



QUEENSLAND  
**OMBUDSMAN**  
*Standing for fairness*



# Annual Report 2016-17



## Queensland Ombudsman 2016-17 Annual Report

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### About this report

This report highlights the achievements of the Office of the Queensland Ombudsman in 2016-17. It details our financial and non-financial performance against the objectives set out in the 2015-19 Strategic Plan and 2016-17 Service Delivery Statements. It meets reporting obligations under the *Ombudsman Act 2001*, the *Financial Accountability Act 2009* and the Financial and Performance Management Standard 2009. It also complies with the detailed requirements set out in the *Annual report requirements for Queensland Government agencies*. Appendices are available at [www.ombudsman.qld.gov.au](http://www.ombudsman.qld.gov.au).

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29 August 2017

The Honourable Yvette D'Ath MP  
Attorney-General and Minister for Justice  
and Minister for Training and Skills  
1 William Street  
BRISBANE QLD 4000

Dear Mrs D'Ath

I am pleased to submit for presentation to the Queensland Parliament the Annual Report 2016-17 and financial statements for the Office of the Queensland Ombudsman.

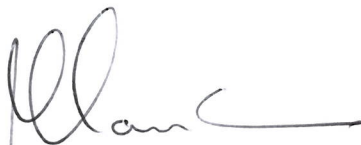
I certify that this annual report complies with:

- the prescribed requirements of the *Financial Accountability Act 2009* and the Financial and Performance Management Standard 2009
- the detailed requirements set out in the *Annual report requirements for Queensland Government agencies*.

This Office has received an unqualified auditor's report for the 2016-17 financial statements from the Queensland Audit Office.

A checklist outlining the annual reporting requirements can be found in Appendix G of this annual report or accessed at [www.ombudsman.qld.gov.au](http://www.ombudsman.qld.gov.au).

Yours sincerely



Phil Clarke  
Queensland Ombudsman

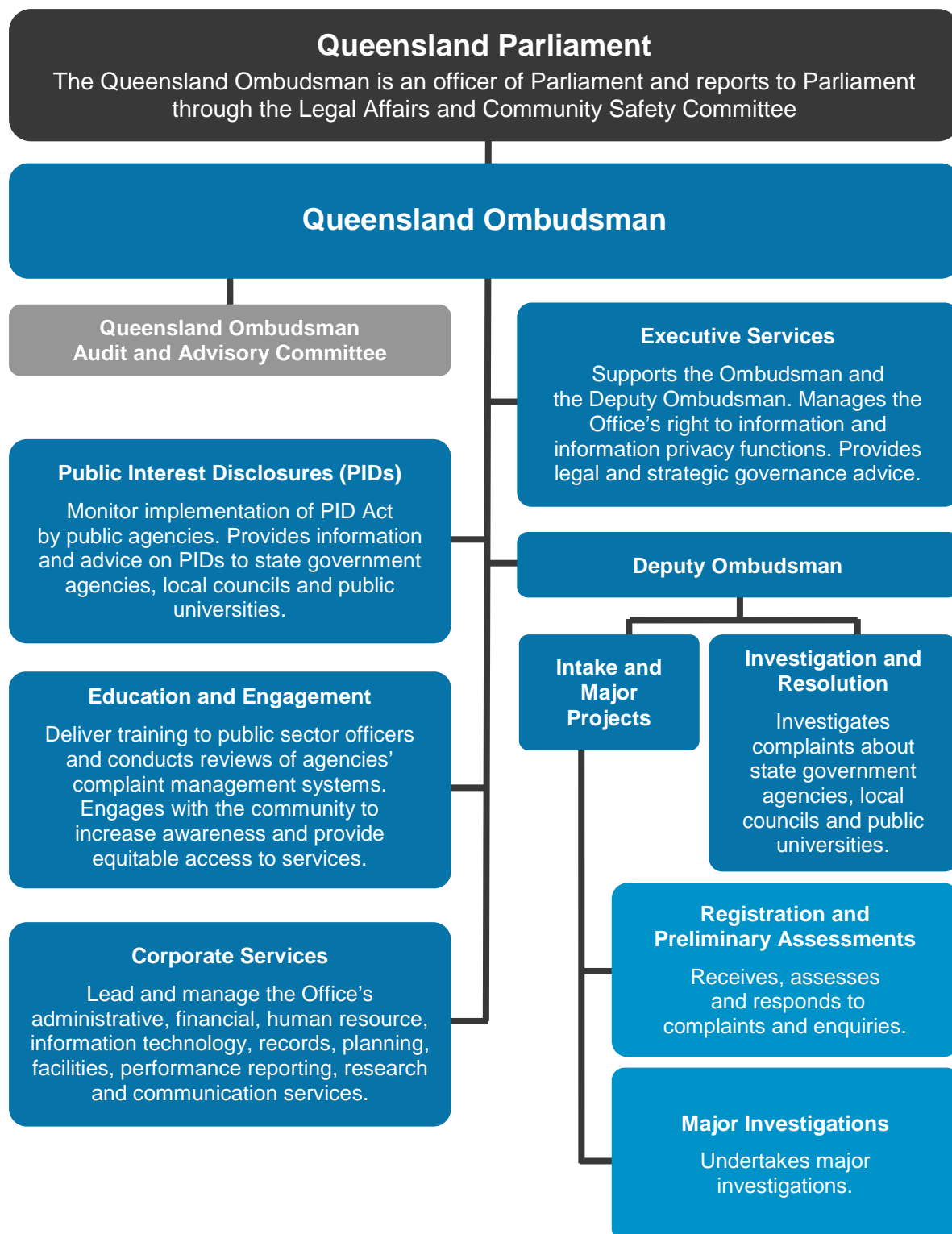
# Contents

About us .....	1
Highlights .....	6
Dealing with complaints.....	16
Improving decision-making.....	32
Empowering people.....	52
Capable and accountable organisation .....	57
Public interest disclosures .....	68
Financials .....	79
Glossary .....	82
Appendices .....	86

# About us

# Organisational structure

Figure 1: Organisational structure for the Office of the Queensland Ombudsman



## The Ombudsman

Under the *Ombudsman Act 2001* (the Act), the Ombudsman has a dual role:

- to give people a timely, effective, independent and just way of having administrative actions of agencies investigated
- to improve the quality of decision-making and administrative practice in agencies.

The Ombudsman is an officer of the Parliament and reports through the Legal Affairs and Community Safety Committee.

The Ombudsman is independent of government and may not be directed by any person in deciding what matters to investigate or how an investigation is undertaken.

The current Queensland Ombudsman is Phil Clarke, who was appointed to this position in 2011. Former Ombudsmen include:

- Sir David Longland (1974-79)
- Sir David Muir (1979-81)
- Mr Cedric Johnson (1981-90)
- Mr Fred Albietz (1991-2001)
- Mr David Bevan (2001-10).

## The Office

The Office of the Queensland Ombudsman was established in 1974.

First known as the Parliamentary Commissioner for Administrative Investigations, it investigated the administrative actions of government departments and authorities.

In 2001, the Act came into effect and gave the Office the dual role of investigating complaints about government agencies and assisting agencies to improve their decision-making and complaint handling.

On 1 January 2013, the Office of the Queensland Ombudsman became the oversight agency for the *Public Interest Disclosure Act 2010* (PID Act).

## Jurisdiction

The Ombudsman investigates complaints about the actions and decisions of state government departments and agencies (including state schools and TAFE colleges), local councils and public universities.

While the majority of investigations completed by the Ombudsman are based on complaints, the Ombudsman also conducts investigations on his own initiative.

The Parliament or a Parliamentary Committee may also refer matters to the Ombudsman for investigation.

The Ombudsman makes recommendations to agencies within jurisdiction to:

- rectify unlawful, unfair or unjust decisions
- improve administrative practice.

The Ombudsman does not have the power to investigate complaints about:

- Ministers and Cabinet
- courts and tribunals
- private individuals or businesses
- the operational actions of police
- government-owned corporations
- Commonwealth or interstate government agencies.

In general, the Ombudsman will not investigate a matter until a person:

- has tried to resolve the problem directly with the agency concerned
- has exhausted any other right of review.

In addition to assessing and investigating complaints, the Office also provides training and advice to help agencies improve their decision-making and administrative practices.

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This helps ensure that Queensland's public agencies remain fair, honest and accountable. Good public administration means better services for all Queenslanders.

Under the PID Act, the Office is responsible for:

- overseeing the implementation of the PID Act
- reviewing the way public sector entities deal with PIDs
- educating public sector entities about PIDs
- providing advice about PIDs.

# Strategic plan 2015-19

## Vision

Fair and accountable public administration in Queensland.

## Purpose

To fairly and independently review public sector administrative actions and work with agencies to improve their decision-making.

## Values

### Integrity and impartiality

We are ethical and honest in everything we do.

We respond to complaints without bias and we don't take sides.

### Fairness and respect

We treat people equitably.

We respect and value diversity.

### Responsiveness and diligence

We respond to complaints quickly. If we can't help, we'll explain why and suggest another action.

We produce timely and high quality work.

We develop our skills and innovate in our processes to improve service.

## Objectives

- Independent review and investigation of complaints.
- Public sector agencies improve their decision-making and complaints management.
- Individuals are empowered to resolve complaints with public sector agencies.
- The Office is an accountable organisation with a capable workforce.

# Highlights

## The year at a glance



# The Ombudsman's report

I am pleased to present the Annual Report 2016-17.

The work of the Office this financial year continued to play a pivotal role in public agencies making fair and accountable decisions – a key element of open and transparent public administration. Whether through handling complaints, preparing major reports for tabling in the Parliament, training public officers, auditing agency complaints management systems, engaging with community organisations or overseeing public interest disclosures, the Office helped to ensure fairness and accountability for citizens in their dealings with public agencies.

Outlined below are the many achievements for 2016-17, each of which contributes to the effective operation of the Office in its role of independent reviewer of public administration. The Office, now some 43 years in existence, has collaborated with other integrity bodies to ensure that citizens have an effective and comprehensive review framework for public agency decisions and actions.

## Fair and reasonable treatment of complaints

In 2016-17, 10,954 Queenslanders contacted the Office for advice, assistance or resolution of their complaint.

The Office responded to 3,386 matters outside its jurisdiction, providing practical advice to assist people navigate the complaint process and find the appropriate avenue for their matter. Matters outside jurisdiction fell by 7% with the implementation of a recorded-message telephone service in November 2015 and the launch of a new website and online complaint form in December 2016.

In total, 6,958 complaints were finalised during the year. Of these, 69% were

finalised within 10 days of receipt and 93% were finalised within 30 days.

Across the Office, it took an average of 13.3 days to finalise a complaint. Complaints closed after preliminary assessment took six days on average (stable with previous years), while investigations of complaints took an average of 46.5 days to finalise (48.1 days in 2015-16).

As at 30 June 2017, 215 complaints remained open. Of these, 58% were matters received within the last 30 days of the financial year.

Five complaints remained open that were over one year old, relating to four separate cases.

## Helping public agencies improve decision-making

The Office continued its major role of investigating complaints about the actions and decisions of state government departments and agencies (including state schools and TAFE colleges), local councils and public universities.

In 2016-17, the Office completed 1,407 investigations, a 26% increase on the previous year. Of these, 232 investigations resulted in the total or partial rectification of an issue (16.5% of investigations finalised), up from 209 in 2015-16.

During 2016-17, an early merit assessment trial, introduced in June 2016, was continued and formalised into an expedited merit assessment process that streamlines the practice in cases that do not require the detailed analysis traditionally applied to matters referred for investigation. Expedited merit assessments are therefore conducted more quickly, improving the service to clients and productivity.

The Office made 306 investigation recommendations (including agreed actions), of which 100% were accepted by the respective agencies as at 30 June 2017.

These outcomes underline the vital role the Office plays in helping people challenge unfair and unjust decisions, and helping public agencies improve their administration.

Five public reports were released in 2016-17:

- *The Patient Travel Subsidy Scheme report: An investigation into the administration of the Patient Travel Subsidy Scheme by Queensland Health*
- *The Redland City Council defamation report: An investigation into the unreasonable threat of legal action against residents by Redland City Council*
- *The Toowoomba Regional Council Auction Notices Report: An investigation of action taken by Toowoomba Regional Council to name a homeowner on an auction notice when selling their property for overdue rates*
- *Management of child safety complaints: An investigation into the current child safety complaints management processes within the Department of Communities, Child Safety and Disability Services*
- *Overcrowding at Brisbane Women's Correctional Centre: An investigation into the action taken by Queensland Corrective Services in response to overcrowding at Brisbane Women's Correctional Centre.*

During the year, 105 training sessions were delivered to 1,591 public sector officers, with 42 sessions delivered in regional Queensland.

This was a substantial reduction from 2015-16, caused by reduced demand for courses by public agencies in the first half of the year. Training numbers returned to

traditional levels during the second half of the year.

Training covered good decision-making, complaints management, managing unreasonable conduct and ethics in the public sector.

In addition, subscriptions to the Office's five newsletters for key stakeholders increased this year to 5,520, a 2% increase.

## Empowering people within the community

The Office launched a new website in December 2016.

The new website is responsive across multiple personal devices and supports self-service via an improved online complaint form and online booking system for training.

These new features make it easier to learn more about the role of the Ombudsman, the complaints process, and how to lodge a complaint online.

Engagement with advocacy and community groups is a pivotal part of the Office's administrative improvement function under the Act and helps promote access to our services across the community.

The Office continued to provide equitable and accessible services for all Queenslanders. The Regional Services Program (RSP) is designed to improve awareness of the Office and access to its services for communities in regional and remote areas. As part of the program, Queensland Ombudsman officers visit correctional centres, deliver training or information sessions, attend community meetings or meet with local councillors and Members of Parliament. Officers visited 26 regional centres this year.

In conjunction with the RSP, the Office continued to promote awareness and accessibility by Indigenous and multicultural communities, the homeless and prisoners. Activities included delivering presentations, attending events, meeting with peak agencies and distributing brochures and newsletters.

In 2016-17, the Office delivered seven Queensland Complaints Landscape presentations to various community organisations in south-east Queensland to build greater knowledge of the Ombudsman's services and agency complaints systems.

## **A capable and accountable organisation**

The Office's Corporate Services Unit was at the forefront of more changes this year.

In association with the updated strategic plan, the Office launched a new website in December.

The Office recognises the importance of building a skilled and capable workforce and continues to support this with employee induction, probation, achievement planning, performance management and an annual staff awards program. There is a strong focus on modelling the values of the Office.

## **Oversight of public interest disclosures (PIDs)**

This year saw an increase of 36% in the number of reported PIDs across all agencies.

Of the 798 PIDs reported to the Office, 53% were about corrupt conduct. State government departments were the main source of PIDs (56.3%), followed by statutory authorities (26.5%) and local councils (9.1%), with the balance comprising university/TAFE, government owned corporations and other public service offices.

The Office continues to work with agencies to ensure that PIDs remain an accessible avenue for reporting wrongdoing across the public sector.

This year, I finalised the review of the PID Act, required within five years of its commencement.

An issues paper was released in November 2015 and 26 submissions were received. A final report on the review was provided to the Attorney-General and the Speaker of the Legislative Assembly on 17 January 2017. The report was tabled in the Legislative Assembly by the Attorney-General on 27 February 2017.

## **Opportunities for the future**

2017-18 will be a year in which the Office builds on its recent achievements to ensure the timely and effective management of complaints and investigations. New business systems will support improved performance and better service to citizens.

Recent recommendations from reviews in corrections and youth justice, accepted by the Queensland Government, foreshadow the establishment of new oversight bodies in these areas. Whether or not the Office is asked to take on these new roles, these decisions will have a significant impact on its current inspections regime for prisons and youth detention centres. There are clear synergies between the role of Ombudsman and independent inspections of closed environments which could lead to major improvements to both oversight and humane treatment of prisoners and young people in detention.

The recently announced intention by the Commonwealth Government to establish a national United Nations (Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT)) compliant inspections regime for closed environments with states and territories will also contribute to a more cohesive and comprehensive regime of corrections oversight.

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The Office is well placed to make a major contribution in this area.

Yet again, I wish to acknowledge and thank Ombudsman officers for their dedication and hard work. The experience and capability of staff within the Office are the major reasons for its success and for my confidence that we will continue to contribute to enhanced public administration for all Queenslanders.

Phil Clarke  
Queensland Ombudsman

## Performance snapshot

The objectives, strategies and performance indicators shown here are drawn from the Queensland Ombudsman Strategic Plan 2015-19. Some performance indicators are also Service Delivery Statement measures. All figures have been rounded.

**Table 1: Fair and reasonable treatment of people's complaints**

Key performance indicators	Target	Actual <sup>1</sup>
<b>Average time to complete assessments</b>	10 days	6 days
<b>Proportion of investigations completed within target timeframes (straightforward in 3 months, intermediate in 6 months and complex in 12 months)</b>	90%	94%
<b>Proportion of complaints finalised within 12 months of lodgement<sup>2</sup></b>	99%	100%
<b>Clearance rate for complaints<sup>3</sup></b>	100%	101%
<b>Proportion of clients satisfied/very satisfied with the level of service provided<sup>4</sup></b>	80%	Not measured
<b>Proportion of complaints reviewed where original decision upheld<sup>5</sup></b>	80%	94%

Notes:

1. All figures have been rounded.
2. The Office finalised 99.9% of complaints within 12 months of lodgement.
3. This service standard compares the number of complaints closed with the number of complaints opened in the financial year. It is affected by both the number and timing of new matters and closures. A number below 100% does not necessarily indicate an increasing backlog, but may be a result of increased numbers of new matters being opened late in the year. The clearance rate for complaints is 100.5%.
4. A client satisfaction survey was not conducted in 2016-17.
5. This service standard measures the quality of investigative decisions made by the Office. Where complainants are dissatisfied with a decision of this Office in relation to their complaint, or subsequently are able to provide new information, they can request a review. The Office has no control over the number of reviews requested. This measure confirms that effective investigations have been undertaken, or, where decisions are overturned, provides opportunities to identify improvements in the investigation process.

**Table 2: Public sector agencies improve their decision-making and complaints management**

Key performance indicators	Target	Actual <sup>1</sup>
<b>Investigations resulting in public agency rectification actions<sup>2</sup></b>	10%	17%
<b>Proportion of recommendations or agreed actions accepted by agencies</b>	90%	100%
<b>Proportion of training participants who reported that training would assist their decision-making</b>	80%	98%
<b>Number of training participants<sup>3</sup></b>	2,500 annually	1,591
<b>Growth in subscriptions to Ombudsman publications</b>	5% annually	2%

Notes:

1. All figures have been rounded.
2. A rectification outcome was achieved in 16.5% of investigations.
3. Training demand in the first six months of the year was substantially down, but the second half of the year saw training returned to levels similar with other financial years. Further information about training is detailed on page 51.

**Table 3: Individuals are empowered to resolve complaints with public sector agencies**

Key performance indicators	Target	Actual <sup>1</sup>
<b>Reduction in premature or out of jurisdiction matters<sup>2</sup></b>	-5 percentage points	+2 percentage points
<b>Direct premature complaints to the relevant agency</b>	20%	39%
<b>Proportion of clients satisfied/very satisfied with the level of service provided<sup>3</sup></b>	80%	Not measured

Notes:

1. All figures have been rounded.
2. This measure identifies out of jurisdiction matters and complaints identified as premature at preliminary assessment, as a proportion of total contact to the Office. The calculation is based on the absolute percentage point difference in the measure in 2016-17 relative to 2015-16.
3. A client satisfaction survey was not conducted in 2016-17.

**Table 4: The Office is a capable and accountable organisation**

Key performance indicators	Target	Actual <sup>1</sup>
<b>Workforce equity statistics<sup>2</sup></b>	Not applicable	Equal employment opportunity statistics: <ul style="list-style-type: none"> <li>• 66% are women</li> <li>• 10% have a disability</li> <li>• 13% are from a non-English speaking background</li> </ul>
<b>Permanent staff separation<sup>3</sup></b>	Below 7.5%	6%
<b>Staff training and development expenditure<sup>4</sup></b>	2% of salary budget	2% of salary budget
<b>Unqualified financial statements</b>	Achieved	Achieved
<b>Staff satisfaction</b>	Not applicable	The staff survey is undertaken every two years. The next survey is scheduled for late 2017.

Notes:

1. All figures have been rounded.
2. 12.5% are from a non-English speaking background.
3. Four permanent employees separated. This comprised two promotions (private) and two retirements. Further details provided in the Capable and Accountable Organisation section on page 57.
4. Actual is 1.6% of salary budget. Further details provided in the Capable and Accountable Organisation section on page 57.

# Service delivery statement

This section sets out the end of year position for all measures published in the Queensland Ombudsman's Service Delivery Statement 2016-17.

**Table 5: Service standards**

Service delivery measures	2016-17 Target	2016-17 Actual <sup>1</sup>
<b>Proportion of recommendations or agreed actions accepted by agencies</b>	90%	100%
<b>Average time to complete assessments<sup>2</sup></b>	10 days	6 days
<b>Proportion of investigations completed within target timeframes</b>	90%	94%
<b>Proportion of complaints finalised within 12 months of lodgement<sup>3</sup></b>	99%	100%
<b>Proportion of investigations resulting in agency rectification action<sup>4</sup></b>	10%	17%
<b>Proportion of complaints reviewed where original decision upheld<sup>5</sup></b>	80%	94%
<b>Proportion of clients satisfied/very satisfied with level of service provided by the Office<sup>6</sup></b>	80%	Not measured
<b>Clearance rate for complaints<sup>7</sup></b>	100%	101%

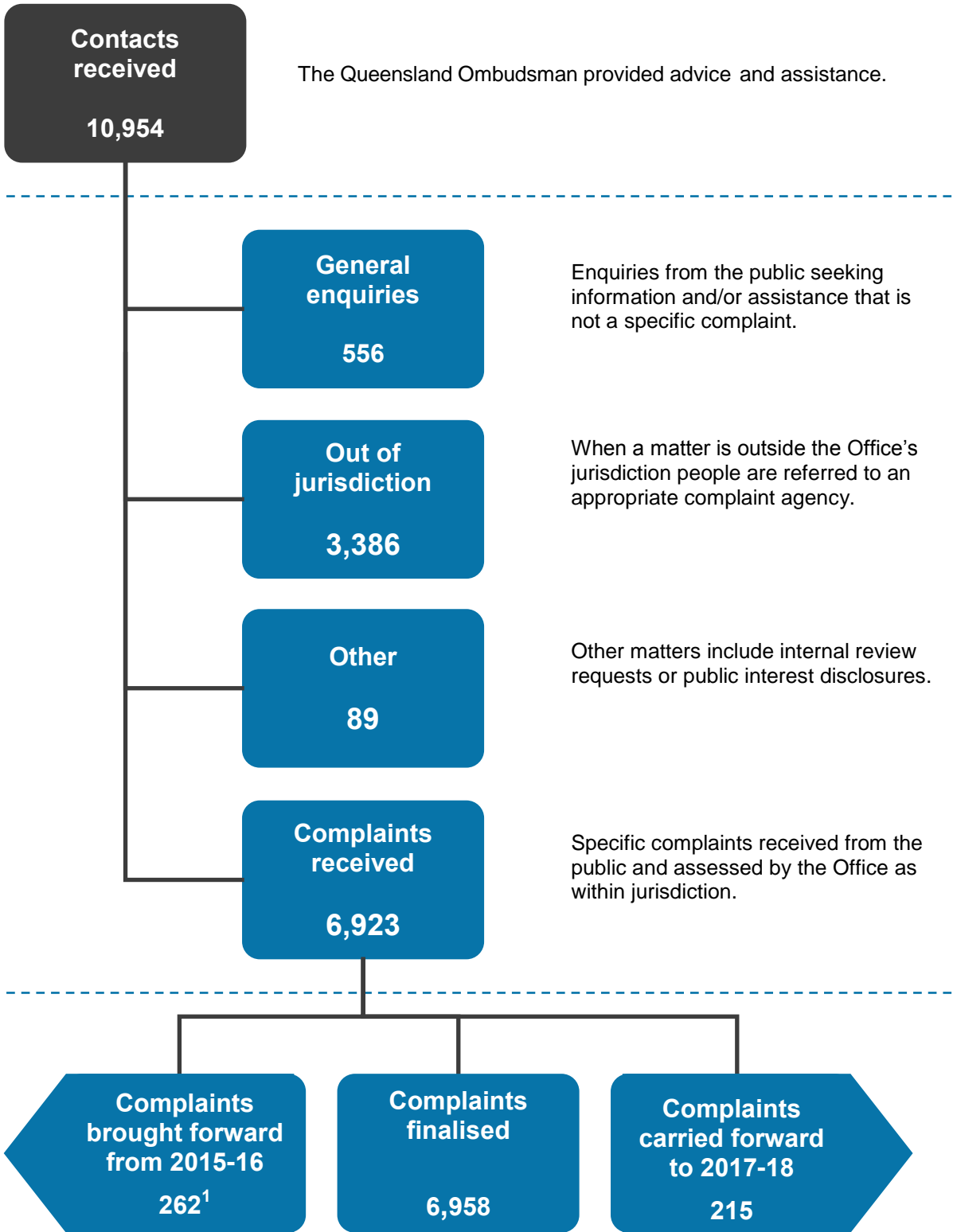
Notes:

1. All figures have been rounded.
2. The time to complete an assessment is influenced by the number and complexity of matters and the availability of information from complainants and agencies.
3. The Office finalised 99.9% of complaints within 12 months of lodgement.
4. This service standard measures the proportion of investigations that result in agency rectification actions. Improved decision-making by agencies/local councils/public universities will result in a lower percentage of rectifications from investigations by the Office.
5. This service standard measures the quality of investigative decisions made by the Office. Where complainants are dissatisfied with a decision of this Office in relation to their complaint, or subsequently are able to provide new information, they can request a review. The Office has no control over the number of reviews requested. This measure confirms that effective investigations have been undertaken, or where decisions are overturned, provides opportunities to identify improvements in the investigation process.
6. A client satisfaction survey was not conducted in 2016-17.
7. This service standard compares the number of complaints closed with the number of complaints opened in the financial year. It is affected by both the number and timing of new matters and closures. A number below 100% does not necessarily indicate an increasing backlog, but may be a result of increased numbers of new matters being opened late in the year.

# Dealing with complaints

Independent review  
and investigation of  
complaints

Figure 2: Contacts and complaints received 2016-17



1: Of the 262 complaints brought forward from 2015-16, 12 were reclassified on preliminary assessment, for example to a general enquiry or matter outside the Office's jurisdiction. Consequently, 215 complaints are carried forward to 2017-18.

## Overview

People who contact the Office are generally seeking help to resolve their complaint. This year, almost 11,000 Queenslanders contacted the Office, including members of the public, agency officers, Members of Parliament and other community representatives.

The Office provided a service, ranging from:

- general advice and assistance
- direct referral of complaints to agencies
- informal resolution of complaints
- investigations
- recommendations to rectify administrative errors.

