



**ombudsman** VICTORIAN

# Annual Report

## 2023-24

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**October 2024**

## **Accessibility**

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**The Victorian Ombudsman pays respect to First Nations custodians of Country throughout Victoria. This respect is extended to their Elders past, present and emerging. We acknowledge their sovereignty was never ceded.**

## Letter to the Legislative Council and the Legislative Assembly

To

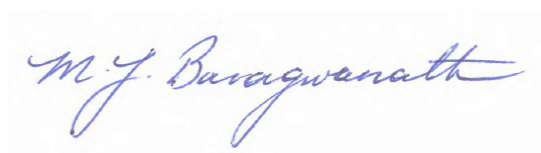
**The Honourable the President of the Legislative Council**

and

**The Honourable the Speaker of the Legislative Assembly**

Dear Presiding Officers,

I am pleased to transmit, in accordance with section 25 of the *Ombudsman Act 1973* (Vic), the Annual Report of the Victorian Ombudsman's office for the year ended 30 June 2024



Marlo Baragwanath

**Ombudsman**

31 October 2024



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# Year at a glance 2023-24

18,031

complaints received  
which were within our  
jurisdiction

94%

complaints dealt with  
in 30 days

4,842

complaints  
enquired into



105

issues conciliated  
across 52 complaints

16,382

complaints received  
by phone



6,251

complaints  
received via  
online web form



240

public interest complaint  
allegations received  
across 102 complaints

235

public interest complaint  
allegations finalised  
across 99 complaints

19

formal  
investigations  
completed



9

reports tabled  
in Parliament



Investigation recommendations  
accepted

89%

17 out of 19



Recommendations from Complaint  
System Reviews accepted

100%

27 out of 27



4,327

complaints engaged  
human rights



Most complained about portfolio

Local  
government

3,842 complaints

Most complained about issue

Poor / delayed  
communication

Social media

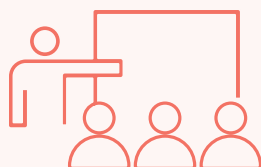
11,964

+3.8% on last year



70

educational  
workshops



Environmental impact



5.5 star NABERS energy rating

# Ombudsman's message

It is my pleasure to present the Victorian Ombudsman's 2023-24 Annual Report which covers the last nine months of my predecessor's term, and the first three months of mine.

Stepping into this new role, I have spent some time reflecting on the office's 50-year history, in order to inform its next phase.

In thinking about the last 10 years of the Ombudsman's office, I have nothing but respect for Deborah Glass OBE and her legacy of integrity, fairness and human rights.

Deborah assumed the Ombudsman role in 2014 during a pivotal moment in Victoria's integrity landscape. The standalone anti-corruption agency, IBAC, had recently been established and the Ombudsman could refocus on fairness, which was often described in terms of humanising the bureaucracy and redressing the imbalance of power between the individual and the State.

In this brief opening message, I couldn't hope to catalogue the achievements and contributions of the Ombudsman's office over the past decade; however, I will reflect on just a few features that have become key to Ombudsman work, and that will continue.

The first is keeping people at the centre of public administration. Whether in the hundreds of thousands of minutes Ombudsman officers spend on the phones with Victorians every year; the thousands of complaints dealt with; or the published casebooks and reports – the Ombudsman tells people's stories. Our focus on real people and real experiences will remain.

The second is the Ombudsman's reputation and expertise for rigorous investigations. As we've seen over the last 10 years – and twice in my first 90 days – Parliament, and even occasionally government, look to the Ombudsman to investigate issues of concern across the sector and report on them. The investigations are evidenced, nuanced and genuinely seek to improve public administration for all Victorians.



The third, and perhaps most important, feature is the role of the Ombudsman in the protection of human rights. While Victoria has had a Human Rights Charter since 2006, in Deborah's term, the office focused on using Charter language in its work, making explicit what had always been implicit. By intentionally looking at public administration through the lens of human rights, the Ombudsman can encourage a culture where human rights are understood and advanced by all public bodies and across all spheres of public life.

None of this work over the last decade would have been possible without the Deputy Ombudsman Megan Philpot, not only one of the most experienced Ombudsman delegates in the world, but also trusted deputy to Deborah and mentor to many for the better part of a decade. Megan was a huge support to me and recently took her well-deserved retirement from the Ombudsman's office.

In June, we also farewellled Dr Marija Maher, Chief Operating Officer. Marija joined the office in 2018 and led significant transformation, including the transition to budgetary independence in 2020 and the office's engagement with its first ever parliamentary performance audit.



I know Deborah held both Megan and Marija in high regard, and I'm equally grateful for their support and dedication to the Ombudsman's office.

Across my career in the public sector and in integrity agencies, I've learned that you cannot investigate your way out of maladministration or corruption – it requires a sustained focus on culture and prevention across the public sector. A modern Ombudsman should have a well-developed and resourced prevention and capacity-building function to complement the reactive work of complaints and investigations. The roles of my two new deputies, Dan Nicholson and Andrew Adason, represent these opposite sides of the same coin.

