



This section provides an executive summary of the Office's performance, general information about the Office and the Office's performance management framework.

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Ombudsman's Foreword

I am very pleased to present the 2013-14 Annual Report of the Western Australian Ombudsman. The office of the Ombudsman (**the Office**) has four principal functions, which are to:

- Receive, investigate and resolve complaints about State Government agencies, local governments and universities;
- Review certain child deaths and family and domestic violence fatalities;
- Improve public administration for the benefit of all Western Australians through own motion investigations and education and liaison programs with public authorities; and
- Undertake a range of additional functions, as set out in legislation, that fit within the broad category of integrity oversight.



The Ombudsman also concurrently holds the roles of Energy and Water Ombudsman and State Records Commissioner.

Independent, impartial, timely and efficient resolution of complaints is a critical role for the Office. During 2013-14, the continuation of our major complaint handling improvement program, introduced in 2007, resulted in 98 per cent of complaints being finalised within three months.

Overall, since June 2007, aged complaints have been eliminated (including a number of complaints over two years of age and as old as five years), and the average age of complaints has reduced from 173 days to 23 days. Over the same period, the cost of handling complaints has reduced by 37 per cent. These improvements have been made in the context of a large increase in complaints that occurred in 2009-10.

This year, we continued to undertake important work in relation to our child death and family and domestic violence fatality review roles. In April 2014, the Office tabled a report in Parliament, *Investigation into ways that State government departments and authorities can prevent or reduce suicide by young people*. This major own motion investigation found that State government departments and authorities have already undertaken a significant amount of work that aims to prevent and reduce suicide by young people in Western Australia, however, there is still more work to be done including:

- Practical opportunities for individual agencies to enhance their provision of services to young people; and
- Critically, as the reasons for suicide by young people are multi-factorial and cross a range of government agencies, the development of a collaborative, inter-agency approach to preventing suicide by young people.

The report included 22 recommendations for improvement, all of which were agreed to by the agencies involved.

Major investigations of our own motion are informed by important systemic issues, patterns and trends that arise from our complaint investigation and review work. During the year, in addition to our investigation into ways that State government departments and authorities can prevent or reduce suicide by young people, we undertook work on three further investigations:

- Issues associated with Violence Restraining Orders and their relationship with family and domestic violence fatalities;
- Local government collection of outstanding rates; and
- The implementation and effectiveness of Ombudsman recommendations.

In 2007-08, we introduced a new program aimed at significantly enhancing awareness of, and accessibility to, the Office for regional and Aboriginal Western Australians. The program involves a range of strategies, including seminars for public authorities and community groups, liaison activities with Aboriginal communities, complaint clinics for the general public, and visits to regional prisons. The program has continued this year with visits to Kununurra and Wyndham in the East Kimberley Region.

In another very busy year for the Office, this is an important opportunity to thank each member of my staff team for their skill, commitment and hard work.

The Office is an important pathway for access to justice for Western Australians and, at the same time, contributes to improvements to public administration that arise from investigating complaints, reviewing certain deaths and from undertaking major own motion investigations. The Office also undertakes an important range of scrutiny and inspections functions under legislation and additional functions, such as the Energy and Water Ombudsman.

In undertaking all of these functions, the Office is committed to providing services to the Parliament and the people of Western Australia that are of the highest quality and at the least cost. This is a commitment that I strongly believe we have again fulfilled this year.



Chris Field
Western Australian Ombudsman





- We received 11,145 contacts, comprised of:
 - 9,263 enquiries; and
 - 1,882 complaints.
- We finalised 98% of complaints within 3 months.
- We achieved a 48% reduction in the time to finalise complaints compared to last year.
- Since 2007, we have:
 - Decreased the age of complaints from 173 days to 23 days; and
 - Reduced the cost of resolving complaints by 37%.
- Public authorities accepted 100% of our Recommendations.

- We tabled in Parliament a major own motion investigation report *Investigation into ways that State government departments and authorities can prevent or reduce suicide by young people*, containing 22 Recommendations, all of which were accepted by the relevant agencies.
- We received:
 - 24 investigable child deaths; and
 - 15 reviewable family and domestic violence fatalities.
- We commenced a major own motion investigation into issues associated with Violence Restraining Orders and their relationship with family and domestic violence fatalities.
- We enhanced regional awareness and access to the Office through a visit to Kununurra and Wyndham.





