

## Other Disclosures and Legal Compliance

### 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.

### Other Financial Disclosures

#### Pricing Policies of Services Provided

The 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 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 a database for case management of child death reviews commenced in 2010-11. Further development was undertaken in 2011-12 to provide for case management for a new function for the Office to review family and domestic violence fatalities. The estimated total cost of the project is \$150,000 and, as at 30 June 2012, the outstanding amount required to complete the project was \$47,000, \$21,000 of which was already committed. The remaining \$26,000 will be used in 2012-13 to complete the project. There were no other major capital projects in 2011-12.

## Employment and Industrial Relations

### Employment of Staff

Staff numbers at the Office have increased in 2011-12 due to an increase in the number of complaints received in both the State Ombudsman and Energy Ombudsman jurisdictions and the commencement of the family and domestic violence fatality review function.

Over the full year for 2011-12 there was an average of 58 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 and work requirements.

As at 30 June 2012 there were 70 staff (63.8 FTEs) undertaking the work of the Office. There were 64 people (57.8 FTEs) directly employed by the Office, including 53 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. The net total is adjusted for people seconded into and out of the Office and people employed through a recruitment agency to cover short term vacancies.

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	2009-10	2010-11	2011-12
Full-time permanent	37	40	40
Full-time contract	8	9	12
Part-time permanent	13 (8.6 FTEs)	11 (7 FTEs)	11 (5.3 FTEs)
Part-time contract	0	2 (0.9 FTEs)	1 (0.5 FTEs)
<b>TOTAL</b>	<b>58 (53.6 FTEs)</b>	<b>62 (56.9 FTEs)</b>	<b>64 (57.8 FTEs)</b>
Employees seconded out (included in numbers above)	-2 (2 FTEs)	-2 (2 FTEs)	-2 (2 FTEs)
Employees seconded in (not included in numbers above)	4 (4 FTEs)	2 (2 FTEs)	3 (3 FTEs)
Temporary staff employed through recruitment agencies	3 (3 FTEs)	4 (3.4 FTEs)	5 (5 FTEs)
<b>NET TOTAL (FTE)</b>	<b>58.6</b>	<b>60.3</b>	<b>63.8</b>
<b>NET TOTAL (Head Count)</b>	<b>63</b>	<b>66</b>	<b>70</b>

## Human Resources Strategy 2009-12

The Office continued with the implementation of the Human Resources Strategy 2009-12 (**the Strategy**) during the year. The Strategy aims to support the attraction and retention of staff and staff development through performance management and continuous professional development. 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 Office, with high numbers of quality applications received for positions advertised during the year. The Office provides benefits for staff such as flexible work options and part-time arrangements and this is promoted in all job advertisements. 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 includes identifying expectations as well as performance-based recognition. Managers and staff annually formalise a performance agreement that provides a framework to:

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

- **Continual Learning**

The Office prepares a *Training and Continuous Professional Development Calendar* each year and in 2011-12 held four in-house training sessions and four professional development sessions for staff. Where appropriate the sessions use the expertise of senior staff of the Office to deliver the material. To supplement this in-house program, staff are encouraged to attend external training, conferences and seminars to improve their skills and knowledge in areas relevant to their work. These opportunities are facilitated through development plans as part of staff annual performance reviews and the continual learning assists with positioning the Office as an employer of choice.

## Workforce Plan

In 2011-12, the *Workforce Plan 2012-2014* was developed in accordance with the *Public Sector Commissioner's Circular 2010-02: Workforce Planning And Diversity In The Public Sector*, Part IX of the *Equal Opportunity Act 1984*, and *Strategic Directions for the Public Sector Workforce 2009-2014*. The Office has four key focus areas for 2012-2014 covering:

- The scheduled review of the strategic plan and related human resources strategies;
- Workforce reporting to Corporate Executive that shows the status of key workforce indicators;

- Collation of information on current skills of staff and future continuous professional development requirements from the performance management process; and
- Continuing to develop innovative and effective strategies to improve workforce diversity.

