

PART 9

Office of the Ombudsman

Summary of departmental Budgets

Page	Agency	2009–10 Estimate \$'000
1-243	Office of the Queensland Ombudsman - controlled	6,755

Departmental Overview

Ministerial responsibility

The Office of the Ombudsman is a department for the purposes of the *Financial Administration and Audit Act 1977*. The Attorney-General and Minister for Industrial Relations has Ministerial responsibility for the Office.

Strategic Issues

The mission of the Office is to play a lead role in enhancing public sector governance by:

- independently reviewing the actions of state and local government agencies to ensure that people are treated fairly in their dealings with those agencies
- helping agencies improve their decision-making and administrative practice.

The statutory role of the Office is to investigate administrative actions of agencies and to assist agencies to improve their practices and procedures.

The objectives of the Office are to:

- promote administrative justice by providing an independent, fair and effective investigative service
- contribute to improving the quality of administrative practice in Queensland public sector agencies
- ensure all sections of the community are aware of and have reasonable access to the Office's services
- promote organisational excellence and a skilled, committed workforce.

Environmental factors influencing the strategic direction of the Office include:

- devising cost-effective ways of discharging the Ombudsman's role to help public agencies improve administrative practice while continuing to independently investigate complaints about those agencies' decisions
- liaising with other complaint agencies to avoid duplication of investigative resources
- servicing Queensland's diverse and highly decentralised community
- meeting the expectations of Parliament and the community to deliver services efficiently, effectively and in a timely manner
- the proliferation of public and private complaint agencies, including industry ombudsmen, leading to uncertainty in the community about the Office's role.

2009-10 Highlights

The Office's relocation in March 2009 will enable efficiencies to be achieved in 2009-10 by sharing resources with four other independent government agencies. They are the Commission for Children and Young People and Child Guardian, Anti-Discrimination Commission Queensland, the Health Quality and Complaints Commission and the Queensland Office of the Commonwealth Ombudsman. The Office and the 4 agencies will share state of the art training rooms, a reception area, meeting rooms, interview rooms, a library and a data room. Other efficiencies will be achieved by providing more coordinated and accessible complaint services to the public, without affecting the operational independence of each agency.

In 2009-10, the Office will continue to change the focus of its corrections program. The Office will still investigate individual complaints of prisoners and provide prisoners with direct access to the Office through the Prisoner PhoneLink. However, some resources will also be allocated to a number of reviews of significant areas of prison administration.

The criteria for identifying areas for review include:

- analysis of complaints data held by the Office data relating to corrections issues
- outcomes from previous visits to centres or arising from investigations of correction complaints
- information obtained from Official Visitors and the Office of the Chief Inspector
- investigations into correctional issues undertaken by Ombudsmen in other jurisdictions.

The Office will also continue to deliver training programs, such as its Good Decisions Training program, to state and local government agencies, to help officers improve their decision making and the way they deal with complaints.

In 2009-10, the Office will continue to assist agencies to meet the requirements of the Public Service Commissioner's Directive 13/06 – *Complaints Management Systems*, first undertaken with state government agencies in 2007-08. For 2009-10 the focus will shift towards local government councils, with the Office assisting local councils to undertake an Agency Self-Audit developed by the Office.

Finally, the Office will continue to:

- assess and investigate complaints from members of the public in a timely manner
- conduct own initiative investigations, where appropriate
- report publicly on systemic maladministration
- publish a range of newsletters containing advice for agencies on good administrative practice.

2008-09 Achievements

- Finalised 12,598 complaint related matters (as at 31 March 2009) comprising:
 - 5,193 complaints
 - 6,993 complaints that the Office referred to other complaint agencies as they were not in the Ombudsman's jurisdiction
 - 385 inquiries
 - 27 reviews requested by complainants dissatisfied with a decision of the Office.
- Finalised 85% of complaints within 30 days of receipt and 99.3% within 12 months of receipt.
- Used informal processes to deal with 99% of complaints.
- Continued to provide access to the Office's services for all Queenslanders. As at 31 March 2009, officers had visited regional centres 45 times to carry out investigations and/or deliver training sessions. This approach ensures the Ombudsman maintains a strong regional presence and that people in those areas know how to make a complaint to the Office.
- Continued to increase awareness and access to the Office's services through regional awareness campaigns. These campaigns target regions that, based on population, are under-represented in the number of complaints received by the Office.

