

Other Disclosures and Legal Compliance

Governance Disclosures

Ministerial Directives	The Ombudsman reports directly to the Western Australian Parliament and is not under the control of a Minister. Ministers cannot issue directives to the Ombudsman in relation to desired outcomes or operational issues.
Shares in Statutory Authorities	This is not relevant as the Ombudsman's office is not a statutory authority and does not have shares.
Shares in Subsidiary Bodies	This is not relevant as the Ombudsman's office does not have any subsidiary bodies.
Interests in Contracts by Senior Officers	<p>The office's <i>Code of Conduct</i> and Conflict of Interest Policy define conflict of interest and appropriate action to take where a conflict arises between the employee's public duty and their private interests, including during tender and purchasing processes.</p> <p>Employees are aware through the <i>Code of Conduct</i> that they have an obligation to disclose interests that could reasonably create a perception of bias, or an actual conflict of interest, and members of Corporate Executive are asked to declare any interests at each Corporate Executive meeting.</p> <p>In addition, senior staff are aware of the Conflict of Interest Guidelines developed by the Integrity Coordinating Group, of which the Ombudsman is a member.</p> <p>The office's policy on identifying and addressing conflict of interest includes any interest of:</p> <ul style="list-style-type: none"> • A senior officer; or • A firm of which a senior officer is a member; or • An entity in which the senior officer has a substantial financial interest; <p>in any existing or proposed contract made with the Ombudsman's office.</p> <p>There have been no declarations of an interest in any existing or proposed contracts by senior officers.</p>
Benefits to Senior Officers through Contracts	This is not applicable as no senior officers have received any benefits.
Insurance Paid to Indemnify Directors	This is not applicable as the Ombudsman's office does not have any directors as defined in Part 3 of the Statutory Corporations (Liability of Directors) Act 1996 .

Other Financial and Staffing Disclosures

Pricing Policies of Services Provided

The Ombudsman's office currently receives revenue for the functions outlined below.

- Costs for the Energy Ombudsman functions are recouped from the Energy Industry Ombudsman (Western Australia) Limited on a full cost recovery basis. These costs are determined by the actual staffing costs involved in delivering the service plus an allowance for overheads and the direct recovery of capital expenditure and particular operational expenses, such as travel.
- Under an arrangement with the Commonwealth Government, the office handles enquiries and complaints from the Indian Ocean Territories about local government and Western Australian public authorities delivering services to the Territories. Each year the office recoups costs from the Commonwealth Government for any complaints received from the Territories. Cost recovery is based on the average cost per complaint in the last two years as published in the office's annual reports. Administrative costs and the costs of any travel to the Territories by the Ombudsman or staff and any promotional materials are also recouped in full.
- The office is a partner with the Commonwealth Ombudsman and the New South Wales Ombudsman in an AusAID funded program in Indonesia (funded under the AusAID Government Partnership Fund), the principal goal of which is to provide greater access across Indonesia, to more effective and sustainable Ombudsman Services. The Ombudsman's office recoups costs for these activities from the Commonwealth Ombudsman's office in accordance with the Australia Indonesia Partnership for Reconstruction and Development Government Partnership Fund Guidelines.

Capital Works

The development of an improved database for the case management of child death reviews commenced during the year. The estimated total cost of the project is \$150,000 and, as at 30 June 2011, the outstanding amount required to complete the project is \$114,000. There were no other major capital projects in 2010-11.

Ombudsman Staff

Employment of Staff

Staff numbers at the Ombudsman's office have increased in 2010-11 due to an increase in the number of complaints received and the number of telecommunications interceptions inspected by the office.

Over the full year 2010-11 there were 54 full-time equivalent positions (**FTEs**). There were also additional staff seconded into the office and people employed through a recruitment agency to cover short term vacancies.

As at 30 June 2011 there were 66 staff (60 FTEs) undertaking the work of the office. There were 62 people (57 FTEs) directly employed by the office including 49 full-time employees and 13 part-time employees. This includes people on unpaid leave, contract staff providing short term expertise and backfilling staff during extended leave periods, and people seconded out of the office. There were also two people seconded into the office and four people employed through a recruitment agency to cover short term vacancies.