Of the 10,954 contacts in 2016-17:

- 6,923 were complaints
- 3,386 were matters outside jurisdiction
- 556 were general enquiries
- 77 were requests for a review of an Ombudsman decision
- 12 were PIDs.

## Advice and assistance

The Office does not investigate every matter brought to its attention, but every contact is assessed and an appropriate response provided.

In addition to dealing with 6,923 complaints, the Office responded to 3,386 matters outside its jurisdiction. This constitutes a 7% decrease on the previous year (3,651 in 2015-16) as the Office continues to implement efficiencies in dealing with such matters while still providing people with the necessary advice and practical assistance to navigate the complaint landscape and find the appropriate avenue for resolution of their matter.

Efficiencies put in place to deal with out of jurisdiction matters include the recorded-message telephone service, implemented in November 2015. This connects callers directly to the appropriate complaints agency, thereby reducing the number of matters that Queensland Ombudsman enquiry officers must deal with directly. The full year impact of this initiative in 2016-17, alongside the improvements in information provided via the Office's new website, continues to drive the decline in out of jurisdiction matters.

Callers using the recorded-message telephone service can transfer directly to six agencies. These numbers are not included in the overall reporting of contact with the Office.

In total, 6,707 clients were directly transferred to either the Office of Fair Trading, the Commonwealth Ombudsman, the Financial Ombudsman Service or the Fair Work Ombudsman, as shown in Table 6. This is an increase of 29% on 2015-16, when 5,200 clients were redirected, consistent with the timing of the service's introduction in November 2015. An average of 559 callers were redirected each month in 2016-17, relative to 578 callers in 2015-16.

The number of redirections to the Telecommunications Industry Ombudsman and the Energy and Water Ombudsman Queensland are not available as they both use freecall numbers.

**Table 6: Number of callers using the recorded-message telephone service**

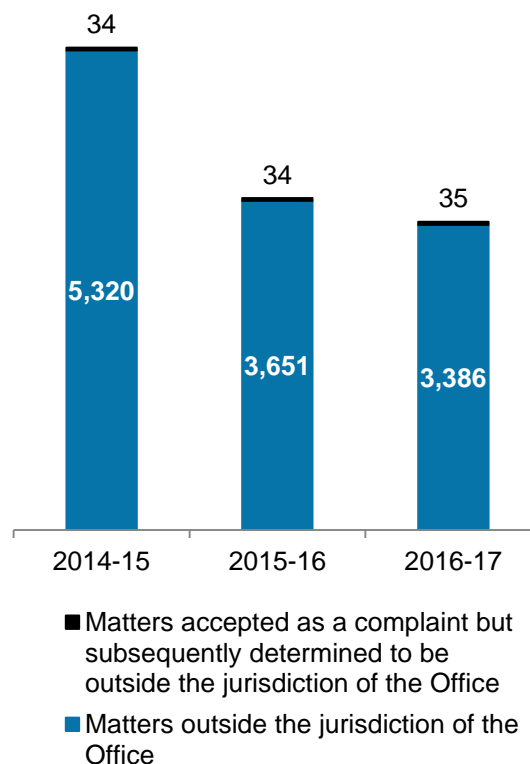
	Number of transferred calls
Office of Fair Trading	2,039
Commonwealth Ombudsman	2,019
Financial Ombudsman Service	1,647
Fair Work Ombudsman	1,002
Telecommunications Industry Ombudsman	Unavailable
Energy and Water Ombudsman Queensland	Unavailable
<b>Total</b>	<b>6,707</b>

As a result of these initiatives, the proportion of in jurisdiction matters received directly by the Office continues to increase.

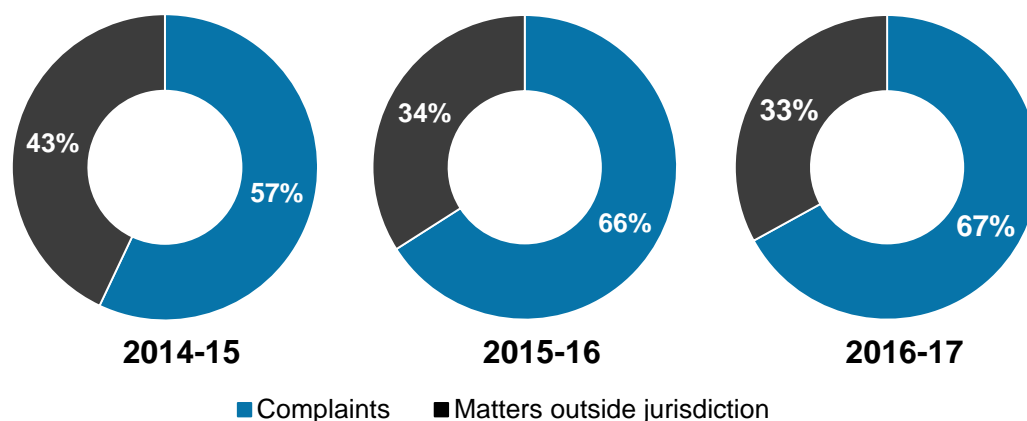
The Office also handled 556 general enquiries from people seeking information and assistance.

In addition, 35 matters were initially accepted as complaints but subsequently determined to be outside the Office's jurisdiction, which is in line with numbers received in previous years.

**Figure 4: Matters outside jurisdiction**



**Figure 3: Proportion of out of jurisdiction matters and complaints received per year**



## Contact with the Office

In 2016-17, 5,631 people contacted the Office by telephone, a significant decrease of 17% from 6,797 people in 2015-16. This shift is attributed to the joint initiatives of the recorded-message telephone service and new website. Telephone accounted for 51% of contacts with the Office in 2016-17.

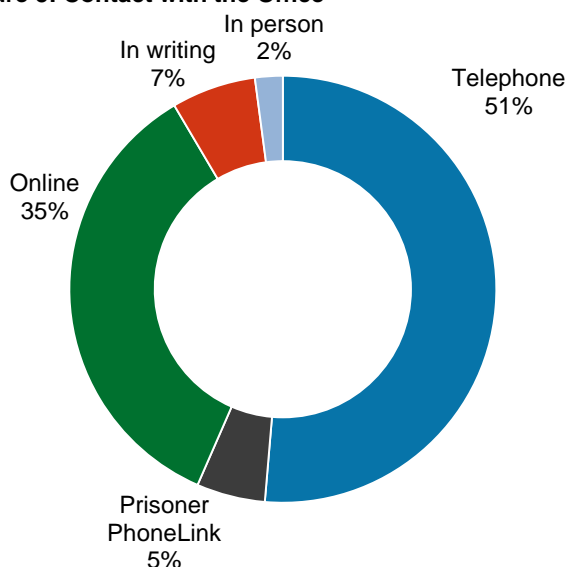
A further 569 people used the Prisoner PhoneLink telephone service, down 3% from 589 people in 2015-16 and accounting for 5% of contacts with the Office.

This year, 3,829 people contacted the Office via email or the online complaint form, an increase of 33% from 2,884 people in 2015-16, due to higher usage of the Office's new website and representing 35% of contacts with the Office.

The Office continues to experience a decline in the number of people contacting the Office in writing. This year 697 people did so, down from 782 in 2015-16, a decline of 11% (7% of contacts).

Finally, 228 people contacted the Office in person, similar to the 237 people in 2015-16 (2% of contacts).

**Figure 5: Contact with the Office**



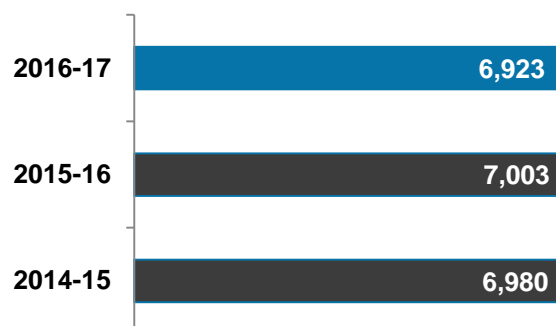
## Complaints received

The Office's primary role is to independently review complaints about the actions and decisions of public agencies (which include state government departments and statutory authorities), local councils and public universities.

This allows people to raise concerns about decisions of public agencies and helps ensure open, honest and accountable public administration.

The Office received 6,923 complaints this year comparable with 7,003 the previous year.

**Figure 6: Complaints received<sup>1</sup>**

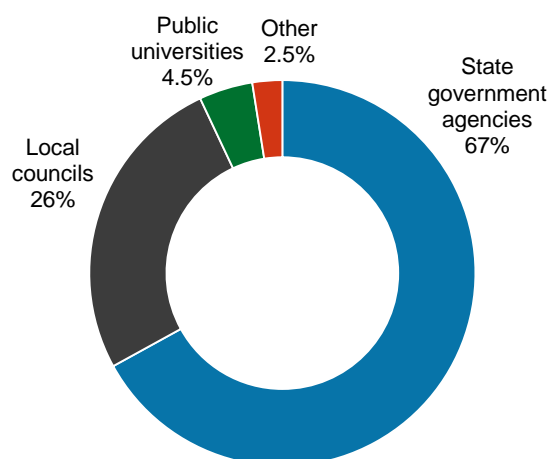


<sup>1</sup> These numbers include matters accepted as complaints but subsequently determined to be outside the jurisdiction of the Office, as shown in Figure 4.

Of the 6,923 complaints received:

- 67% were about state government agencies, including departments and statutory authorities (4,651 complaints)
- 26% were about local councils (1,783 complaints)
- 4.5% were about public universities (317 complaints)
- 2.5% were about other or unknown entities (172 complaints). This was predominantly driven by complaints about TransUrban, which was categorised as a state government entity in 2015-16, as an 'other' entity until February 2017, and then outside the Office's jurisdiction after a complex jurisdictional issue was resolved.

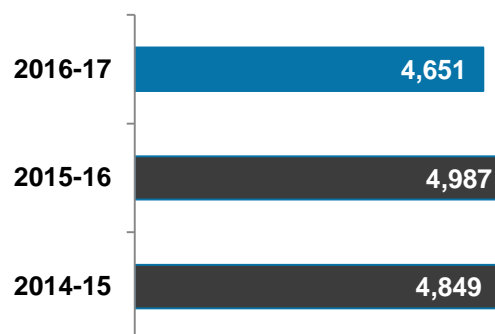
**Figure 7: Complaints received by agency type**



## Complaints received about state agencies

In 2016-17, the Office received 4,651 complaints about state agencies, which includes departments and statutory authorities. This was a 7% decline from the 4,987 complaints received in 2015-16, and represented 67% of all complaints received in 2016-17.

**Figure 8: Complaints received about state agencies**



The Office received 3,785 complaints about state government departments, a decline of 8% on the previous year. Half of this decline is attributable to the reclassification of TransUrban from a state government entity to other, then outside jurisdiction in 2016-17.

The breakdown of complaints by department is shown in Table 7.

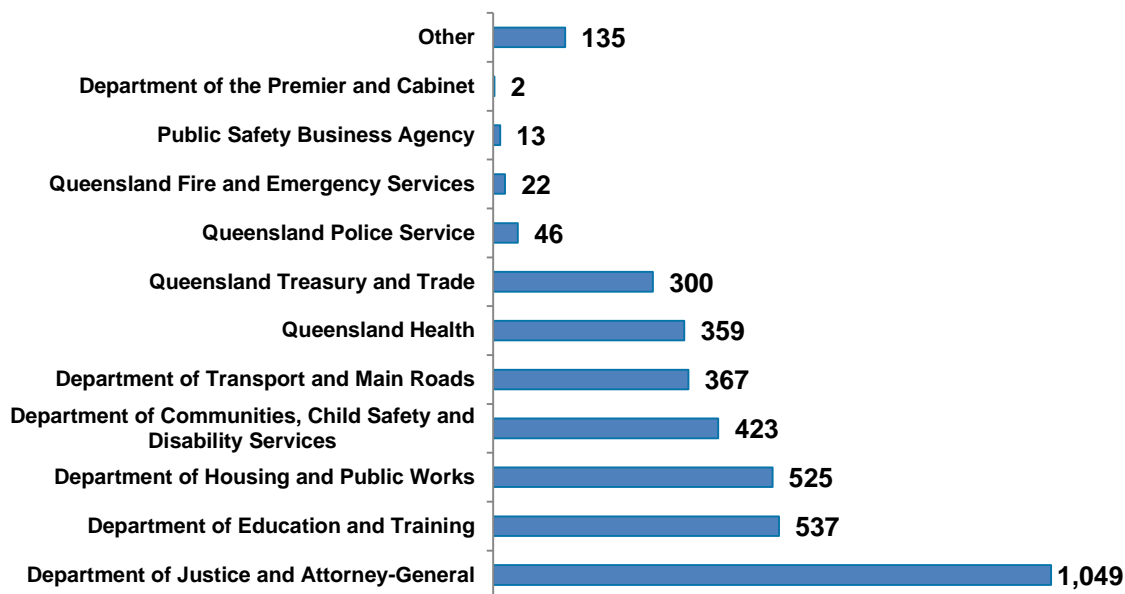
The departments that provide key services continue to generate the majority of complaints:

- Department of Justice and Attorney-General, which includes Queensland Corrective Services and the Queensland Parole Board (28% of state government department complaints)
- Department of Education and Training (14%)
- Department of Housing and Public Works (14%)
- Department of Communities, Child Safety and Disability Services (11%)
- Department of Transport and Main Roads (10%)
- Queensland Health (9%)
- Queensland Treasury and Trade, which includes the State Penalties Enforcement Registry as a division of the Office of State Revenue (8%).

Departments with significant shifts in the number of complaints received by this Office include:

- Queensland Treasury and Trade with 113 fewer complaints
- Department of Communities, Child Safety and Disability Services with 68 more complaints
- Department of Education and Training with 46 more complaints.

**Figure 9: Complaints received about state government departments**



The Office received 866 complaints about statutory authorities in 2016-17, in line with the 875 complaints received in the previous year (refer to Table 8).

The majority of statutory authority complaints were about:

- The Public Trustee (20% of complaints received about statutory authorities)
- Queensland Building and Construction Commission (QBCC) (16%)
- Legal Aid Queensland (12%)
- TAFE Queensland (12%)
- WorkCover Queensland (11%).

Complaints about the Public Trustee have declined by 17% in 2016-17, returning to

2014-15 levels. Similarly, complaints about WorkCover Queensland declined by 20%, to 95 complaints received in 2016-17.

Conversely, complaints about Legal Aid Queensland increased by 15% to 106 complaints in 2016-17, still significantly lower than the 180 complaints received in 2014-15.

**Table 7: Complaints received about state government departments**

State government department	Notes	2014-15	2015-16	2016-17
<b>Department of Justice and Attorney-General</b>		<b>1,091</b>	<b>1,053</b>	<b>1,049</b>
Queensland Corrective Services		828	842	838
Queensland Parole Board		74	36	26
Liquor, Gaming and Fair Trading		65	50	46
Justice Services		65	78	66
Office of the Public Guardian		38	27	33
Other business units/service areas		21	20	47
<b>Department of Education and Training</b>		<b>412</b>	<b>491</b>	<b>537</b>
Education Queensland		402	468	521
Other business units/service areas		10	23	16
<b>Department of Housing and Public Works</b>		<b>481</b>	<b>507</b>	<b>525</b>
Housing Services		433	474	509
Residential Tenancies Authority	1	28	17	7
Other business units/service areas		20	16	9
<b>Department of Communities, Child Safety and Disability Services</b>	2	<b>401</b>	<b>355</b>	<b>423</b>
Child and Family Services		-	312	377
Disability and Community Services		-	35	25
Other business units/service areas		30	8	21
Child Safety Services		334	-	-
Disability Services		37	-	-
<b>Department of Transport and Main Roads</b>		<b>434</b>	<b>380</b>	<b>367</b>
<b>Queensland Health</b>		<b>387</b>	<b>382</b>	<b>359</b>
<b>Queensland Treasury and Trade</b>		<b>368</b>	<b>413</b>	<b>300</b>
Office of State Revenue		317	373	271
Office of Industrial Relations		47	35	27
Other business units/service areas		4	5	2
<b>Queensland Police Service</b>		<b>42</b>	<b>45</b>	<b>46</b>
<b>Queensland Fire and Emergency Services</b>		<b>19</b>	<b>25</b>	<b>22</b>
<b>Public Safety Business Agency</b>		<b>18</b>	<b>15</b>	<b>13</b>
<b>Department of the Premier and Cabinet</b>		<b>6</b>	<b>0</b>	<b>2</b>
<b>Other state government entities</b>	3,4	<b>313</b>	<b>446</b>	<b>135</b>
<b>Total</b>		<b>3,972</b>	<b>4,112</b>	<b>3,785</b>

Notes:

1. From October 2016, the Residential Tenancies Authority was classified as a statutory authority. Previously, it was reported as part of the Department of Housing and Public Works (refer to Table 8 for 2016-17 data).
2. In 2015, the Department of Communities, Child Safety and Disability Services changed its organisational arrangements. Child Safety Services and Disability Services ceased and Child and Family Services and Disability and Community Services commenced.
3. Other entities' complaint numbers in 2016-17 include: Department of Natural Resources and Mines (48), Department of Agriculture and Fisheries (25), Department of Environment and Heritage Protection (22), Department of National Parks, Sport and Racing (11), Department of Energy and Water Supply (10), Department of Science, Information Technology and Innovation (8), Department of Infrastructure, Local Government and Planning (6), Department of Tourism, Major Events, Small Business and Commonwealth Games (2), Department of State Development (2), Department of Aboriginal and Torres Strait Islander Partnerships (1).
4. TransUrban was categorised as a state government entity in 2015-16 (302 complaints received). In 2016-17, TransUrban was categorised as an 'other' entity until February 2017 and thereafter, outside the Office's jurisdiction.

**Table 8: Complaints received about statutory authorities**

Statutory authority	Notes	2014-15	2015-16	2016-17
The Public Trustee		176	213	176
Queensland Building and Construction Commission		98	131	138
Legal Aid Queensland		180	92	106
TAFE Queensland		102	93	101
WorkCover Queensland		101	119	95
Office of the Health Ombudsman		42	68	74
Legal Services Commission		31	33	39
Queensland Urban Utilities		61	34	30
Queensland Rail		21	15	24
Residential Tenancies Authority	1	-	-	22
Unity Water		37	36	20
Electoral Commission Queensland		7	21	13
Other statutory authorities	2	126	20	28
<b>Total</b>		<b>982</b>	<b>875</b>	<b>866</b>

Notes:

1. From October 2016, the Residential Tenancies Authority was classified as a statutory authority. Previously, it was reported as part of the Department of Housing and Public Works (refer to Table 7).
2. Other bodies with more than three complaints in 2015-16 include: Energy and Water Ombudsman Queensland (7), Queensland Anti-Discrimination Commission (6) and QLeave (5).

## Complaints received about local councils

In 2016-17, the Office received 1,783 complaints about local councils, an increase of 6% on the previous year.

The major areas identified from complaints received include matters where councils have:

- taken action to enforce state and local laws (16% of complaints received about local councils)
- approved or failed to approve building and development applications (15%)
- levied rates and administered various concessions (11%)
- environmental protection responsibilities (11%).

Given the relatively small number of complaints received within each category, trends can fluctuate from one year to the next. The only categories with a consistent trend over the three-year period are:

- rates and valuations which declined by 19% in 2015-16 and a further 9% in 2016-17 to 195 complaints received
- complaint handling which declined by 7% in 2015-16 and a further 20% in 2016-17 to 51 complaints received
- land use and planning which increased by 9% in 2015-16 and 72% in 2016-17 to 86 complaints received.

Figure 10: Complaints received about local councils

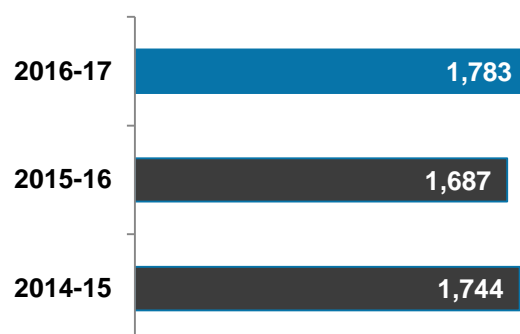


Table 9: Complaints received about local councils

Complaint	2014-15	2015-16	2016-17
Laws and enforcement	281	255	285
Development and building controls	227	228	268
Environmental management	178	221	203
Rates and valuations	264	215	195
Roads	126	123	121
Land use and planning	46	50	86
Sewerage and drainage	107	66	84
Water supply	91	63	75
Complaint handling	69	64	51
Waste management	32	18	18
Other	323	384	397
<b>Total</b>	<b>1,744</b>	<b>1,687</b>	<b>1,783</b>

## Complaints received about universities

In 2016-17, the Office received 317 complaints about Queensland's public universities, a 3% decrease from 2015-16.

The main areas of complaint were about:

- student grievances relating to a postgraduate or undergraduate program or course (27%)
- decisions to exclude students, mainly international students where exclusion may lead to cancellation of a student's visa (19%)
- procedures, fees or withdrawal application processes in enrolment decisions (21%)
- assessment matters (21%).

The number of complaints received within each category is small. Within this context, the categories with a consistent trend over the three-year period are:

- student grievances which declined by 12% in 2015-16 and a further 6.5% in 2016-17 to 86 complaints received
- exclusion complaints which declined by 21% in 2015-16 and a further 24% in 2016-17 to 59 complaints received
- assessment complaints which increased by 27% in 2015-16 and 3% in 2016-17 to 67 complaints received.

Figure 11: Complaints received about universities

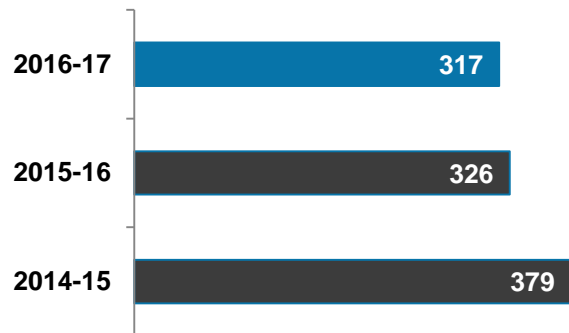


Table 10: Complaints received about universities

Complaint	2014-15	2015-16	2016-17
Student grievance	105	92	86
Exclusion	99	78	59
Enrolment	94	65	67
Assessment	51	65	67
Employee grievance	8	11	25
Investigation	15	6	9
Internal review	7	9	2
Other	-	0	2
<b>Total</b>	<b>379</b>	<b>326</b>	<b>317</b>

## Open complaints

At the end of each financial year, some complaints remain open.

At 30 June 2017, 215 complaints remained open. Of these, 58% were matters received within the last 30 days of 2016-17.

Table 11: Complaints open

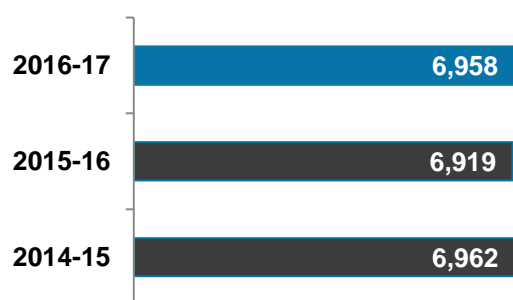
Complaints	2014-15	2015-16	2016-17
Complaints finalised	6,962	6,919	6,958
Complaints open at 30 June <sup>1</sup>	176	262	215

1. Of the 262 complaints brought forward from 2015-16, 12 complaints were reclassified on preliminary assessment, for example to a general enquiry or matter outside the Office's jurisdiction. Consequently, 215 complaints were carried forward to 2017-18.

## Complaints finalised

The Office finalised 6,958 complaints in 2016-17, a slight increase from the 6,919 complaints received in 2015-16.

Figure 12: Complaints finalised<sup>1</sup>



1. Includes matters accepted as a complaint but subsequently determined to be outside the jurisdiction of the Office.

## Continuing complaints

The Office continues to identify and track complaints that have previously been received in the same financial year (a continuing complaint). For example, a complaint may be declined initially because it had not been considered by the appropriate agency. If the individual concerned is dissatisfied with the agency's consideration and review of their complaint, they may approach the Ombudsman again to review the decision.

In 2016-17, 630 continuing complaints were identified, representing 9% of complaints finalised compared with 8% in 2015-16.

## Time taken to finalise complaints

The Office continues to closely monitor the time taken to finalise complaints. This ensures that improvements from business practices continue to be maintained.

In 2016-17, it took an average of 13.3 days to finalise a complaint compared with 12.1 days in 2015-16. This average includes complaints finalised after preliminary assessment or investigation.

The time taken to finalise a complaint at the preliminary assessment stage has remained steady at six days. The average time to finalise a complaint at the preliminary assessment stage is a subset of the key performance indicator (KPI) average time to complete assessments, shown in Section 1. The KPI measure encompasses all preliminary assessments, including those complaints finalised during the preliminary assessment stage along with those that are referred for further investigation.

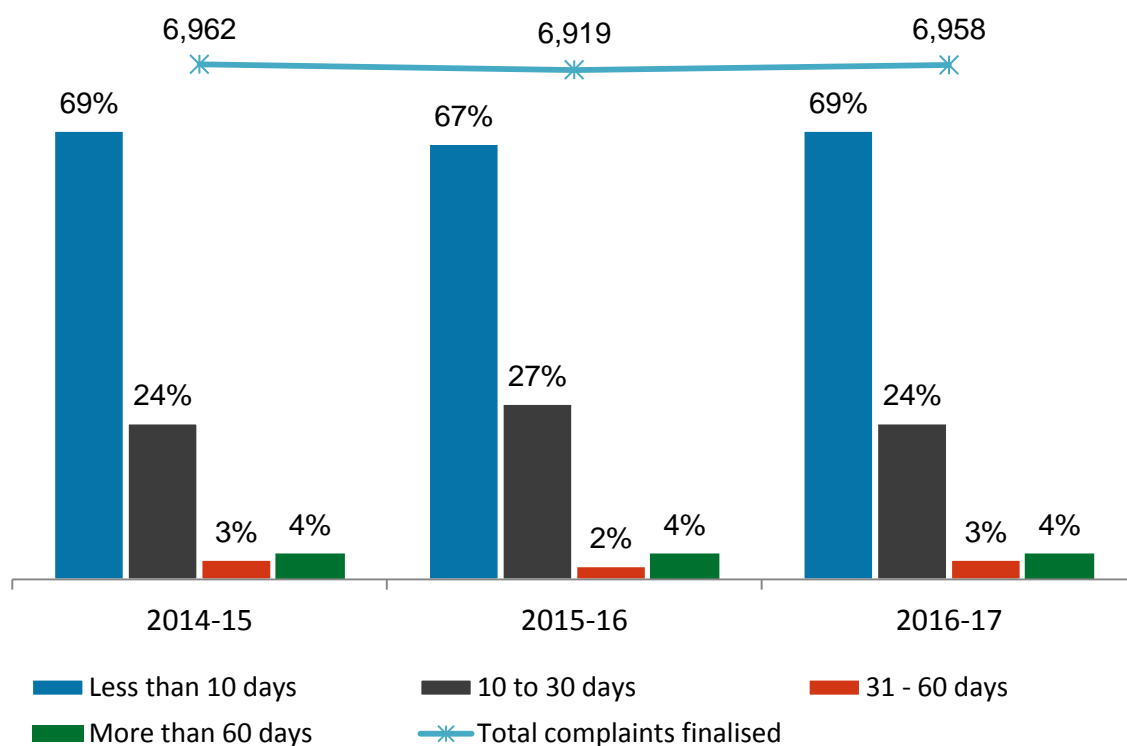
The average time taken to finalise an investigation reduced to 46.5 days in 2016-17 from 48.1 days in 2015-16 and 53.4 days in 2014-15. This decline is the result of efficiencies gained from establishing an expedited merit assessment process that streamlines practices for more simple cases which do not require the level of detailed analysis traditionally applied to matters referred for investigation.