Operational Structure

The Role of the Ombudsman

The Parliamentary Commissioner for Administrative Investigations – more commonly known as the Ombudsman – is an independent officer of the Western Australian Parliament. The Ombudsman is responsible to the Parliament rather than to the government of the day or a particular Minister. This allows the Ombudsman to be completely independent in undertaking the Ombudsman's functions.

Functions of the Ombudsman

The Office has four principal functions derived from its governing legislation, the [Parliamentary Commissioner Act 1971](#) and other legislation, codes or service delivery arrangements.

Principal Functions

Investigating and resolving complaints	Receiving, investigating and resolving complaints about State Government agencies, local government and universities.
Reviewing certain deaths	Reviewing certain child deaths and family and domestic violence fatalities.
Undertaking own motion investigations and promoting improvements to public administration	Improving public administration for the benefit of all Western Australians through own motion investigations, and education and liaison programs with public authorities.
Other functions	Undertaking a range of additional functions, as set out in legislation, that fit within the broad category of integrity oversight, as detailed below under 'Other Functions of the Ombudsman'.

Other Functions of the Ombudsman

Inspection of Telecommunications Interception records	The Ombudsman inspects the records of the Western Australia Police and the Corruption and Crime Commission to ascertain the extent of compliance with relevant telecommunications interception legislation.
Complaints and appeals by overseas students	Under the relevant national code, the Ombudsman can receive complaints or appeals by overseas students.
Public Interest Disclosures	The Ombudsman can receive disclosures of public interest information relating to matters of administration, and public officers.
Complaints from residents of the Indian Ocean Territories	Under a service delivery arrangement between the Ombudsman and the Australian Government, the Ombudsman can investigate complaints from residents of the Indian Ocean Territories (Christmas and Cocos (Keeling) Islands) about public authorities in the Ombudsman's jurisdiction.
Independent scrutiny	Under relevant legislation, the Ombudsman scrutinises and reports on certain powers exercised by the Western Australia Police.
Complaints from persons detained under terrorism legislation	Persons detained under relevant terrorism legislation can make a complaint to the Ombudsman.
Energy and Water Ombudsman	The Energy and Water Ombudsman Western Australia resolves complaints about electricity, gas and water services providers. The Ombudsman undertakes the role of the Energy and Water Ombudsman. The costs of the Energy and Water Ombudsman are met by industry members.

A full list of legislation governing these functions can be found in the Appendices Section in [Appendix 2](#).

Our Vision, Mission and Values

Our Vision

Lawful, fair and accountable decision making and practices by public authorities.

Our Mission

To serve Parliament and Western Australians by:

- Investigating and resolving complaints about the decision making and practices of State Government agencies, local government and universities;
- Reviewing certain child deaths and family and domestic violence fatalities;
- Undertaking own motion investigations to achieve improvements to public administration; and
- Undertaking inspections and other roles as set out in legislation.

Our Values

- **Fair:** We observe procedural fairness at all times, use a 'no surprises' approach in all of our work and provide our services equitably to all Western Australians.
- **Independent:** The Ombudsman is an officer of the Parliament, independent of the government of the day and independent of all parties in dispute.
- **Accountable:** We should be, and are, accountable for our performance and proper expenditure of taxpayers' money. Being accountable means being:
 - **Rigorous:** We undertake work that is important to the community and our decisions are supported by appropriate evidence.
 - **Responsible:** All recommendations for change to public administration must be practical and proportionate to the problem identified and must demonstrate a net public benefit.
 - **Efficient:** We undertake our work in a timely way, at least cost. We value working with other agencies that further good public administration but we should never duplicate their work.