I'd like us to be able to help the public navigate the complaints system and make better complaints while also building on our work with the public sector to enable all public bodies to respond more effectively and realise the return on investment of a good complaints system.

I would also genuinely welcome approaches from secretaries, ministers and Parliament to say: 'We think there is a real public interest issue here; could you investigate and help develop solutions?'

As Ombudsman, it is my role to ensure the office has the powers and resources to fulfil its mandate. It is already apparent to me that there are elements of our legislation which could be amended to ensure matters can be considered more expeditiously and often by the public sector itself with our oversight. We will continue to engage with government to explore reforms to better enable us to efficiently perform our functions.

In addition, the Ombudsman, IBAC and VAGO have been advocating since 2022 for a more independent and transparent process for our respective budgets. I will continue to advocate for sustainable recurrent funding received via a transparent process.

The Ombudsman will always do the reactive work – dealing with people's complaints and conducting investigations is our business-as-usual. We will also continue to call out wrong-doing or maladministration where we find it and promote people's dignity and equality before the law as Victoria's human rights complaints handler and investigator. But I also hope to be able to work with the sector we oversee, to ensure that, in addition to providing oversight, the Ombudsman serves as a partner in good governance and administration.

As I look forward to the next decade, I am inspired by the work of those who came before me, and I am excited by the opportunities that lie ahead. There is no doubt the Ombudsman's office punches above its weight, which is a testament to the dedication of its people. They have dealt with an incredibly busy year and significant change with professionalism, good grace and humour. It is a privilege to work alongside them, and they have my sincerest thanks.

**Marlo Baragwanath**  
Ombudsman

# Annual Plan 2022-23 Outcomes

## Account of the implementation of our 2022-23 annual plan

### Objective 1

#### Relevance

More people access and value our services

Action	Outcome	Status
Develop targeted communication for different sections of the community aimed at a greater public awareness of the VO's role, including by showcasing the impact of an Ombudsman report on improving public administration, along with tailored communications for school students illustrating VO's role in dealing with agencies relevant to them	Developed targeted communication initiatives to enhance public awareness of the VO's role, focusing on younger audiences. Leveraged digital campaigns, social media, and tailored materials to expanded outreach which has led to a 4% increase in social media followers. A review of our communications strategy has occurred and adaptation to new leadership will further evolve our communication under the VO's new strategic vision.	✓
Using different channels and in different languages (including Auslan) develop a range of 'how to complain' videos aimed at assisting complainants in making effective complaints	The introduction of 'how to complain' videos in multiple formats, including Auslan, to improve accessibility and guidance for complainants was developed. Strategic use of social media and enhanced website functionality ensure the products assist aiding more individuals to effectively engage with VO.	✓
Acknowledge and celebrate the 50th anniversary of VO, including by tabling a report in Parliament on the history of the office and using social and other media channels to promote the impact of VO's work	The commemoration of VO's 50th anniversary was effectively marked with the successful tabling of the 50th anniversary report in Parliament and a comprehensive social media campaign. These efforts not only celebrated the milestone but also highlighted VO's historical contributions and ongoing impact, fostering greater public recognition and engagement with the office's mission and achievements.	✓
Host the Australasia-Pacific Ombudsman Region conference in Melbourne	The hosting of the 2023 APOR conference in Melbourne was a significant success, bringing together regional Ombudsman offices and stakeholders to discuss pertinent issues. The event facilitated knowledge sharing and collaboration among Ombudsman offices across the Australasia-Pacific region.	✓
In conjunction with IBAC and the Local Government Inspectorate, target local government (79 councils across Victoria) for Engagement, Education & Prevention events; partner with local government peak bodies to build awareness about ways for local government to avoid maladministration	Collaborated with IBAC and the Local Government Inspectorate to host workshops and webinars for Victoria's 79 councils, focusing on preventing maladministration. Partnered with local government peak bodies to promote awareness and effective governance strategies. The initiative successfully engaged councils, fostering productive collaborations and enhancing awareness.	✓
Commence at least one human rights-focused investigation	The Investigation into healthcare provision for Aboriginal people in Victorian prisons was concluded and tabled in Parliament in March 2024 outlining 5 recommendations to better support aboriginal healthcare in prisons.	✓
As part of regional Victoria engagement, identify at least 2 regional areas in which to develop deeper understanding of the VO's role, with a focus on cohorts that most need our services. Regional areas will be targeted based on complainant demographic data, with success measured through an increase in the awareness and understanding of the VO and its jurisdiction.	The VO expanded its presence and awareness in regional Victoria, particularly in Central Victoria and East Gippsland. Through strategic partnerships and targeted engagements, VO enhanced understanding of its role among key cohorts, including Indigenous communities and local government entities. The roadshows, workshops, and community interactions included engagement with: East Gippsland, Bendigo and Rumbalara Aboriginal Co-Operatives.	✓
Review our accessibility for different sectors of the community and implement strategies to increase accessibility for disadvantaged groups, including in-person communication	Enhanced VO's accessibility for Indigenous communities through in-person meetings, talkback sessions, and strategic incorporation of Indigenous artwork in communications. Engaged with East Gippsland stakeholders such as the East Gippsland Aboriginal Co-Operative Ltd (GEGAC and local media to reinforce VO's role, and shared insights during Reconciliation Week to promote cultural awareness and trust.	✓
Introduce the use of QR codes to promote a greater and more diverse cohort of complainants approaching VO	The implementation of QR codes in VO's communications strategy has streamlined access and enhanced engagement for a broader range of complainants. The new VO 'How to Complain' brochures now include QR codes that link directly to our online complaints portal. QR codes will continue to be utilised as appropriate as they form a key communication resource.	✓