Other Disclosures and Legal Compliance

All employees are public sector employees operating in executive, policy, enquiry, investigation and administrative roles. The following table provides a breakdown of the categories of employment for staff as at 30 June over the past three years.

Employee Category	2008-09	2009-10	2010-11
Full-time permanent	30	37	40
Full-time contract	5	8	9
Part-time permanent	11 (7.4 FTEs)	13 (8.6 FTEs)	11 (7 FTEs)
Part-time contract	0	0	2 (0.9 FTEs)
TOTAL	46 (42.4 FTEs)	58 (53.6 FTEs)	62 (56.9 FTEs)
Employees seconded out (included in numbers above)	0	-2 (2 FTEs)	-2 (2 FTEs)
Employees seconded in (not included in numbers above)	3 (3 FTEs)	4 (4 FTEs)	2 (2 FTEs)
Temporary staff employed through recruitment agencies	n/a	3 (3 FTEs)	4 (3.4 FTEs)
NET TOTAL (FTE)	45.4	58.6	60.3
NET TOTAL (Head Count)	49	63	66

Human Resources Strategy 2010-12

The office continued with the implementation of the Human Resources Strategy 2010-12 (**the Strategy**) during the year. The Strategy aims to support staff development and aid in the attraction and retention of staff.

Work was undertaken on the Strategy in three key areas:

Recruitment, Retention and Engagement of High Quality Staff

Recruitment practices are proving successful in attracting staff to apply for positions with the Ombudsman's office with high numbers of quality applications received for positions advertised during the year. The Ombudsman's office provides benefits for staff such as flexible work options and part-time arrangements and this is promoted in all job advertisements. Many staff use flexible work options, and staff in all areas and at all levels have access to, and use, part-time or purchased leave arrangements as well as working from home arrangements.

Accounting for Performance

The office's performance management system incorporates identifying expectations as well as performance-based recognition. Managers and staff annually formalise a performance agreement that provides a framework to:

- Develop and retain skilled employees;
- Identify and acknowledge the contribution employees make in the achievement of the Ombudsman's operational and strategic goals; and
- Assist employees achieve their professional and personal career goals.

Continual Learning

The office completed the 2010 Training and Continuous Professional Development Calendar and developed topics and events for the 2011 Calendar. In 2010-11 the office held five in-house training sessions and eight professional development sessions for staff including one for managers on performance management. There were also two sessions in the Occasional Speaker Series involving people with expertise of relevance to the Ombudsman's work. Where appropriate the sessions used the expertise of senior Ombudsman staff to deliver the material.

To supplement the office-wide program, staff are encouraged to attend external training to improve their skills and knowledge in areas relevant to their work. This training is discussed and facilitated through development plans as part of staff annual performance reviews. This continual learning direction assists with positioning the Ombudsman's office as an employer of choice.

Induction

In February 2011, the office launched the Online Induction mini-site and the Induction Reference Book for new staff to the office. The product has also proved valuable for existing staff members to keep them informed and updated about policy and governance issues within the office.

The Online Induction mini-site and Reference Book contain useful information on:

- Strategic Direction;
- Office and team structure and roles; and
- Office policies and procedures including governance, security and conduct, human resources, information technology and communications, finance and procurement and records management; and
- Office facilities.

Content for the product was drafted from existing strategic documents, policies and procedures. The process also allowed for a desktop review of these documents. The development of the product included consultation across the office through the Joint Consultative Committee, with changes implemented based on staff feedback. The site was piloted by three new staff members who provided positive feedback about the product's value. The product is a key way the office communicates its governance policies and procedures to staff.

Other Legal Requirements

Disability Access and Inclusion Plan Outcomes

The office is committed to providing optimum access and service to people with disabilities, their families and carers. The Ombudsman's Disability Access and Inclusion Plan includes the following initiatives.

Initiative 1: People with disabilities have the same opportunities as other people to access the services of, and any events organised by, a public authority.

People with a disability have an equal opportunity to participate in consultation, decision making, events, processes, complaints and other services provided by the office. Venues for events and meetings are assessed for suitable access for people with disabilities. A notice regarding disclosure of 'special access or dietary requirements', is added to all invitations for events coordinated by the office.

Initiative 2: People with disabilities have the same opportunities as others to access the buildings and other facilities of a public authority.