The time to finalise a complaint is dependent upon many factors, including the complexity of the matter.

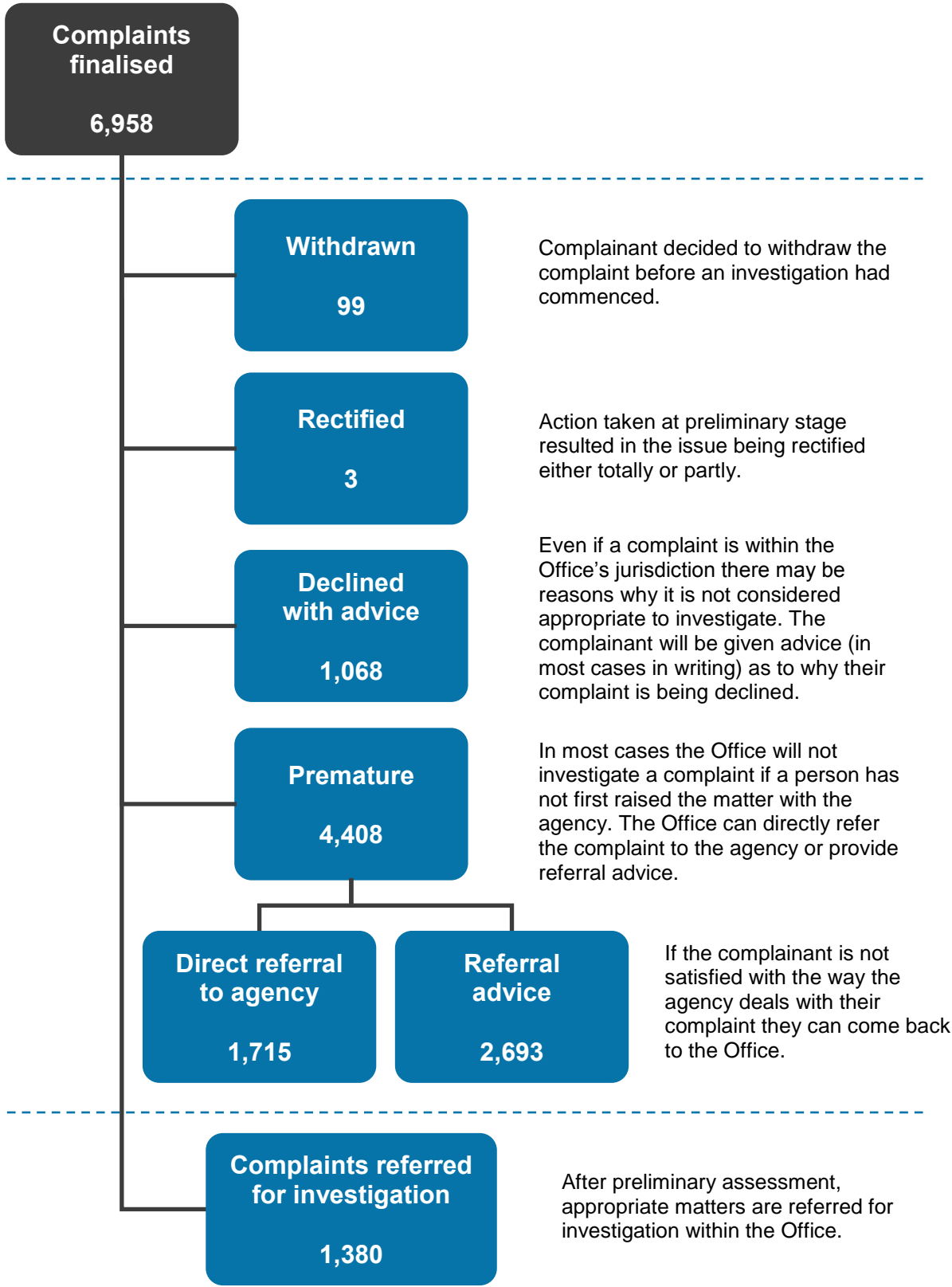
This year:

- 69% of complaints were finalised within 10 days (67% in 2015-16)
- 93% of complaints were finalised within 30 days (94% in 2015-16)
- more than 99% of complaints were finalised within 12 months (for the fifth year running)
- as at 30 June 2017, five complaints remained open that were more than 12 months old.

**Figure 13: Complaints finalised (total and proportion by days to finalise)**



**Figure 14: Breakdown of complaint outcomes after preliminary assessment**



## Complaints finalised after preliminary assessment

The Office's assessment function provides an important service to the thousands of Queenslanders who seek assistance each year.

The Office's complaint management process is part of the broader public sector system that includes agencies' complaint management processes. In most cases, the Office requires complainants to raise their concerns directly with the agency in the first instance, before seeking help from the Ombudsman.

Of the 6,958 complaints finalised in 2016-17, 5,479 were finalised after a preliminary assessment. This represented 79% of the total number of complaints finalised (83% in 2015-16).

The majority of complaints finalised at preliminary assessment are identified as premature. In these instances, a person contacted the Office before following the full complaint management process available within the agency. In 2016-17, 4,408 complaints, or 63% of all complaints finalised, were classed as premature.

In most cases, the Office will provide advice on how to lodge a complaint with the appropriate agency and how to bring the matter back to the Office if the agency's response is unsatisfactory. This year, the Office provided referral advice on 2,693 premature complaints.

With consent, the Office can also directly refer a premature complaint to an agency, normally in circumstances where a person has provided extensive information to the Office about the complaint, or where people require assistance to make their complaint.

This year, the Office directly referred 1,715 premature complaints, 34% more than the 1,279 direct referrals made in 2015-16. By directly referring complaints to agency

complaint management systems, officers saved client's time, provided added convenience, responded to expectations and added value to the complaint management framework in Queensland.

After preliminary assessment, the Office decided that an investigation was not warranted in relation to 1,068 complaints (15% of complaints finalised).

There were 468 complaints closed (8% of complaints finalised) because insufficient information was provided by the complainant. This included situations where the complainant was asked, but failed to provide further material within 14 days of initial contact, either for a preliminary assessment to be conducted or for the Office to directly refer the complaint to the appropriate agency.

Other instances where the Office decided an investigation was not warranted included situations where:

- the person had an appeal right that should first be exhausted (251 complaints or 4%)
- a more appropriate entity could investigate the complaint (194 complaints or 3%)
- the resources necessary to investigate the complaint were disproportionate to any likely outcome (64 complaints or 1%).

The remaining 91 complaints were declined after preliminary assessment for a range of reasons, including that the complaint was identified to be outside the Office's jurisdiction (26 complaints), the complainant did not have sufficient direct interest in the matter (25), or that appeal rights had been exhausted and further investigation was unnecessary (25).

When the Office declines to investigate a complaint, the individual concerned is provided with an explanation and, where possible, advice about alternative avenues to progress their complaint.

This year, three complaints were rectified by the Office during preliminary

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assessment and 99 people chose to withdraw their complaint during the preliminary assessment stage.

Matters not finalised at preliminary assessment are referred for investigation.

## **Feedback from stakeholders**

The Office is committed to continuous service improvement and has regularly sought feedback from a range of stakeholders, including clients and officers in public sector agencies.

The Office has conducted an annual client survey for many years, where an external research agency conducts telephone interviews with a number of clients on behalf of the Office.

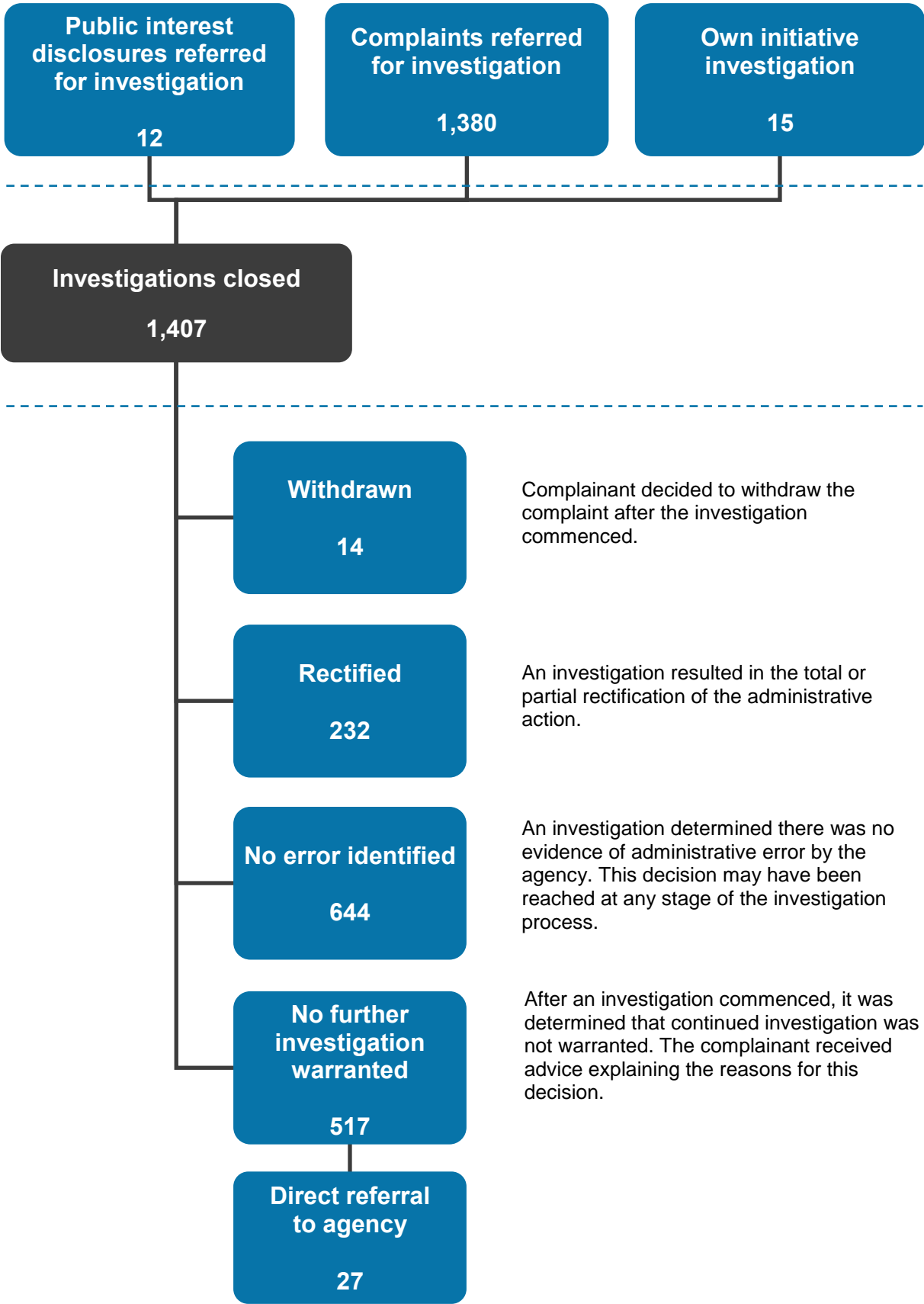
In 2016-17, the client survey was postponed due to budgetary constraints.

In 2017-18, it is planned to do the survey focusing on clients with complaints recently finalised by the Registration and Preliminary Assessment team.

# Improving decision- making

Public sector agencies  
improve their decision-  
making and complaints  
management

Figure 15: Investigations finalised in 2016-17



## Overview

Along with responding to the wide range of matters it receives, the Office also helps public agencies improve their administration in a number of ways, including the investigation of complaints, own initiative investigations that can result in published and unpublished reports, compliance reviews, publications and training.

Administrative improvements may include changes to policy and procedures, amendment of business systems or practices, or investment in staff development and training.

## Investigations

### The process

An investigation is commenced after preliminary assessment if:

- it is within jurisdiction
- the complaint has gone through the complaint management process in the appropriate agency
- there is not a more appropriate complaints body to deal with the matter
- there is no other reason why an investigation is not warranted.

An investigation determines whether an administrative action is unlawful, unreasonable, unjust, or otherwise unfair or wrong.

An investigation begins with a careful and detailed assessment of the complaint through information provided by the complainant or obtained from the agency.

The trial of an early merit assessment process started in June 2016. In 2016-17, the trial has continued and been formalised into an expedited merit assessment process. This form of merit assessment streamlines the existing practice in more simple cases that do not require the level of detailed analysis traditionally applied to matters referred for investigation.

Expedited merit assessment is therefore conducted more quickly, improving the timeliness of service to clients and productivity of the Office.

The Office's approach to an investigation is based on the complexity and scope of the issues identified during the investigative assessment stage. Intermediate and complex investigations are undertaken where systemic administrative error is suspected or a person has been affected in a substantial manner. Such investigations require significant time and resources.

An investigation may be discontinued at any stage if, for example, it becomes apparent that the decision complained of was reasonable or no error is likely to be identified.

### Investigative outcomes

In total, 1,407 investigations were finalised in 2016-17, an increase of 26% on the 1,118 investigations finalised in the previous year.

The investigations included:

- 1,380 complaints referred for investigation, an increase of 26% on the previous year (1,094 complaints). This represents 20% of the total number of complaints finalised, up from 16% in the previous year.
- 15 matters that were the subject of own initiative investigations (17 in 2015-16).
- 12 matters identified as PIDs (7 in 2015-16).

In some instances, and particularly in more complex scenarios, a number of related investigations may be part of one case. The 1,407 investigations closed in 2016-17 related to 1,198 cases (972 cases in 2015-16). Of these, 1,177 cases were complaints referred for investigation after a preliminary assessment, nine cases were PIDs and 12 cases were Ombudsman initiatives.

Of the 1,407 investigations finalised in 2016-17, 232 resulted in a total or partial rectification, an increase of 11% from the 209 rectifications of the previous year. The proportionality of rectifications, at 16.5% of all investigations, declined from 19% in the previous year.

Rectification is achieved by formally finding an administrative error (14 investigations) or, more commonly, by negotiating a resolution with the agency, removing the need to find administrative error (218 investigations).

In the 14 investigations where a finding of administrative error was made, the Ombudsman concluded the agency's decision or action was unreasonable, unjust, oppressive or improperly discriminatory in each matter.

No administrative error was identified in 644 investigations or 46% of investigations finalised (55% the previous year).

In relation to 517 investigations, or 37% of investigations finalised, the Office decided that continuing the investigation was not warranted. This is a significant increase from the 279 investigations, or 25%, in the previous year, driven by the continued use of the expedited merit assessment process throughout 2016-17.

The main reasons for not continuing an investigation include:

- further investigation was considered to be unnecessary or unjustifiable (320 investigations)
- the complainant was referred back to the agency for internal review (61)
- the complainant had an appeal right that should have been exhausted (49)
- the complainant was awaiting the outcome of a current decision process (44).

Fourteen complainants withdrew their complaints after investigations commenced.

In summary, during 2016-17 the Office:

- finalised 289 more investigations (an increase of 26%)

- achieved 23 more rectification outcomes (an 11% increase)
- improved the timeliness of finalising investigations to an average of 46.5 days from 48.1 days in the previous year.

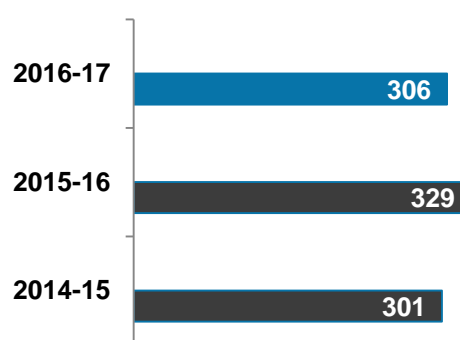
## Investigative recommendations

If administrative error is identified during an investigation, a resolution can be negotiated with the agency, or the Office can make recommendations to rectify the problem. Remedies may include a request that the agency remake a decision or provide reasons for a decision, apologise, or provide a refund to the complainant. The Office can also recommend the agency improve its policies and procedures to avoid similar errors in future.

If an investigation does not find administrative error, the complainant is provided with a detailed explanation of the Office's findings.

The Office made 306 investigative recommendations in 2016-17.

Figure 16: Number of recommendations



In 2016-17, the Office negotiated 281 agreed actions with agencies to rectify errors (292 in 2015-16), and the Ombudsman made a further 25 recommendations under s.50 of the Act (37 in 2015-16).

An agreed action involves working with the agency to reach an outcome satisfactory to the Office. This is a more effective and timely way to resolve a complaint where an investigation reveals evidence of administrative error.

Recommendations or agreed actions can be divided into those that directly benefit an individual and those that deal with systemic concerns. Direct benefit recommendations produce an outcome for an individual complainant. Systemic recommendations address faults with policies, procedures or practices.

In 2016-17, there were 181 direct benefit recommendations/agreed actions, the same number as in 2015-16, and 125 systemic recommendations/agreed actions (148 in 2015-16). As in previous years, the majority of recommendations identified improvements to agencies' policies or procedures (24%).

The Ombudsman has no powers to enforce recommendations. However, they are generally accepted by agencies. In 2016-17, 100% of recommendations that received a response from the agency by 30 June 2017 were accepted (99% in 2015-16).

In addition to recommendations, the Office believes that the direct referrals made to the appropriate agency during preliminary assessments or investigations result in rectifications for a number of complaints, although the outcome of most direct referrals are not tracked. In 2016-17, the Office directly referred 1,742 complaints to an agency, local council or university (1,715 after preliminary assessment and 27 during an investigation). This is a significant increase on the 1,319 complaints directly referred in the previous year.

**Table 12: Investigative recommendations**

Types of investigative recommendations	2014-15	2015-16	2016-17
<b>Improve policy or procedure</b>	94	81	74
<b>Expedite action</b>	34	63	70
<b>Change decision</b>	40	39	41
<b>Review decision</b>	37	33	32
<b>Give better explanation or reasons</b>	46	23	29
<b>Explanation given by agency</b>	5	18	16
<b>Admit error or apologise</b>	7	7	14
<b>Financial remedy</b>	9	23	12
<b>Provide training</b>	7	19	9
<b>Follow policy or procedure</b>	20	21	8
<b>Take counselling or disciplinary action</b>	2	2	-
<b>Other</b>	-	-	1
<b>Total</b>	301	329	305

## Breakdown by type of agency

### State agencies

The Ombudsman finalised 751 investigations into the administrative actions of state agencies, an increase of 30% on the 579 investigations finalised in the previous year.

As a result of these investigations, the Ombudsman made 13 recommendations under s.50 of the Act and negotiated 146 agreed actions across 23 state agencies. Of these, 98 were of direct benefit to individual complainants and 61 addressed systemic issues.

### Local councils

The Office finalised 484 investigations about the administrative actions of local councils, an increase of 29% compared to the 376 investigations finalised in the previous year.

As a result of these investigations, the Ombudsman made 12 recommendations under s.50 of the Act and negotiated 92 agreed actions across 24 different local councils. Of these, 60 were of direct benefit to the complainant and 44 addressed systemic issues.

### Universities

The Office finalised 166 investigations about the administrative actions of public universities, an increase of 2% compared to the 163 investigations finalised in the previous year.

In 2016-17, the Office negotiated 43 agreed actions across six universities. Of these, 23 were of direct benefit to complainants and 20 addressed systemic issues.

### Other entities

In relation to other entities, six investigations were finalised in 2016-17.

Table 13: Investigative outcomes for state agencies

Investigative outcomes	2015-16	2016-17
No further investigation warranted	168	264
No error identified	288	348
Rectified	120	128
- <i>Informally resolved</i>	117	120
- <i>Finding of administrative error</i>	3	8
Withdrawn	3	11
<b>Total</b>	<b>579</b>	<b>751</b>
- <i>State departments</i>	461	561
- <i>Statutory authorities</i>	118	190

Table 14: Investigative outcomes for local councils

Investigative outcomes	2015-16	2016-17
No further investigation warranted	93	194
No error identified	204	216
Rectified	70	71
- <i>Informally resolved</i>	67	66
- <i>Finding of administrative error</i>	3	5
Withdrawn	9	3
<b>Total</b>	<b>376</b>	<b>484</b>

Table 15: Investigative outcomes for universities

Investigative outcomes	2015-16	2016-17
No further investigation warranted	18	56
No error identified	124	77
Rectified	19	33
- <i>Informally resolved</i>	17	32
- <i>Finding of administrative error</i>	2	1
Withdrawn	2	-
<b>Total</b>	<b>163</b>	<b>166</b>

## ***Deliver what matters***

### ***Child safety in Queensland***

The *Child Protection Reform Amendment Act 2014* returned oversight of the state's child safety complaints system to the Queensland Ombudsman on 1 July 2014. Child safety complaints are dealt with by relevant agencies, with oversight by the Ombudsman in lieu of the review function that was previously performed by the former Commission for Children and Young People and Child Guardian. This amendment fulfilled Recommendation 12.9 from the Queensland Child Protection Commission of Inquiry (the Carmody Inquiry).

In 2016-17, the Ombudsman received 358 complaints relating to child safety services within the Department of Communities, Child Safety and Disability Services (the department). This compares to 297 complaints received in 2015-16.

During 2016-17, the Ombudsman further enhanced oversight of child safety complaints by improving specific procedures in relation to child safety complaints.

During 2016-17, 53 complaints to the Ombudsman were assessed as indicating possible harm to a child or young person which either had not previously been notified to the department or dealt with through the department's complaints management system. Each matter was referred to the department, with a requirement to report back to the Ombudsman about how it was dealt with.

As part of the Ombudsman's ongoing role to monitor child safety complaints, the Office undertakes an annual review of complaint numbers and outcomes to inform an overall view of child safety complaints resolution. Should it be necessary, the Ombudsman will report his findings to the Queensland Parliament.

On 19 July 2016, the Ombudsman presented a report on *the Management of child safety complaints* to the Honourable Peter Wellington MP, Speaker of the Queensland Parliament for tabling. Please refer to page 45 of this annual report for more information.

# Case studies

## 1. No intervention strategy for international student

### *The complaint*

The complainant was an international student who had been excluded from his university for unsatisfactory academic performance. He complained that the university had not provided him with enough help and support with his studies before excluding him.

### *The investigation*

Universities are required to have a range of supports in place to help international students adjust to living and studying in Australia. When a university identifies that an international student is at risk of failing their course, the university is required to develop a support plan that is tailored to the student's individual needs and circumstances, and monitor the student's progress under the plan before excluding the student.

In this case, the investigation established that the university had not taken any meaningful steps to develop an individual support plan for the student. The university got the student to sign a form acknowledging he was at risk of failing. However, the university should have, but did not:

- identify the reasons for his poor academic performance
- refer him to any learning assistance programs, even though he had indicated he was struggling to adjust to Australian academic expectations
- refer him to any welfare-related support services, even though he had indicated that he was socially isolated and struggling emotionally
- raise the possibility of a reduced study load with him, or
- identify any other relevant strategies to assist him.

### *Making a difference*

In response to the investigation, the university agreed to readmit the student and develop an individualised support plan for him. It also agreed to revise its Intervention Strategy template so that it genuinely addresses individual student issues and requires staff to identify the root causes of poor academic performance and develop specific strategies to address these causes.

## 2. Local council – justice for man's best friend

### *The complaint*

A complaint was lodged by a dog owner about council action to seize and destroy the dog.

The action was as a result of complaints about barking.

### *The investigation*

The investigation questioned the reasonableness of council's action in seeking to execute a warrant to seize the

dog for destruction. The Office was concerned that evidence collected by council to support seizing the dog was not gained through an impartial investigation.

### *Making a difference*

Although the council disagreed with the Office's reasoning, it agreed not to obtain a further warrant to seize the dog or use the evidence previously obtained in any future compliance action.

### 3. Housing's responsibility for trees on its properties

#### *The complaint*

The complainant lived next door to a public housing property owned by the Department of Housing and Public Works. Her sewerage pipe was blocked by tree roots from a tree on the department's property. She claimed the cost of getting a plumber to fix the pipe from the department. The department refused her claim because it said it had not been negligent.

#### *The investigation*

The investigation found that the department had no policies or procedures in place to handle claims coming under the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*.

Under that Act, the owners of residential properties, including the department, are

responsible for ensuring that trees on their property do not cause serious damage to another person's land or property. The Act also establishes a process for resolving disputes about damage caused by a neighbour's tree.

The investigation also identified that the department had not turned its mind to its responsibilities under this Act before rejecting the complainant's claim.

#### *Making a difference*

The department agreed to reconsider the complainant's claim in light of the Neighbourhood Disputes (Dividing Fences and Trees) Act, and to develop policies and procedures to ensure that it properly identifies and deals with tree disputes covered by that Act.

### 4. Attention to detail and good recordkeeping key to successful tender processes

#### *The complaint*

A business owner complained to this Office about the way in which council conducted a tender process for the provision of services. The tender was conducted on QTender.

The business owner raised a number of issues including that council extended the closure date for the invitation to tender after the time allowed for receipt of tenders had already passed.

#### *The investigation*

The investigation found that instructions to extend the closing time were not actioned prior to the closing time. It is not possible to change an invitation to tender or extend the closing time once the time allowed for receipt of tenders has passed. The purported extension could not be properly treated as an extension and should have

been treated as a new invitation to tender. As a new invitation to tender, it should have complied with the 21 day timeframe set out in s.228(4)(b) of the Local Government Regulation 2012, but did not do so in that it allowed only 14 days.

This Office also had other concerns which it raised with council, including tender evaluation, communication with tenderers and probity issues.

#### *Making a difference*

Council agreed to provide training to officers involved in tender processes and review its policies and procedures concerning tender processes.

## **5. Unlawful suspension from school**

### *The complaint*

The complainant, a grade 12 student, was suspended from school on 1 November 2016. The principal told her that she could come back to school on 21 November. Her school's graduation was going to take place on 17 November, and the senior formal was on the 18th. The principal told the complainant that she could not attend either function. She complained about the suspension process. Her mother also complained that it had taken her a long time to save up for her daughter's dress and accessories for the formal, and it was unfair that she wasn't allowed to go.