## Key

✓ = Action achieved

■ = Action in progress <80%

○ = Action progressed, nearing completion >80%

⊗ = Action cancelled

## Objective 2

### Impact

Victorian Public Organisations deal fairly with people

Action	Outcome	Status
Continue to develop more efficient responses to enquiries and non-jurisdictional complaints, including consideration of a technology-assisted referral system, more user-friendly online complaints forms and SMS and webchat capability	VO has enhanced response efficiency through improved SMS messaging, streamlined IVR, and upgraded online complaint forms, ensuring prompt redirection to the correct agencies. Dashboard reporting provides insights into NJU reduction trends, driving ongoing efficiency and user satisfaction.	✓
Enhance our education and training service provision and pilot a Good and Ethical Decision-Making education and prevention program aimed at Victorian public organisations	VO's education and training services were enhanced with the successful launch of the Good Decision-Making program. Ongoing engagement efforts and positive feedback show increasing interest and value among Victorian public organisations. As the program matures, it is expected to further improve decision-making practices across the sector, reinforcing VO's role in promoting ethical governance in Victoria's public organisations.	✓
Develop a set of impact measures of our education and prevention programs, to determine future opportunities and gaps	The VO, in partnership with EY Sweeney, commenced development of an education and prevention impact program to measure the effectiveness of our training products and services. In light of the recent IOC performance audit recommendations and organisational changes, this initiative will continue to evolve and be developed in line with our new strategic planning to commence in FY24/25 to ensure measures are fit for purpose.	○
Develop and publish a best practice guide for public sector complaint handlers, building on the new Australian Standard for complaint handling and VO's complaint review function of practices and processes in public organisations	The updated best practice guide has been finalised and set for publication in FY24/25. Its release will be complimented by an engagement and communications strategy crafted by the new 'Prevention' division at VO, starting July 1, 2024.	○
Introduce a 'VPS-wide lessons learnt' addendum for each tabled report, where applicable	The introduction of a tip sheet based on the Planning Permits has been published on the VO website's resources page. This practice enhances transparency and disseminates valuable lessons learned from VO investigations, promoting continuous improvement within Victoria's public sector.	✓
Consider the VO's role in relation to a social housing public-private partnership to ensure social housing tenants' needs are met	A progress report on social housing complaint handling was tabled in Parliament on 20 March 2024.	✓
Communicate and promote VO's 'follow the dollar' powers aimed at publicly funded private and community organisations	The VO partnered with IBAC at the Regional Public Interest Disclosures (PID) Forum in Geelong, engaging with PID coordinators, integrity officers, and leaders from Victorian state departments, administrative offices, and local councils to promote VO's 'follow the dollar' powers.	✓

## Account of the implementation of our 2022-23 annual plan (continued)

Objective 3		
Quality		
Victorian Ombudsman staff are recognised for their integrity, values and skill		
Action	Outcome	Status
Continue to simplify VO's communications with complainants to meet complainant expectations and improve results in the complainant satisfaction survey with a particular focus on communication of the VO's decisions	<p>The VO has developed a variety of initiatives aimed at enhancing communication with complainants some of the initiatives include:</p> <ul style="list-style-type: none"> <li>• <b>Communication Enhancement Initiatives:</b> Implemented training sessions for plain English and simplified communications, alongside a targeted audit to improve readability of outcome letters and review of templates for plain English approaches.</li> <li>• <b>Micro Learning and Course Development:</b> Launched a micro learning course on 'Keeping Complainants Informed', focusing on service standards and regular updates. Tracking completion rates and planning an impact audit to measure effectiveness.</li> <li>• <b>Thematic Audits and Quality Assurance:</b> Conducted a thematic audit on communication of outcomes in 170 complaints, informing tailored L&amp;D activities to support staff in delivering outcomes effectively.</li> </ul> <p>These initiatives along with many others aim to ensure consistent, clear, and supportive communication with complainants across all interactions.</p>	✓
Review the currency and efficacy of the Quality Assurance Framework, including to ensure outcomes of quality assurance activities are channelled into constructive feedback and learning and development	The Complaints Quality Assurance Framework underwent a comprehensive review and subsequent updates to address identified areas from both internal audits and external reviews. Efforts are ongoing to finalise the framework for endorsement by early FY24/25, incorporating feedback mechanisms and implementing continuous improvement initiatives to enhance quality assurance outcomes across complaints.	○
Engage with and support the IOC 4-year performance audit of the VO	The IOC performance audit has concluded with consistent support and engagement. The final report and recommendations have been tabled in Parliament. The VO successfully supported and engaged with the IOC performance audit, ensuring compliance with legislative objectives and delivering necessary evidence to support accurate findings.	✓
Continue the implementation of the Innovate RAP and report on outcomes	<p>The VO has continued to implement its Innovate RAP with significant progress across the year which has included:</p> <ul style="list-style-type: none"> <li>• continued awareness initiatives, including a Welcome Map on the RAP SharePoint page</li> <li>• launch of an online learning module on unconscious bias for all staff</li> <li>• integration of a RAP link on the P&amp;C Intranet page</li> <li>• distribution of the Services Australia Indigenous Service Newsletter</li> <li>• updates to the RAP with plans to promote Indigenous Cadetship opportunities</li> <li>• regular meetings and guidance from external First Nation members in the RAP Working Group</li> <li>• development of a staff engagement strategy for the RAP</li> <li>• successful Reconciliation Week panel discussing First Peoples' history and culture.</li> </ul> <p>As the VO RAP is a multi-year strategic plan, further initiatives and development will continue into FY24/25.</p>	✓

