

Appendices

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Fair
Independent
Accountable

Appendix 1 – Complaints Received and Finalised

	Total Complaints Received in 2011-12	Complaints finalised at assessment				Complaints finalised at investigation				Total Complaints Finalised in 2011-12	
		Issue not in jurisdiction	More appropriate body to handle complaint	Referred back to the public authority	Further investigation not warranted	Resolved	Sustained	Not sustained or cannot be determined	Discontinued		Withdrawn
PUBLIC SECTOR											
Agriculture and Food, Department of	4	1			2	1		1			5
Assessor of Criminal Injuries Compensation	1					1					1
Attorney General, Department of the	18	3	3	3	2	7					18
Builders' Registration Board						1					1
Building Disputes Tribunal	2							1			1
Busselton Water Board	2					1					1
Cemetery Boards	4	2		2		2					6
Central Institute of Technology	6			1		1		2		2	6
Challenger Institute of Technology	2	1								1	2
Child Protection, Department for	57	1	1	17	9	20	1	1		3	53
Commerce, Department of	47	4	3	9	20	11		1		1	49
Communities, Department for	10			1		7		1			9
Conservation Commission of WA	1			1							1
Corrective Services, Department of	502	6	17	87	69	49	1	5		7	241
Culture and the Arts, Department of	1				2						2
Disability Services Commission	1				1			2			3
Education Services, Department of	6	1				2					3
Education, Department of	32	1		7	10	6		2	1	2	29
Electoral Commission	1	1									1
Environment and Conservation, Department of	14	1	1	2	3	10				1	18
Environmental Protection Authority, Office of the	2					1		1			2
Finance, Department of	14	2	2	3	1	4					12
Financial Institutions Authority	1	1									1
Fire and Emergency Services Authority	2					1					1
Fisheries, Department of	3					3					3
Forest Products Commission	7	1	2	1	3	1					8
Gold Corporation	2				2						2
Government Employees Superannuation Board	3				2	1					3
Health and Disability Services Complaints Office	1					1				1	2
Health, Department of	24	7	2	8	6	3				3	29
Heritage Council	1										
Housing, Department of	137	6	2	14	27	94	1	6		2	152
Indigenous Affairs, Department of	2				1			1			2
Industrial Relations Commission Registrar, Department of the						1					1
Insurance Commission of Western Australia	5				3	2		1			6
Keep Australia Beautiful Council	1				1						1
Land Surveyors Licensing Board	1										

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Landcorp (WA Land Authority)	2	1		1							2
Landgate	10		2	3		3				2	10
Legal Aid WA	8			1	5	3					9
Legal Practice Board	1		1								1
Legal Profession Complaints Committee	6	1			3					1	5
Local Government, Department of	4				2	3			1		6
Main Roads WA	7	1			2	3					6
Mental Health Review Board					1						1
Mines and Petroleum, Department of	1			1		1					2
Occupational Therapists Registration Board	1										
Planning, Department of	4		1		3						4
Plumbers Licensing Board	2			1		1		1			3
Polytechnic West	6		1		1	1		2		1	6
Premier and Cabinet, Department of	1				1						1
Prisoners Review Board	9	2	1		5	2					10
Public Advocate	6				1	3					4
Public Sector Commission	1			1							1
Public Transport Authority	9		2	2	2	3				4	13
Public Trustee	22			10	7	3		1	1		22
Racing, Gaming and Liquor, Department of	2										
Real Estate and Business Agents Supervisory Board	2		1			1					2
Regional Development and Lands, Department of	2			1	1						2
Rottnest Island Authority	2		1					1			2
School Curriculum and Standards Authority	3			1		1					2
SERCO - Acacia Prison	38	2	3	13	11	12	17	4		1	63
Training and Accreditation Council	2		1								1
Training and Workforce Development, Department of	3			1		1		1		1	4
Transport, Department of	68	1	1	15	24	28		1		3	73
Veterinary Surgeons' Board								1			1
Water Corporation	35	1	4	17	9	6		1			38
Water, Department of	9			2	1	4		3			10
West Coast Institute of Training	4				1			3			4
Western Australia Police	148	12	21	75	31	23		4		4	170
Western Australian College of Teaching	2				1	2					3
Western Australian Planning Commission	6		1	1		2		3			7
Western Power Corporation	1			1	1						2
Workcover	3		1		1					2	4
TOTAL PUBLIC SECTOR COMPLAINTS	1347	60	75	303	278	337	20	51	3	42	1169

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LOCAL GOVERNMENT											
Albany, City of	9		1		4	1		2			8
Armadale, City of	4				1	2					3
Augusta / Margaret River, Shire of	4				1	4					5
Bassendean, Town of	1			1							1
Bayswater, City of	7			2	3	2					7
Belmont, City of	1							1			1
Brookton, Shire of	2				1						1
Broome, Shire of	2			1	1						2
Bunbury, City of	1					2					2
Busselton, City of	4			2		2					4
Cambridge, Town of	2		1			1					2
Canning, City of	10			1	6	2					9
Capel, Shire of	1							1			1
Carnarvon, Shire of	4	1				1					2
Chapman Valley, Shire of	1										
Chittering, Shire of	2			1							1
Christmas Island, Shire of	1					2					2
Claremont, Town of	4				2					1	3
Cockburn, City of	6			1	1	1				1	4
Collie, Shire of	2	1				2					3
Coolgardie, Shire of	1		1								1
Coorow, Shire of	1		1								1
Cottesloe, Town of	3				1	1				1	3
Cranbrook, Shire of	2				1	1					2
Cue, Shire of	1				1						1
Dalwallinu, Shire of	1										
Dardanup, Shire of	3					1		1			2
Denmark, Shire of	2					2					2
Donnybrook / Balingup, Shire of	2				1						1
Dumbleyung, Shire of	1	1									1
Dundas, Shire of	1					1					1
East Fremantle, Town of	2					3					3
Exmouth, Shire of	1			1							1
Fremantle, City of	6			1	2	3					6
Gingin, Shire of	2			1	1	1					3
Gosnells, City of	9	1		1		3					5
Greater Geraldton, City of	4	1			2	3					6
Harvey, Shire of	5				3	1					4
Joondalup, City of	19	1	4	3	5	5		1			19
Kalamunda, Shire of	8			1	2	3					6
Kalgoorlie / Boulder, City of	3				1	1					2
Katanning, Shire of	4		1		2	1					4
Kellerberin, Shire of		1									1