The office is located within the St Martins Tower, which provides access for people with disabilities. This includes a lift to accommodate wheelchairs, an accessible toilet on the ground floor, and electronic door openers within the Ombudsman's office area. Disability access has also been a key consideration in preparation for the office's move to Albert Facey House in 2012.

Initiative 3: People with disabilities receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.

All office documents are in plain English. Publications are available in alternative formats on request. Information published on the office website can be viewed and printed in alternative sizes and formats and TTY phone access is available. The office provides suitable equipment to enable employees with vision impairments to access electronic information.

Initiative 4: People with disabilities receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.

The services provided by the office have been adapted to reduce access barriers for people with disabilities and information is available in various formats on request. Staff receive disability access awareness training and watch a DVD about their obligations in dealing with people with a disability at induction. During the year, the office prepared an internal guideline for staff on *Assisting complainants with vision, hearing or speech impairments*. The document was added to the internal Complaint Handling Toolkit and provides useful information, contacts and procedures for all staff on dealing with a complainant with a disability.

Initiative 5: People with disabilities have the same opportunities as other people to make complaints to a public authority.

A key role of the Ombudsman's office is to handle complaints about public authorities. Anyone with a disability has an equal opportunity to make a complaint. Where necessary, the complaint process is modified to meet the needs of a person with a disability. This includes meeting people outside of the office and modifying communication strategies, for example, by using a translator (ie. TTY or Auslan) where required.

Initiative 6: People with disabilities have the same opportunities as other people to participate in any public consultation by a public authority.

Staff and members of the public with a disability have an equal opportunity to participate in any consultation process. Most consultation is handled electronically and the website meets disability access requirements. Documents can be made available in alternative formats to meet the needs of people with disabilities.

Advertising and Sponsorship Expenditure

During 2010-11 the office incurred the following expenditure in relation to advertising, market research, polling, direct mail and media advertising that requires disclosure under s.175ZE of the [Electoral Act 1907](#).

Total expenditure was \$5,995 for advertising vacant positions and promoting regional visits.

Category of Expenditure	Total	Company
Advertising agencies	Nil	Nil
Market research organisations	Nil	Nil
Polling organisations	Nil	Nil
Direct mail organisations	Nil	Nil
Media advertising organisations	\$5,995	Adcorp

Compliance with Public Sector Standards and Ethical Codes

As a member of the Integrity Coordinating Group, the Ombudsman's office has a strong commitment to promoting and strengthening integrity in public sector bodies and building integrity in the conduct of public officers. The office understands that its good conduct is essential to its reputation, which in turn influences its business activities. The office aspires to lead by example and is committed to ensuring compliance with, and internal monitoring of, the Public Sector Standards, the Western Australian Public Sector *Code of Ethics* and the office's Code of Conduct. The Corporate Executive, which includes the Ombudsman, promotes these guidelines within the office.

The office has policies, guidelines, strategies, procedures and processes that support the application of:

- The Western Australian Public Sector *Code of Ethics*;
- The Ombudsman's *Code of Conduct*;
- The Public Sector Standards in Human Resources Management;
- Part IX of the [Equal Opportunity Act 1984](#); and
- A family friendly workplace.

The following table identifies action taken to monitor and ensure compliance with each of these areas and any compliance issues that have arisen in 2010-11.

Significant Action to Monitor and Ensure Compliance with Western Australian Public Sector Standards

Managers and staff are required to comply with the Public Sector Standards in Human Resource Management. Examples of monitoring provisions include:

- For recruitment, selection and appointment, an individual review of each process is undertaken prior to the final decision to ensure compliance with the Employment Standard;
- A review process to ensure that, for acting and secondment positions, a merit-based process is used and there are no inadvertent extensions that result in long-term opportunities without expressions of interest or a full merit selection process; and
- A monitoring process to ensure there are current performance management processes in place for all employees.

All staff attended a Continuous Professional Development session titled *Public Sector Reform Legislation Update* delivered by the Public Sector Commission in February 2011. The session outlined the changes to recruitment, selection and appointment and discipline as a result of the legislative changes to the [Public Sector Management Act 1994](#).

Compliance issues:

Internal reviews have shown compliance with the Standards is achieved before any final decision is made.