### *The investigation*

The investigation found that the principal had not complied with the legal requirements for suspending students in several ways. Most importantly, the principal had suspended the complainant for longer than legally allowed. This meant that she had not been legally suspended on the night of the formal, and should have been allowed to attend.

### *Making a difference*

The Department of Education accepted the Office's recommendation that it compensate the complainant and her mother for the money they had spent on her dress and accessories for the formal. The department also implemented some professional development for all principals in the region about legislative requirements and departmental processes for student disciplinary decisions.

## **6. Recovery of debt preventing trip home**

### *The complaint*

A man was in debt with the State Penalties Enforcement Registry (SPER) and was making fortnightly repayments towards the debt.

SPER had recovered \$934.57 from him at a time when he was experiencing financial hardship. He was attempting to drive home from Western Australia to Queensland, but was facing difficulties paying for food and petrol for the trip.

### *The investigation*

The complaint was assessed as being premature for this Office to investigate and was directly referred to SPER to be handled under their complaints management system.

### *Making a difference*

Following this Office's direct referral, SPER contacted the man and got documents from him that supported the claim of financial hardship.

SPER agreed to refund the amount of \$934.57 in full, assisting him in making the trip home to Queensland.

## 7. Salary overpayments

### *The complaint*

The complainant, a former employee of a state government agency, received notices of demand from the agency to pay outstanding salary overpayments of approximately \$3,100.

They contested that the amount was owed, and advised that this overpayment had been finalised six years earlier. They raised these concerns with the agency, but did not receive a response.

### *The investigation*

As the complainant had never received a response from the agency, this Office directly referred details of the complaint to the agency, and requested that the agency inform both the complainant and the Office of the action taken to deal with the complaint.

### *Making a difference*

Following the direct referral of the complaint, the agency issued an apology to the complainant, advising that the demands for payment were sent in error. The matter was then referred to the appropriate officer within the agency to process the waiving of the notices.

## 8. Signage for parking

### *The complaint*

A woman parked and paid at a ticket machine while visiting local attractions. When she returned to her car she had been issued with a parking infringement notice. She raised multiple issues in her correspondence to this Office.

Firstly, the parking signage was inadequate in relation to its distance from the parking space.

Secondly, the ticket machine allowed her to pay for parking that extended beyond the time limit.

Finally, she lodged an objection about the parking infringement notice with council but received no acknowledgment. This meant she was faced with either paying the infringement notice or disputing the matter in court.

### *The investigation*

After gaining consent from the complainant, this Office referred her complaint to council for further consideration.

### *Making a difference*

Following this Office's request for council to consider the complaint, council implemented a trial of new signage in the area to improve clarity and introduced conformity between signage and the ticket machines.

The council also determined that her parking infringement be refunded.

## **9. Adjustment to overcharges for travellers**

### *The complaint*

The complainant was aggrieved by TransLink's levying charges contrary to the terms of the 'One, Two, Free' scheme, for which the complainant had been granted eligibility.

Under this scheme, eligible travellers are entitled to free travel each day subsequent to two trips being completed and paid for earlier in the day.

### *The investigation*

The complaint was assessed as being premature for this Office to investigate, and the complaint was directly referred to the Department of Transport and Main Roads for consideration.

### *Making a difference*

The department advised that it would apply weekly 'mass adjustments' to all go cards which had been overcharged as a result of errors in the implementation of the 'One, Two, Free' scheme. It gave the undertaking that it would be working to resolve ongoing technical issues.

The complainant also received an apology from the department in relation to the inconvenience and frustration caused by the relevant administrative errors.

The work of this Office in bringing this matter to the department's attention not only assisted the complainant in finding redress, but was instrumental in bringing about rectifications for a potentially large group of affected individuals.

## **10. Quadriplegic's application to subsidy scheme unreasonably rejected**

### *The complaint*

A quadriplegic man applied for funding for a mobile shower commode under a subsidy scheme. The commode could be folded for easy transportation and would support greater mobility.

The application was rejected because the item was considered a daily living aid and was excluded under the scheme's guidelines.

### *The investigation*

The department's letter to him referred to a definition of the term daily living aid from a foreign company's website. The scheme's guidelines provided no definition.

The department advised that the term was commonly understood among health professionals in the disability sector, and did not mean an aid which is used every day, but referred to aids used to assist clients to complete daily living tasks.

This Office considered that the term should be defined in the guidelines and that the complainant's circumstances and proposed use of the commode aligned with the intent of the scheme.

### *Making a difference*

The department agreed with this Office's views and allowed the man to submit a fresh application. This resulted in the complainant receiving funding for the mobile shower commode.

### **11. Death certificate issued with erroneous information**

#### *The complaint*

A woman obtained a copy of her late father's death certificate from the Registry of Births, Deaths and Marriages. It erroneously listed her and her sister as deceased children.

She advised the registry of the error and it corrected the information. She was concerned that another family member may have informed the registry that she and her sister were deceased.

#### *The investigation*

This Office raised concerns about the verification of information on the death certificate. The registry indicated that information provided in an online application for a death certificate is mostly accepted in good faith without checking the accuracy of historical information, such as the death of a deceased's child.

#### *Making a difference*

The registry retrieved the incorrect death certificate that had already been issued, issued a correct certificate and agreed to consider the Office's concerns as part of its legislative review of the *Births, Deaths and Marriages Registration Act 2003*.

### **12. Exceptional circumstances must be given due to consideration and weight**

#### *The complaint*

A student appealed against a university's decision to refuse her late application for a deferred exam. The student had experienced extreme stress due to, among other things, the attempted suicide of her child and her heightened distress as a parent and therefore, simply forgot to apply within the required time.

The university found that the student had successfully applied for deferred exams in the past and was not satisfied that circumstances beyond her control prevented her from submitting the application within time.

#### *The investigation*

Generally, it is important that the university adhere to its rules to provide consistency and equity to all students. However, given the student had experienced a particularly traumatic semester, the investigation

found that exceptional circumstances impacted upon the student and warranted a more flexible application of the rules.

The investigation also found that the severity of the penalty of an additional year of study, while acknowledged by the university, was not given appropriate weight.

The university agreed to set aside the original appeal decision and upheld the appeal for a deferred exam.

#### *Making a difference*

Decision-makers should give appropriate consideration and weight to exceptional circumstances.

Where exceptional circumstances are indicated, a more flexible application of strict rules may be warranted.

## Public reports

By releasing major investigative reports, the Ombudsman is able to bring systemic issues to the attention of the Queensland Parliament, state government departments and agencies, local councils, public universities, and the community.

The Office published five major reports in 2016-17.

These reports are available online from the Queensland Ombudsman's website ([www.ombudsman.qld.gov.au](http://www.ombudsman.qld.gov.au)).

*The Patient Travel Subsidy Scheme report: An investigation into the administration of the Patient Travel Subsidy Scheme by Queensland Health* was tabled by the Hon. Peter Wellington MP, Speaker of the Queensland Parliament, on 7 June 2017.

The Patient Travel Subsidy Scheme (PTSS) provides travel and accommodation subsidies to patients required to travel more than 50 km from their nearest hospital to attend specialist medical appointments.

The investigation was initiated after complaints were received from regional, rural and remote patients about the administration of the scheme.

The investigation found that the PTSS application process is overly burdensome and significant delays in receiving financial reimbursement resulted in some patients incurring considerable expense and sometimes financial hardship.

The Ombudsman's investigation found that despite Queensland Health (QH) conducting four reviews or audits of the PTSS since 2010, which identified problems and proposed solutions, it had failed to implement necessary reforms.

The Director-General of QH accepted the Ombudsman's recommendation to determine which of the issues and recommendations from its own reviews and audits were outstanding and advised

that an implementation plan would be prepared.

*The Redland City Council defamation report: An investigation into the unreasonable threat of legal action against residents by Redland City Council* was approved for release by the Hon. Peter Wellington MP, Speaker of the Queensland Parliament, on 5 January 2017.

The investigation was launched following receipt of complaints from two residents, who had received letters from council threatening defamation action in response to alleged defamatory comments about council, council officers and the Mayor on social media. In addition, council wrote to the employer of one of the complainants advising that she had published defamatory material online which included her work email signature block.

The Ombudsman found that the council's action in threatening defamation proceedings was unreasonable and the council did not have a policy to guide decision-making around whether to fund private legal action on behalf of councillors or council employees.

As a result of recommendations made in the report, council wrote to both complainants to confirm that no legal action would be taken against either of them in relation to the comments made on social media. Council also wrote separately to the complainant whose employer was contacted and provided an explanation about why council had taken this course of action.

During the investigation the Ombudsman wrote to the Director-General of the Department of Infrastructure, Local Government and Planning about the need for all Queensland councils to have a specific policy on funding legal action for councillors and council employees.

The Director-General released a Local Government Bulletin to all Queensland councils on this issue.

*The Toowoomba Regional Council Auction Notices Report: An investigation of action taken by Toowoomba Regional Council to name a homeowner on an auction notice when selling their property for overdue rates* was approved for release by the Hon. Peter Wellington MP, Speaker of the Queensland Parliament, on 21 December 2016.

The investigation was launched following receipt of a complaint from a homeowner. Having previously been advised of council's intention to sell their property for overdue rates and charges, the landowner awoke one morning to find an auction notice which contained their full name, erected outside the property.

The investigation found that the publication by council of the name of a landowner on an auction notice is not a requirement under s.142 of the Local Government Regulation 2012, is unnecessary to support the sale of land process, and has the potential to cause significant distress to a landowner and is therefore unreasonable administrative action.

It was recommended that council cease including landowners' names in its auction notices and that it review the information that is publicly available relating to land to be sold for overdue rates and charges and make changes to its procedures to ensure no unnecessary publishing of a landowner's name occurs. Council accepted the recommendations.

The Department of Infrastructure, Local Government and Planning agreed to provide advice to all Queensland councils to the effect that it is not necessary under the legislative scheme for landowners' names to be published by councils in auction notices.

*Overcrowding at Brisbane Women's Correctional Centre: An investigation into the action taken by Queensland Corrective Services in response to overcrowding at Brisbane Women's Correctional Centre* was tabled by the Hon. Peter Wellington MP, Speaker of the Queensland Parliament, on 27 September 2016.

The Ombudsman found that Queensland Corrective Services (QCS) failed to provide adequate living conditions for prisoners at Brisbane Women's Correctional Centre (BWCC), that it is the most overcrowded correctional centre in Queensland and the level of overcrowding, compared to prisons for men, was unreasonable and improperly discriminatory.

The investigation found that the practice of housing two prisoners in a cell, known as doubling-up, is more prevalent at BWCC than in men's correctional centres.

The investigation found overcrowding at BWCC coincided with an increase in incidents of assault and self-harm and that only a small proportion of prisoners accessed education and training due to the increasing population. It also found that overcrowding had a direct effect on QCS's ability to deliver programs aimed at providing prisoners with transitional support and addressing offending behaviour and substance abuse.

The report recommended that QCS take significant and immediate action to improve the living conditions of prisoners and increase programs to mitigate the risk of reoffending, improve access to psychological services and immediately implement initiatives to reduce the growth in female prisoner numbers and overcrowding.

The Director-General of the Department of Justice and Attorney General accepted five to the recommendations in their entirety; however, as QCS is not solely responsible for initiatives to reduce prisoner numbers, it is only able to implement those recommendations for which it has responsibility.

While some recommendations have been completed, with more psychologists employed by BWCC, this Office continues to monitor QCS's implementation of others, including its work to improve the living conditions of female prisoners impacted by overcrowding.

*Management of child safety complaints: An investigation into the current child safety complaints management processes within the Department of Communities, Child Safety and Disability Services* was presented to the Hon. Peter Wellington MP, Speaker of the Queensland Parliament, on 19 July 2016.

The investigation of the management of child safety complaints was commenced in the wake of significant reforms to Queensland's child safety system.

The investigation found that the Department of Communities, Child Safety and Disability Services was not capturing all child safety complaints, due to inadequate complaint recording processes at its Child Safety Service Centres.

The investigation identified the need for greater collaboration between the department and the Office of the Public Guardian (OPG), to ensure that serious issues identified by OPG Community Visitors are handled as child safety complaints by the department.

The investigation also found that the department had failed to publish information about complaints received and resolved, despite a legal requirement to do so under the *Public Service Act 2008*. The department has since published this data.

The Ombudsman made five recommendations, including that the department improve its complaints management system and develop protocols with the OPG to decide when a matter should be considered under the department's complaints system.

The Director-General of the department accepted all five recommendations made in the report. Four of the five recommendations have now been

implemented, including a Memorandum of Understanding between the department and the OPG. The remaining recommendation, which includes consolidation of the department's complaints management databases, is partially implemented and is expected to be fully implemented by the end of December 2017.

## Complaint management system reviews

As part of its administrative improvement role, the Office undertakes reviews to improve the complaint management systems (CMS) of public agencies.

The Public Service Act requires departments and other state agencies to implement a CMS for customer complaints that complies with the current Australian Standard for complaints management.

The Local Government Act and related regulations require each local council to have a CMS in place to manage and resolve administrative action complaints.

This Office's reviews consider six key elements of each CMS:

- policy and procedures
- external visibility and accessibility
- internal communication and training
- complaints resolution
- maintenance and improvement
- external reporting.

In 2016-17, the Office reviewed:

- 22 department and other state agency CMSs and 11 local council CMSs.
- 20 department websites for complaints reporting
- 31 local council websites for complaints information, complaints policy and procedures and annual complaints reporting.

## Website reviews

### *Departments*

The *Public Service Act 2008* requires each state government department, by 30 September each year, to publish the previous financial year's complaints information including:

- the number of complaints received
- the number of those complaints resulting in further action or no further action being taken.

The Office undertook desktop reviews of each department's compliance with the reporting requirement for the 2016-17 year.

The reviews found that 14 departments fully or partially complied with the reporting requirement and six departments failed to comply.

The Ombudsman advised each department of the review outcome.

All departments responded positively to the review findings. The six departments that failed to comply promptly rectified their reporting.

Departments that were partially or non-compliant were asked to ensure the complaint reporting requirement is met in 2017-18 and beyond.

The Office will undertake a further review of departmental external reporting for the 2017-18 year.

### *Local councils*

The *Local Government Act 2009* and related regulation requires each local council to have on its website:

- information about its administrative action complaints process
- an approved administrative action complaints process policy and procedures
- annual report containing the number of administrative action complaints received and resolved.

The Office undertook desktop reviews of 16 shire councils and 15 Aboriginal shire councils for compliance with these requirements.

The reviews found that 14 councils fully or substantially complied and 17 councils were partially or non-compliant.

The Ombudsman advised each council of the review outcome and requested responses from those councils with less than full compliance.

Only 11 councils have responded. Those councils have responded positively to the review and are taking improvement action.

A follow up of outstanding responses is underway.

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## Administrative improvement advice

Administrative improvement advice is general advice provided by the Ombudsman in response to enquiries by agencies. This service is provided to help agencies improve decision-making and administrative policies, procedures and practice. The Office responded to 59 administrative improvement advice requests from agencies in 2016-17.

Of these, 42 advice requests were received from 22 state government agencies and 17 advice requests were received from 14 local councils.

Advice was provided on topics including:

- external complaints reporting
- complaints management policy and procedures
- complaints recording
- complaints recognition
- complaints model stages
- complaints assessment
- complaints timeframes
- complaints internal review processes
- managing unreasonable complainant conduct
- managing trivial, frivolous, vexatious or repeated complaints
- managing responses to internal review decisions.

## Publications

The Office produces a range of resources, including newsletters, advisories and guides to support training programs, and to assist public agencies and the community.

*Perspective* newsletters provide news, tips and advice on good decision-making and complaint management. The newsletters are distributed electronically to state agency and local council officers, public sector legal practitioners, corrections officers and the community.

*State Perspective* and *Local Perspective* inform key decision-makers, while *Legal Perspective* is targeted at public sector practitioners and private lawyers with public sector clients.

*Corrections Perspective* is tailored specifically for officers in Queensland Corrective Services.

*Community Perspective* provides information to advocacy groups, community groups and community officers about the role of the Ombudsman, complaints processes and services.

In 2016-17, the five newsletters were each published twice.

Overall, subscriptions for newsletters grew by 2% in 2016-17, bringing the total number of subscribers to 5,520.

Subscription numbers are not available for *Corrections Perspective*. This newsletter is published on the intranet of the Department of Justice and Attorney-General.

The Office publishes the *Ombudsman Advisory* to share the broader, systemic lessons learned from recent investigations. In 2016-17, the Office published three *Ombudsman Advisory* bulletins:

- Naming of property owner in an auction notice when selling property for unpaid rates unreasonable
- Attention to detail and good recordkeeping key to successful tender processes
- Where's the leak? Managing public interest disclosure.

**Table 16: Publication subscriptions**

Publication	2014-15	2015-16	2016-17
<b>State Perspective</b>	2,123	2,182	2,084
<b>Local Perspective</b>	765	771	806
<b>Legal Perspective</b>	1,255	1,436	1,491
<b>Community Perspective</b>	761	1,018	1,139
<b>Total</b>	<b>4,904</b>	<b>5,407</b>	<b>5,520</b>

*Perspective* newsletters and *Ombudsman Advisory* bulletins are available by subscription.

Publications are available online from the Queensland Ombudsman's website ([www.ombudsman.qld.gov.au](http://www.ombudsman.qld.gov.au)).

# Training

The Office provides training programs for state agencies, local councils and public universities to improve public administration.

The complaints management training program is offered in two modules: one for frontline staff and the other for internal review officers. The program focuses on the reasons people complain, how to assess complaints and the processes to follow when investigating complaints.

The good decisions training program is suitable for decision-makers at all levels of government and provides a step-by-step decision-making framework that officers can use in their daily work.

The public sector ethics training program is suitable for all agency officers and is designed to improve ethical standards across the public sector. It outlines the guiding principles of ethical decision-making and applies this framework to real-life scenarios.

Managing unreasonable conduct training is designed to help officers manage unreasonable conduct they may encounter when delivering services to the public. The content includes tips and traps, scenarios and group activities with clear strategies to assist in managing unreasonable behaviour.

In 2016-17:

- 105 training sessions were delivered (162 training sessions in 2015-16) to 1,591 public sector officers (2,616 officers in 2015-16)
- 42 sessions were held in regional Queensland (60 sessions in 2015-16).

Training delivery is dependent on client demand. Demand for training, particularly for agency group sessions, was significantly reduced in the first half of the year. The reasons for this reduced demand appeared to be budgetary considerations, staff availability and training timing. Training demand in the second half of the year significantly improved as the Office implemented additional strategies to engage with, and promote training to agencies and their officers.

In 2016-17, the Office's training programs received positive feedback from participants, with 98% reporting that the training would help them in their daily work. Of those participants, 98% were willing to recommend the training to other officers in the public sector.

Appendix B provides a detailed breakdown of the agencies that participated in training in 2016-17.

# Empowering people

Individuals are empowered to resolve complaints with public sector agencies

## Overview

The Office seeks to ensure that people have the support, advice and information necessary to manage their complaints across the Queensland public sector.

This involves building greater knowledge in the community about how to make an effective complaint and when to contact this Office.

The Office is also committed to providing greater access to complaint management information and services and offering direct referral of premature complaints.

## Community outreach

The Ombudsman helps ensure that public agencies act fairly when making administrative decisions.

The Office's services need to be accessible to the whole community. This can be a challenge in a large state with a diverse and decentralised population.

The Office addresses these challenges through its Communication and Engagement Plan, and Regional Services Program.

Targeted outreach is focused on sectors of the community that may be reluctant to access services or experience difficulty communicating their needs.

In 2016-17, the Office continued the implementation of these plans, which guide engagement with groups, including:

- Indigenous communities
- young people
- students
- regional Queenslanders
- the homeless
- culturally and linguistically diverse communities and refugees (multicultural communities)
- prisoners

- seniors, people with disabilities, special needs and carers.

Engagement strategies included:

- targeted statewide mail out of resources
- attending key community events
- delivering information sessions
- visiting regional communities
- delivering Queensland Complaints Landscape (QCL) presentations.

In 2016-17, the Office delivered seven QCL presentations to various community sectors in south-east Queensland and regionally.

The purpose of the QCL presentation is to build greater awareness and knowledge of the Ombudsman's services and agency complaints systems.

The Office received positive feedback from community organisations about the presentation and how it will help them to better support and represent their members and clients.

## Improving services

### Indigenous Queenslanders

Indigenous communities in regional and remote areas often struggle to access complaint agencies.

Initiatives undertaken in 2016-17 to improve awareness of and accessibility to the Office's services included participation in NAIDOC Week activities (Brisbane and Toowoomba) and the Booin Gari Festival (Noosa).

The Office also visited 17 key Indigenous community organisations across Queensland.

### Young people

In 2016-17, the Office visited 13 key community organisations across Queensland. A QCL presentation was delivered to representatives of the children and young people support sector in Brisbane.

The Office also conducted a targeted statewide mail-out of information and resources to key community organisations.

### Students

The Office continued to engage with key TAFE and university associations. Six student associations or services were visited across Queensland.

The Office conducted a targeted statewide mail-out of information and resources to key student organisations.

## Regional Queenslanders

The Regional Services Program (RSP) included visits to 26 regional centres across Queensland in 2016-17.

The RSP is designed to improve awareness of the Office and access to services for communities in regional and remote areas.

During 2016-17, the RSP focused on:

- public agency officers
- community/advocacy groups
- correctional centres
- Members of Parliament (MP) offices.

In 2016-17, RSP activities included training sessions, local council CMS reviews, correctional centre visits, public sector and community organisation information sessions and presentations.

The priority for 2017-18 is to build awareness and relationships with key intermediaries such as community groups and MP offices.

The Office will continue to focus on building relationships with regional agencies and councils to improve complaints management and decision-making.

**Table 17: Number of activities in regional Queensland for 2016-17**

RSP Activity	Number
Training session	29
CMS review	10
MP office	10
Public sector engagement	20
Community engagement	81

## The homeless

This year, the Office continued to engage with key community organisations to improve awareness of and accessibility to its services among the homeless community.

The Office visited six key community organisations across Queensland and also attended the Brisbane Homeless event and Ipswich Streetlinks event.

## Multicultural communities

This year, the Office continued to build strong ties with multicultural communities by attending the WelcomeFest event and visiting seven key community organisations across Queensland. The Office also produces the *Community Perspective* newsletter, distributed to multicultural community groups. There were 1,139 subscribers to *Community Perspective* in 2016-17.

Clients who speak a language other than English have access to the Translating and Interpreting Service. The Office's new website also features BrowseAloud software, which can translate and read each webpage in 74 languages.

## Prisoners

In 2016-17, Queensland Ombudsman officers visited 14 of the state's 16 correctional centres and youth detention centres.

These visits enable officers to:

- investigate and resolve complaints
- investigate systemic issues
- provide information and advice to centre management and prisoners
- audit administrative processes.

A range of posters, brochures and stickers continues to be distributed to each centre to inform prisoners and young people about the Prisoner PhoneLink telephone service, the privileged mail system and upcoming visits by Ombudsman officers.

## Seniors, people with disabilities and carers

This year, the Office visited 14 key community organisations across Queensland and delivered two QCL presentations to the sector.

The Office also conducted a targeted statewide mail-out of information and resources to key community organisations.

The Office is a certified National Relay Service (NRS) organisation. The NRS is a phone service for people who are deaf or have a hearing or speech impairment.

The Office supports Hearing Awareness Week, has included NRS contact information on its website and provides promotional material and NRS information in the induction program for new staff.

## Improving accessibility

The Office's website is a significant resource for clients to learn more about the role of the Ombudsman and its complaints process, and to help clients lodge their complaints online.

The Office launched a new website in December 2016.

The new website is responsive and more user-friendly across multiple personal devices.

The website supports self-service via an improved online complaint form and online booking system for training.

In 2016-17, 126,430 website sessions were recorded, a 21% increase on 2015-16. There has been a 22% increase in users visiting the site.

Visitors, who stay on the site for on average of just over four minutes, have viewed nearly half a million pages.

As part of its commitment to accessibility, the Office has been working with Deaf Services Queensland to reach out to the deaf community.

There are many barriers that deaf people face. One of these is that many do not understand English so they are unable to communicate easily if they have a problem. Often they will give up as the process can become too difficult.

In 2016-17, a series of videos was produced that translate a selection of pages from the Office's website in Auslan. This provides the deaf community with access to information in their first language, Auslan. These videos will be made available on our website in early 2017-18.

**Table 18: Website statistics**

	2015-16	2016-17	Change
<b>Sessions</b>	104,827	126,430	21%
<b>Mobile device sessions</b>	30,347	44,144	45%
<b>Users</b>	76,594	93,445	22%

# Capable and accountable organisation

The Office is an  
accountable organisation  
with a capable workforce

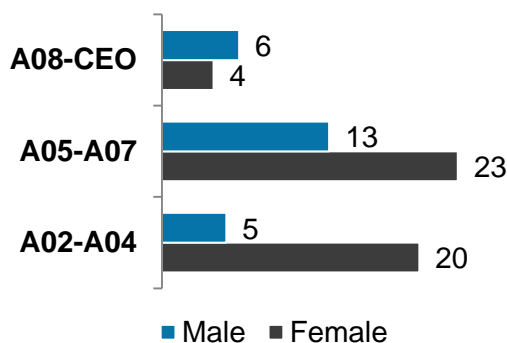
## People

### Workforce profile

At 30 June 2017, 71 officers were employed on a full-time, part-time or casual basis equating to 63 full-time equivalents (FTE). The establishment for the Office is 63 FTE.

Ombudsman officers come from diverse professional backgrounds, including law, public administration, social work, journalism and teaching. In total, women make up 66% of the Office's workforce.

Figure 17: Gender profile at 30 June 2017



The Office's equal employment opportunity census found 10% of staff identified as having a disability and 12.5% identified as having a language other than English as their first language. No staff identified as Aboriginal or Torres Strait Islander.

The permanent staff turnover for the year was 5.9% (four employees). Table 19 outlines the reasons why staff left the Office.

Table 19: Reason why staff left the Office

Reason for leaving	Number of staff
Promotion (private sector)	2
Retirement	2

### Workforce planning framework

The Office recognises the importance of building a skilled and capable workforce.

The following initiatives contribute to the Office's capacity to create a supportive workplace and attract, retain and develop staff:

- providing flexible working arrangements
- delivering a range of professional development activities
- providing access to employee support programs (such as the Employee Assistance Program)
- providing a health and wellbeing program.

### Performance management framework

The Office's integrated performance management framework includes employee induction, probation, achievement planning, performance management and an annual staff awards program.

Managers work with employees to develop achievement plans that are relevant to their work unit and drive performance. Achievement plans include:

- specific personal performance outcomes
- a focus on career planning and development
- a focus on modelling the values of the Office.

## Code of Conduct

The Office's Code of Conduct provides staff with guidance on appropriate ethical standards for work-related behaviour.

The code, based on the ethical principles and values contained in the *Public Sector Ethics Act 1994* is provided to new staff during induction and is published on the Office's website.

## Professional development

The Office supports a productive work culture where employees have the opportunity to continually improve and develop.