## Induction

The Online Induction mini-site and the Induction Reference Book are provided to all new employees to the Office. The Online Induction mini-site and Reference Book contain useful information on the Office's strategic direction, structure and roles, policies and procedures and facilities.

Staff recruited in 2011-12 have provided feedback that the induction process is welcoming and useful in assisting new employees to understand the Office's direction, expectations and processes. The product has also proved valuable for existing staff members to keep them informed and updated about policy and governance issues within the Office.

## Governance Disclosures

### Shares in Statutory Authorities

This is not relevant as the Office is not a statutory authority and does not have shares.

### Shares in Subsidiary Bodies

This is not relevant as the Office does not have any subsidiary bodies.

### Interests in Contracts by Senior Officers

The Office's *Code of Conduct* 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.

Employees are aware through the *Code of Conduct* 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. 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.

The Office's policy on identifying and addressing conflict of interest includes any interest of 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, in any existing or proposed contract made with the Office.

There have been no declarations of an interest in any existing or proposed contracts by senior officers.

### 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 Office does not have any directors as defined in Part 3 of the [Statutory Corporations \(Liability of Directors\) Act 1996](#).

## Other Legal Requirements

### Advertising and Sponsorship Expenditure

During 2011-12 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 \$8,519 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	\$8,143	Adcorp
	\$376	Seek

### 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 Office'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.

Disability access was a key consideration in preparation for the Office's move to Albert Facey House in March 2012. The new building provides access for people with disabilities, including lifts that accommodate wheelchairs and feature braille on the access buttons. Accessible and ambulant toilets are located on all floors used by the Office (the Ground Floor, Level 2 and Level 3), and a low reception desk on Level 2 accommodates wheelchair access. The building also includes electronic doors at the entrance and through to the lifts, a ramp at the front of the building, and a disabled parking bay beneath the building.

**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 and publications are available in alternative formats on request. The Office's website meets the requirements set out in the Public Sector Commission's Website Governance Framework, including access requirements. Information published on the website can be viewed and printed in alternative sizes and online documents are published in PDF format to allow browsers to use screen readers as required. TTY phone access is available and signs are provided in the reception area to assist visitors who have a hearing loss. The Office also 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. The Office has an internal guideline for staff on *Assisting complainants with vision, hearing or speech impairments*. The document is part of the internal Complaint Handling Toolkit and provides useful information, contacts and procedures for all staff when 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 Office is to handle complaints about public authorities and 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 the Office and modifying communication strategies, for example, by using a translator (such as 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.

## Compliance with Public Sector Standards and Ethical Codes

As an independent accountability agency and a member of the Integrity Coordinating Group, the Office has a strong commitment to promoting and strengthening integrity in public authorities 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 monitoring of, the *Public Sector Standards in Human Resource Management*, the Western Australian public sector *Code of Ethics* and the Office's *Code of Conduct*. The Corporate Executive, which includes the Ombudsman, promotes these principles and 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 Office'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.

An independent *Employee Perceptions Survey (the Survey)* was conducted by the Public Sector Commission in August 2011 and the results, including comparisons to the sector as a whole, were presented to Corporate Executive in November 2011. The survey, which had a strong response rate of 73%, showed high awareness of public sector standards and ethical codes. The Survey also provided useful information for the Office's continuous improvement to related policies and practices.

The following table identifies action taken to monitor and ensure compliance with each of these areas and any compliance issues that have arisen in 2011-12.

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

Managers and staff are aware of, and are required to comply with, the *Public Sector Standards in Human Resource Management*. This is supported by policies and procedures relating to each of the public sector standards, regular professional development for managers and staff about the standards and related policies, a requirement that there be at least one trained person on selection panels and the inclusion of the policies in the induction process. 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 opportunities and secondments, 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;
- A monitoring process to ensure there are current performance management processes in place for all employees; and
- An independent survey of employee perceptions by the Public Sector Commission in August 2011, which included questions relating to awareness of, and compliance with, the public sector standards.