Significant Action to Monitor and Ensure Compliance with Western Australian Public Sector Code of Ethics

The *Code of Ethics* is available on the office's intranet and is part of the Online Induction for new staff.

Guidelines for *Ethical and Accountable Decision Making* have been developed as a ready reference for staff when dealing with a difficult situation related to the *Code of Ethics* and the office's Code of Conduct. The Guidelines are based on the *Accountable and Ethical Decision Making in the WA Public Sector* training materials provided by the Public Sector Commissioner.

Compliance issues:

There has been no evidence of non-compliance with the Public Sector *Code of Ethics*.

Significant Action to Monitor and Ensure Compliance with Ombudsman Western Australia Code of Conduct

The office's *Code of Conduct* links the office's corporate values with expected standards of personal conduct. All staff, contractors and consultants who carry out work for, or on behalf of, the Ombudsman's office are required to comply with the spirit of the *Code of Conduct*, which has the premise that all staff accept personal responsibility for their behaviour, such behaviour being what the office would expect of a person employed to serve the interests of the citizens of Western Australia.

Compliance issues:

There has been no evidence of non-compliance with the office's *Code of Conduct*. The Ombudsman's office has a Public Interest Disclosure Policy and strongly supports disclosures being made by staff. The Ombudsman will take all reasonable steps to provide protection to staff who make such disclosures from any detrimental action in reprisal for making a public interest disclosure. The office provides guidelines to staff wishing to make such disclosures. In 2010-11 there were no public interest disclosures about the activities of the Ombudsman's office or issues raised about breaches of the *Code of Conduct*.

Corporate Governance Framework

The office's corporate governance framework is based on the Public Sector Commissioner's *Good Governance Guide*.

Principle 1: Government and public sector relationship

(The organisation's relationship with the government is clear)

The Ombudsman is an independent officer appointed by the Governor of Western Australia. The Ombudsman is responsible directly to the Parliament rather than to the Government of the day or a particular Minister.

The [*Parliamentary Commissioner Act 1971*](#) regulates the operations of the office.

Delegations for communication and interaction between Ministers and other Parliamentary representatives are identified in the office's Instruments of Delegations, in particular those relating to external communications, and staff are aware of these delegations.

Principle 2: Management and oversight

(The organisation's management and oversight is accountable and have clearly defined responsibilities)

The Ombudsman's Strategic Plan outlines the office's vision, mission and values, and provides a framework for the strategic direction for 2009 to 2011 with identifiable key measures of success. The office's Operational Plan identifies how the key strategies in the Strategic Plan will be achieved through a detailed list of key projects, measures and targets.

Chief Executive Officer delegations are set out in the office's *Instrument of Delegation – Chief Executive Officer Functions*. Statutory delegations under the *Parliamentary Commissioner Act 1971* and administrative arrangements for statutory roles are set out in the *Ombudsman Western Australia, Statutory Delegations and Administrative Arrangements* document.

The office has a strong organisational policy framework covering governance, conduct, communications, information technology, human resources, finance and procurement. Policies and guidelines are available to staff through the office's intranet and as part of the Online Induction.

The Ombudsman undertakes the role of Energy Ombudsman under a service delivery arrangement with the Energy Industry Ombudsman (Western Australia) Limited (**the governing body**). Management and oversight arrangements are included in a separate annual report of the Board of the governing body.

The office has an Internal Audit and Risk Management Charter and Committee. An external quality assurance review of the Ombudsman's internal audit function has been undertaken to ensure the Ombudsman conforms with the Institute of Internal Auditors international standards for the professional practice of internal auditing.

Principle 3: Organisational structure

(The organisation's structure services its operations)

Decision making responsibilities for the office lie with the Executive Team comprising the Ombudsman, Deputy Ombudsman and Assistant Ombudsman, Strategic Services and the Corporate Executive.

The office's organisational structure has been created in line with its operations and reflects its key strategic direction covering complaint resolution, improved public administration, child death reviews, audit and review of statutory compliance, good governance and a skilled and valued workforce.

Structural reviews of the office are linked to the Strategic Plan and resources are redirected within the structure to respond to workload priorities. A detailed organisational chart is updated regularly and provided for reference to staff on the office's intranet.