Development initiatives delivered during 2016-17 focused on skills for dealing with unreasonable behaviours, procurement,

project management, leadership and people management.

In 2016-17, the Office spent 1.6% of its salary budget on professional development activities. Each employee attended on average three professional development activities during the year.

As part of the achievement planning process, employees negotiate a career development plan to identify training opportunities based on their individual needs. This year, 36 different individual professional development activities were undertaken by 55 staff members.

In 2016-17, the Office spent \$4,665 on the Study and Research Assistance Scheme. This allowed staff to maintain professional qualifications and complete studies in law, business and professional communication.

**Table 20: Corporate professional development program 2016-17**

Program	Audience	Number of staff
<b>Building evacuation program<sup>1</sup></b>	All staff	90
<b>Structuring successful projects</b>	All staff	15
<b>Practical skills for job applicants</b>	All staff	10
<b>Procurement fundamentals level 1</b>	Staff with procurement responsibilities	11
<b>Procurement fundamentals level 2</b>	Staff with procurement responsibilities	10
<b>Accidental counsellor foundations</b>	Enquiry officers and investigators	21
<b>PID awareness workshop</b>	All staff	56
<b>CPR refresher</b>	Staff with current CPR qualifications	6
<b>Leading self and others module</b>	Future potential leaders	2
<b>People matters program</b>	Current and potential people managers	2

Note:

1. All staff must complete this online training annually, as a refresher, and all new staff (including temporary, contractors and student placements) must complete it within 48 hours of commencing. The reason that more staff completed the training than the Office's FTE, reported as part of Workforce profile is due to staff turnover or returning from extended periods of leave.

## Recognising staff achievements

Staff performance is recognised through the Ombudsman's annual awards program.

These awards acknowledge outstanding contributions made by staff. The Award of Excellence is given at the Ombudsman's discretion and employees are recognised for five or more years' service (in multiples of five years).

The 2015-16 annual awards ceremony was held on 18 October 2016. Awards were presented by the Ombudsman.

The recipient for the Ombudsman's Award of Excellence was Graham Rawlings.

## Flexible work arrangements

The Office encourages staff to establish flexible and balanced work arrangements, and has 18 employees working in part-time arrangements.

Staff have access to a range of initiatives, including flexible hours of work, accrued time and part-time employment, job sharing and parental leave.

Staff have access to a variety of leave including special leave, carer's leave, study leave, bereavement leave, purchased leave and leave for employees who are affected by domestic and family violence. Working parents have access to specific leave entitlements and the Office provides facilities for breastfeeding.

## Health, safety and wellbeing

The Office's Health and Safety Committee continued to promote and oversee workplace health and safety in consultation with a qualified safety advisor.

An external audit of the work health and safety management system was undertaken in June. The recommendations are currently being considered by the Health and Safety Committee.

No compensation claims were made and no days were lost to injury in 2016-17.

Information about health and wellbeing is regularly communicated to staff who are encouraged to report any situations likely to cause injury. Initiatives undertaken in 2016-17 included:

- flu vaccinations for all staff
- ergonomic assessments as requested by staff to minimise risk of musculoskeletal injury and enhance productivity
- purchase of individual standing workstations
- promotion of Queensland Safe Work Month, Queensland Mental Health Week, National Stroke Week and R U OK Day.

## Early retirement, redundancy, retrenchment

No early retirement, redundancy or retrenchment packages were paid during the reporting period.

## Performance

The Office of the Queensland Ombudsman is considered a department under s.8 of the *Financial Accountability Act 2009*. Under this Act, the Office must:

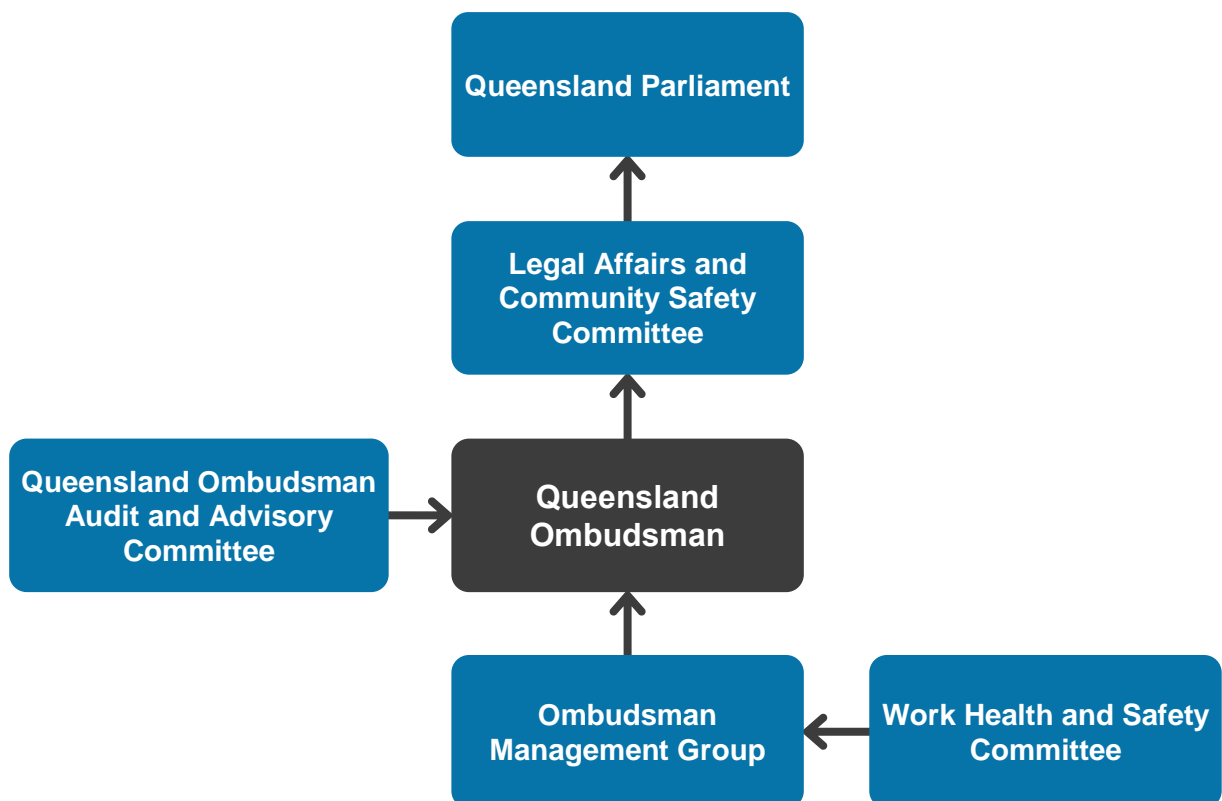
- ensure operations are carried out efficiently, effectively and economically
- establish and maintain appropriate systems of internal control and risk management
- ensure annual financial statements are prepared, certified and tabled in Parliament in accordance with the prescribed requirements
- undertake planning and budgeting.

The Office's corporate governance framework ensures:

- statutory responsibilities are met
- high standards of service delivery are achieved through continuous improvement
- risk management is integrated into organisational activities
- performance is effectively and efficiently measured and monitored.

A range of external and internal accountability measures are used by the Queensland Ombudsman.

Figure 18: Corporate governance framework



## External accountability

### Legal Affairs and Community Safety Committee

The Ombudsman is an officer of the Queensland Parliament and is accountable through the Legal Affairs and Community Safety Committee.

The committee:

- monitors and reviews the performance of the Ombudsman
- reports to Parliament on the Ombudsman's functions, or the performance of those functions, if appropriate
- examines the annual report after it has been tabled
- reports to Parliament on any changes to the functions, structures and procedures considered desirable for the effective operation of the Ombudsman Act.

The following arrangements help the committee monitor and review the Ombudsman's performance:

- The committee, the Ombudsman and senior officers meet at least once a year following the tabling of the annual report.
- The Ombudsman provides a written response to questions on notice from the committee for discussion at the meeting.
- The Ombudsman provides responses to the committee's requests for information as they arise.

### Estimates Committee hearing

In July 2016, the Ombudsman attended the annual Parliamentary Estimates hearing as chief executive of the Office.

### External audit

The Ombudsman met the timeframes for the preparation of financial reports for 2016-17. The audit report and certificate for the financial statements are contained in Appendix H – Audited financial statements.

Table 21: External accountability

Activity	Description	Outcome
<b>Legal Affairs and Community Safety Committee</b>	Monitors and reviews the Office's performance and reports to Parliament.	Accountability, transparency, high performance and compliance with statutory requirements
<b>Estimates hearing</b>	Scrutinises the past and future (planned) financial and non-financial performance.	
<b>External audit</b>	Monitors compliance with financial management requirements.	
<b>Right to information/information privacy</b>	Ensures proper processes for providing public access to documents held by the Office while safeguarding the privacy of personal information.	
<b>PIDs</b>	Ensures PIDs about the Office are dealt with in accordance with the <i>Public Interest Disclosure Act 2010</i> .	
<b>Annual report</b>	Provides a full and complete disclosure of financial and non-financial performance.	
<b>Queensland Audit Office (QAO)</b>	In accordance with the revised auditing standard ASA 720 <i>The Auditor's Responsibilities to Other Information</i> a final version of the annual report will be reviewed by QAO before being tabled to ensure no material inconsistency between the other information and the financial report.	

Table 22: Internal accountability

Activity	Description	Outcome
<b>Ombudsman Management Group</b>	Principal strategic and tactical body that considers the Office's significant statutory, accountability and risk-related responsibilities and all strategic and operational activity. It also functions as the Office's Finance Committee and endorses corporate priorities and objectives.	Accountability, transparency, high performance and compliance with statutory requirements
<b>Queensland Ombudsman Audit and Advisory Committee</b>	Provides independent assurance, advice and assistance to the Ombudsman on the risk, control and compliance frameworks and external accountability responsibilities of the Queensland Ombudsman's Office as prescribed in the <i>Financial Accountability Act 2009</i> and the Financial Accountability Regulation 2009.  The Committee acts in an advisory role in the development of strategic priorities for, and the operational planning and management of performance of the Office.  The Audit and Advisory Committee, which meets quarterly, observed the terms of its charter and had due regard to the Queensland Treasury's Audit Committee Guidelines and overviewed the finalisation of the annual financial statements of the Office.	

Activity	Description	Outcome
<b>Queensland Ombudsman Audit and Advisory Committee (cont.)</b>	<p>At every meeting, the Audit and Advisory Committee meets with the Head of Internal Audit, internal and external auditors and the Chief Finance Officer. The Committee exercises independent oversight of the Office's implementation of all audit recommendations.</p> <p>The Committee is comprised of two external members. The Committee members are the Chair, Mr Pat McCallum (Fellow of CPA Australia, Professional Fellow of the Institute of Internal Auditors – Australia), Ms Terry Campbell, and the Deputy Ombudsman, Mr Andrew Brown.</p> <p>Only the two external members are eligible to receive payment. In the financial year 2016-17 Mr McCallum, Chair, was paid \$2,340. Ms Campbell, independent external member, was paid \$2,000.</p>	Accountability, transparency, high performance and compliance with statutory requirements
<b>Internal audit</b>	<p>An Ombudsman-approved internal audit charter, consistent with relevant audit and ethical standards, is central to the internal audit process. This charter directs independent auditors and ensures they have unrestricted access to the Office's corporate systems.</p> <p>The Head of Internal Audit is Mr Leon Smith of the Department of Justice and Attorney-General.</p> <p>This year's internal audit was undertaken by Bentleys (Qld) Pty Ltd, an auditing firm independent from management and the Queensland Audit Office.</p> <p>The internal audit plan, approved and regularly reviewed by the Audit and Advisory Committee, primarily focused on:</p> <ul style="list-style-type: none"> <li>• assessing the effectiveness of the Office's risk management framework and internal controls</li> <li>• corruption and fraud control</li> <li>• human resources processes, including exiting and termination procedures</li> <li>• financial processes, including attractive assets, travel, expenditure and banking</li> <li>• compliance with policies and procedures in the Financial Management Practice Manual</li> <li>• compliance with information standards.</li> </ul> <p>The internal audit plan considers areas of significant operational and financial risk and what arrangements are in place to manage these risks.</p> <p>The internal audit function had due regard to the Queensland Treasury's Audit Committee Guidelines.</p>	
<b>Finance Committee</b>	The Ombudsman Management Group and Principal Officer – Finance and Facilities Services are responsible for planning, monitoring and reporting on the Office's budget.	
<b>Code of conduct</b>	The Office's Code of Conduct was updated in May 2015.	

## Internal accountability

### Planning for the future

The Office operated under its Strategic Plan 2015-19. The strategic plan ensures the Office is well placed to carry out its core functions.

The Operational Plan 2016-17, incorporating the strategic plan's key performance indicators, aligned core business and special projects to responsible officers.

Both the strategic and operational plans are reported on quarterly to the Ombudsman Management Group (OMG).

### Ombudsman Management Group

The OMG is the principal strategic and tactical executive body for the Office.

In accordance with the OMG Operating Charter, the OMG responsibilities include:

- advising the Ombudsman on the strategic direction and priorities for the Office and monitoring implementation
- monitoring performance to achieve planned outcomes
- monitoring strategic and operational risks
- providing strategic oversight of major operational activities
- establishing and overseeing the budget to meet performance targets
- ensuring the efficient deployment of resources to meet priorities
- promoting Office-wide ownership of, and involvement in, major operational projects
- identifying and overseeing the implementation of business improvement initiatives
- endorsing policies and procedures.

## Identifying and managing risk

The OMG continued its commitment to risk management.

External committee members, experienced in managing public sector risk issues, are members on the Office's Audit and Advisory Committee.

The Audit and Advisory Committee reviews the Office's risk plan on a quarterly basis. Under its guidance, contemporary risk assessment practices have been implemented, strengthening the governance framework.

## Executive management

### Phil Clarke

#### *Ombudsman*

Mr Clarke was appointed Queensland Ombudsman in 2011.

His career in the public sector spans over 30 years. Before being appointed Ombudsman, he was Acting Director-General and Deputy Director-General of the Department of Justice and Attorney-General.

He began his career as a surveyor before joining TAFE Queensland. He served as director of several TAFE institutes, General Manager in the Department of Employment, Training and Industrial Relations, Executive Director of the Department of Emergency Services and Deputy Director-General of the Department of Local Government, Planning, Sport and Recreation.

He holds a Bachelor of Applied Science (Surveying), a Master of Regional Science and a Diploma of Teaching (Technical and Further Education).

### Andrew Brown

#### *Deputy Ombudsman*

Mr Brown was appointed Deputy Ombudsman in 2011. His career in the public sector spans more than 25 years.

Before being appointed Deputy Ombudsman, he was Chief Inspector of Prisons, Queensland Corrective Services (QCS). His other previous roles include the Director, Legal Services, QCS, and various positions with Legal Aid Queensland.

He plays a key role in the strategic management of the Office and is responsible for overseeing the Intake and Major Projects Unit (IMP) and Investigation and Resolution Unit (IRU).

He holds a Bachelor of Arts/Law and a Master of Public Administration.

### Jess Wellard

#### *Assistant Ombudsman (IMP)*

Ms Wellard first joined the Office in 2007 as a Senior Investigator and returned in 2015 as an Assistant Ombudsman.

She has wide experience across the Office having been significantly involved in both investigation and major investigation functions. Ms Wellard currently leads the Intake and Major Projects Unit, overseeing major investigations and the registration and preliminary assessment of all complaints.

Before joining the Office, she was a solicitor in private practice at major Australian law firms. In 2014, Ms Wellard was appointed the Director (Investigations) to set up the investigation and compliance function at the Office of the Health Ombudsman.

Ms Wellard holds a Master of Criminology, Bachelor of Laws with Honours, Bachelor of Arts in Psychology, Graduate Diploma in Legal Practice, and a Graduate Certificate in Business.

### Peter Cantwell

#### *Assistant Ombudsman (IRU)*

Mr Cantwell joined the Office in 1997 as an investigator and was appointed as an Assistant Ombudsman in 1999.

He has wide experience across the Office having led major investigations, training, community engagement and intake functions. Mr Cantwell currently leads an investigative team that deals with state agency complaints.

Before joining the Office, he was a solicitor in private practice for almost 20 years. For most of this time he was a partner in the Brisbane office of a major Australasian law firm and practised in the areas of commercial law, incident investigation, coronial law, work health and safety, and administrative review.

Mr Cantwell is also an experienced workplace trainer and holds a Bachelor of Laws with Honours.

### **Geoff Airo-Farulla**

*Assistant Ombudsman (IRU)*

Dr Airo-Farulla joined the Office as an Assistant Ombudsman in 2016 and oversees investigations about state government agencies, including corrections and universities.

He joins the Office following 11 years as State Director for Queensland and the Northern Territory with the Commonwealth Ombudsman's Office. Prior to this, he served as Director of the Governance and Regulation program within the Socio-Legal Research Centre at Griffith University and was a senior lecturer in the Griffith Law School. He has also served terms on the Social Security Appeals Tribunal and the Queensland Gaming Commission. In addition, Dr Airo-Farulla was the Chair of the Management Committee of the Prisoners' Legal Service for 12 years.

Dr Airo-Farulla holds a PhD in Administrative Law, a Bachelor of Laws with Honours and a Bachelor of Arts.

### **Craig Allen**

*Assistant Ombudsman (IRU)*

Mr Allen joined the Office as a senior investigator in 1999. In 2000, he was appointed Assistant Ombudsman, Local Government and Infrastructure.

In 2012, Mr Allen was appointed to the Investigation and Resolution Unit. He oversees investigations about local council complaints.

He has extensive experience in finance, operations, policy and legislation, which he had gained while working previously with the Department of Local Government and Planning and the Brisbane City Council.

Mr Allen holds a Bachelor of Business, with majors in local government and law.

### **Diane Gunton**

*Director (Corporate Services Unit)*

Ms Gunton joined the Queensland Ombudsman in 2011.

She leads the Corporate Services Unit and manages the Office's administrative, financial, human resource, information technology, records management, planning, facilities, performance reporting, research and marketing and communication services.

Ms Gunton began her career at Brisbane City Council where she spent almost 20 years managing administrative and business improvement projects across several divisions.

She worked on a range of strategic projects at Queensland Health before joining the Office.

Ms Gunton holds a Bachelor of Business, with a major in management.

# Public interest disclosures

An annual report on the operations of the *Public Interest Disclosure Act 2010* as required under s.61 of the PID Act

## Oversight of the Public Interest Disclosure Act 2010

The *Public Interest Disclosure Act 2010* (PID Act) facilitates disclosure, in the public interest, of information about wrongdoing in the public sector. The PID Act also provides protection for those who make disclosures.

### Oversight function

The Office of the Queensland Ombudsman is the oversight agency for the PID Act.

Under the PID Act, the oversight functions include:

- overseeing the implementation of the PID Act
- reviewing the way public sector entities deal with PIDs
- performing an education and advisory role about PIDs.

The oversight agency may make standards about the way public sector entities deal with PIDs.

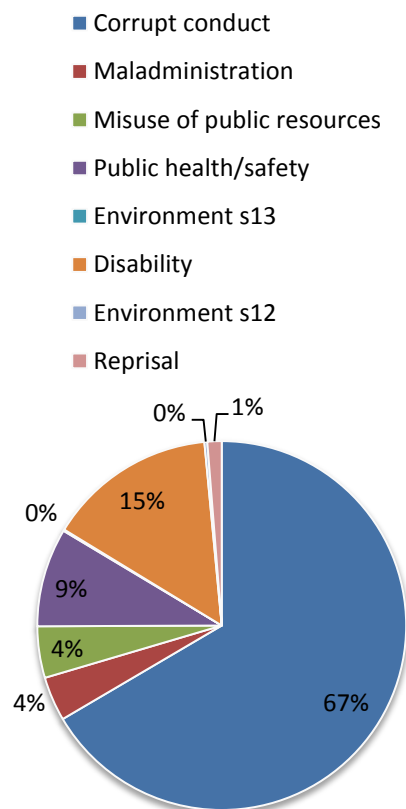
### Monitoring

Public sector entities are required to report information about PIDs they receive to the Office.

During the period from 1 July 2016 to 30 June 2017, a total of 798 PIDs were reported to the oversight agency, an increase of 36% compared with the previous year.

There was an increase in all but one type of disclosure reported, with the most significant increases being in disclosures by public sector officers of danger to public health or safety and disclosures by members of the public about danger to the health or safety of a person with a disability.

Figure 19: PIDs reported by disclosure type



These increases were driven by improved identification and assessment of PIDs, and consequently a higher level of reporting, by particular agencies.

Most PIDs continue to be about corrupt conduct (531 or 66.6% of all PIDs). Figure 19 identifies the proportion of PIDs by type with data provided in Table 25.

The majority of PIDs are reported by state government departments (427: 56.3%). The second highest proportion of reported PIDs was from 'statutory authorities'. This group includes the 16 Hospital and Health Services across Queensland. Figure 20 identifies the proportion of PIDs by agency type with data provided in Table 26.

Over 85% of PIDs reported were made by an internal discloser (an employee of the agency, manager/supervisor or auditor). Less than 3% of PIDs were made by an

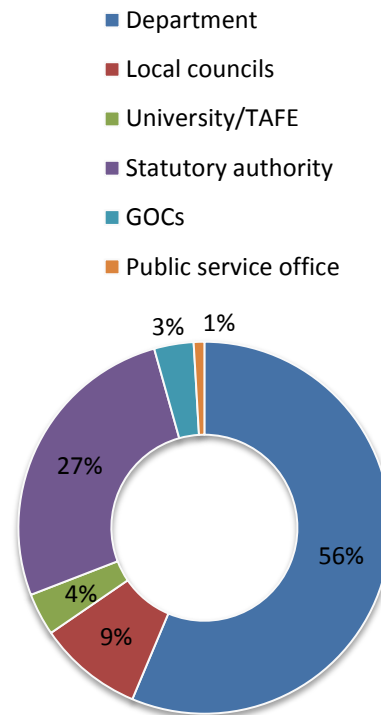
employee of another public sector entity. In 5.4% of PIDs, the discloser sought to remain anonymous, nearly twice the proportion who made anonymous PIDs in the previous year.

Members of the public made 49 reported PIDs (6.5%), which is a substantial increase on 2015-16 (13: 2.3%). Of these, 45 disclosures concerned information about a substantial and specific danger to the health or safety of a person with a disability, and were made to the Department of Communities, Child Safety and Disability Services.

The reported outcomes in response to PIDs in 2016-17 were:

- 37.2% substantiated
- 16.6% partially substantiated
- 31.3% not substantiated
- 14.9% other outcome.

Other outcomes included where the investigation of the PID was discontinued, for example, where the subject officer had resigned from the agency.



**Figure 20: PIDs reported by agency type**

The data in Table 28 shows that, of the PIDs reported as finalised in 2016-17, 53.8% were totally or partially substantiated. This represents an apparent decline over the past two years (2014-15: 60.5%, 2015-16: 57%).

However, if 'other' outcomes are excluded, and only completed investigations are considered, the rate at which PIDs are totally or partially substantiated has been consistent over the past three years (refer to Table 23).

**Table 23: Proportion of finalised PIDs totally or partially substantiated**

Year	Finalised PIDs excluding 'other' outcomes	PIDs totally or partially substantiated	%
2016-17	497	314	63.1
2015-16	302	192	63.5
2014-15	396	260	65.6

Brisbane followed by the Gold Coast continued to be the two most common locations of subject officers, as reported at Table 29.

## Reviewing

As the oversight agency, the Office also has a role in reviewing the way in which public sector entities deal with PIDs.

As part of its review function, the Office provided advice to entities to help in the development and implementation of PID policies and procedures.

During the year, feedback was provided to seven entities on draft agency-specific PID policies and procedures.

During 2016-17, the Office conducted a Policy Visibility Review, assessing compliance with the requirements of s.28 of the PID Act. The Visibility Review sampled 167 agencies and assessed:

- whether agencies had published PID procedures on a website accessible by the public
- the reasonableness of the PID procedures.

The review assessed compliance on the basis that an entity had a visible procedure which met at least minimum standards as set out in the PID Act and the Public Interest Disclosure Standard No. 1. Table 24 sets out the results of the review.

**Table 24: Proportion of sampled agencies assessed as compliant with s.28 of the PID Act**

Agency type	Sample	Compliance
State departments	20	100%
Hospital and health services	16	100%
Public agencies	28	82%
Local councils*	58	93%
Aboriginal shire councils	17	41%
GOCs	13	92%
University/tertiary education	15	60%
<b>TOTAL</b>	<b>167</b>	

\* Not including Aboriginal Shire councils

The Ombudsman wrote to the chief executive officers of 28 agencies identified in the review that either had no procedure visible, or had a minimally compliant procedure, providing advice and information on the requirements to achieve compliance with s.28 of the PID Act.

Development of a model policy and procedure for Aboriginal Shire Councils has commenced and will be forwarded to those agencies along with tailored advice and guidance.

A follow-up review will be conducted in 2017-18.

## Education and advice

A major focus in 2016-17 was education and engagement with PID coordinators and other officers within agencies with responsibility for receiving, assessing, investigating and managing PIDs.

The Office's PIDs education and advisory services include providing:

- advice and information in response to requests from agency officers and others
- opportunities for PID coordinators to network (in-person or via teleconference) and receive briefings on contemporary issues in PID management
- regular emails providing information and updates on PID issues
- online information and publications.

Following positive feedback in 2015-16, the Office expanded the delivery of PID training. The four hour *Public Interest Disclosure: Introductory Workshop* was presented four times in Brisbane and, for the first time, in Cairns. In total, 143 participants attended from 64 different public sector entities (refer to Table 30).

Five agencies requested the Office to present the workshop in-house for their staff, with a further 202 participants attending from those agencies.

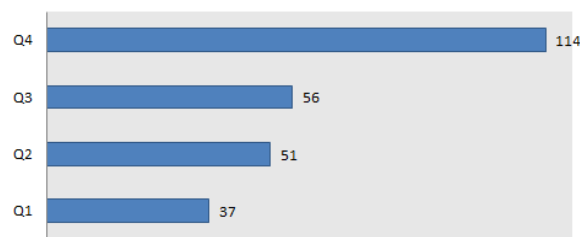
The Office provided PID awareness sessions to three organisations, designed to increase participants' knowledge of the PID Act and how they can assist their clients.

The increased engagement with agency officers through training has driven an increase in the number of enquiries about PID issues received by the Office. During 2016-17, public sector entities sought advice from the Office on a wide range of PID management matters, including:

- managing obligations to provide support and protection to disclosers and others supporting a PID investigation

- the application of the definition of 'public officer' (for example, volunteers and contractors are not considered 'public officers' for the purposes of the PID Act)
- reporting and managing PIDs about reprisal and undertaking risk assessment
- responding to anonymous disclosures
- managing confidentiality and natural justice obligations
- requirements for providing outcome advice about a PID matter to a discloser.