- Delivered 76 training sessions to agencies on good decision making and effective complaints management (as at 31 March 2009) of which:
 - 26 were held in regional Queensland;
 - 50 were delivered to state agencies and attended by 886 officers;
 - 26 were delivered to local councils and attended by 458 officers.
- A further 34 training sessions had been booked through to 30 June 2009, 13 of which will be delivered in regional Queensland.
- Feedback from these training sessions continues to indicate an extremely high satisfaction rating in respect of the content and usefulness of the training and the professionalism of the Ombudsman's trainers.
- The corrections program of the Office was delivered by:
 - visiting each of the state's correctional centres;
 - providing reports and recommendations to the general managers of these centres based on complaints received and on audits of their processes;
 - providing reports about significant complaint trends to Queensland Corrective Services;
 - meeting, where possible, with Indigenous counsellors and prisoner representatives;
 - continuing to service the Prisoner PhoneLink to provide prisoners with a free and confidential means of making complaints to the Office.
- Investigated a complaint about the Department of the Premier and Cabinet's contracting process for the writing of a history of Queensland and presented a report to the Speaker for tabling in Parliament titled *The Q150 Contract Report*.
- Distributed and promoted to local councils a *Local Government Casebook*, which highlights a range of council complaints investigated by the Office and contains key recommendations and advice to help councils make better decisions, and guide their administrative practices.
- Continued joint awareness campaigns with other independent complaint agencies targeting multicultural communities, to communicate the message 'It's OK to complain'.
- Continued to publish regular newsletters for officers of state government agencies and local councils, including officers working in customer service and complaint handling areas. The Office also launched a newsletter called *Legal Perspective* for public sector practitioners and lawyers in the private sector who provide legal advice to state and local government agencies. Published twice a year, the newsletter aims to raise awareness among legal practitioners of the Ombudsman's role and promote the message that decisions made in the public sector must not only be lawful but also be fair and reasonable and supported by proper records.
- Continued to promote the Office's website achieving the following results:
 - complaints received by email and by the Office's online complaint form now comprise more than 20% of all complaints received by the Office;
 - an increase of 49% in the total web interactions from government agencies and members of the public from 65,451 to 133,077; the materials downloaded most frequently were the On-Line Complaints form, Perspective newsletters, Good Decision-Making Guide and Complaints Management resources.

- Continued our involvement in the following joint research projects:
 - the national *Whistling While They Work Project*, a Griffith University project to enhance the management and protection of internal witnesses, including whistleblowers, in the Australian public sector. This project is sponsored by Ombudsman Offices and anti-corruption agencies throughout Australia. In conjunction with the Crime and Misconduct Commission and the Public Service Commission, the Office has developed three sets of guidelines for potential whistleblowers, managers, and public sector agencies on making and properly managing public interest disclosures:
 - the *Unreasonable Complainant Conduct Project*, to identify effective methods for handling such conduct, sponsored by Ombudsman Offices throughout Australia.

Departmental Outputs

The Independent Review of Complaints about Government Administration Output provides Queensland's primary facility for independently reviewing, investigating and, if necessary, redressing illegality or unfairness in public administration. The output also focuses on improving the quality of decision making and administrative practice in public agencies. By providing for public scrutiny of the activities of the executive arm of government, the output supports a strong corporate governance and accountability framework in the Queensland public sector.

Staffing¹

Office of the Ombudsman	Notes	2008-09 Budget	2008-09 Est. Actual	2009-10 Estimate
Independent Review of Complaints about Government Administration	1	53.0	58.0	58.0
Total		53.0	58.0	58.0

Notes:

1. Full-time equivalents (FTEs) as at 30 June.

Departmental Statements

Performance Statement

Office of the Ombudsman	Notes	2008-09 Target/Est.	2008-09 Est. Actual	2009-10 Target/Est.
Output: Independent Review of Complaints about Government Administration				
Complaints finalised		7,000	6,924	7,000
Inquiries finalised		600	513	600
Referrals finalised	1	6,500	9,324	9,000
Review requests finalised	2	80	36	50
Total matters finalised		14,180	16,797	16,650
Proportion of complaints investigated where a positive outcome was achieved for the complainant		40%	53%	40%
Proportion of complaints resolved informally compared to complaints resolved by formal investigation		95%	99%	95%
Proportion of complaints where early intervention occurred		90%	95%	90%
Proportion of recommendations for improvements to administrative practice or to rectify unfairness to individual complainants accepted by agencies		90%	95%	90%
Proportion of complaints finalised within 12 months of lodgement		95%	99%	95%
Proportion of open complaints at the end of each reporting period that are more than 12 months old		5%	5%	5%
Number of regional centres outside of Brisbane visited to investigate complaints and/or deliver administrative improvement training sessions		50	50	50
Proportion of complaints received from outside of Brisbane		65%	62%	65%
Administrative Improvement				
Number of administrative improvement training sessions delivered		100	110	100
State Contribution (\$'000)		6,709	6,691	6,591
Other Revenue (\$'000)		160	160	164
Total Cost (\$'000)	3	6,869	6,851	6,755

Notes:

1. 2008-09 Estimated Actual reflects a significant increase in the number of complaints that are outside the Office's jurisdiction and that it therefore refers to other complaint bodies.
2. 2008-09 Estimated Actual reflects a decrease in the number of reviews being sought by complainants of the Office's original decision.
3. 2008-09 Estimated Actual reflects an increase in funding for that year only, associated with the relocation to new premises.

