Management Framework

### 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.



### Services Provided by the Ombudsman's Office

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

The Ombudsman's service to support the achievement of this outcome is to:

- Investigate and resolve complaints from members of the public about Western Australian public authorities; and
- Improve the standard of public administration by identifying and investigating concerns that affect the broader community, making recommendations for improvement and identifying and promoting good decision making and practices.