Action	Outcome	Status
Develop a transition plan for the 6th Ombudsman, which promotes continuity of service	Successfully transitioned leadership ensuring continuity of service and effective handover to the 6th Ombudsman, Marlo Baragwanath.	✓
Pilot a Complaints Recommendations Report focusing on a greater accountability and continuous improvement of systemic complaints	Cancelled initiative due to resource constraints, to be reviewed in the future as part of the next strategic planning phase.	⊗
Commence embedding the VO workforce plan with a particular focus on reducing staff turnover	<p>The VO workforce plan has been continuously refined and developed to ensure it offers effective solutions to support reducing staff turnover. Key initiatives implemented this year include:</p> <ul style="list-style-type: none"> <li>conducting extensive senior stakeholder consultation to identify and refine future key capability needs</li> <li>integrating the VPS Capability Framework into VO's Professional Development annual planning cycles</li> <li>developing a VO Employee Value Proposition (EVP)</li> <li>analysing our people data to understand trends and adapt more effectively</li> <li>introducing Manager Essentials training sessions to enhance staff skills and knowledge on various topics.</li> </ul> <p>These initiatives have contributed to an approximately 8% reduction in staff turnover for the FY23/24 period. Further refinement of the workforce plan will continue as part of the new VO strategic plan development in FY24/25.</p>	■
Commence embedding the VO Diversity, Intersectionality and Inclusion Plan with a particular focus on promoting the employment of Aboriginal people and diverse community members	The VO has completed 58% of its VO Diversity, Intersectionality and Inclusion multi-year strategic plan goals and continues to advance its DEI initiatives to promote Aboriginal employment and diversity within VO, enhancing inclusivity and cultural awareness across the organisation. VO continues to promote its Indigenous Cadetship program to all Victorian Universities. The current Indigenous Cadet has completed their initial 12-month appointment at the VO and has extended the part-time employment arrangement for a further 12 months. A series of management capability workshops are being offered which will include financial management. VO recruitment processes, support tools and training reflects VPS Best Practice include DEI principles. Exit surveys and stay interviews are in place to identify any trends.	■

## Account of the implementation of our 2022-23 annual plan (continued)

Objective 4		
Innovation		
Sustainable Victorian Ombudsman, lean internally and efficient externally		
Action	Outcome	Status
Where appropriate, use VO complaints data to proactively approach agencies about their complaints accessibility or complaint handling systems to improve complainant experience	<p>The VO enhances its data capabilities by analysing trends to identify agencies for proactive engagement. Using portfolio and quarterly complaints data analysis, the VO strategically engage agencies through Complaints Reviews, fostering proactive engagement and knowledge sharing. Reviews conducted or scoped based on data trends include:</p> <ul style="list-style-type: none"> <li>• La Trobe University</li> <li>• Benalla Rural City Council</li> <li>• Whittlesea City Council</li> <li>• Registry of Births, Deaths and Marriages</li> <li>• Office of the Public Advocate</li> <li>• Environment Protection Authority.</li> </ul>	✓
Improve on the efficiency and effectiveness of our Engagement, Education and Prevention functions by introducing new software to provide a single point of data capture, client processing, communications, marketing, and document storage	The VO initiated a project to develop and implement a dedicated CRM software solution. The system has been developed, tested, and is now in production for FY24/25. It aims to enhance efficiency and effectiveness in Engagement, Education, and Prevention functions through streamlined data capture and management, supporting improved service delivery.	✓
<b>[carry forward from FY22/23]</b> Pilot the case management system complaints portal to allow complaints to see status updates and upload additional information	The VO finalised development and commenced user acceptance testing of a complaints portal. Work will continue in FY24/25 to explore how this technology may be used to support case management IT solutions.	✓
Review and improve our records management and storage practices and procedures to ensure best practice in data protection and retrieval	The VO migrated all case files to Resolve's document store, discontinuing the use of TRIM for case files. This initiative aligns with WoVG records management standards and enhances security for internal records. Additionally, compliance training has been introduced to support staff in understanding their obligations in records management and cybersecurity awareness.	✓
Pilot a sustainability initiative to reduce VO's emissions by 50% with the aim to incorporate our Innovate RAP deliverables through tree planting with First Nation enterprises as well as staff volunteering in such initiatives	External tree planting was not feasible due to time frames and OHS considerations, alternative 'several internal 'plant in a cup' events were held and well-attended by staff. These events supported ongoing efforts to integrate sustainability into our Innovate RAP deliverables. Monthly newsletters have also been implemented increasing awareness. Final emissions calculations in July will support our overarching sustainability efforts where reasonably practical.	■