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Kulin, Shire of	1				1						1
Kwinana, Town of	2	1									1
Mandurah, City of	4				1	2					3
Manjimup, Shire of						1			1		2
Melville, City of	12		1		4	8				1	14
Mt. Magnet, Shire of	1			1							1
Mukinbudin, Shire of	1				1						1
Mundaring, Shire of	4			1		6					7
Murray, Shire of	2			1	1	1					3
Nedlands, City of	2					1		1			2
Northam, Shire of	1					2		1			3
Northampton, Shire of	2		1								1
Perenjori, Shire of						1					1
Perth, City of	14	1		2	11	1					15
Pingelly, Shire of	1		1								1
Port Hedland, Town of	2					2					2
Rockingham, City of	8		1	1	1	6					9
Serpentine / Jarrahdale, Shire of	3									2	2
South Perth, City of	7				1	3					4
Stirling, City of	22		2	3	2	11		1			19
Subiaco, City of	2					1					1
Swan, City of	15		1	3	3	4				1	12
Toodyay, Shire of	2					2					2
Victoria Park, Town of	8				3	5					8
Victoria Plains, Shire of	1				1	1					2
Vincent, City of	5			1	2	1					4
Wanneroo, City of	10				2	8					10
Westonia, Shire of	1										
Wickepin, Shire of	1					1					1
Wyndham / East Kimberley, Shire of						1					1
York, Shire of	2			1		2					3
TOTAL LOCAL GOVERNMENT COMPLAINTS	285	9	16	31	76	123	0	9	1	7	272

		Complaints finalised at assessment				Complaints finalised at investigation					
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UNIVERSITIES											
Curtin University	30		2	2	2	7		18		5	36
Edith Cowan University	19	1		3	3	5		4			16
Murdoch University	9		2	2		2		2			8
University of Notre Dame	3										
University of Western Australia	6			3	1	4		1			9
TOTAL UNIVERSITIES	67	1	4	10	6	18	0	25	0	5	69
OUT OF JURISDICTION											
Organisation not identified	76	34	21	4	20	2				1	82
Out of jurisdiction	651	338	315	3	2					2	660
TOTAL OUT OF JURISDICTION	727	372	336	7	22	2	0	0	0	3	742
TOTAL COMPLAINTS											
Total complaints about agencies in jurisdiction	1699	70	95	344	360	478	20	85	4	54	1510
Total complaints about agencies not in jurisdiction	727	372	336	7	22	2				3	742
GRAND TOTAL	2426	442	431	351	382	480	20	85	4	57	2252

Appendix 2 - Legislation

Principal Legislation

- Parliamentary Commissioner Act 1971

Legislation and Other Instruments Governing Other Functions

Telecommunications Interception	<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>
Reviewing appeals by overseas students	<ul style="list-style-type: none"> • <u>National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007</u>
Public Interest Disclosure	<ul style="list-style-type: none"> • <u>Public Interest Disclosure Act 2003</u>
Indian Ocean Territories	<ul style="list-style-type: none"> • <u>Indian Ocean Territories (Administration of Laws) Act 1992</u> • <u>Christmas Island Act 1958</u> • <u>Cocos (Keeling) Islands Act 1955</u>
Terrorism	<ul style="list-style-type: none"> • <u>Terrorism (Preventative Detention) Act 2006</u>
Energy Ombudsman	<ul style="list-style-type: none"> • <u>Parliamentary Commissioner Act 1971 (section 34)</u> • <u>Economic Regulation Authority Act 2003</u> • <u>Electricity Industry Act 2004</u> • <u>Energy Coordination Act 1994</u>

Other Key Legislation Impacting on the Office's Activities

- Auditor General Act 2006;
- 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;
- 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, in various formats, by request to mail@ombudsman.wa.gov.au.

Brochures and Posters

About the Ombudsman

- Ombudsman Western Australia Brochure
- Ombudsman Western Australia Summary Posters
- Ombudsman Western Australia Summary Brochure

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 management process - Information for complainants
- How we assess complaints
- Assessment of complaints checklist
- Being formally interviewed by the Ombudsman
- Requesting the review of a decision

Guidelines and Information Sheets for Public Authorities

General Information

- Information for agencies – About the Ombudsman
- Information for local governments – About the Ombudsman
- Information for universities – About the Ombudsman
- Overview of the complaint management process - Information for public authorities
- Information for boards and tribunals

Information Packages

The following publications are available as individual documents and as a suite of documents under the headings listed:

Guidelines on Decision Making

- Exercising discretion in administrative decision making
- Procedural Fairness
- Giving reasons for decisions
- Good record keeping

Effective Complaint Handling

- The principles of effective complaint handling
- Effective handling of complaints made to your organisation – An overview
- Complaint handling system checklist
- Making your complaint handling system accessible
- Guidance for complaint handling officers
- Investigation of complaints
- Conducting administrative investigations
- Procedural Fairness
- 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

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