Income Statement

Office of the Ombudsman	Notes	2008-09 Budget \$'000	2008-09 Est. Act. \$'000	2009-10 Estimate \$'000
Income				
Output revenue	1,4,8	6,709	6,691	6,591
User charges		160	160	164
Grants and other contributions		..	..	..
Other revenue		..	..	..
Gains on sale/revaluation of property, plant and equipment and investments		..	..	..
Total income		6,869	6,851	6,755
Expenses				
Employee expenses		5,103	5,150	5,187
Supplies and services	2, 5, 9	1,660	1,619	1,330
Grants and subsidies		..	..	..
Depreciation and amortisation	3, 6,10	76	52	208
Finance/borrowing costs		..	..	..
Other expenses		30	30	30
Losses on sale/revaluation of property, plant and equipment and investments		..	..	..
Total expenses		6,869	6,851	6,755
OPERATING SURPLUS/(DEFICIT)		..	..	..

Statement of Changes in Equity

Office of the Ombudsman	Notes	2008-09 Budget \$'000	2008-09 Est. Act. \$'000	2009-10 Estimate \$'000
Net effect of the changes in accounting policies and prior year adjustments		..	..	..
Increase/(decrease) in asset revaluation reserve		..	..	..
Net amount of all revenue and expense adjustments direct to equity not disclosed above		..	..	..
Net income recognised directly in equity		..	..	..
Surplus/(deficit) for the period		..	..	..
Total recognised income and expense for the period		..	..	..
Equity injection/(withdrawal)	7,11	300	984	..
Equity adjustments (MoG transfers)		..	..	..
Total movement in equity for period		300	984	..

Balance Sheet

Office of the Ombudsman	Notes	2008-09 Budget \$'000	2008-09 Est. Act. \$'000	2009-10 Estimate \$'000
CURRENT ASSETS				
Cash assets	12,16,20	381	484	615
Receivables		98	82	82
Other financial assets		..	..	..
Inventories		..	..	..
Other		17	20	20
Non-financial assets held for sale		..	..	..
Total current assets		496	586	717
NON-CURRENT ASSETS				
Receivables		..	..	..
Other financial assets		..	..	..
Property, plant and equipment	13,17,21	375	1,026	887
Intangibles	14,18,22	..	13	24
Other		..	..	..
Total non-current assets		375	1,039	911
TOTAL ASSETS		871	1,625	1,628
CURRENT LIABILITIES				
Payables		174	388	391
Employee benefit obligations		314	112	112
Interest-bearing liabilities and derivatives		..	..	..
Provisions		..	..	..
Other		..	..	..
Total current liabilities		488	500	503
NON-CURRENT LIABILITIES				
Payables		4	..	..
Employee benefits obligations		79	..	..
Interest-bearing liabilities and derivatives		..	..	..
Provisions		..	..	..
Other		..	..	..
Total non-current liabilities		83	..	..
TOTAL LIABILITIES		571	500	503
NET ASSETS/(LIABILITIES)		300	1,125	1,125
EQUITY				
Capital/contributed equity	15,19	365	1,189	1,189
Retained surplus/(accumulated deficit)		(65)	(64)	(64)
Reserves:				
- Asset revaluation reserve		..	..	..
- Other (specify)		..	..	..
TOTAL EQUITY		300	1,125	1,125

Cash Flow Statement

Office of the Ombudsman	Notes	2008-09 Budget \$'000	2008-09 Est. Act. \$'000	2009-10 Estimate \$'000
CASH FLOWS FROM OPERATING ACTIVITIES				
Inflows:				
Output receipts	23,27,32	6,709	6,721	6,591
User charges		164	164	168
Grants and other contributions		..	..	..
Other		120	120	120
Outflows:				
Employee costs		(5,103)	(5,150)	(5,187)
Supplies and services	24,28,33	(1,777)	(1,736)	(1,447)
Grants and subsidies		..	..	..
Borrowing costs		..	..	..
Other	25,29	(34)	(34)	(34)
Net cash provided by/(used in) operating activities		79	85	211
CASH FLOWS FROM INVESTING ACTIVITIES				
Inflows:				
Sales of property, plant and equipment		..	..	..
Investments redeemed		..	..	..
Loans and advances redeemed		..	..	..
Outflows:				
Payments for property, plant and equipment and intangibles	30,34	(380)	(1,064)	(80)
Payments for investments		..	..	..
Loans and advances made		..	..	..
Net cash provided by/(used in) investing activities		(380)	(1,064)	(80)
CASH FLOWS FROM FINANCING ACTIVITIES				
Inflows:				
Borrowings		..	..	..
Equity injections	26,31,35	300	984	..
Outflows:				
Borrowing redemptions		..	..	..
Finance lease payments		..	..	..
Equity withdrawals		..	..	..
Net cash provided by/(used in) financing activities		300	984	..
Net increase/(decrease) in cash held		(1)	5	131
Cash at the beginning of financial year		382	479	484
Cash transfers from restructure		..	..	..
Cash at the end of financial year		381	484	615