The survey showed very high awareness of the standards, and understanding of the courses of action available to staff should a breach of standard occur. A high proportion of staff also considered the Office had clearly documented policies and procedures including for employment, professional development and performance management.

**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.

The Office's *Code of Conduct* is designed to provide guidance to staff on conduct that will ensure compliance with the *Code of Ethics*. Details of further action to monitor and ensure compliance with both these ethical codes are provided below.

**Compliance issues:** There has been no evidence of non-compliance with the *Code of Ethics*.



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

The Office's *Code of Conduct* supports the *Code of Ethics* and 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 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. On appointment, all staff sign the *Code of Conduct* to confirm their understanding of its application in the workplace and swear an oath or make an affirmation about maintaining appropriate confidentiality.

Ethics and conduct related policies have been developed, including policies and procedures for declaring and managing conflicts of interest and gifts. Policies, practices and potential issues are regularly discussed at Corporate Executive and Management Consultative Committee meetings and managers and supervisors then follow this up with staff at individual team meetings. There is regular professional development for managers and staff about the ethical codes and related policies, and the codes and policies are included in the induction process.

The Office has procedures in place for reporting unethical behaviour and misconduct. The Office also 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 has trained all Public Interest Disclosure Officers and provides guidelines to staff wishing to make such disclosures.

Monitoring provisions for both the *Code of Ethics* and the *Code of Conduct* include:

- High level review, and Ombudsman sign off, for management of conflicts of interest and gifts;
- High level analysis and sign off of requests for review of the Office's handling of a complaint and any complaints about the conduct of staff;
- Internal audits each year on financial management and every two years on procurement, that are referred to the Audit and Risk Management Committee; and
- An independent survey of employee perceptions by the Public Sector Commission In August 2011, which included questions relating to ethics and public interest disclosures.

The survey showed a high level of awareness of the Code of Ethics and the Office's Code of Conduct. A high proportion of staff were aware of the Office's policies and procedures for managing conflicts of interest and gifts, and reporting unethical behaviour and misconduct, and were aware how to make a public interest disclosure. All staff who responded considered that confidential information is only disclosed to appropriate people

**Compliance issues:** There has been no evidence of non-compliance with the Office's Code of Conduct and there were no public interest disclosures about the activities of the Office.

## 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 has clearly defined responsibilities)

The Office's *Strategic Plan 2009-2012* outlines the Office's vision, mission and values, and provides a framework for the strategic direction for 2009 to 2012 with identifiable key measures of success. The Office's operational planning identifies how the key strategies in the *Strategic Plan* will be achieved through a detailed list of key projects, measures and targets. The *Strategic Plan* will be reviewed in 2012 to incorporate a range of new functions coming to the Office.

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 are included in the 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 Office's internal audit function has been undertaken to ensure the Office 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)			
<p>Decision making responsibilities for the Office lie with the Executive Team, comprising the Ombudsman, Deputy Ombudsman and Principal Assistant Ombudsman Strategic Services, and the Corporate Executive which also includes the leaders of the Complaint Resolution, Investigations and Inspections, Administrative Improvement and Review teams.</p> <p>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. The Office undertakes continuous improvement to the structure to ensure it remains relevant and effective with changes linked to the <i>Strategic Plan</i> and redirection of resources within the structure to respond to workload priorities. A detailed organisational chart provides a reference for staff on the intranet.</p> <p>In 2011-12, a new position of Principal Assistant Ombudsman, Investigations and Inspections was created to bring in specialist skills for complex investigations and the inspection functions of the Office.</p>			
Principle	4:	Operations	
(The organisation plans its operations to achieve its goals)			
<p>The organisational structure, business processes and key performance indicators are linked to the strategic goals and outcomes in the <i>Strategic Plan 2009-2012</i>. Progress toward key performance indicators and major strategic projects is monitored through reports to the Corporate Executive and is reported in the annual report each year. Operations are linked to the <i>Strategic Plan</i>, progress on projects is reported to Corporate Executive and priorities are altered based on strategic and environmental imperatives.</p> <p>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. The Office has continued work on a Precedents Database as a reference tool for staff on past decisions and best practice examples. Processes have been developed for the ongoing identification and development of material for inclusion in the database.</p> <p>A Child Death Review Advisory Panel provides 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.</p> <p>For the Energy Ombudsman role, the Office prepares a Business Plan and Budget for approval by the Board of the governing body each year.</p>			