Principle 4: Operations

(The organisation plans its operations to achieve its goals)

The organisational structure, business processes and key performance indicators are linked to the strategic goals and outcomes in the Strategic Plan. Progress toward key performance indicators and major strategic projects are monitored through reports every two months to the Corporate Executive and are reported in the annual report each year.

The Operational Plan is linked to the Strategic Plan. Progress on projects identified in the Operational Plan is reported to Corporate Executive every two months and priorities are altered based on strategic and environmental imperatives.

An Online Complaint Handling Toolkit is available to all enquiry and investigating staff for the purpose of achieving consistent, efficient and effective complaint handling. It is updated regularly as new processes, or updates to processes occur. Work was also commenced during the year on developing a Precedents Database as a reference tool for staff on past decisions and best practice examples. The database will be launched in late 2011-12.

A Child Death Review Advisory Panel has been established to provide independent advice to the Ombudsman. The Panel is an advisory body, separate from the administrative and policy processes of the office, and does not review child death cases. Terms of appointment apply to all panel members.

Principle 5: Ethics and Integrity

(Ethics and integrity are embedded in the organisation's values and operations)

The Ombudsman's values are to be fair, independent and accountable (including being rigorous, responsible and efficient). In line with these values, the Ombudsman observes an independent and impartial approach to the conduct of investigations as well as observing procedural fairness at all times.

Ethics and integrity are contained within the Code of Conduct and *Guidelines for Ethical and Accountable Decision Making*. Staff are required to sign a Conduct Agreement to confirm their understanding of the application of the Code of Conduct in the workplace.

As a member of the Integrity Coordinating Group, the Ombudsman's office coordinates activities, fosters consistency in communication and education, and collaborates on shared activities to support integrity throughout the public sector.

Through the Online Induction, staff are made aware of the [Public Interest Disclosure Act 2003](#) and the protections that apply. The office has identified Public Interest Disclosure Officers who receive public interest disclosure information. Staff are also made aware of the office's Conflict of Interest and Gift Policies and registers and how they should be declared.

Principle 6: People

(The organisation's leadership in people management contributes to individual and organisational achievements)

It is a strategic direction of the office to attract, develop and retain a skilled and valued workforce with a culture that supports high quality, responsive and efficient service; and to treat people professionally, courteously and with appropriate sensitivity.

The office continues to implement its Human Resources Strategy which focuses on the recruitment, retention and engagement of staff; individual performance and development; and, continual learning. For more information see [Human Resources Strategy 2010-2012](#).

The office has a strong human resources policy framework covering flexible work arrangements, staff development, study assistance and occupational safety and health.

Principle 7: Finance

(The organisation safeguards financial integrity and accountability)

The office produces an annual budget, by team and by function, which is approved by Corporate Executive to ensure that it is in line with the strategic direction of the office. Financial integrity and accountability is secured through reporting to Corporate Executive every two months.

The Ombudsman also has a Financial Management Manual, designed to assist employees to perform their tasks efficiently and effectively by assisting them to become fully conversant with the financial management aspects of the office's operations, and to ensure disruptions to operations are minimised as a result of staff changes. The processes in the manual are consistent with relevant Treasurer's Instructions and State Supply Commission policies.

An Internal Audit and Risk Management Committee reviews an audit of financial management each year against the policies and procedures in the Financial Management Manual. Every two years an audit is conducted on procurement. The audit in 2010-11 showed no areas of non-compliance with State Supply Commission requirements.

Principle 8: Communication

(The organisation communicates with all parties in a way that is accessible, open and responsive)

To ensure services are accessible, open and responsive, the Ombudsman's office communicates with its key stakeholders using a range of communication channels, adapted to suit the audience. The office also provides guidance for dealing with people with disabilities and people from culturally and linguistically diverse backgrounds.

Communication with external stakeholders occurs through the office's complaint handling service, Regional Awareness and Accessibility Program, workshops, advice to public authorities, Integrity Coordinating Group Forums, publications and information on the website. Information about the office has been translated into 15 languages and is available in other formats as requested.

Monthly whole-of-staff meetings and separate team meetings provide a forum for sharing information internally. The Joint Consultative Committee has input into office policies and procedures that affect staff, by considering issues and making recommendations to Corporate Executive. The committee is made up of management and staff representatives from within the office.

Policies covering record keeping, records management and communications ensure the office safeguards the confidentiality and integrity of information, preventing unauthorised or false disclosure.