**Figure 21: PID enquiries received by quarter**



## Whistling While They Work 2 Research Project

As a foundation partner organisation, the Office has continued to support *Whistling While They Work 2: Improving managerial responses to whistleblowing in public and private sector organisations*, a major collaborative research project led by Griffith University.

The Office is a member of the Steering Committee for the research project, and has actively promoted participation in the research to chief executive officers and PID coordinators of public sector entities.

The first stage of the research involved a survey of organisational processes and procedures completed by 702 Australian and New Zealand public, private and not-for-profit organisations. The respondents included 54 Queensland public sector agencies – 33 state government entities and 21 local governments – comprising

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12.3% of the total sample of public sector agencies surveyed.

On 3 May 2017, analysis of the survey data from 634 organisations was released which compared responses across five key areas in the process of managing reports of wrongdoing and the disclosers who make them – incident tracking, support strategies, risk assessment, dedicated support and remediation.

The results showed that the Queensland public sector ranked second after the Commonwealth government and ahead of all other states/territories, the New Zealand Government and all private sector and not-for-profit sector industry groupings with respect to the strength of whistleblowing processes.

The next phase of the research, which is underway, involves a more in-depth focus on a smaller sample of organisations.

## Review of the PID Act

Under s.62 of the PID Act, the oversight agency must carry out a review of the operations of the Act within five years of its commencement. As the PID Act commenced on 1 January 2011, the review was required to have commenced prior to 1 January 2016.

In November 2015, the Ombudsman commenced a review of the PID Act with the release of an issues paper. This included terms of reference for the review and a call for submissions from stakeholders. The issues paper, along with 23 of the 26 submissions received in response, has been published on the Office's website.

Stakeholders were generally supportive of the PID Act's purpose of promoting disclosure of wrongdoing in the public sector, but raised some concerns about the current operation of the Act.

Following analysis of the responses, research into legislative regimes in other Australian jurisdictions and consultation with independent experts and key stakeholders, including the Crime and Corruption Commission and the Public Service Commission, a report was prepared.

The report 'Review of the *Public Interest Disclosure Act 2010* – A review pursuant to s.62 of the *Public Interest Disclosure Act 2010*' was finalised by the Ombudsman on 10 January 2017, and delivered to the Hon. Yvette D'Ath MP, Attorney-General and Minister for Justice and Minister for Training and Skills, and the Hon. Peter Wellington MP, Speaker of the Legislative Assembly, on 17 January 2017. The Attorney-General tabled the report in the Legislative Assembly on 27 February 2017.

As noted in the report, the review found that the PID Act is a key element of the public sector integrity framework in Queensland. It supports ethical conduct in the public sector by encouraging a pro-

disclosure culture. It also supports Australia's commitment to its international obligations in accordance with the United Nations Convention Against Corruption, and OECD and G20 protocols.

Although the report highlighted a number of technical, operational and implementation issues with respect to the PID Act, it was concluded that the objects of the PID Act are valid and appropriate.

The report made 40 recommendations for changes that should be made to the PID Act, including to:

- focus the PID Act on disclosures by public sector officers of internal wrongdoing
- expand the definition of public sector employee to include all those persons who are engaged in public sector workplaces, and thereby have access to information about wrongdoing, including contractors, volunteers, trainees and students
- expand protections for disclosers for a period of time after separation from their employment in the public sector
- remove personal workplace grievances as a type of public interest disclosure
- clarify confidentiality provisions
- provide review rights for administrative decisions made by public sector agencies under the PID Act
- establish an alternative administrative remedy for disclosers who experience detriment as a result of making a public interest disclosure
- improve the administration of the PID Act by public sector agencies
- enhance the clarity of the PID Act
- strengthen the oversight of the PID Act.

The report is now with the government for consideration of its response.

**Table 25: PIDs reported by disclosure type**

Disclosure type	Notes	2014-15		2015-16		2016-17	
		No.	%	No.	%	No.	%
Corrupt conduct	1	415	77.6	514	87.9	531	66.6
Official misconduct	2	26	4.9	-	-	-	-
Maladministration		40	7.5	15	2.6	31	3.9
Misuse of public resources		15	2.8	17	2.9	36	4.5
Public health or safety		5	0.9	5	0.9	69	8.6
Environment (s.13)	3	1	0.2	5	0.9	1	0.1
Disability		20	3.7	23	3.9	118	14.8
Environment (s.12)	3	4	0.7	1	0.2	2	0.2
Reprisal		9	1.7	5	0.9	10	1.3
<b>Total</b>	<b>4</b>	<b>535</b>		<b>585</b>		<b>798</b>	

Notes:

1. Corrupt conduct became a type of PID on 1 July 2014.
2. Official misconduct ceased to be a type of PID on 30 June 2014. However, 26 PIDs about official misconduct made in 2013-14 were reported to the oversight agency in 2014-15.
3. Disclosures of information about substantial and specific danger to the environment can be made by any person under s.12(1)(b) and (c) of the *Public Interest Disclosure Act 2010*, and by public officers under s.13(1)(c).
4. A PID may include more than one type of disclosure (for example, corrupt conduct and maladministration); therefore, the number of PIDs by disclosure type may exceed the number of PIDs reported by agency type.

**Table 26: PIDs reported by agency type**

Agency type	Notes	2014-15		2015-16		2016-17	
		No.	%	No.	%	No.	%
Departments		292	59.3	332	58.8	427	56.3
Local councils		68	13.8	59	10.4	69	9.1
University/TAFE		11	2.2	5	0.9	28	3.7
Statutory authorities		103	20.9	130	23.0	201	26.5
GOCs		12	2.4	34	6.0	26	3.4
Public service offices		6	1.2	5	0.9	7	0.9
<b>Total</b>	<b>1</b>	<b>492</b>		<b>565</b>		<b>758</b>	

Note:

1. A PID may include more than one type of disclosure (for example, corrupt conduct and maladministration); therefore, the number of PIDs by disclosure type may exceed the number of PIDs reported by agency type.

**Table 27: PIDs reported by type of discloser**

Discloser type	Notes	2014-15		2015-16		2016-17	
		No.	%	No.	%	No.	%
Employee of agency	1	424	86.2	499	88.3	639	84.3
Manager/supervisor of agency		10	2.0	8	1.4	7	0.9
Auditor		0	0	2	0.4	1	0.1
Employee of another public sector agency		16	3.3	16	2.8	21	2.8
Member of the public		22	4.5	13	2.3	49	6.5
Anonymous		20	4.1	16	2.8	41	5.4
Other		-	-	11	1.9	-	-
<b>Total</b>	<b>2</b>	<b>492</b>		<b>565</b>		<b>758</b>	

Note:

1. 'Employee of agency' refers to the discloser being an employee of the agency reporting the PID.
2. A PID may include more than one type of disclosure (for example, corrupt conduct and maladministration); therefore, the number of PIDs by disclosure type may exceed the number of PIDs reported by discloser type.

**Table 28: PIDs investigation outcomes**

Outcome	Notes	2014-15		2015-16		2016-17	
		No.	%	No.	%	No.	%
Substantiated		217	50.5	157	46.6	217	37.2
Partially substantiated		43	10.0	35	10.4	97	16.6
Not substantiated		136	31.6	110	32.6	183	31.3
Other		34	7.9	35	10.4	87	14.9
<b>Total</b>	<b>1</b>	<b>430</b>		<b>337</b>		<b>584</b>	

Note:

1. This table reports on the PID matters closed in a financial year. This will vary from the number of PIDs reported in the same period.

**Table 29: PIDs reported by location of subject officer**

Location	Notes	2014-15		2015-16		2016-17	
		No.	%	No.	%	No.	%
Brisbane		209	42.5	288	51.0	336	44.3
Central West		1	0.2	1	0.2	5	0.7
Darling Downs		25	5.1	18	3.2	39	5.1
Far North		22	4.5	56	9.9	106	14.0
Fitzroy		22	4.5	19	3.4	24	3.2
Gold Coast		116	23.6	67	11.9	99	13.0
Mackay		3	0.6	17	3.0	13	1.7
Moreton		4	0.8	4	0.7	4	0.5
Northern		30	6.1	17	3.0	30	4.0
North West		3	0.6	7	1.2	6	0.8
South West		0	0.0	5	0.9	16	2.1
Sunshine Coast		27	5.5	15	2.7	48	6.3
West Moreton		3	0.6	9	1.6	7	0.9
Wide Bay/Burnett		22	4.5	29	5.1	22	2.9
Not categorised		5	1.0	13	2.3	3	0.4
<b>Total</b>	<b>1</b>	<b>492</b>		<b>565</b>		<b>758</b>	

Note:

1. A PID may include more than one type of disclosure (for example, corrupt conduct and maladministration); therefore, the number of PIDs by disclosure type may exceed the number of PIDs reported by location of subject officer.

**Table 30: Agencies that participated in Public Interest Disclosures: Introductory Workshop open sessions**

Agency type	Name
<b>Local councils</b>	Cassowary Coast Regional Council
	Cairns Regional Council
	City of Gold Coast Council
	Fraser Coast Regional Council
	Lockyer Valley Regional Council
	Logan City Council
	Mareeba Shire Council
	Mount Isa City Council
	North Burnett Regional Council
	Pormpuraaw Aboriginal Shire Council
	Redland City Council
	South Burnett Regional Council
	Sunshine Coast Regional Council
	Tablelands Regional Council
	Western Downs Regional Council
<b>State government departments</b>	Department of Aboriginal and Torres Strait Islander Partnerships
	Department of Agriculture and Fisheries
	Department of Communities, Child Safety and Disability Services
	Department of Education and Training
	Department of Environment and Heritage Protection
	Department of Health
	Department of Infrastructure, Local Government and Planning
	Department of Natural Resources and Mines
	Department of the Premier and Cabinet
	Department of Science, Information Technology and Innovation
	Department of State Development
	Department of Transport and Main Roads
	Health Support Queensland
	Public Safety Business Agency
	Queensland Ambulance Service
	Queensland Fire and Emergency Services
	Queensland Police Service
<b>Hospital and Health Services</b>	Cairns and Hinterland Hospital and Health Service
	Central Queensland Hospital and Health Service
	Gold Coast Hospital and Health Service
	Metro North Hospital and Health Service
	Metro South Hospital and Health Service
	South West Hospital and Health Service

Agency type	Name
	Sunshine Coast Hospital and Health Service
	Torres and Cape Hospital and Health Service
<b>Universities/TAFE</b>	Queensland University of Technology
	TAFE Queensland
<b>Public sector agencies</b>	Anti-Discrimination Commission Queensland
	Board of Architects Queensland
	Crime and Corruption Commission
	Energy and Water Ombudsman Queensland
	Family Responsibilities Commission
	National Heavy Vehicle Regulator
	Office of the Health Ombudsman
	Office of the Public Guardian
	Public Service Commission
	QLeave
	Queensland Building and Construction Commission
	Queensland College of Teachers
	Queensland Competition Authority
	Queensland Family and Child Commission
	Queensland Law Society
	Queensland Racing Integrity Commission
	Safe Food Queensland
	Veterinary Surgeons Board
<b>Government Owned Corporations</b>	Energex Ltd
	Port of Townsville Ltd
	Queensland Rail
	Seqwater

# Financials

## Financial summary

### Managing the budget

The Queensland Ombudsman provides a complaint investigation service for the community and administrative improvement service for public agencies. The Office also monitors and reviews PIDs.

The Office ended the year in a secure financial position with adequate reserves and forecast income to fulfil its statutory responsibilities for 2017-18.

In 2016-17, the Office reported a small residual surplus of income over expenditure of \$0.020 million.

Operational expenditure excluding abnormal items totalled \$8.707 million. This represented a 0.2% increase in expenditure from 2015-16.

### Funding and revenue

The majority of funding was received as appropriation from the State Government. Revenue is also generated from training programs offered to agencies on a partial cost-recovery basis. This revenue is used primarily to fund regional training sessions and community engagement programs.

### Expenses

The biggest cost in delivering the Office's services is employee expenses, which combined with payments to employment agencies, represent 80% of total expenditure. A further 8% is committed to accommodation rental with the remaining 12% expended on general operating costs, including other property expenses, information and telecommunication costs.

### Assets

At 30 June 2017, the Office's assets totalled \$1.850 million which comprised:

- plant and equipment \$0.591 million
- intangible assets \$0.149 million
- receivables and prepayments \$0.331 million
- cash at bank \$0.779 million.

### Liabilities

As at 30 June 2017, the Office's liabilities totalled \$0.485 million which included:

- \$0.169 million in accounts payable
- \$0.316 million owing to employees.

The audited financial statements are available at Appendix H.

Table 31: Financial summary 2016-17 – Income statement

Income statement	Budget \$'000	Actual \$'000	Variance \$'000
Direct appropriations	8,216	8,194	(22)
User charges	399	367	(32)
Goods and services below fair value	0	129	129
Other revenue	35	37	2
<b>Total income from continuing operations</b>	<b>8,650</b>	<b>8,727</b>	<b>77</b>
Employee expenses	7,115	6,742	373
Supplies and services	1,346	1,666	(320)
Depreciation and amortisation	158	138	20
Other expenses	31	161	(130)
<b>Total expenses from continuing operations</b>	<b>8,650</b>	<b>8,707</b>	<b>(57)</b>
<b>Operating surplus/(deficit)</b>	<b>-</b>	<b>20</b>	<b>20</b>

Table 32: Financial summary 2016-17 – Balance sheet

Balance sheet	Budget \$'000	Actual \$'000	Variance \$'000
Cash assets	527	779	252
Receivables and prepayments	237	331	94
Payables (including employee benefits)	434	485	(51)
Capital/contributed equity	1,296	1,365	69

# Glossary

## Acronyms

BWCC – Brisbane Women’s Correctional Centre

CMS – Complaint Management System

CSU – Corporate Services Unit

EDOCS – Electronic document and records management system

EMA – Expedited merit assessment

FTE – Full-time equivalent employees

GOC – Government owned corporation

IMP – Intake and Major Projects Unit

IMSC – Information Management Steering Committee

IRU – Investigation and Resolution Unit

IS – Information Standard

MP – Member of Parliament

NAIDOC – National Aborigines and Islanders Day Observance Committee

NRS – National Relay Service

OMG – Ombudsman Management Group

PIDs – Public interest disclosures

QBCC – Queensland Building and Construction Commission

QCL – Queensland Complaints Landscape

QCS – Queensland Corrective Services

QSA – Queensland State Archives

RAPA – Registration and Preliminary Assessment Team

RSP – Regional Services Program

SDS – Service Delivery Statements

## Glossary

### *Administrative error*

Decisions and administrative actions of public agencies that are unlawful, unreasonable, unjust, oppressive, improperly discriminatory or wrong.

### *Agency*

A government department, local council or public university that falls within the jurisdiction of the Queensland Ombudsman.

### *Agreed action*

An agreed action involves working with the agency and complainant to reach a satisfactory resolution. This is a more effective and timely way to resolve a complaint where an assessment reveals evidence of administrative error.

### *Complainant*

A person bringing a complaint to the Office.

### *Complaint*

An expression of dissatisfaction about an agency within jurisdiction. Complaints include complaint issues. A complainant may raise more than one issue of complaint in relation to an administrative action or decision.

### *Complaint finalised*

A complaint that is closed by the Office after assessment, advice and/or investigation.

### *Complaint management system (CMS)*

A system for dealing with complaints.

### *Complaint received*

A complaint received during the financial year.

### *Contact*

Any contact with the Office, irrespective of whether the matter is within or outside jurisdiction.

#### *Corporate governance*

The system by which an organisation is controlled and operates, and the mechanisms by which it is held to account. Ethics, risk management, compliance and administration are all elements of corporate governance.

#### *Direct benefit recommendation*

Any recommendation made by the Office that directly benefits the complainant, for example, an apology or refund.

#### *Early merit assessment*

Business processes that may streamline the identification and finalisation of complaints that lack merit.

#### *Enquiry*

Contact where the person seeks information or assistance but does not make a specific complaint.

#### *Expedited merit assessment*

The early merit assessment process, introduced in June 2016, was continued and formalised into an expedited merit assessment that streamlines the existing practice in cases that do not require the detailed analysis traditionally applied to matters referred for investigation.

#### *Internal review*

Review of a decision undertaken by the agency that made the initial decision.

#### *Internal review request*

If a complainant is not satisfied with the outcome of an assessment or investigation by the Office, they can ask that the decision be reviewed by another officer at the same or a more senior level to that of the decision-maker.

#### *Major investigation*

An investigation where significant time and resources are expended on investigating systemic administrative errors, the results of which are tabled in Parliament.

#### *Maladministration*

A finding of administrative error by the Ombudsman under s.50 of the Act.

#### *Out of jurisdiction matter*

A matter the Office does not have the power to investigate.

#### *Own initiative investigation*

Where the Queensland Ombudsman decides to undertake an investigation into certain issues without receiving a complaint.

#### *Preliminary assessment*

An analysis of a complaint by the Office to determine how it should be managed.

#### *Prisoner PhoneLink*

A free telephone service, provided with the assistance of Queensland Corrective Services, that allows prisoners direct and confidential access to the Office at set times.

#### *Public administration*

The administrative practices of Queensland public sector agencies.

#### *Public interest disclosure (PID)*

A confidential disclosure of wrongdoing within the public sector that meets the criteria set out in the PID Act. PIDs commonly include allegations of corrupt conduct or maladministration.

#### *Public report*

A report issued by the Queensland Ombudsman under s.50 of the Act that is tabled in Parliament or publicly released with the Speaker's authority.

#### *Recommendation*

Advice provided by the Queensland Ombudsman to an agency to improve administrative practices. The Ombudsman cannot direct agencies to implement recommendations but they rarely refuse to do so. If agencies do refuse, the Ombudsman can require them to provide reasons and report to the relevant Minister, the Premier or Parliament if not satisfied with the reasons.

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*Rectification*

An investigation that results in the total or partial resolution of the complaint.

*Review*

The Queensland Ombudsman may conduct a review of the administrative practices and procedures of an agency and make recommendations for improvements.

*Systemic issue*

An error in an agency's administrative process that may impact on a number of people.

# Appendices

## Appendix A: Statistical report

Table 33: Contact with the Office by file type

Contact file type	Notes	2014-15	2015-16	2016-17
Out of jurisdiction		5,320	3,651	3,386
Complaint		6,980	7,003	6,923
Enquiry		593	569	556
Review request		64	59	77
PIDs		25	7	12
Newly registered cases	1	-	5	-
<b>Total</b>		<b>12,982</b>	<b>11,294</b>	<b>10,954</b>

Notes:

1. In 2015-16, five cases registered in late June contained insufficient detail to be categorised further in the reporting system at 30 June.

Table 34: How complaints were received

Customer channel	Notes	2014-15	2015-16	2016-17
Telephone	1	<b>3,803</b>	<b>3,831</b>	<b>3,464</b>
Telephone		3,726	3,699	3,267
Voicemail		77	132	197
Prisoner PhoneLink		<b>457</b>	<b>504</b>	<b>469</b>
Online	2	<b>1,866</b>	<b>1,885</b>	<b>2,289</b>
Email		1,023	1,084	944
Online complaint form		843	801	1,345
In writing	3	<b>673</b>	<b>608</b>	<b>523</b>
Mail		650	585	509
Fax		23	23	14
In person	4	<b>181</b>	<b>175</b>	<b>178</b>
At reception of Queensland Ombudsman Office		59	71	70
Correctional centre interview		122	104	108
<b>Total</b>		<b>6,980</b>	<b>7,003</b>	<b>6,923</b>

Notes:

1. Telephone includes messages left via voicemail.
2. Online includes both email and the online complaint form.
3. In writing includes both traditional mail and complaints received via facsimile.
4. In person includes both persons arriving at reception and participating in/present at correctional centre interviews.

**Table 35: Complaints received and brought forward**

Complaints	Notes	2014-15	2015-16	2016-17
Complaints received		6,980	7,003	6,923
Complaints brought forward	1	158	176	262

**Table 36: Complaints finalised**

Complaints	Notes	2014-15	2015-16	2016-17
Complaints finalised		6,962	6,919	6,958
Complaints open		176	262	215

Note:

1. Of the 262 complaints brought forward into 2016-17, 12 were reclassified on preliminary assessment resulting in 215 complaints open at the end of the year.

**Table 37: Complaints received by agency type**

Agency type	Notes	2014-15	2015-16	2016-17
State government departments		3,972	4,112	3,785
Statutory authorities		877	875	866
Local councils		1,744	1,687	1,783
Universities		379	326	317
Other	1	8	3	172
<b>Total</b>		<b>6,980</b>	<b>7,003</b>	<b>6,923</b>

Note:

1. TransUrban was reclassified from a state government entity to other, then outside jurisdiction in 2016-17.

Table 38: Time to finalise complaints (in days)

Number of days	2014-15	2015-16	2016-17	2016 – 17 %
Less than 10 days	4,797	4,613	4,822	69%
10-30 days	1,701	1,861	1,667	24%
31-60 days	202	171	194	3%
61-90 days	74	82	73	<1%
91-180 days	160	164	157	2%
181-270 days	24	18	28	<1%
271-365 days	1	8	12	<1%
More than 365 days	3	2	5	<1%
<b>Total</b>	<b>6,962</b>	<b>6,919</b>	<b>6,958</b>	<b>100%</b>

Table 39: Age of open complaints at 30 June (in days)

Number of days	2014-15	2015-16	2016-17	2016 – 17 %
Less than 10 days	60	109	54	25%
10-30 days	53	63	70	33%
31-60 days	30	31	30	14%
61-90 days	13	18	19	9%
91-180 days	18	34	22	10%
181-270 days	2	4	10	5%
271-365 days	0	1	6	3%
More than 365 days	0	2	4	2%
<b>Total</b>	<b>176</b>	<b>262</b>	<b>215</b>	<b>100%</b>

**Table 40: Reasons why complaints were declined at preliminary assessment (including premature and declined with advice categories)**

Reason why complaints were declined	Notes	2014-15	2015-16	2016-17
Referred for internal review by agency		3,859	3,669	3,934
Await outcome of current decision process		450	512	474
Complaint to be put in writing	2	742	788	468
Appeal right should be exhausted	1	297	325	251
Other complaints entity has investigated / will investigate	1	226	204	194
Investigation unnecessary or unjustifiable	1	65	85	64
Insufficient direct interest	1	84	28	25
Out of jurisdiction	1	25	29	26
Appeal right exhausted and further investigation unnecessary	1	32	48	25
Out of time		25	37	14
Frivolous, vexatious or not made in good faith		2	3	
Other		22	9	1
<b>Total</b>		<b>5,829</b>	<b>5,737</b>	<b>5,476</b>

Notes:

1. There was a typographical error in the 2014-15 annual report where data for 2014-15 was incorrectly represented in this table, but was reported correctly in the body of the report. This has been corrected.
2. Complaint to be put in writing includes instances where insufficient information is provided, either for a preliminary assessment or direct referral.

**Table 41: Outcome of complaints/investigations finalised**

Outcome of complaints	Notes	2014-15	2015-16	2016-17
<b>Finalised at preliminary assessment</b>		<b>5,845</b>	<b>5,757</b>	<b>5,479</b>
Declined at outset/preliminary assessment	1	5,829	5,737	5,476
Rectified during preliminary assessment		16	20	3
<b>Withdrawn</b>		<b>63</b>	<b>82</b>	<b>113</b>
Withdrawn by complainant before investigation commenced		54	68	99
Withdrawn by complainant during investigation		9	14	14
<b>Investigated</b>	2	<b>1,110</b>	<b>1,104</b>	<b>1,393</b>
Investigation discontinued		291	279	517
Investigation completed		819	825	876
<b>Total</b>		<b>7,018</b>	<b>6,943</b>	<b>6,985</b>

Notes:

1. Details in Table 37.
2. Investigations include complaints referred for investigation, Ombudsman initiatives and PIDs that are investigated.