# About us

## Establishment

Recognising the power imbalance between the individual and the State and the need for government transparency and accountability, the Victorian Parliament established the office of the Victorian Ombudsman on 30 October 1973 under the *Ombudsman Act 1973* (Vic). The Ombudsman is an independent officer of the Parliament under section 94E of the *Constitution Act 1975* (Vic).

## Purpose

Ensure fairness for Victorians in their dealings with the public sector and improve public administration.

## Our work

Our day-to-day work involves:

- taking complaints about the actions and decisions of public organisations, including State Government departments, bodies established by legislation (e.g. WorkSafe, VicRoads), local councils, and some private and community service organisations that are publicly funded
- making enquiries and resolving complaints informally where possible, including by conciliation
- investigating when needed and making remedial recommendations for change
- receiving and investigating 'whistleblower' complaints under the *Public Interest Disclosures Act 2012* (Vic)
- examining systemic issues in public administration
- conducting reviews of public organisations' complaint handling
- providing education and training to the Victorian community and public sector, and promoting improved public sector administration.

We do not advocate for members of the public or for authorities. We make decisions based on evidence and operate in accordance with the Ombudsman Act.

We can also consider whether administrative action is compatible with a right or whether a decision failed to give proper consideration to a right, set out in Victoria's *Charter of Human Rights and Responsibilities Act 2006* (Vic) ('the Charter of Rights Act').

The *Terrorism (Community Protection) Act 2003* (Vic) requires us to be notified when a preventative detention order or prohibited contact order is made, and if a person is taken into custody. We can receive complaints and make representations to a nominated senior police officer about a person's treatment in connection with their detention.

Most of our work takes place in private in accordance with our legislation, but the Ombudsman can decide to make our work public in certain circumstances.



## Human rights

The Charter of Rights Act sets out 20 rights and freedoms protected in Victoria. It recognises all people are born free and equal in dignity and rights, subject to reasonable limitations applied in accordance with the Act.

Human rights principles have always been central to our work. The introduction of the Act in 2006 amended the Ombudsman Act and empowered us to make explicit what had always been implicit in our work.

By looking at public administration through the lens of human rights, we can investigate and encourage a culture of human rights compliance across the public sector.

## Our jurisdiction

Our jurisdiction under the *Ombudsman Act 1973* (Vic) covers public organisations such as:

- State Government departments or administrative offices
- private or public prisons
- bodies established by legislation, such as the Transport Accident Commission
- local councils
- non-government entities that are engaged by Victorian public organisations to provide services.

## Who we can investigate



Source: Victorian Ombudsman

## Our strategy

Our last four-year strategic framework ended in the last financial year, so a key feature of our work in 2024-25 will be the development of a new comprehensive VO Strategic Plan to be informed by staff engagement, stakeholder feedback and recommendations from the recent Integrity and Oversight Committee performance audit.

Our new Strategic Plan will be underpinned by better use of data and intelligence to target our oversight and our efforts to prevent maladministration and promote improved public sector administration. We will also do more to share lessons from our operational work across the public sector and develop performance metrics to measure our impact which we will regularly review to hold ourselves to account.

Our new Strategic Plan will provide a clear and actionable roadmap for us to continue to advance and thrive in an ever-changing environment. It will focus on community and public sector engagement, innovative approaches to oversight, continuous improvement initiatives, proactive compliance, enhancing our people and capability, and ICT enablement.



## Celebrating 50 years



In 1973, a visionary idea became a reality. The Victorian Ombudsman's office was established to ensure transparency, fairness, and accountability within the Victorian public sector. In 2023, we

celebrated 50 years of dedicated service to the people of Victoria.

The Victorian Ombudsman began as a guardian of good governance, committed to addressing complaints, righting wrongs, and promoting a culture of integrity. Over the decades, that guiding light has evolved to meet the changing needs of our community.

From handling complaints about State Government agencies, local councils, and universities to proactively investigating systemic issues, the mission remains the same: to stand up for the rights of the people, especially when they've been wronged by public institutions.