Explanation of Variances in the Financial Statements

Office of the Ombudsman

Income Statement

Major variations between 2008-09 Budget and 2008-09 Estimated Actual include:

1. Decrease due to mid-year review decrease in funding as a result of lower than anticipated accommodation expenses. This reduction was offset by the carry forward of appropriation funding from 2007-08 to 2008-09 due to unspent employee expenses.
2. Decrease due to lower than anticipated accommodation expenses.
3. Decrease due to a delay in acquisition of assets during 2008-09.

Major variations between 2008-09 Budget and 2009-10 Estimate include:

4. Output revenue in the 2009-10 estimate includes enterprise bargaining increases, but offset by reduced funding for accommodation expenses.
5. Decrease due to lower accommodation expenses as a result of the relocation in 2008-09.
6. Increase due to depreciation on accommodation assets acquired in 2008-09.
7. Decrease due to equity injection not being received in 2009-10 as the funded depreciation expense will fund future capital acquisitions.

Major variations between 2008-09 Estimated Actual and the 2009-10 Estimate include:

8. Output revenue in the 2009-10 Estimate includes enterprise bargaining increases, but offset by reduced funding for accommodation expenses.
9. Decrease due to lower accommodation expenses as a result of the relocation in 2008-09.
10. Increase due to depreciation on accommodation assets acquired in 2008-09.
11. Decrease due to equity injection not being received in 2009-10 as the funded depreciation expense will fund future capital acquisitions.

Balance Sheet

Major variations between 2008-09 Budget and 2008-09 Estimated Actual include:

12. Increase due to higher than budgeted equity injection.
13. Increase due to higher expenditure on new accommodation fitout assets.
14. Increase due to additional expenditure on the Office's complaints management database in 2008-09.
15. Increase due to funding for new accommodation fitout expenditure to the Office instead.

Major variations between 2008-09 Budget and 2009-10 Estimate include:

16. Increase due to higher depreciation charged, being non-cash.
17. Increase due to expenditure on assets for fitout of new premises.
18. Increase due to additional expenditure on the Office's complaints management database in 2009-10
19. Increase due to funding for new accommodation fitout expenditure to the Office.

Major variations between 2008-09 Estimated Actual and the 2009-10 Estimate include:

20. Increase due to higher depreciation charged, being non-cash.
21. Decrease due to higher depreciation charges on assets for fitout of new premises.
22. Increase due to additional expenditure on the Office's complaints management database in 2009-10

Cash Flow Statement

Major variations between 2008-09 Budget and 2008-09 Estimated Actual include:

23. Increase due to 2007-08 carry forward of appropriation funding to 2008-09 due to unspent employee expenses. This increase was offset by mid-year review decrease in funding as a result of lower than anticipated accommodation expenses.
24. Decrease due to lower than anticipated accommodation expenses.
25. Decrease due to incurred expenditure being unpaid at year end.
26. Increase due to funding for new accommodation fitout expenditure to the Office.

Major variations between 2008-09 Budget and 2009-10 Estimate include:

27. Output revenue in the 2009-10 Estimate includes enterprise bargaining increases of \$0.199 million, but offset by reduced funding for accommodation expenses of \$0.317 million.
28. Decrease due to lower accommodation expenses
29. Decrease due to incurred expenditure being unpaid at year end.
30. Increase due to higher expenditure on new accommodation fitout assets.
31. Decrease due to equity injection not being received in 2009-10 as the funded depreciation expense will fund future capital acquisitions.

Major variations between 2008-09 Estimated Actual and the 2009-10 Estimate include:

32. Output revenue in the 2009-10 Estimate includes enterprise bargaining increases of \$0.199 million, but offset by reduced funding for accommodation expenses of \$0.317 million.
33. Decrease due to lower accommodation expenses.
34. Decrease due to one-off capital expenditure on fitout of new premises in 2009-10.
35. Decrease due to equity injection not being received in 2009-10 as the funded depreciation expense will fund future capital acquisitions.