**Table 42: Types of administrative error**

Administrative error <sup>1</sup>	2014-15	2015-16	2016-17
<b>Unreasonable or unjust</b>	8	7	14
<b>Contrary to law</b>	4	0	-
<b>Based on a mistake of law or fact</b>	1	1	-
<b>Wrong</b>	1	0	-
<b>Reasons not given/inadequate</b>	0	0	-
<b>Total</b>	<b>14</b>	<b>8</b>	<b>14</b>

Note:

1. The administrative error types relate only to recommendations made by the Ombudsman. Agreed actions are excluded.

**Table 43: Types of recommendations made to agencies**

Number of recommendations	2014-15	2015-16	2016-17
<b>Direct benefit</b>	172	181	181
<b>Systemic</b>	129	148	125
<b>Total</b>	<b>301</b>	<b>329</b>	<b>306</b>

## Appendix B: Training

Table 44: Agencies that participated in complaints management training

Agency type	Name
Local councils	Cairns Regional Council
	Central Highlands Regional Council
	City of Gold Coast
	Cloncurry Shire Council
	Hinchinbrook Shire Council
	Gladstone Regional Council
	Mackay Regional Council
	Mt Isa City Council
	Noosa Council
	Palm Island Aboriginal Shire Council
	Rockhampton Regional Council
	Toowoomba Regional Council
	Townsville City Council
	Western Downs Regional Council
State government departments and agencies	Department of Agriculture and Fisheries
	Department of Aboriginal and Torres Strait Islander Partnership
	Department of Communities Child Safety and Disability Services
	Department of Education and Training
	Department of Environment and Heritage Protection
	Department of Housing and Public Works
	Department of Justice and Attorney-General
	Department of National Parks, Sport and Racing
	Department of Natural Resources and Mines
	Department of State Development
	Department of Transport and Main Roads
	Electoral Commission Queensland
	Townsville Hospital and Health Services
	National Heavy Vehicle Regulator
	Office of the Queensland Ombudsman
	Queensland Health
	Royal Flying Doctors Service Qld
	SEQ Water
	State Library of Queensland
	TAFE Queensland
	TransLink
	Work Health Safety Queensland

Agency type	Name
<b>State government departments and agencies - continued</b>	Central West Hospital and Health Service
	Darling Downs Hospital and Health Service
	Mackay Hospital and Health Service
	Metro North Hospital and Health Service
	Sunshine Coast Hospital and Health Services
	Torres and Cape Hospital and Health Service
<b>Universities</b>	Griffith University
	James Cook University
	Southern Cross University
	University of Queensland

**Table 45: Agencies that participated in Good Decisions training**

Agency type	Name
<b>Local councils</b>	Brisbane City Council
	Bundaberg Regional Council
	Burdekin Shire Council
	Cairns Regional Council
	City of Gold Coast
	Gladstone Regional Council
	Hinchinbrook Shire Council
	Ipswich City Council
	Mt Isa City Council
	Mackay Regional Council
	Palm Island Aboriginal Shire Council
	Toowoomba Regional Council
	Townsville City Council
<b>State government departments and agencies</b>	Department of Agriculture and Fisheries
	Department of Communities, Child Safety and Disability Services
	Department of Education and Training
	Department of Energy and Water Supply
	Department of Environment and Heritage Protection
	Department of Housing and Public Works
	Department of Justice and Attorney-General
	Department of National Parks, Sport and Racing
	Department of Natural Resources and Mines
	Queensland Building and Construction Commission
	Darling Downs Hospital and Health Service
	Department of Transport and Main Roads
	Crime and Corruption Commission

Agency type	Name
<b>State government departments and agencies - Continued</b>	Energy and Water Ombudsman Queensland
	Gold Coast Waterways Authority
	Legal Aid Queensland
	Office of the Queensland Ombudsman
	Office of the Public Guardian
	Public Service Commission
	Public Trustee
	Queensland Corrective Services
	Queensland Heritage Council
	Queensland Fire and Emergency Services
	Queensland Health
	Queensland Parks and Wildlife
	Queensland Rural Adjustment Authority
	Queensland Treasury
	QLeave
	TAFE Queensland
	Caloundra Hospital Service
	Central West Hospital and Health Service
	Metro North Hospital and Health Services
	North West Hospital and Health Service
	Redcliffe Hospital and Health Service
	Sunshine Coast Hospital and Health Service
	Torres and Cape Hospital and Health Service
<b>Universities</b>	Griffith University
	University of Queensland

**Table 46: Agencies that participated in Public Sector Ethics training**

Agency type	Name
<b>Local councils</b>	Cairns Regional Council
	Mackay Regional Council
	Noosa Council
<b>State government departments and agencies</b>	Department of Agriculture and Fisheries
	Department of Communities Child Safety and Disability Services
	Department of Education and Training
	Department of Housing and Public Works
	Department of Natural Resources and Mines
	Department of Transport and Main Roads
	Energy and Water Ombudsman Queensland

Agency type	Name
State government departments and agencies - continued	Office of the Public Guardian
	Office of the Health Ombudsman
	Office of the Queensland Ombudsman
	Legal Aid Queensland
	Public Trustee
	Queensland Building and Construction Commission
	Queensland Racing Integrity Commission
	Mackay Health and Hospital Service
	Torres and Cape Hospital and Health Service
Universities	Nil

Table 47: Agencies that participated in Managing Unreasonable Conduct training

Agency type	Name
Local councils	Gladstone Regional Council
	Hinchinbrook Shire Council
	Logan City Council
	Mt Isa City Council
	Scenic Rim Regional Council
	Southern Downs Regional Council
	Townsville City Council
State government departments and agencies	Department of Aboriginal and Torres Strait Islander Partnerships
	Department of Agriculture and Fisheries
	Department of Communities, Child Safety and Disability Services
	Department of Education and Training
	Department of Environment and Heritage Protection
	Department of Housing and Public Works
	Department of Justice and Attorney-General
	Department of National Parks, Sport and Racing
	Department of Natural Resources and Mines
	Legal Aid Queensland
	Office of Liquor and Gaming Regulation
	Office of the Queensland Ombudsman
	Queensland Building and Construction Commission
	Queensland Civil and Administrative Tribunal
	Queensland Courts
	Queensland Fire and Emergency Services
	Queensland Health
	South East Queensland Water

Agency type	Name
<b>State government departments and agencies - continued</b>	TransLink
	Central West Hospital and Health Service
	Metro North Hospital and Health Service
	West Moreton Hospital and Health Service
<b>Universities</b>	University of Queensland

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## Appendix C: Right to information and privacy

During 2016-17, five right to information and 12 information privacy access applications were received and processed. An access application and an internal review that were carried over from the previous year were finalised.

Seven third-party consultation requests were received from other agencies and responses provided.

Administrative access requests continue to be actioned under the *Administrative access policy* when received.

No disciplinary action or offences occurred in relation to any officers under the relevant legislation.

## Appendix D: Managing complaints

### Complaint management system (CMS)

Complaints and requests for the internal review of decisions made by Ombudsman staff are a valuable source of feedback and a means of identifying areas for improvement.

A CMS has been implemented to manage complaints about this Office in a fair, objective and timely way.

The CMS is supported by written policy and procedures, and a complaints database. The policy is consistent with the strategic plan, Client Service Charter and s.219 of the *Public Service Act 2008*.

The policy applies to:

- any case where a person expressed dissatisfaction with the assessment, investigation or final decision
- any aspect of service provided by the Office
- the conduct of an Ombudsman officer.

### Complaints reporting and analysis

A review of a complaint may:

- confirm, revoke or amend the original decision
- reopen the original investigation
- better explain the original decision
- offer an apology or some other remedy.

In 2016-17, 77 internal review requests were received and 67 were finalised. The original decision was confirmed in 61 cases. Two issues were declined or withdrawn. In four cases further investigation was undertaken.

The outcome of each internal review is reported to the original decision-maker to improve systems and procedures.

No significant systemic improvements were identified or implemented during the year as a result of internal reviews. This is because most complaints involved factual disputes or differences of opinion about the significance of particular evidence.

In 2016-17, there were 15 service delivery complaints (SDC). These complaints relate to the behaviour or competency of an officer, or client dissatisfaction with the initial attempt to resolve the complaint. During 2016-17, 14 SDCs were finalised and of these seven were substantiated. Remedial action was taken in relation to these seven matters.

## Appendix E: Information systems and recordkeeping

Corporate records are managed in an electronic document and records management system (EDOCS) and complaint/investigation records are managed in a complaints management system (Resolve).

Records that are born digital (e.g. emails) remain in that format and are saved to a digital file in one of these systems. An official hard file is only created where there is a need to store 'original' paper records that have been digitally saved, but are not eligible for destruction.

Due to Queensland State Archives (QSA) not finalising its review of the Digitisation Disposal Policy and the delay in implementing a digital archive, the Office has not been able to transition fully to digital-only records or transfer its permanent hybrid records from offsite storage to QSA.

Recordkeeping activities during the year included:

- The inaugural recordkeeping audit occurred in February 2017. Recommendations for improvement were provided to the Information Management Steering Committee (IMSC). The IMSC accepted all 19 recommendations and five were implemented. The remainder will be implemented in the coming year.
- Quarterly reports were provided to the IMSC on issues such as the management and use of EDOCS, information technology service requests, offsite storage costs, records approved for destruction and Right to Information/Information Privacy applications received.
- One employee attended a QSA disaster response workshop for salvaging wet records. A 'disaster response kit' has since been obtained for use if such an event occurs.
- A project was established to destroy digital Resolve files where the corresponding temporary paper files were previously destroyed under the *Office of the Ombudsman Retention and Disposal Schedule: QDAN 553 v2*. This is to ensure compliance with *Information Standard 31: Retention and disposal of public records* which states that '... Public authorities should take steps to ensure all copies of temporary records are destroyed at the same time ...'
- New fields were approved for Resolve so that sentencing details, particularly restricted access periods, for 'permanent' digital-only records can be included. This will meet QSA's requirements when the digital and paper records are eventually transferred.
- An EDOCS online training module is in development and will be available via the intranet. This includes a competency assessment at the end of the training where staff must obtain 100% to pass.

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## Appendix F: Open data

The Queensland Ombudsman Annual Report 2016-17 includes information about the work of the Office and statistics about complaints and complaint handling.

The report is published on the Office's website ([www.ombudsman.qld.gov.au](http://www.ombudsman.qld.gov.au)) after it is tabled in Parliament.

Details of the Office's expenditure on consultancies, overseas travel and interpreters are available on the Office's website ([www.ombudsman.qld.gov.au](http://www.ombudsman.qld.gov.au)).

## Appendix G: Compliance checklist

Table 45: Compliance checklist as required in the *Annual report requirements for Queensland Government agencies*

Summary of requirement		Basis for requirement	Annual report reference
<b>Letter of compliance</b>	A letter of compliance from the accountable officer or statutory body to the relevant Minister/s	ARRs – section 7	Opening pages
<b>Accessibility</b>	Table of contents	ARRs – section 9.1	Opening pages
	Glossary		Page 82
	Public availability	ARRs – section 9.2	Inside front cover
	Interpreter service statement	<i>Queensland Government Language Services Policy</i> ARRs – section 9.3	Inside front cover
	Copyright notice	<i>Copyright Act 1968</i> ARRs – section 9.4	Inside front cover
	Information licensing	<i>QGEA – Information Licensing</i> ARRs – section 9.5	Inside front cover
<b>General information</b>	Introductory information	ARRs – section 10.1	Pages 1-5
	Agency role and main functions	ARRs – section 10.2	Pages 1-5
	Operating environment	ARRs – section 10.3	Page 6 to 10
<b>Non-financial performance</b>	Government's objectives for the community	ARRs – section 11.1	Page 5
	Other whole-of-government plans / specific initiatives	ARRs – section 11.2	Not applicable
	Agency objectives and performance indicators	ARRs – section 11.3	Page 12
	Agency service areas and service standards	ARRs – section 11.4	Page 15
<b>Financial performance</b>	Summary of financial performance	ARRs – section 12.1	Page 79-81
<b>Governance – management and structure</b>	Organisational structure	ARRs – section 13.1	Page 2
	Executive management	ARRs – section 13.2	Page 66-67
	Government bodies (statutory bodies and other entities)	ARRs – section 13.3	Not applicable
	<i>Public Sector Ethics Act 1994</i>	<i>Public Sector Ethics Act 1994</i> ARRs – section 13.4	Page 59
	Queensland public service values	ARRs – section 13.5	Page 5
<b>Governance – risk management and</b>	Risk management	ARRs – section 14.1	Page 65
	Audit committee	ARRs – section 14.2	Page 63-64
	Internal audit	ARRs – section 14.3	Page 64

Summary of requirement		Basis for requirement	Annual report reference
<b>accountability</b>	External scrutiny	ARRs – section 14.4	Page 63
	Information systems and recordkeeping	ARRs – section 14.5	Page 100
<b>Governance – human resources</b>	Workforce planning and performance	ARRs – section 15.1	Page 58
	Early retirement, redundancy and retrenchment	<i>Directive No.11/12 Early Retirement, Redundancy and Retrenchment</i> <i>Directive No.16/16 Early Retirement, Redundancy and Retrenchment (from 20 May 2016)</i> ARRs – section 15.2	Page 60
<b>Open data</b>	Statement advising publication of information	ARRs – section 16	Page 101
	Consultancies	ARRs – section 33.1	Page 101
	Overseas travel	ARRs – section 33.2	Page 101
	Queensland Language Services Policy	ARRs – section 33.3	Page 101
<b>Financial statements</b>	Certification of financial statements	FAA – section 62 FPMS – sections 42, 43 and 50 ARRs – section 17.1	Page 103
	Independent Auditor's Report	FAA – section 62 FPMS – section 50 ARRs – section 17.2	Page 120

ARRs – *Annual report requirements for Queensland Government agencies*

FAA – *Financial Accountability Act 2009*

FPMS – *Financial and Performance Management Standard 2009*

## Appendix H: Audited financial statements



**Office of the  
Queensland Ombudsman**

**Financial Statements  
for the year ended 30 June 2017**

## TABLE OF CONTENTS

<b>Financial Statements</b>	Statement of Comprehensive Income	Page 4
	Statement of Financial Position	Page 5
	Statement of Changes in Equity	Page 6
	Statement of Cash Flows	Page 7
	Notes to the Statement of Cash Flows	Page 8
<b>Notes to the Financial Statements</b>	A1 Basis of Financial Statement Presentation	Page 9
	A1-1 General Information	Page 9
	A1-2 Compliance with Prescribed Requirements	Page 9
	A1-3 Presentation	Page 9
	A1-4 Authorisation of Financial Statements for Issue	Page 10
	A1-5 Basis of Measurement	Page 10
	A1-6 The Reporting Entity	Page 10
	A2 Objectives of the Office	Page 10
	B1 Revenue	Page 11
	B1-1 Appropriation Revenue	Page 11
	B1-2 User Charges and Fees	Page 11
	B1-3 Goods and Services Received Below Fair Value	Page 11
	B1-4 Other Revenue	Page 12
	B2 Expenses	Page 13
	B2-1 Employee Expense	Page 13
	B2-2 Supplies and Services	Page 14
	B2-3 Depreciation and Amortisation	Page 15
	B2-4 Other Expenses	Page 15
	C1 Cash and Cash Equivalents	Page 16
	C2 Receivables	Page 16
	C3 Property Plant and Equipment and Depreciation Expense	Page 17
	C3-1 Closing Balances and Reconciliation of Carrying Amount	Page 17
	C3-2 Recognition and Acquisition	Page 17
	C3-3 Measurement using Historical Cost	Page 17
	C3-4 Depreciation Expense	Page 18

	C3-5 Impairment	Page 18
	C4 Intangibles and Amortisation Expense	Page 19
	C4-1 Closing Balances and Reconciliation of Carrying Amount	Page 19
	C4-2 Recognition and Measurement	Page 19
	C4-3 Amortisation Expense	Page 19
	C4-4 Impairment	Page 20
	C5 Payables	Page 20
	C6 Accrued Employee Benefits	Page 21
	D1 Financial Risk Disclosures	Page 22
	D1-1 Financial Instrument Categories	Page 22
	D1-2 Financial Risk Management	Page 22
	D2 Contingencies	Page 22
	D3 Commitments	Page 23
	D4 Events after the Balance Date	Page 23
	D5 Future Impact of Accounting Standards Not Yet Effective	Page 23
	E1 Budgetary Reporting Disclosures	Page 25
	E2 Budget to Actual Comparison – Statement of Comprehensive Income	Page 25
	E2-1 Explanation of Major Variances – Statement of Comprehensive Income	Page 26
	E3 Budget to Actual Comparison – Statement of Financial Position	Page 27
	E3-1 Explanation of Major Variances – Statement of Financial Position	Page 27
	E4 Budget to Actual Comparison – Statement of Cash Flows	Page 28
	E4-1 Explanation of Major Variances – Statement of Cash Flows	Page 29
	F1 Key Management Personnel (KMP) Disclosures	Page 30
	F2 Related Party Transactions	Page 33
	F3 Taxation	Page 33
	Management Certificate	Page 34
	Independent Auditor's Report	Page 35

**Office of the Queensland Ombudsman  
Statement of Comprehensive Income**

For the Year ended 30 June 2017

	Notes	2017 \$'000	2016 \$'000
<b>Income from Continuing Operations</b>			
Appropriation revenue	B1-1	8,194	8,035
User charges and fees	B1-2	367	517
Goods and services received below fair value	B1-3	129	136
Other revenue	B1-4	37	1,024
<b>Total Income from Continuing Operations</b>		<b>8,727</b>	<b>9,712</b>
<b>Expenses from Continuing Operations</b>			
Employee expenses	B2-1	6,742	6,638
Supplies and services	B2-2	1,666	1,696
Depreciation and amortisation	B2-3	138	179
Other expenses	B2-4	161	698
<b>Total Expenses from Continuing Operations</b>		<b>8,707</b>	<b>9,211</b>
<b>Operating Result from Continuing Operations</b>		<b>20</b>	<b>501</b>
<b>Other Comprehensive Income</b>		<b>-</b>	<b>-</b>
<b>Total Comprehensive Income</b>		<b>20</b>	<b>501</b>

The accompanying notes form part of these financial statements.

**Office of the Queensland Ombudsman  
Statement of Financial Position**

as at 30 June 2017

	Notes	2017 \$'000	2016 \$'000
<b>Current Assets</b>			
Cash and cash equivalents	C1	779	740
Receivables	C2	281	212
Prepayments		50	45
<b>Total Current Assets</b>		<b>1,110</b>	<b>997</b>
<b>Non-Current Assets</b>			
Property, plant and equipment	C3	591	611
Intangible assets	C4	149	117
<b>Total Non-Current Assets</b>		<b>740</b>	<b>728</b>
<b>Total Assets</b>		<b>1,850</b>	<b>1,725</b>
<b>Current Liabilities</b>			
Payables	C5	169	80
Accrued employee benefits	C6	316	300
<b>Total Current Liabilities</b>		<b>485</b>	<b>380</b>
<b>Net Assets</b>		<b>1,365</b>	<b>1,345</b>
<b>Equity</b>			
Contributed equity		880	880
Accumulated surplus/(deficit)		485	465
<b>Total Equity</b>		<b>1,365</b>	<b>1,345</b>

The accompanying notes form part of these financial statements.

**Office of the Queensland Ombudsman**  
**Statement of Changes in Equity**  
For the Year ended 30 June 2017

	Accumulated Surplus/ (Deficit)	Contributed Equity	Total
	\$'000	\$'000	\$'000
<b>Balance as at 1 July 2015</b>			
Operating result from continuing operations	(36)	880	844
	501	-	501
<b>Balance as at 30 June 2016</b>	<b>465</b>	<b>880</b>	<b>1,345</b>
<b>Balance as at 1 July 2016</b>			
Operating result from continuing operations	465	880	1,345
	20	-	20
<b>Balance as at 30 June 2017</b>	<b>485</b>	<b>880</b>	<b>1,365</b>

The accompanying notes form part of these financial statements.

**Office of the Queensland Ombudsman**  
**Statement of Cash Flows**  
For the Year ended 30 June 2017

	Notes	2017 \$'000	2016 \$'000
<b>Cash flows from operating activities</b>			
<i>Inflows:</i>			
Service appropriation receipts		8,194	7,905
User charges and fees		412	520
GST input tax credits from Australian Tax Office		196	183
GST collected from customers		50	54
Other		37	11
<i>Outflows:</i>			
Employee expenses		(6,763)	(6,603)
Supplies and services		(1,680)	(1,847)
GST paid to suppliers		(191)	(202)
GST remitted to Australian Taxation Office		(36)	(56)
Other		(32)	(39)
<b>Net cash provided by / (used in) operating activities</b>	<b>CF-1</b>	<b>188</b>	<b>(74)</b>
<b>Cash flows from investing activities</b>			
<i>Outflows:</i>			
Payments for plant and equipment and intangibles		(149)	(69)
<b>Net cash (used in) investing activities</b>		<b>(149)</b>	<b>(69)</b>
<b>Net increase / (decrease) in cash and cash equivalents</b>		<b>39</b>	<b>(143)</b>
<b>Cash and cash equivalents - opening balance</b>		<b>740</b>	<b>883</b>
<b>Cash and cash equivalents - closing balance</b>	<b>C1</b>	<b>779</b>	<b>740</b>

The accompanying notes form part of these financial statements.

## Notes to the Statement of Cash Flows

### CF-1 Reconciliation of Operating Result to Net Cash Provided by Operating Activities

	2017 \$'000	2016 \$'000
Operating surplus/(deficit)	20	501
<i>Non-Cash items included in the operating result:</i>		
Depreciation and amortisation	138	179
Assets acquired at no cost	-	(648)
Loss on disposal of assets	-	524
<i>Changes in assets and liabilities</i>		
(Increase)/decrease in receivables	(89)	(29)
(Increase)/decrease in prepayments	(5)	10
Increase/(decrease) in payables	89	(663)
(Increase)/decrease in accrued employee benefits	16	67
(Increase)/decrease in GST input tax credits receivable	5	(18)
Increase/(decrease) in GST payable	14	3
<b>Net cash provided by/(used in) operating activities</b>	<b>188</b>	<b>(74)</b>

### CF2 Non-Cash Investing and Financing Activity

Assets and liabilities received or donated/transferred by the Office are recognised as income (refer Note B1-4) or expenses (refer Note B2-4) as applicable.

## Section 1 About the Office and this Financial Report

### A1 Basis of Financial Statement Presentation

#### A1-1 General Information

The Queensland Ombudsman is an independent officer of the Parliament appointed by the Governor in Council to review complaints received from the public in respect of the administrative performance of public sector agencies. The Queensland Ombudsman also has oversight over public interest disclosures. The scope and powers of the Ombudsman are incorporated in the *Ombudsman Act 2001*.

For financial reporting purposes, the Office of the Queensland Ombudsman is a department in terms of the *Financial Accountability Act 2009* and is subsequently consolidated into the Financial Statements of the State of Queensland.

The head office and principal place of business is:

Level 18, 53 Albert Street  
Brisbane QLD 4000

#### A1-2 Compliance with Prescribed Requirements

The Office of the Queensland Ombudsman has prepared these financial statements in compliance with section 42 of the *Financial and Performance Management Standard 2009*. The financial statements comply with Queensland Treasury's Minimum Reporting Requirements for reporting periods beginning on or after 1 July 2016.

The Office is a not-for-profit entity and these general purpose financial statements are prepared on an accrual basis (except for the Statement of Cash Flow which is prepared on a cash basis) in accordance with Australian Accounting Standards and Interpretations applicable to not-for-profit entities.

#### A1-3 Presentation

##### Currency and Rounding

Amounts included in the financial statements are in Australian dollars and have been rounded to the nearest \$1,000 or, where that amount is \$500 or less, to zero, unless disclosure of the full amount is specifically required.

##### Comparatives

There have been no material restatements to comparative information.

##### Current/Non-Current Classification

Assets and liabilities are classified as either 'current' or 'non-current' in the Statement of Financial Position and associated notes.

Assets are classified as 'current' where their carrying amount is expected to be realised within 12 months after the reporting date. Liabilities are classified as 'current' when they are due to be settled within 12 months after the reporting date, or the Office does not have an unconditional right to defer settlement to beyond 12 months after the reporting date.

All other assets and liabilities are classified as non-current.

#### A1-4 Authorisation of Financial Statements for Issue

The financial statements are authorised for issue by the Queensland Ombudsman, Director, Corporate Services Unit and Principal Officer - Finance and Facilities at the date of signing the Management Certificate.

#### A1-5 Basis of Measurement

The historical cost convention is used, unless otherwise stated. This means that assets are recorded at their initial cost and are not subsequently revalued upwards and liabilities are valued at the amount initially received in exchange for the obligation.

#### A1-6 The Reporting Entity

The financial statements include all income, expenses, assets, liabilities and equity of the Office of the Queensland Ombudsman. The Office does not control any entities.

#### A2 Objectives of the Office

The vision of the Queensland Ombudsman is "Fair and accountable public administration in Queensland". The responsibilities of the Queensland Ombudsman include:

- providing a fair, independent and timely investigative service for people who believe they have been adversely affected by the decisions of public agencies
- helping agencies improve their decision-making and administrative practice
- monitoring and reviewing the management of public interest disclosures (PID) and providing education and advice about PIDs

The Office is funded for the departmental services it delivers principally by parliamentary appropriations. It also provides training on a fee for service basis.

## Section 2 Notes About Our Financial Performance

### B1 Revenue

#### B1-1 Appropriation Revenue

Reconciliation of Payments from Consolidated Fund to Appropriation Revenue Recognised in Operating Result	2017 \$'000	2016 \$'000
Budgeted appropriation revenue for services	8,216	8,322
Supplementation for salary increases	-	13
Lapsed appropriation revenue for services	(22)	(300)
<b>Appropriation Revenue for Services Recognised in Operating Result</b>	<b>8,194</b>	<b>8,035</b>

In 2017 lapsed appropriation revenue for services resulted from the deferral of amortisation on the website redevelopment project.

In 2016 lapsed appropriation revenue for services resulted from staff vacancies and higher than anticipated revenue from training. This funding was deferred for upgrading the complaints management system for the Office and replacement of desktop computers.

#### Accounting Policy - Appropriation Revenue

Appropriations received from the State Government are recognised as revenue when received.

#### B1-2 User Charges and Fees

##### Accounting Policy - User Charges and Fees

Revenue from training courses conducted by the Office is recognised when the revenue has been earned and can be measured reliably with a sufficient degree of certainty. Revenue received for training yet to be delivered at balance date is recognised as unearned revenue.

#### B1-3 Goods and Services Received Below Fair Value

##### Accounting Policy - Services Received Below Fair Value

Contributions of services are recognised only if the services would have been purchased, if they had not been donated and their fair value can be measured reliably. Where this is the case, an equal amount is recognised as revenue and an expense. The Office recognises the free of charge archival services it receives from Queensland State Archives for the storage of permanent records.

#### B1-4 Other Revenue

	2017	2016
	\$'000	\$'000
Assets received below fair value	-	648
Write-off lease incentive	-	365
Other revenue	37	11
<b>Total</b>	<b>37</b>	<b>1,024</b>

#### Accounting Policy – Assets Received Free of Charge or for Nominal Value

Assets acquired at no cost or for a nominal consideration, other than those acquired through machinery-of-Government changes, are recognised initially at fair value as at the date of acquisition. In such cases the initial recognition is as "assets received below fair value" where its cost is its fair value.

#### Disclosure – Assets Received Below Fair Value

In 2016 the Office relocated from levels 19 and 17 of 53 Albert Street to level 18 of 53 Albert Street during the year. The written down cost of \$648,000 for the level 18 office fitout (previously recognised and subsequently written off by the former Health Quality and Complaints Commission) was written on as an asset of the Office and the amount recognised as assets received below fair value.

#### Disclosure – Write-off Lease Incentive

In 2016, in conjunction with the disposal of the level 19 office fit out, the Office wrote-off the remaining balance of the associated lease incentive of \$365,000. Also refer note B2-4.

#### B2 Expenses

##### B2-1 Employee Expenses

	2017	2016
	\$'000	\$'000
Wages and salaries	5,153	5,102
Employer superannuation contributions	699	698
Annual leave levy	541	526
Long services leave levy	105	91
Other employee benefits	106	55
<b>Employee related expenses</b>		
Workers' compensation premium	33	26
Other employee related expenses	105	140
<b>Total</b>	<b>6,742</b>	<b>6,638</b>
Full-time equivalent employees	63	59

#### Accounting Policy - Wages and Salaries

Salaries and wages are recognised in the Statement of Comprehensive Income in the period in which they are due to be paid to the employees. Salaries and wages due but unpaid at reporting date are recognised in the Statement of Financial Position at the current salary rates. As the Office expects such liabilities to be wholly settled within twelve months of reporting date, the liabilities are recognised at undiscounted amounts.

#### Accounting Policy - Sick Leave

Prior history indicates that on average, sick leave taken each reporting period is less than the entitlement accrued. This is expected to continue in future periods. Accordingly it is unlikely that existing employee entitlements will be used by employees and no liability for unused sick leave entitlements is recognised. As sick leave is non-vesting, an expense is recognised for this leave as it is taken.

#### Accounting Policy - Annual Leave

Under the Queensland Government's Annual Leave Central Scheme a levy is made on the Office to cover the cost of employees' annual leave (including leave loading and on-costs). The levies are expensed in the period in which they are payable. Amounts paid to employees for annual leave are claimed from the scheme quarterly in arrears.

#### Accounting Policy - Long Service Leave

Under the Queensland Government's Long Service Leave Scheme, a levy is made on the Office to cover the cost of employees' long service leave. The levies are expensed in the period in which they are payable. Amounts paid to employees for long service leave are claimed from the scheme quarterly in arrears.

#### Accounting Policy - Superannuation

Employer superannuation contributions are paid to QSuper, the superannuation scheme for Queensland Government employees, at rates determined by the Treasurer on the advice of the State Actuary. Contributions are expensed in the period in which they are paid or payable.