That work has led to improvements in public administration, better protection for whistleblowers, and advances in human rights. The office has been a voice for those who needed it most, from vulnerable citizens to courageous individuals fighting for justice.



In October 2023, we celebrated the office's 50th anniversary at a reception hosted by Her Excellency Professor the Honourable Margaret Gardner AC, Governor of Victoria at Government House. It was an evening filled with reflection, recognition, and anticipation for the future.

Our 50th anniversary was not just a moment to celebrate the past – it was also an opportunity to reaffirm our dedication to the future. We will continue to evolve, just as we have for the last 50 years, to meet the expectations of the Victorian community and uphold the values that have guided us from the beginning.



This celebration was a reminder of how far we have come and how much more we have to achieve in the years ahead. As we move forward, we carry with us the lessons of the past and the strength of our legacy.

We acknowledge Victoria's first five Ombudsmen, Sir John Dillon, Norman Geschke OBE, Dr Barry Perry AO, George Brouwer and Deborah Glass OBE; and looking forward, we stand firm in our commitment to fairness, integrity and human rights for the people of Victoria.

# Contact with us

## Timely complaint resolution

**18,031**

94% closed within 30 days

**2023-24**

**18,403**

93.5% closed within 30 days

**2022-23**

**18,889**

91.4% closed within 30 days

**2021-22**

## How people contacted us in 2023-24 (closed cases)



**16,382**

Phone Call

↓ 6.5%



**6,251**

Online Complaint

↑ 8.6%



**2,213**

Email

↑ 8.1%



**523**

Web Chat

↓ 1%



**305**

Letter

↓ 33%



**34**

Community Legal  
Centre hotline

↑ 21.4%

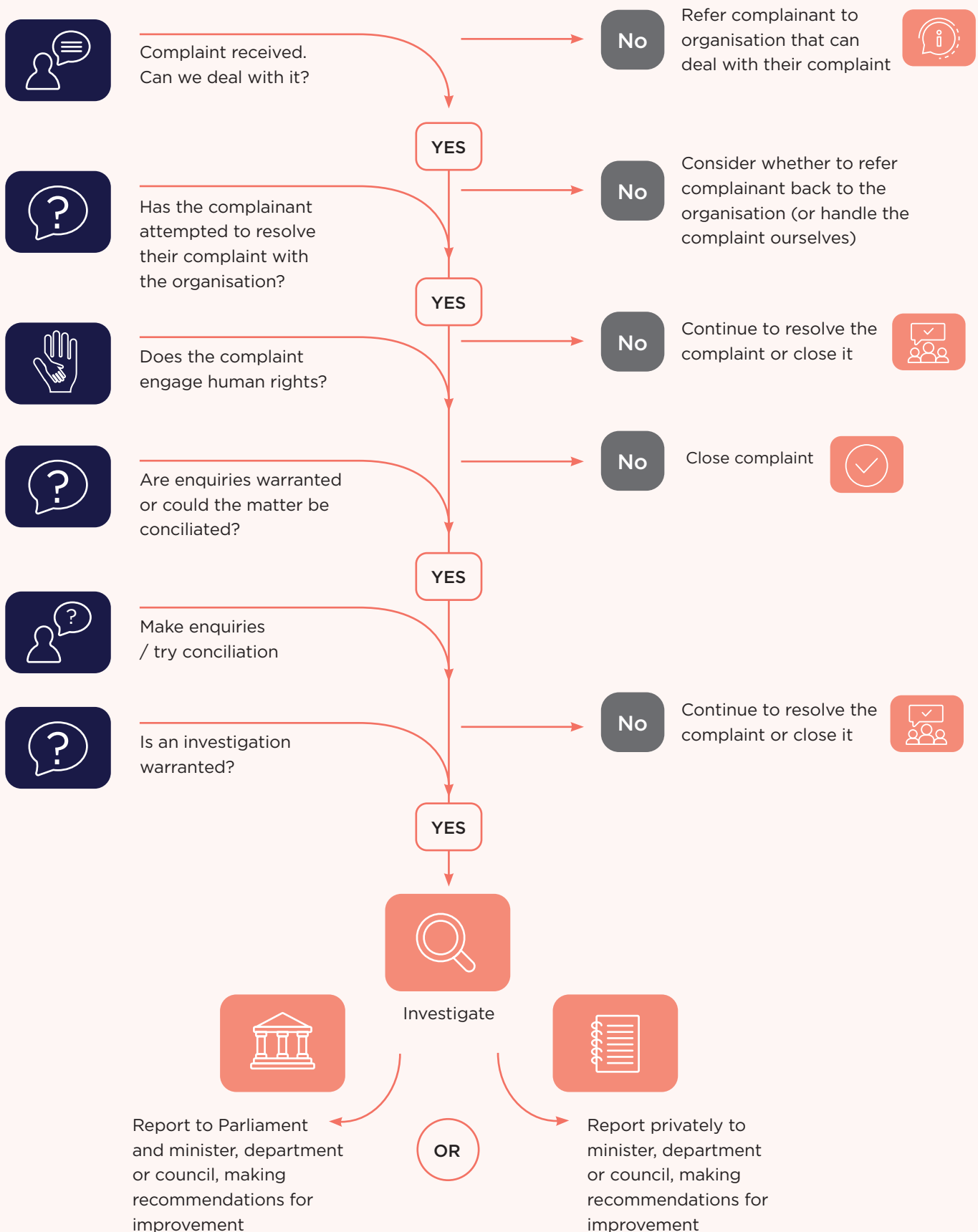
The number of jurisdictional complaints (complaints we could deal with) remained steady this financial year at 18,031. This number has remained consistent over 18,000 since 2020-21.