**Principle 5: Ethics and Integrity****(Ethics and integrity are embedded in the organisation's values and operations)**

The Office'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 the Ombudsman is a member of the Integrity Coordinating Group, the 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. When conflict of interest declarations are made, the Ombudsman assesses what action needs to be taken and where appropriate, removes the officer from any involvement in the matter.

**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 *Workforce Plan 2012-2014* provides a strong workforce planning framework to support the achievement of the goals in the strategy.

The Office has a strong human resources policy framework covering employment of staff, conditions of employment, flexible work arrangements, staff development, study assistance, employee relations (including grievance resolution) 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.

The Office 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 procurement audit in 2010-11 showed no areas of non-compliance with State Supply Commission requirements and the financial audit in 2011-12 concluded that a good level of internal control is being maintained over financial management functions to ensure compliance with financial legislation.

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

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 Staff Meetings and separate team meetings provide a forum for sharing information internally and the Staff Consultative Committee has input into Office policies and procedures that affect staff, by considering issues and making recommendations. The committee is made up of management and staff representatives from all teams in the Office.



### Principle 9: Risk Management (The organisation identifies and manages its risks)

The Office identifies and manages its risk through a *Risk Management Plan* that has been created in line with the Office's *Strategic Plan 2009-2012*. A review of the *Risk Management Plan* was conducted during 2011-12 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 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 2011-12; and
- A series of guidelines and user manuals for staff.

### Evaluation and Review of Efficiency and Effectiveness of Systems

During 2011-12, the Office's record keeping processes continued to undergo reviews to ensure compliance with the Records Management Framework and promote best practice record keeping.

During the year the Office moved from St Martins Tower to Albert Facey House. An evaluation was conducted of the systems needed for onsite and offsite storage in the new premises to ensure that records could be safely stored and efficiently retrieved. An evaluation was also conducted to identify the best process for the transfer of records safely, confidentially, efficiently and with minimal disruption to core services.



## 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 the year the Retention and Disposal Schedule was reviewed to provide for retention and disposal of records associated with new functions for the Office and was approved by the State Records Commission in December 2011. Following this approval the new schedule was implemented and posted on the Office's intranet.

## 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 and minimise use of offsite storage.

In preparation for the Office relocation in March 2012 a project was undertaken to destroy or move offsite as many files as possible. The remaining files were carefully packed into sealed crates for transportation with sensitive files being escorted by records staff members. The relocation of all business records was achieved with a minimum of disruption to staff. Records requiring immediate attention were available on the first day and full records functions were available on the second day in the new premises.

Following the review of storage of archived records, records with the sentence 'archive' are now identified and prepared for storage that meets the requirements as outlined in the State Records Office publication *Directions for keeping hardcopy State archives awaiting transfer to the State Records Office*.

This preparation involves scanning of all documents so that the Office has a complete electronic copy of a file when the hard copy file is sent offsite, removal of all staples, clips or adhesive notes and packaging in acid free polypropylene sheet protectors.