The Office's obligation is limited to its contribution to QSuper. The QSuper scheme has defined benefit and defined contribution categories. The liability for defined benefits is held on a whole-of-government basis and reported in those financial statements pursuant to AASB 1049 *Whole of Government and General Government Sector Financial Reporting*.

From 1 July 2017 employees have the right to choose the fund into which the Office will make its superannuation contributions.

Key management personnel and remuneration disclosures are detailed in Note F1.

#### B2-2 Supplies and Services

	2017	2016
	\$'000	\$'000
Consultants and contractors	75	372
Computer support	222	230
Office maintenance	41	59
Operating lease payments	695	536
Payments to employment agencies	190	97
Telephones/communication	80	72
Travel including education and engagement	121	108
General supplies and services	242	222
<b>Total</b>	<b>1,666</b>	<b>1,696</b>

#### Accounting Policy – Supplies and Services

Expenses are recognised in the Statement of Comprehensive Income in the period in which the Office receives the goods or services.

#### Accounting Policy – Operating Lease Rentals

Operating lease payments are representative of the pattern of benefits derived from the leased assets and are expensed in the periods in which they are incurred.

#### B2-3 Depreciation and Amortisation

	2017	2016
	\$'000	\$'000
Depreciation	121	179
Amortisation	17	0
<b>Total</b>	<b>138</b>	<b>179</b>

#### B2-4 Other Expenses

	2017	2016
	\$'000	\$'000
External audit fees	19	19
Sundry expenses	13	19
Loss on disposal of assets	-	524
Storage services received free of charge from Queensland State Archives	129	136
<b>Total</b>	<b>161</b>	<b>698</b>

#### Disclosures Relating to Other Expenses

##### Audit Fees

Total external audit fees paid to the Queensland Audit Office relating to the 2016-17 financial year are quoted to be \$19,000 (2016: \$19,000). There are no non-audit services included in this amount.

##### Loss on Disposal of Assets

In 2016 loss on disposal of assets resulted from the write-off of the written down cost of the fitout on level 19 and 17 of 53 Albert Street of \$524,000.

##### Storage Services Received Free of Charge from Queensland State Archives

The corresponding income recognised for the archival storage services provided by State Archives is shown in the Statement of Comprehensive Income.

### Section 3 Notes About Our Financial Position

#### C1 Cash and Cash Equivalents

##### Accounting Policy - Cash and Cash Equivalents

For the purposes of the Statement of Financial Position and the Statement of Cash Flows, cash assets includes all cash and cheques received but not banked at 30 June as well as deposits at call with financial institutions.

Office bank accounts grouped within the whole-of-Government set-off arrangement with the Queensland Treasury Corporation do not earn interest on surplus funds. Interest earned on the aggregate set-off arrangement balance accrues to the Consolidated Fund.

#### C2 Receivables

	2017	2016
	\$'000	\$'000
Accounts receivables	56	5
Less: allowance for impairment loss	-	-
	56	5
GST receivable	44	49
GST payable	(15)	(1)
	29	48
Annual leave reimbursements	116	108
Long service leave reimbursements	80	51
Total	196	159
Total	281	212

##### Accounting Policy - Receivables

Receivables are recognised at the amounts due at the time of sale or service delivery (i.e. the agreed purchase/contract price). Annual leave and long service leave reimbursements are claimed and recognised on a quarterly basis.

##### Disclosure - Credit Risk Exposure of Receivables

The recoverability of receivables is regularly reviewed and an allowance for impairment is provided when there is evidence that they are not fully recoverable. There were no bad debts written off during the financial year, nor any receivables impaired.

### C3 Property Plant and Equipment and Depreciation Expense

#### C3-1 Closing Balances and Reconciliation of Carrying Amount

	2017	2016
	\$'000	\$'000
At cost	925	905
Less: Accumulated depreciation	(334)	(294)
Carrying Amount as at 30 June	591	611

Represented by movements in carrying amounts:

	2017	2016
	\$'000	\$'000
Carrying amount at 1 July	611	666
Acquisitions	101	-
Assets received below fair value	-	648
Disposals #	-	(524)
Depreciation	(121)	(179)
Carrying amount at 30 June	591	611

# \$80,000 of plant and equipment with a written down value of \$0 were removed during 2017.

#### C3-2 Recognition and Acquisition

##### Accounting Policy - Recognition

Items of plant and equipment with a historical cost, or other value, equal to or in excess of \$5,000 are recognised as property plant and equipment for financial reporting purposes in the year of acquisition.

Items with a lesser value are expensed in the year of acquisition. Maintenance expenditure that merely restores original service potential is also expensed.

##### Accounting Policy - Cost of Acquisition

All assets are initially recorded at their purchase price plus any costs incurred that are directly attributable to bringing the asset to the location and condition necessary for it to be able to operate as intended. Assets acquired at no or for nominal cost are recognised at their fair value at date of acquisition.

#### C3-3 Measurement using Historical Cost

##### Accounting Policy

Plant and equipment, (that is not classified as major plant and equipment) is measured at cost in accordance with Queensland Treasury's Non-Current Asset Policies for the Queensland Public Sector. The carrying amounts for such plant and equipment at cost is not materially different from their fair value. Consequently the Office does not categorise its assets and liabilities within the levels described by AASB 13 Fair Value Measurement.

### C3-4 Depreciation Expense

Property, plant and equipment is depreciated on a straight-line basis so as to allocate the net cost of each asset, less any estimated residual value, progressively over its estimated useful life to the Office.

#### Key Judgement:

The depreciable amount of leasehold improvements is allocated progressively over the estimated useful lives of the improvements or the unexpired period of the lease, whichever is the shorter. The unexpired period of leases includes any option period where exercise of the option is probable.

**Key Estimate:** For each class of depreciable asset the following depreciation rates are used:

Class	Useful Life
Plant and equipment:	
Computer equipment	3 - 5 years
Office equipment	3 years
Office fit out	6 years

#### Disclosure – Office Fit Out

The Office fitout is being depreciated until the end of the lease commitment in February 2022.

### C3-5 Impairment

#### Accounting Policy

All non-current physical assets are assessed for indicators of impairment on an annual basis, with any impairment loss recognised immediately in the Statement of Comprehensive Income. No impairment losses were recorded during the year.

## C4 Intangibles and Amortisation Expense

### C4-1 Closing Balances and Reconciliation of Carrying Amount

	2017 \$'000	2016 \$'000
Software purchased		
At cost	637	471
Less: Accumulated amortisation	(488)	(471)
Software - work in progress		
At cost	-	117
<b>Carrying Amount at 30 June</b>	<b>149</b>	<b>117</b>
<i>Represented by movements in carrying amount:</i>		
Carrying amount at 1 July	117	48
Acquisitions	49	69
Amortisation	(17)	-
<b>Carrying Amount at 30 June</b>	<b>149</b>	<b>117</b>

### C4-2 Recognition and Measurement

#### Accounting Policy

Intangible assets of the Office comprise purchased software including business systems. Intangible assets with a historical cost or other value equal to or greater than \$100,000 are recognised in the financial statements. Items with a lesser value are expensed. Any training costs are expensed as incurred. There is no active market for any of the Office's intangible assets. As such, the assets are recognised and carried at historical cost less accumulated amortisation.

### C4-3 Amortisation Expense

#### Accounting Policy

All intangible assets of the Office have finite useful lives and are amortised on a straight line basis over their estimated useful lives to the Office.

#### Useful Life

**Key estimate:** For each class of intangible asset the following amortisation rates are used:

Intangible Asset	Useful Life
Software purchased	3 - 5 years

#### Other Disclosures

The Office has a complaints management system with an original cost of \$471,000, which has been fully amortised, but is still being used in the provision of services.

#### C4-4 Impairment

##### Accounting Policy

All intangible assets are assessed for indicators of impairment on an annual basis. If an indicator of possible impairment exists, the Office determines the asset's recoverable amount. Any amount by which the asset's carrying amount exceeds the recoverable amount is recorded as an impairment loss.

#### C5 Payables

	2017	2016
	\$'000	\$'000
Trade creditors	70	68
Unearned revenue	97	-
Other Payables	2	12
<b>Total</b>	<b>169</b>	<b>80</b>

##### Accounting Policy - Payables

Trade creditors are recognised upon receipt of the goods or services at the agreed purchase/contract price, gross of applicable trade and other discounts. Amounts owing are unsecured.

#### C6 Accrued Employee Benefits

	2017	2016
	\$'000	\$'000
<b>Current</b>		
Wages outstanding	132	108
Annual leave levy payable	152	160
Long service leave levy payable	32	32
<b>Total</b>	<b>316</b>	<b>300</b>

##### Accounting Policy - Accrued Employee Benefits

No provision for annual leave or long service leave is recognised in the Office's financial statements as the liability is held on a whole-of-government basis and reported in those financial statements pursuant to AASB 1049 *Whole of Government and General Government Sector Financial Reporting*.

#### Section 4

### Notes About Risk and Other Accounting Uncertainties

#### D1 Financial Risk Disclosures

##### D1-1 Financial Instrument Categories

Financial assets and financial liabilities are recognised in the Statement of Financial Position when the Office becomes party to the contractual provisions of the financial instrument. The Office has the following categories of financial assets and financial liabilities:

Category	Notes	2017 \$'000	2016 \$'000
<b>Financial Assets</b>			
Total cash and cash equivalents	C1	779	740
Receivables	C2	281	212
<b>Total Financial Assets</b>		<b>1,060</b>	<b>952</b>
<b>Financial Liabilities</b>			
Payables	C5	169	80
<b>Total Financial Liabilities</b>		<b>169</b>	<b>80</b>

No financial assets and financial liabilities have been offset and presented net in the Statement of Financial Position.

##### D1-2 Financial Risk Management

(a) Risk Measurement and Management Strategies

Due to the nature of the Office's activities exposure to credit risk, liquidity risk or market risk is considered immaterial. Financial risk management is implemented pursuant to Government and Office policy.

All payables are due within twelve months.

#### D2 Contingencies

##### Litigation in Progress

No litigation involving the Office was in progress at 30 June 2017.

##### Financial Guarantees

The Office was not committed to any guarantees or undertakings at 30 June 2017.

#### D3 Commitments

##### Non-Cancellable Operating Lease Commitments

Commitments under operating leases at reporting date (inclusive of non-recoverable GST input tax credits) are payable:

	2017 \$'000	2016 \$'000
Not later than one year	728	897
Later than one year and not later than five years	2,902	3,114
Greater than five years	-	515
<b>Total</b>	<b>3,630</b>	<b>4,326</b>

The Office has a financial commitment to the Department of Housing and Public Works for accommodation rental in respect of the Office's premises until February 2022.

#### D4 Events after the Balance Date

There were no material occurrences after 30 June 2017.

#### D5 Future Impact of Accounting Standards Not Yet Effective

The Office is not permitted to early adopt a new or amended accounting standard ahead of the specified commencement date unless approval is obtained from Queensland Treasury. The Office applies standards and interpretations in accordance with their respective commencement dates.

At the date of authorisation of the financial report, the expected impacts of new or amended Australian Accounting Standards issued but with future commencement dates are set out below:

##### AASB 1058 Income of Not-for-Profit Entities and

##### AASB 15 Revenue from Contracts with Customers

These standards will first apply to the Office from its financial statements for 2019-20.

The Office does not currently have any revenue contracts with a material impact for the period after 1 July 2018, and will monitor the impact of any such contracts subsequently entered into before the new standards take effect.

##### AASB 16 Leases

This Standard will first apply to the Office from its financial statements for 2019-20. When applied, the standard supersedes AASB 117 Leases, AASB Interpretation 4 Determining whether an Arrangement contains a Lease, AASB Interpretation 115 Operating Leases – Incentives and AASB Interpretation 127 Evaluating the Substance of Transactions Involving the Legal Form of a Lease.

##### Impact for Lessees

Unlike AASB 117 Leases, AASB 16 introduces a single lease accounting model for lessees. Lessees will be required to recognise a right-of-use asset (representing rights to use the underlying leased asset) and a liability (representing the obligation to make lease payments) for all leases with a term of more than 12 months, unless the underlying assets are of low value.

In effect, the majority of operating leases (as defined by the current AASB 117) will be reported on the statement of financial position under AASB 16.

There will be a significant increase in assets and liabilities for agencies that lease assets. The impact on the reported assets and liabilities would be largely in proportion to the scale of the agency's leasing activities.

The right-of-use asset will be initially recognised at cost, consisting of the initial amount of the associated lease liability, plus any lease payments made to the lessor at or before the commencement date, less any lease incentive received, the initial estimate of restoration costs and any initial direct costs incurred by the lessee. The right-of-use asset will give rise to a depreciation expense.

The lease liability will be initially recognised at an amount equal to the present value of the lease payments during the lease term that are not yet paid. Current operating lease rental payments will no longer be expensed in the Statement of Comprehensive Income. They will be apportioned between a reduction in the recognised lease liability and the implicit finance charge (the effective rate of interest) in the lease. The finance cost will also be recognised as an expense.

AASB 16 allows a 'cumulative approach' rather than full retrospective application to recognising existing operating leases. If a lessee chooses to apply the 'cumulative approach', it does not need to restate comparative information. Instead, the cumulative effect of applying the standard is recognised as an adjustment to the opening balance of accumulated surplus (or other component of equity, as appropriate) at the date of initial application. The Office will await further guidance from Queensland Treasury on the transitional accounting method to be applied.

The Office has not yet quantified the impact on the Statement of Comprehensive Income or the Statement of Financial Position of applying AASB 16 to its current operating leases, including the extent of additional disclosure required.

## Section 5

### Notes On Our Performance Compared to Budget

#### E1 Budgetary Reporting Disclosures

This section discloses the Office's original published budgeted figures for 2016-17 compared to actual results, with explanations of major variances, in respect of the Office's Statement of Comprehensive Income, Statement of Financial Position and Statement of Cash Flows.

#### E2 Budget to Actual Comparison – Statement of Comprehensive Income

Statement of Comprehensive Income	Variance Notes	Original Budget 2017 \$'000	Actual 2017 \$'000	Variance \$'000
<b>Income from continuing operations</b>				
Appropriation revenue		8,216	8,194	(22)
User charges and fees		399	367	(32)
Goods and services below fair value	V1	-	129	129
Other revenue		35	37	2
<b>Total income from continuing operations</b>		<b>8,650</b>	<b>8,727</b>	<b>77</b>
<b>Expenses from continuing operations</b>				
Employee expenses	V2	7,115	6,742	373
Supplies and services	V3	1,346	1,666	(320)
Depreciation and amortisation		188	138	20
Other expenses	V4	31	161	(130)
<b>Total expenses from continuing operations</b>		<b>8,680</b>	<b>8,707</b>	<b>(57)</b>
<b>Operating result from continuing operations</b>		<b>-</b>	<b>20</b>	<b>20</b>
<b>Other comprehensive income</b>		<b>-</b>	<b>-</b>	<b>-</b>
<b>Total comprehensive income</b>		<b>-</b>	<b>20</b>	<b>20</b>

## E2-1 Explanation of Major Variances – Statement of Comprehensive Income

- V1. The offsetting revenue and expenditure recognised in relation to the provision of free archival services by Queensland State Archives are not provided for in the budget and have no net financial effect on the operations of the Office.
- V2. Employee expenses were lower than expected due to a greater use of employment agency staff by the Office and the management of vacancies to ensure a balanced operating position would be achieved.
- V3. The increase in supplies and services as compared to budget, includes an increase in the payment to employment agency staff of \$0.190 million.
- V4. Other expenses include \$0.129 million recognised in relation to the provision of free archival services by Queensland State Archives. The matching revenue item is shown as goods and services below fair value.

## E3 Budget to Actual Comparison – Statement of Financial Position

Statement of Financial Position	Variance Notes	Original Budget 2017 \$'000	Actual 2017 \$'000	Variance \$'000
<b>Current assets</b>				
Cash and cash equivalents	V5	527	779	252
Receivables	V6	176	281	105
Other current assets		61	50	(11)
<b>Total current assets</b>		<b>764</b>	<b>1,110</b>	<b>346</b>
<b>Non-current assets</b>				
Intangible assets		396	149	(247)
Plant and equipment	V7	570	591	21
<b>Total non-current assets</b>		<b>966</b>	<b>740</b>	<b>(226)</b>
<b>Total assets</b>		<b>1,730</b>	<b>1,850</b>	<b>120</b>
<b>Current liabilities</b>				
Payables		201	169	32
Accrued employee benefits		233	316	(83)
<b>Total current liabilities</b>		<b>434</b>	<b>485</b>	<b>(51)</b>
<b>Total liabilities</b>		<b>434</b>	<b>485</b>	<b>(51)</b>
<b>Net assets</b>		<b>1,296</b>	<b>1,365</b>	<b>69</b>
<b>Equity</b>				
Contributed equity		880	880	-
Accumulated surplus/(deficit)		416	485	69
<b>Total equity</b>		<b>1,296</b>	<b>1,365</b>	<b>69</b>

## E3-1 Explanation of Major Variances – Statement of Financial Position

- V5. Cash assets are higher than budget due to the deferral of the \$0.250 million upgrade of the Office's complaints management system.
- V6. Higher receivables included increased receivables for training courses.
- V7. Intangibles are lower than budget due to the deferral of the upgrade to the Office's complaints management system.

#### E4 Budget to Actual Comparison – Statement of Cash Flows

##### Statement of Cash Flows

	Variance Notes	Original Budget 2017 \$'000	Actual 2017 \$'000	Variance \$'000
<b>Cash flows from operating activities</b>				
<i>Inflows:</i>				
Appropriation receipts		8,216	8,194	(22)
User charges and fees		403	412	9
GST input tax credits from Australian Taxation Office		120	196	76
GST collected from customers			50	50
Other		33	37	4
<i>Outflows:</i>				
Employee expenses	V8	(7,118)	(6,763)	355
Supplies and services	V9	(1,346)	(1,680)	(334)
GST paid to suppliers		(120)	(191)	(71)
GST remitted to Australian Taxation Office			(36)	(36)
Other		(24)	(32)	(8)
<b>Net cash provided by operating activities</b>		<b>164</b>	<b>188</b>	<b>24</b>
<b>Cash flows from investing activities</b>				
<i>Outflows:</i>				
Payments for non-financial assets	V10	(330)	(149)	181
<b>Net cash (used in) investing activities</b>		<b>(330)</b>	<b>(149)</b>	<b>181</b>
Net increase (decrease) in cash and cash equivalents		(166)	39	205
Cash and cash equivalents at beginning of financial year		693	740	47
<b>Cash and cash equivalents at end of financial year</b>	<b>V11</b>	<b>527</b>	<b>779</b>	<b>252</b>

#### E4-1 Explanation of Major Variances – Statement of Cash Flows

- V8. Employee expenses were lower than expected due to a greater use of employment agency staff by the Office and the management of vacancies to ensure a balanced operating position would be achieved.
- V9. The increase in supplies and services as compared to budget includes an increase in the payment to employment agency staff of \$0.190 million.
- V10. The reduction in payments for non-financial assets reflects the deferral of \$0.250 million for the upgrade to the Office's complaints management system offset by deferred expenditure to finalise the upgrade of the Office's website.
- V11. The higher level of cash equivalents at year end reflects the deferral of the expenditure on the Office's complaint management system.

## Section 6 Other Information

### F1 Key Management Personnel (KMP) Disclosures

The following details for key management personnel include those positions that had authority and responsibility for planning, directing and controlling the activities of the Office during 2016-17 and 2015-16. Further information on these positions can be found in the body of the Annual Report under the section relating to Executive Management.

#### Ombudsman

The Ombudsman directs the overall efficient, effective and economical administration of the Office.

Incumbent	Contract Classification and Appointment Authority	Date of Initial Appointment	Date of Resignation or Cessation
Phillip Clarke #	CEO / s.62 of Ombudsman Act 2001	10/01/2011	-

# Phillip Clarke was reappointed as Ombudsman on 10 January 2016.

#### Deputy Ombudsman

This position manages the Intake and Major Projects Unit and the Investigation and Resolution Unit in meeting the Office's statutory functions efficiently and effectively.

Incumbent	Contract Classification and Appointment Authority	Date of Initial Appointment	Date of Resignation or Cessation
Andrew Brown	SES / s.76 of Ombudsman Act 2001	10/10/2011	-

#### Director Corporate Services Unit

This position manages the corporate services unit which support the Office's statutory functions.

Incumbent	Contract Classification and Appointment Authority	Date of Initial Appointment	Date of Resignation or Cessation
Diane Gunton	SO / s.76 of Ombudsman Act 2001	03/05/2011	-

### Remuneration Policies

Remuneration policy for the Office's key management personnel is set by the Governor-in-Council in accordance with the provisions of the *Ombudsman Act 2001*. The remuneration and other terms of employment for the key management personnel are specified in employment contracts.

Remuneration expenses for key management personnel comprise the following components:-

- short term employee expenses which include salaries, allowances and leave entitlements earned and expensed for the entire year or for that part of the year during which the employee occupied the specified position
- long term employee benefits include amounts expensed in respect of long service leave
- post-employment benefits include amounts expensed in respect of employer superannuation obligations
- termination benefits are specified within individual contracts of employment. Contracts of employment provide for notice periods, service and separation payments and a repayment clause. No reason needs to be given for a contract termination.

### KMP Remuneration Expense

The following disclosures focus on the expenses incurred by the Office that is attributable to key management positions during the respective reporting periods. Therefore, the amounts disclosed reflect expenses recognised in the Statement of Comprehensive Income.

#### 1 July 2016 - 30 June 2017

Position	Short Term Employee Expenses		Long Term Employee Expenses	Post-Employment Expenses	Termination Benefits	Total Expenses
	Monetary Expenses \$'000	Non-Monetary Benefits \$'000				
Ombudsman	297	0	12	37	0	346
Deputy Ombudsman *	190	0	6	22	0	218
Director, Corporate Services Unit	136	0	4	17	0	157

\* includes relieving allowance whilst relieving in the position of Ombudsman.

#### 1 July 2015 - 30 June 2016

Position	Short Term Employee Expenses		Long Term Employee Expenses	Post-Employment Expenses	Termination Benefits	Total Expenses
	Monetary Expenses \$'000	Non-Monetary Benefits \$'000				
Ombudsman	291	0	30	32	0	354
Deputy Ombudsman #	198	0	5	21	0	224
Director, Corporate Services Unit	130	0	3	16	0	149

\* includes relieving allowance while relieving in the position of Ombudsman.  
# comparative figures adjusted to exclude \$30,000 reimbursed for short-term relieving within the Office of the Health Ombudsman.

#### Performance Payments

The remuneration packages for all Key Management Personnel do not provide for any performance or bonus payments.

## F2 Related Party Transactions

### Transactions with people or entities related to KMP

There were no material transactions with people or entities related to KMP.

### Transactions with other Queensland Government agencies

The Office's primary sources of funding are appropriation revenue and equity injections, both of which are provided in cash via Queensland Treasury, and from the delivery of training courses to Government agencies on ordinary commercial terms. The Office sources its accommodation requirements via commercial arrangements with the Department of Housing and Works (refer note B2-2 and D3) and receives free of charge archival storage services from Queensland State Archives (refer note B2-4).

## F3 Taxation

The Office is exempt from Commonwealth taxation under the *Income Tax Assessment Act 1936* with the exception of Fringe Benefits Tax (FBT) and Goods and Services Tax (GST). FBT and GST are the only taxes accounted for by the Office.

GST credits receivable from, and GST payable to the Australian Taxation Office, are recognised (refer Note C2).

### Management Certificate

These general purpose financial statements have been prepared pursuant to section 62(1) of the *Financial Accountability Act 2009* (the Act), section 42 of the *Financial and Performance Management Standard 2009* and other prescribed requirements. In accordance with section 62(1)(b) of the Act we certify that in our opinion:

- (a) the prescribed requirements for establishing and keeping the accounts have been complied with in all material respects; and
- (b) the financial statements have been drawn up to present a true and fair view, in accordance with prescribed accounting standards, of the transactions of the Office of the Queensland Ombudsman for the financial year ended 30 June 2017 and of the financial position of the Office at the end of that year; and
- (c) these assertions are based on an appropriate system of internal controls and risk management processes being effective, in all material respects, with respect to financial reporting throughout the reporting period.

  
D. M. Gunton

Director  
Corporate Services Unit

  
P. N. Clarke

Queensland Ombudsman

  
G. E. Rawlings CPA

Principal Officer - Finance and Facilities

8 August 2017



Page 34

### INDEPENDENT AUDITOR'S REPORT

To the Accountable Officer of the Office of the Queensland Ombudsman

#### Report on the audit of the financial report

##### Opinion

I have audited the accompanying financial report of the Office of the Queensland Ombudsman which comprises the statement of financial position as at 30 June 2017, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes to the financial statements including summaries of significant accounting policies and other explanatory information, and the certificates given by the Queensland Ombudsman, the Director, Corporate Services Unit and the Principal Officer, Finance and Facilities.

In my opinion, the financial report of the Office of the Queensland Ombudsman:

- a) gives a true and fair view of the department's financial position as at 30 June 2017, and its financial performance and cash flows for the year then ended; and
- b) complies with the *Financial Accountability Act 2009*, the *Financial and Performance Management Standard 2009* and Australian Accounting Standards.

##### Basis for opinion

I conducted my audit in accordance with the *Auditor-General of Queensland Auditing Standards*, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of my report.

I am independent of the department in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to my audit of the financial report in Australia. I have also fulfilled my other ethical responsibilities in accordance with the Code and the *Auditor-General of Queensland Auditing Standards*.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

##### Other information

Other information comprises the information included in the Office of the Queensland Ombudsman's annual report for the year ended 30 June 2017, but does not include the financial report and my auditor's report thereon. The Accountable Officer is responsible for the other information.

In connection with my audit of the financial report, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report or my knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I have nothing to report in this regard.

#### Responsibilities of the Accountable Officer for the financial report

The Accountable Officer is responsible for the preparation of the financial report that gives a true and fair view in accordance with the *Financial Accountability Act 2009*, the *Financial and Performance Management Standard 2009* and Australian Accounting Standards, and for such internal control as the Accountable Officer determines is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

The Accountable Officer is also responsible for assessing the department's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless it is intended to abolish the department or to otherwise cease its operations.

#### Auditor's responsibilities for the audit of the financial report

My objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
  - Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for expressing an opinion on the effectiveness of the department's internal control.
  - Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the department.
  - Conclude on the appropriateness of the department's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the department's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. I base my conclusions on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the department to cease to continue as a going concern.
  - Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves 'fair presentation'.
- I communicate with the Accountable Officer regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

#### Report on other legal and regulatory requirements

In accordance with s.40 of the *Auditor-General Act 2009*, for the year ended 30 June 2017:

- I received all the information and explanations I required.
- In my opinion, the prescribed requirements in relation to the establishment and keeping of accounts were complied with in all material respects.



Queensland Audit Office  
Brisbane

*P. Christensen*

P CHRISTENSEN, FCPA  
as delegate of the Auditor-General



QUEENSLAND  
**OMBUDSMAN**

*Standing for fairness*