While we increased the number of complaints closed within 30 days, this year reaching 94 per cent, we made fewer enquiries – 4,842 compared to 5,409 in 2022-23.

In a reversal on last year's figures, phone complaints dipped 6.5 per cent while our online complaints and emails rose over 8 per cent each. Web chat remained consistent, with 523 contacts via this method.

# Complaints

## How we handle complaints



## Early Resolution Team

Our Early Resolution Team assesses, prioritises and resolves complaints at the first possible opportunity, preventing small issues from growing into larger ones. Early Resolution complaints officers decide whether there is a role for our office in a complaint. Their focus is determining what practical solutions our involvement might achieve. Some complaints are resolved within hours or days from contact with the relevant organisation. After finding out the facts and circumstances of a complaint, we may work with organisations – often on the phone – with a view to resolving the complaint. Our Early Resolution team will also explore the possibility of whether a complaint might be resolved by conciliation. Our Early Resolution Team handles about 90 per cent of contacts to our office, closing most within 30 days.

## Assessments Team

Our Assessments Team is responsible for managing more complex complaints, and deciding whether a complaint may warrant further enquiries, conciliation or investigation. These are complaints that can't be resolved quickly, and the assessment process can involve analysing lengthy documentation, researching legislation or policy, meeting with an agency to discuss key issues and recommending improvements to policy or process at an agency. Unless the complaint warrants conciliation or investigation, the Assessments Team usually resolves these complaints within 90 days.

## Complainant feedback

*'I am truly grateful for ... [the] ... great service and kind assistance. I hope that Victoria Ombudsman ... keeps helping Australian people who need its assistance.'*

*'[T]hank you. I think the complaint with the Ombudsman really worked, where nothing worked before.'*

*'You gotta give credit where credit's due, and I'm pretty sure [the Victorian Ombudsman] helped make life a lot easier for him. So that's great.'*

*'[Y]ou have been exemplary in your service to me today ... Fantastic service – 10 out of 10, my friend. Thank you very much.'*

*'Thank you [the outcome] is really terrific and such a fast response too, you must have thousands of these so thank you for taking the time ...'*

## What people complained about

There are consistent themes to the top 10 issues complained about to our office over the last few years. These include delays in organisations responding to matters and inadequate remedies being offered to resolve complaints.

Top 10 most complained about issues in 2023-24		Variance from last year
<b>2,909</b>	<b>Correspondence/Communications/Records</b> Poor/delayed communication	↑ 11%
<b>1,989</b>	<b>Decision making</b> Wrong decision	↑ 18%
<b>1,059</b>	<b>Buildings and facilities</b> Quality/condition/maintenance/repair	↓ 5%
<b>910</b>	<b>Complaint handling</b> Inadequate remedy	↓ 39%
<b>866</b>	<b>Services</b> Health Services/access to medical	0%
<b>787</b>	<b>Complaint handling</b> Delay	↓ 16%
<b>651</b>	<b>Financial</b> Fees and charges	↑ 34%
<b>623</b>	<b>Services</b> Case management	↑ 43%
<b>613</b>	<b>Financial</b> Compensation/damage	↑ 45%
<b>535</b>	<b>Decision making</b> Reasons	↓ 29%

## Complaints

### Who people complained about

We can receive complaints about more than 1,000 bodies, including state government departments, local councils and range of other public organisations such as universities and TAFEs, VicRoads, WorkSafe and Fines Victoria. To give a sense of who people complained about, we group authorities into portfolios or agencies. For example, 'Local government' includes 79 individual councils, and 'Social housing' combines complaints about both public and community housing.

#### Most complained about portfolio or agencies in 2023-24

Variance  
from last year

<b>3,842</b>	Local government	<b>↑ 6.5%</b>
<b>3,586</b>	Corrections	<b>↓ 15.6%</b>
<b>1,530</b>	Social housing	<b>↓ 9.4%</b>
<b>1,097</b>	Licensing, registration and roads	<b>↓ 4.9%</b>
<b>1,031</b>	Workers compensation and TAC	<b>↑ 10.6%</b>
<b>979</b>	Child protection	<b>↑ 4.8%</b>
<b>913</b>	Fines Victoria	<b>↑ 8.6%</b>
<b>842</b>	Universities and TAFEs	<b>↑ 10%</b>
<b>300</b>	State Revenue Office	<b>↑ 47.8%</b>
<b>278</b>	Registry of Births, Deaths and Marriages	<b>↓ 4.8%</b>
<b>234</b>	Victorian Managed Insurance Authority	<b>↑ 368%</b>



## Why people complained

Local government topped the list of most complained about portfolio within our jurisdiction with an increase of 6.5 per cent.