## 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 for the State Ombudsman jurisdiction and in June 2007 for the Energy Ombudsman jurisdiction, continues to perform effectively with TRIM. It increases efficiency as all records created in RESOLVE are saved automatically into the EDRMS and records saved directly to the EDRMS are able to be accessed through RESOLVE. A further RESOLVE complaints management system has been installed for the child death review function and this system is currently being upgraded to include the family and domestic violence fatality review function.

## 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. An independent Survey by the Public Sector Commission in August 2011 showed most staff considered that they receive appropriate training or have access to information that enables them to meet their record keeping responsibilities and that good information management practices are promoted and supported in their work area.

## Government Policy Requirements

### Substantive Equality

The 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 and 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; and
- Interpreters and translators are regularly used when resolving complaints. Complaints can be written in the person's first language and the Office arranges translators for the incoming complaint and outgoing response and staff use interpreters, either face to face or by telephone, when discussing complaints with people whose first language is a language other than English.

The Office also has an Equal Employment Opportunity Plan for 2010-2012.

## Occupational Safety, Health and Injury Management

### Commitment to Occupational Safety, Health and Injury Management

The 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.

There is a strong executive commitment to the health and safety of staff. Hazards and other issues relating to health and safety can be raised directly with the Principal Assistant Ombudsman, Strategic Services and key issues are brought to the attention of the Ombudsman, who is committed to their prompt and effective resolution.

### 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 and others on OSH matters include:

- Prior to the Office's relocation to Albert Facey House in March 2012, management and staff were represented on a committee comprised of independent agencies co-located at St Martins Tower that met regularly and incorporated OSH as a standing item. At Albert Facey House, the OSH responsibilities for the building as a whole are the responsibility of the Department of Finance - Building Management and Works with input directly from individual tenants or through tenants meetings;
- The Office has OSH responsibilities within its tenancy but works closely with the building management to ensure a safe working environment is maintained;
- The Staff Consultative Committee has OSH responsibilities and a staff contact person for OSH is a member of the committee. OSH matters are a standing item on the agenda to allow Committee members to refer matters raised by staff to the

committee for resolution and inform their team of issues and safe working practices raised at committee meetings;

- There is dissemination of OSH information and discussion at monthly Staff Meetings;
- There is regular training on OSH matters for both management and staff. In 2011-12 there was OSH training for managers in October 2011 and a follow up session in December 2011, an OSH session for staff in December 2011 and an ergonomic education session for staff in June 2012, after the move to new premises in March; and
- There is a contact person for the change in Office premises who handles OSH issues and identification of hazards arising from the move to new premises.

### Statement of Compliance

The 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. Rehabilitation support is also provided to employees with non-work related injuries or when recovering from a protracted illness.

As part of this approach, the 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 Office'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 Staff Consultative Committee and approved by Corporate Executive in June 2009.

There is ongoing review of the Office's emergency procedures for dealing with unreasonable conduct by visitors to the Office and interim procedures were put in place during the transition to Albert Facey House to ensure the safety of staff while alarms were being tested.

Internal evaluation of the new accommodation at Albert Facey House was conducted both before and after moving to the new Office and identified OSH changes have been promptly addressed.

During 2011-12 there were two trial evacuations of St Martins Tower, where the fire alarms were sounded and all staff in St Martins Tower were evacuated for drill purposes. There has been one similar trial evacuation of Albert Facey House since the Office relocated there in March 2012.

Following the move to Albert Facey House, an external accredited assessment of the Office's OSH management systems will be undertaken in 2012-13.

### Annual Performance

During 2011-12 there were no workers' compensation claims recorded within the Office.

The Office's OSH and injury management statistics for 2011-12 are shown below.

Occupational Safety and Health Statistics	2011-12 Target	2011-12 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 (i) 13 weeks; and (ii) 26 weeks	Greater than or equal to 80% return to work within 26 weeks	Not applicable - no lost time injuries
Percentage of managers and supervisors trained in occupational safety, health and injury management responsibilities	> 80%	Target achieved, 86%

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