



## Appendices

This section provides additional information to assist readers.

- [Appendix 1 – Complaints Received and Finalised](#)
- [Appendix 2 – Legislation](#)
- [Appendix 3 – Publications](#)



Fair  
Independent  
Accountable

## Appendix 1 – Complaints Received and Finalised

		Complaints finalised at assessment				Complaints finalised at investigation					
	Total Complaints Received in 2012-13	Issue not in jurisdiction	More appropriate body to handle complaint	Referred back to the public authority	Investigation not warranted	Resolved	Sustained	Not sustained or cannot be determined	Discontinued	Withdrawn	Total Complaints Finalised in 2012-13
PUBLIC SECTOR											
Aboriginal Affairs, Department of	13				7	2					9
Agriculture and Food, Department of	3		1	2							3
Attorney General, Department of the	42	6	9	5	13	9				1	43
Building Disputes Tribunal						1					1
Bunbury Water Board	1			1							1
Busselton Water Board		1									1
Central Institute of Technology	9	1	1	1	2	1				1	7
Challenger Institute of Technology	4			1	2	1					4
Child Protection and Family Support, Department for	73	2	9	27	15	30	1			1	85
Commerce, Department of	36	2	4	6	13	13				3	41
Communities, Department for	5			3	2	2	1				8
Corrective Services, Department of	314	27	33	79	64	389	3			4	599
Council of Official Visitors	1			1							1
Culture and the Arts, Department of	1	1									1
Disability Services Commission	4		1	1	3						5
Education Services, Department of	2			1	1	2					4
Education, Department of	38	2	4	13	14	8		1		1	43
Environment and Conservation, Department of	11	2	2	4	2	2					12
Environmental Protection Authority, Office of the	2			1		3					4
Equal Opportunity Commission	2	2									2
Finance, Department of	14		1	1	3	12					17
Fire and Emergency Services, Department of	1					1	1				2
Fisheries, Department of	1		1		1						2
Forest Products Commission	2		2								2
Geraldton Cemetery Board	2			1		1					2
Gold Corporation	2			1		1					2
Government Employees Housing Authority	1		1								1
Government Employees Superannuation Board	4		3	1							4
Health and Disability Services Complaints Office	7		1	2	2	1		1			7
Health, Department of	48	5	21	6	10	5	1			3	51
Heritage Council						1					1
Housing, Department of	177	5	10	21	60	86	1	1		6	190
Insurance Commission of Western Australia	7	1	2	1	3						7
Land Surveyors Licensing Board		1									1
Landcorp (WA Land Authority)	1				1						1
Landgate	3	2		1	1	1					5
Legal Aid WA	3		2	1		1					4
Legal Profession Complaints Committee	6		1	2		3				1	7

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Local Government, Department of	6			1	3	2					6
Lotteries Commission	1			1							1
Main Roads WA	8	1	2		3	4				1	11
Metropolitan Cemeteries Board	2					2					2
Mines and Petroleum, Department of	1				1						1
Occupational Therapists Registration Board			1								1
Planning, Department of	6	1			3	4					8
Plumbers Licensing Board				1							1
Polytechnic West	5			1	2	2					5
Premier and Cabinet, Department of	1		1								1
Prisoners Review Board	7		1	1	6						8
Public Advocate	9	1	2	1	2	3					9
Public Sector Commission	3	2			1						3
Public Transport Authority	12	1	3	2		2					8
Public Trustee	20		2	4	8	11					25
Racing, Gaming and Liquor, Department of	3	1	1		1	2					5
Regional Development and Lands, Department of	4	3				1					4
Rottneest Island Authority	1					1					1
School Curriculum and Standards Authority	2	1	1			2					4
SERCO - Acacia Prison	32		1	12	11	13				1	38
Teachers Registration Board	1				1						1
Training and Accreditation Council	1			1	1						2
Training and Workforce Development, Department of	2			1				1		1	3
Transport, Department of	73	3	8	20	13	30				1	75
Treasury, Department of	1					1					1
Veterinary Surgeons' Board	2		1		1						2
Water Corporation	29		3	10	5	10				2	30
Water, Department of	5		1		1	3					5
West Coast Institute of Training	1							1			1
Western Australia Police	136	8	33	48	33	15				3	140
Western Australian Planning Commission	4		2			2					4
Western Power Corporation	1		1								1
Workcover	7				3	2				1	6
TOTAL PUBLIC SECTOR COMPLAINTS	1226	82	173	288	318	688	8	5		31	1593