Principle 9: Risk Management

(The organisation identifies and manages its risks)

The Ombudsman's office identifies and manages its risk through a Risk Management Plan that has been created in line with the office's [Strategic Plan](#). A review of the Plan was conducted during 2010-11 to ensure it continues to be relevant. The office also has a Business Continuity Plan to ensure it can respond to, and recover from, any business disruption.

Under the Risk Management Plan, controls have been identified for significant risks and any action required is assigned to a relevant member of Corporate Executive. Progress on these actions is monitored through reporting to Corporate Executive.

The internal audit plan is based on the areas of risk identified in the Risk Management Plan and the Audit and Risk Management Committee oversees these audits and the Audit Plan for each year.

Record Keeping Plans

Records Management Framework

The Ombudsman's office is committed to maintaining a strong records management framework and aims for best practice record keeping practices. The office is continuously improving record keeping practices to ensure they are consistent with the requirements of the [State Records Act 2000](#) and meet the needs of the office for high quality record keeping. The office's framework includes:

- A Record Keeping Plan, a Retention and Disposal Schedule, a Records Keeping Policy, a Records Classification Plan and Security Framework and a Records Disaster Recovery Plan;
- An electronic document records management system (**EDRMS**) called Tower Records Information Management (**TRIM**), which was implemented in 2005 and upgraded in 2010-11; and
- A series of guidelines and user manuals for staff.

Evaluation and Review of Efficiency and Effectiveness of Systems

During 2010-11 the office's record keeping processes continued to undergo reviews to ensure compliance with the Records Management Framework and promote best practice record keeping. An internal audit was completed in February 2011 which found that:

- The records management systems and practices comply with the requirements of the *State Records Act 2000* and the *State Records Commission Standards* and appear to be effectively operating in practice;
- The Record Keeping Plan and Retention and Disposal Schedule comply with the requirements of the *State Records Act 2000* and the *State Records Commission Standards*; and
- The only issue noted concerned ongoing arrangements for safe storage of State archives (that is, State records to be retained permanently) which need to be reviewed to comply with the instructions from the Director, State Records Office to all government agencies. A project has commenced to provide archival quality storage for these records.

Records Plans and Policies

The office has a range of plans and policies designed to ensure effective record keeping suited to the office's needs as outlined in the Record Management Framework above. During 2010-11 the following plans and guidelines have been developed or reviewed:

- The reviewed Record Keeping Plan was approved by the State Records Commission for five years in September 2010;
- The Retention and Disposal Schedule was reviewed to provide for retention and disposal of records associated with new functions for the office and submitted in December 2010 to the State Records Office for approval; and
- Two guidelines were developed - *Managing our Records* and *Managing Email* and a checklist was produced *Should I 'TRIM' it?* These have been added to the office's intranet to assist in maintaining consistency and efficiency in record handling by staff.

Offsite Storage and Disposal

The office continues to maintain an off-site storage facility for the storage of all 'significant' complaint files and all other relevant files for the duration of their retention. A regular disposal program is undertaken to ensure ongoing onsite storage capacity.

Archive records are being identified and will be moved to storage that meets State Records Commission requirements as outlined in the State Records Office publication *Directions for keeping hardcopy State archives awaiting transfer to the State Records Office*.

Electronic Records Management

All incoming, outgoing and significant internal documents are saved electronically into the EDRMS. Staff are required to save their final electronic documents into the EDRMS as well as saving electronic mail and facsimiles directly into the EDRMS.

The complaints management system, RESOLVE, which was installed in April 2008, continues to perform effectively with TRIM, increasing efficiency with all records created in RESOLVE saved automatically into the EDRMS and records saved directly to the EDRMS able to be accessed through RESOLVE.

Induction and Training

All records related plans, policies, guidelines and manuals are available on the office's intranet to assist staff to comply with their record keeping requirements and include user friendly guides for training staff.

The office's Online Induction mini-site, developed in 2010-11, includes a section on record keeping. This is part of the induction process for new staff and is also available as a resource for existing staff members. The induction process also includes individual training sessions with new staff members, conducted by the Customer Service and Records Manager soon after appointment. Follow up training and help desk assistance are provided as required.