Our Strategic Focus

- Complaint resolution that is high quality, independent, fair and timely, with an emphasis on early resolution, practical remedies for members of the public and improvements to public administration.
- Improved public administration through own motion investigations, making practical recommendations for improvement and monitoring their implementation.
- Review of certain child deaths and family and domestic violence fatalities, identifying patterns and trends and making recommendations to public authorities about ways to prevent or reduce these deaths.
- Inspection of certain records and reports to ensure statutory compliance by Western Australia Police and the Corruption and Crime Commission and monitoring and reporting on the exercise of certain powers by Western Australia Police under legislation.
- Collaboration with other Ombudsman and accountability agencies, raising community awareness, making our services accessible and promoting good decision making practices and complaint handling in public authorities.
- Strong and effective governance and attracting, developing and retaining a skilled and valued workforce with a culture that supports high quality, responsive and efficient service.

Executive Management

Executive management of the Office is undertaken by the Executive Management Group comprised of the Ombudsman, Deputy Ombudsman, and Principal Assistant Ombudsman Investigations and Legal Services, and the Office's Corporate Executive which includes each member of the Executive Management Group and the leaders of the Complaint Resolution and Administrative Improvement teams.

The role of executive management is to:

- Provide leadership to staff and model the Office's values;
- Set and monitor the strategic direction of the Office and monitor and discuss emerging issues of relevance to the work of the Ombudsman;
- Monitor performance, set priorities and targets for future performance; and
- Ensure compliance with relevant legislation and corporate policies.

For more information, see the [Disclosures and Legal Compliance section](#).

Our Corporate Executive

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



Chris Field, Ombudsman



Mary was appointed Deputy Ombudsman in April 2014 and concurrently holds the role of Deputy Energy and Water Ombudsman. Prior to her appointment Mary worked in a number of senior executive roles in the Office, from February 2008. Mary has more than 25 years' experience in the public sector, including strategic and corporate leadership roles in line and accountability agencies.

Mary White, Deputy Ombudsman

Karen commenced her role as Principal Assistant Ombudsman Investigations and Legal Services in October 2012. She has significant experience as a legal practitioner in the WA public sector, including eight years investigating and managing complaints against legal practitioners.



**Karen Whitney, Principal Assistant Ombudsman
Investigations and Legal Services**



Kim commenced her role as an Assistant Ombudsman in June 2008. She has more than 20 years' experience in government roles, working at the Commonwealth and State levels, in both line and central agencies, and has a strong background in evaluation.