	Total Complaints Received in 2012-13	Complaints finalised at assessment				Complaints finalised at investigation				Total Complaints Finalised in 2012-13	
		Issue not in jurisdiction	More appropriate body to handle complaint	Referred back to the public authority	Investigation not warranted	Resolved	Sustained	Not sustained or cannot be determined	Discontinued		Withdrawn
LOCAL GOVERNMENT											
Albany, City of	3		2			2					4
Armadale, City of	5			1	1	3					5
Ashburton, Shire of	1		1								1
Augusta / Margaret River, Shire of	5		1	1	1	2					5
Bassendean, Town of	1			1							1
Bayswater, City of	4		1		2	3					6
Belmont, City of	3				2	1					3
Beverley, Shire of	2		1			1					2
Boddington, Shire of	10		9			1					10
Brookton, Shire of	1		1		1						2
Broome, Shire of	3					2					2
Broomehill, Shire of	1										
Bunbury, City of	5		2		1						3
Busselton, City of	4		1		3						4
Cambridge, Town of	1					1					1
Canning, City of	5		1		2	4					7
Capel, Shire of	1				1						1
Carnarvon, Shire of						2					2
Chapman Valley, Shire of						1					1
Chittering, Shire of			1								1
Claremont, Town of	2			1						1	2
Cockburn, City of	7		1	1	2	3				1	8
Collie, Shire of	2				2						2
Coolgardie, Shire of	1					1					1
Cottesloe, Town of	6		1		3	3					7
Cranbrook, Shire of	1	1									1
Cue, Shire of	2				2						2
Cunderdin, Shire of	1				1						1
Dalwallinu, Shire of	1					1					1
Dandaragan, Shire of	1				1						1
Dardanup, Shire of	2				2	1					3
Denmark, Shire of	1					1					1
Donnybrook / Balingup, Shire of	1					2					2
Dowerin, Shire of	1				1						1
Dumbleyung, Shire of	1				1						1
Exmouth, Shire of	1					1					1
Fremantle, City of	10		2	2	5	2					11
Gingin, Shire of	3				1	2					3
Gosnells, City of	10		1	2	4	6					13
Greater Geraldton, City of	3		2		1						3
Harvey, Shire of						1					1
Joondalup, City of	10	2	3	1	5	3					14
Kalamunda, Shire of	6		1	1	1	6					9
Kalgoorlie / Boulder, City of			1								1
Katanning, Shire of	1				1						1

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Kwinana, City of	1	1				1					2
Mandurah, City of	8		2	1	2	2					7
Manjimup, Shire of	1		1								1
Melville, City of	15		1		4	12					17
Merredin, Shire of	1			1							1
Mt. Magnet, Shire of	1					1					1
Mundaring, Shire of	1		1			2					3
Murray, Shire of	2		1			1					2
Narrogin, Town of	1	1									1
Nedlands, City of	1				1						1
Northam, Shire of	1					1					1
Northampton, Shire of						1					1
Perenjori, Shire of	1					1					1
Perth, City of	7	1	2	2	1		1				7
Pingelly, Shire of	1			1							1
Rockingham, City of	6		1	2	1	2					6
Roebourne, Shire of	20				20						20
Serpentine / Jarrahdale, Shire of	4			1	2	1					4
South Perth, City of	1		1			3					4
Stirling, City of	22		4	3	7	12				1	27
Subiaco, City of	9	2	2	1	4				1		10
Swan, City of	10	1	3	1	3	4				1	13
Toodyay, Shire of			1								1
Victoria Park, Town of	3					3		1			4
Vincent, Town of	4	1			2	2					5
Wandering, Shire of	1		1								1
Wanneroo, City of	9		2	2	1	3				1	9
Westonia, Shire of	1		2								2
Woodanilling, Shire of	1										
Wyndham / East Kimberley, Shire of	1										
York, Shire of	7	1	2	1	2	1					7
TOTAL LOCAL GOVERNMENT COMPLAINTS	270	11	60	27	97	109	1	1	1	5	312