The efficiency and effectiveness of the training for record keeping was reviewed as part of the internal audit completed in February 2011 and was found to be effectively operating in practice.

Government Policy Requirements

Substantive Equality

The Ombudsman's office does not currently have obligations under the Substantive Equality Framework as it is not a member of the Strategic Management Council. However, the office is committed to the objectives of the policy, including the elimination of systemic racial discrimination in the delivery of public services, and the promotion of sensitivity to the different needs of key stakeholders.

The office understands the importance of appropriate service delivery for people from culturally and linguistically diverse backgrounds. To ensure that services provided by the office are as accessible as possible, information on how to make a complaint to the Ombudsman is available in 15 languages and features on the homepage of the office's website. All publications are available in alternative formats and can be translated on request. Information published on the office website can be viewed and printed in alternative formats. TTY phone access is available, and promoted to, people with a hearing impairment.

Details for Translating and Interpreting Services are promoted on the website and in publications for people with English as a second language.

The office has reviewed and updated its Equal Employment Opportunity/Diversity Management Plan.

Occupational Safety, Health and Injury Management

Commitment to Occupational Safety, Health and Injury Management

The Ombudsman's office is committed to ensuring a safe and healthy workplace. The goal is for a workplace that is free from work-related injuries and diseases by developing and implementing safe systems of work and by continuing to identify hazards and control risks as far as practicable.

The office maintains an Occupational Safety and Health (**OSH**) framework that includes:

- Managing and reporting workplace hazards, incidents and injuries;
- Safe work practices;
- Injury management, including a Return to Work Program that extends to non-work related injuries;
- Emergency procedures; and
- General employee health and wellbeing, including an Employee Assistance Program.

All employees and contractors are made aware of their OSH responsibilities through an Online Induction that includes a component on OSH as well as safe work practices in an office environment. This is also used as an information source for existing staff. The office's policies and guidelines are also accessible to employees through the office's intranet.

Consultation

The office promotes a consultative environment in which management, staff and other stakeholders work together to continually improve OSH practices. Formal mechanisms for consultation with employees on OSH matters include:

- Management and staff are represented on a committee comprised of independent agencies co-located with the Ombudsman at St Martins Tower (Co-located Committee) that meets regularly and incorporates OSH as a standing item;
- A Joint Consultative Committee that has OSH responsibilities; and
- Dissemination of information and discussion at whole-of-staff monthly meetings.

Statement of Compliance

The Ombudsman's office complies with the injury management requirements of the [Workers' Compensation and Injury Management Act 1981](#) and is committed to providing injury management support to all workers who sustain a work related injury or illness with a focus on a safe and early return to their pre-injury/illness position.

As part of this approach, the Ombudsman's office encourages early intervention in injury management, and ensures there is early and accurate medical assessment and management of each injury, work related or not.

Self Evaluation

An audit of the Ombudsman's OSH systems was conducted internally in 2009 against the elements of the WorkSafe Plan. The results of the audit were used to develop an OSH framework that was endorsed by the Joint Consultative Committee and approved by Corporate Executive in June 2009.

A review of the office's emergency procedures for dealing with unreasonable conduct by visitors to the office was undertaken as a result of an incident in October 2009. Recommendations to strengthen the office's security policy and procedures were discussed at the Co-located Committee meeting. As a result, new safety procedures and modifications to improve staff safety have been implemented.

During 2010-11 there were two trial evacuations of St Martin's Tower, where the fire alarms were sounded and all staff in St Martin's Tower were evacuated for drill purposes.

Initiatives for 2011-12 include undertaking an external accredited assessment of the Ombudsman's OSH management systems.

Annual Performance

During 2010-11 there was a single workers compensation claim recorded within the agency. The claim was for medical expenses only and there was no lost time involved with the claim.

The Ombudsman's office OSH statistics for 2010-11 are shown below.

Occupational Safety and Health Statistics	2010-11 Target	2010-11 Actual
Number of fatalities	0	Target achieved, 0
Lost time injury/diseases (LTI/D) incidence rate	0	Target achieved, 0
Lost time injury severity rate	0	Target achieved, 0
Percentage of injured workers returned to work within 28 weeks	100%	100%
Percentage of managers trained in occupational safety, health and injury management responsibilities	Greater than or equal to 50%	Target achieved, 60%