**Kim Lazenby, Assistant Ombudsman
Administrative Improvement**

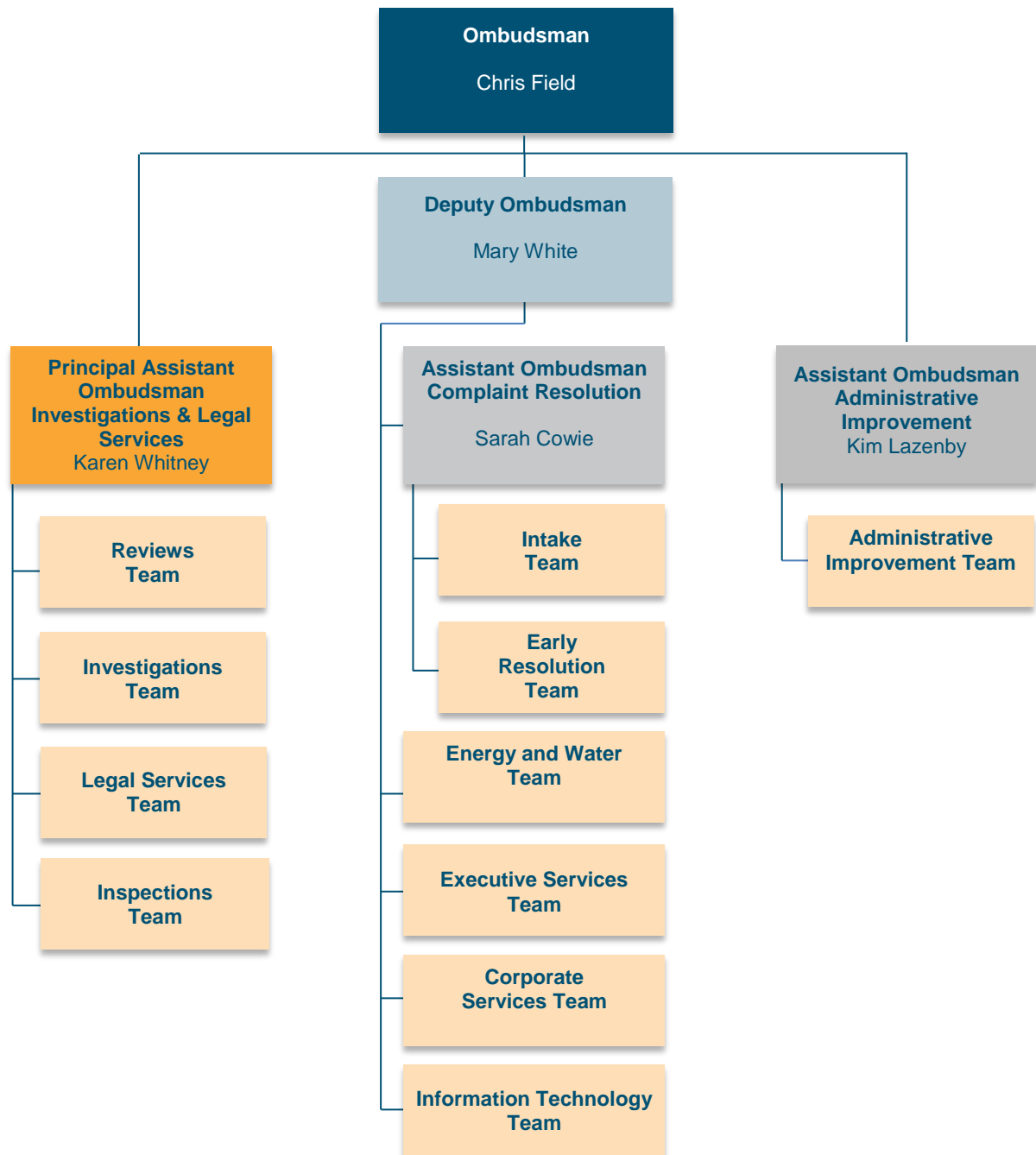
Sarah joined the Office in 2001 and commenced her current role as an Assistant Ombudsman in February 2012. She has worked in the State public sector for over 20 years, with extensive experience in complaint investigation.



**Sarah Cowie, Assistant Ombudsman
Complaint Resolution**

Our Structure and Teams

Organisational Structure as at 30 June 2014



Operational Structure

Team Responsibilities

- The **Complaint Resolution Team** includes the Intake Team and the Early Resolution Team and has responsibility for handling enquiries, receiving and assessing complaints, and undertaking the early resolution of complaints, where appropriate, through informal investigations.
- The **Administrative Improvement Team** undertakes own motion investigations and other strategies aimed at improving public administration.
- The **Reviews Team** reviews certain child deaths and family and domestic violence fatalities, identifies patterns and trends arising from these reviews and makes recommendations to relevant public authorities to prevent or reduce deaths.
- The **Investigations Team** handles the investigation of complaints, the **Inspections Team** undertakes telecommunications interception inspections and the **Legal Services Team** provides legal services across the Office.
- The **Energy and Water Team** has responsibility for handling enquiries and receiving, investigating and resolving complaints about electricity, gas and water services providers.
- The **Executive Services, Corporate Services** and **Information Technology Services Teams** support the Office in strengthening its strategic focus, corporate communications, governance and business services.





Performance Management Framework

The Ombudsman's performance management framework is consistent with the Government goal of *Results-Based Service Delivery: Greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.*

Desired Outcomes of the Ombudsman's Office

The public sector of Western Australia is accountable for, and is improving the standard of, administrative decision making, practices and conduct.



Key Effectiveness Indicators

- The percentage of recommendations accepted by public authorities.
- The number of improvements to practices or procedures as a result of Ombudsman action.

Service Provided by the Ombudsman's Office

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



Key Efficiency Indicators

- Percentage of allegations finalised within 3 months.
- Percentage of allegations finalised within 12 months.
- Percentage of allegations on hand at 30 June less than 3 months old.
- Percentage of allegations on hand at 30 June less than 12 months old.
- Average cost per finalised allegation.
- Average cost per finalised death review notification.