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<b>UNIVERSITIES</b>											
Curtin University	32		1	7	5	9		6		1	29
Edith Cowan University	33	2	3	2	9	13		2	1	3	35
Murdoch University	18		1	2	8	7		1			19
University of Notre Dame	2				3	2					5
University of Western Australia	8		3	2	1	1				1	8
<b>TOTAL UNIVERSITIES</b>	<b>93</b>	<b>2</b>	<b>8</b>	<b>13</b>	<b>26</b>	<b>32</b>		<b>9</b>	<b>1</b>	<b>5</b>	<b>96</b>

<b>AGENCIES OUT OF JURISDICTION</b>											
Organisation not identified	68	34	19	4	13					1	71
Agencies out of jurisdiction	608	184	408	5	3					3	603
<b>TOTAL AGENCIES OUT OF JURISDICTION</b>	<b>676</b>	<b>218</b>	<b>427</b>	<b>9</b>	<b>16</b>					<b>4</b>	<b>674</b>

<b>TOTAL COMPLAINTS</b>											
Total complaints about agencies in jurisdiction	1589	95	241	328	441	829	9	15	2	41	2001
Total complaints about agencies out of jurisdiction	676	218	427	9	16					4	674
<b>GRAND TOTAL</b>	<b>2265</b>	<b>313</b>	<b>668</b>	<b>337</b>	<b>457</b>	<b>829</b>	<b>9</b>	<b>15</b>	<b>2</b>	<b>45</b>	<b>2675</b>

## Appendix 2 – Legislation

### Principal Legislation

- [Parliamentary Commissioner Act 1971](#)

### Legislation and Other Instruments Governing Other Functions

<b>Telecommunications Interception</b>	<ul style="list-style-type: none"> <li>• <a href="#"><u>Telecommunications (Interception and Access) Act 1979 (Commonwealth)</u></a></li> <li>• <a href="#"><u>Telecommunications (Interception and Access) Western Australia Act 1996</u></a></li> </ul>
<b>Reviewing appeals by overseas students</b>	<ul style="list-style-type: none"> <li>• <a href="#"><u>National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007</u></a></li> </ul>
<b>Public Interest Disclosure</b>	<ul style="list-style-type: none"> <li>• <a href="#"><u>Public Interest Disclosure Act 2003</u></a></li> </ul>
<b>Indian Ocean Territories</b>	<ul style="list-style-type: none"> <li>• <a href="#"><u>Indian Ocean Territories (Administration of Laws) Act 1992</u></a></li> <li>• <a href="#"><u>Christmas Island Act 1958</u></a></li> <li>• <a href="#"><u>Cocos (Keeling) Islands Act 1955</u></a></li> </ul>
<b>Terrorism</b>	<ul style="list-style-type: none"> <li>• <a href="#"><u>Terrorism (Preventative Detention) Act 2006</u></a></li> </ul>
<b>Energy Ombudsman</b>	<ul style="list-style-type: none"> <li>• <a href="#"><u>Parliamentary Commissioner Act 1971 (section 34)</u></a></li> <li>• <a href="#"><u>Economic Regulation Authority Act 2003</u></a></li> <li>• <a href="#"><u>Electricity Industry Act 2004</u></a></li> <li>• <a href="#"><u>Energy Coordination Act 1994</u></a></li> </ul>

### Other Key Legislation Impacting on the Office's Activities

- *Auditor General Act 2006;*
- *Corruption and Crime Commission Act 2003;*
- *Disability Services Act 1993;*
- *Equal Opportunity Act 1984;*
- *Financial Management Act 2006;*
- *Industrial Relations Act 1979;*
- *Minimum Conditions of Employment Act 1993;*
- *Occupational Safety and Health Act 1984;*
- *Public Sector Management Act 1994;*
- *Salaries and Allowances Act 1975;*
- *State Records Act 2000; and*
- *State Supply Commission Act 1991*

## Appendix 3 – Publications

The following publications are available electronically on the Ombudsman's website at [www.ombudsman.wa.gov.au](http://www.ombudsman.wa.gov.au) and in hard copy, in various formats, by request to [mail@ombudsman.wa.gov.au](mailto:mail@ombudsman.wa.gov.au).

### Brochures and Posters

#### About the Ombudsman

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

### 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 interviewed by the office of 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 for Public Authorities

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

### 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

### Management of Personal Information

- Management of Personal Information
- Checklist - Management of Personal Information
- Good practice principles for the management of personal information

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