Consistent with overall figures, the most complained about issue within local government related to poor communication, including delays, withholding information and not responding to people.

While complaints about complaint handling are a perennial theme in our data, we see local councils improving in this area. Year on year since the Local Government Act was amended to require councils to have a policy and process, we have received fewer complaints about councils' complaint handling.

We hope councils have found our good practice guides and complaint handling training helpful, and complaints data is being used to drive improvements.

Although representing the second most complained about portfolio, complaints about corrections – which includes all adult prisons – were down 15 per cent on the year before.

Consistently, health services and access to medical care was the most complained about issue within prisons, followed by complaints about property, including lost property, and delays in receiving responses to concerns and requests.

Recognising that healthcare is the issue raised most often with the Ombudsman by people in prison and their advocates, in March 2024, we tabled a report in Parliament about healthcare provision for Aboriginal people in Victorian prisons, including five recommendations for improvement that were all accepted or accepted in principle.

## Complaints about complaint handling in local government

**568** 2023-24

**586** 2022-23

**593** 2021-22

**634** 2020-21

**638** 2019-20

### Actions agreed by agencies 2023-24



**4,047**

Facilitate  
communication



**1,529**

Reasons given



**1,473**

Fix the problem



**715**

Further  
investigation



**306**

Apology  
and/or admission  
of error



**154**

Reconsider the  
decision



**193**

Refund/waiver  
or reduction of  
fees/fines

Payment/  
ex gratia payment



**94**

Offer training/  
guidance



**91**

Review or  
change policy,  
procedure

## How we helped

Working cooperatively with complainants and agencies, this year we were able to negotiate over 8,400 remedies, often to resolve complaints without a formal investigation.

Most of the complaints to the office were closed within 30 days; ending, at times, long and protracted disputes between complainants and departments.

Through the informal and efficient resolution of complaints, the benefits from our intervention and agencies are given opportunities to improve their practices.

Like previous years, the most common remedy for the complaints we dealt with in 2023-24 involved facilitating communication, by reconnecting the parties and encouraging the agency to respond to the issue directly. This is consistent with the most complained about issue being poor or delayed communication.

*'Thanks for your call. If the customer service was, you know, even a quarter as good as what you provided today like there'd be no reason to contact you guys. Thanks for your help. I'll definitely take that advice.'*

**Feedback from a complainant**

## Complaints

Most people who complain to us are not looking for major investigation, they are looking for a quick or meaningful solution. They have a problem, and they want it fixed. The case studies below provide a few examples of how we work to provide a timely, efficient, effective, flexible and independent means of resolving complaints.

### Department of Jobs, Skills, Industry and Regions

Hinata was a casual worker and when he felt unwell, he applied to be registered for the Sick Pay Guarantee. This Guarantee provided eligible casual and contract workers with assurance that they would receive sick pay when they couldn't go to work.

After registering, Hinata missed two days of work.

A month later Hinata learned that his registration application had been closed without being approved as he had not responded to an email requesting more information. Hinata reapplied and this time was approved. However, he was told he would not be paid for his two sick days, as his successful registration occurred after these.

Hinata complained to us and we asked the Department why Hinata could not be paid for the two days based on his initial attempt to register for the Guarantee. The Department reviewed the matter and agreed to reopen the original application and pay Hinata.

The Department also noted it had been reviewing its application process, to help applicants reopen existing registration applications that had been closed, to address this issue.

### Kinship care

Sarah became a carer for her grandchild and was told she would receive respite carer payments to help support her in this role. However, after months of waiting she had still not received any payments.

She complained to the Department of Families, Fairness and Housing but she could not get the issue resolved. She contacted us and we asked the Department to review her complaint and provide her with a response.

The Department acknowledged that its response to Sarah had been delayed and it apologised to Sarah for this. The Department provided Sarah with the payments she was entitled to, as well as vouchers worth \$650 to ensure Sarah was not financially disadvantaged for taking on the carer role.

## Public housing

Jennifer lived in public housing and her home had needed maintenance for some time. The bedroom window had leaked causing some of her belongings to be damaged, there was mould that needed treating and her kitchen needed repairs. The Department of Families, Fairness and Housing attended her property to understand what works were needed and a maintenance plan was developed.

However, Jennifer was worried that this would not properly address the issues as the plan did not include fixing the leaking windows. Jennifer contacted us and we spoke with the Department about the required repairs.

The Department reattended Jennifer's home to inspect the windows. Shortly after, maintenance works began which included resealing the windows as a priority.

The Department acknowledged that Jennifer had experienced delays in getting the works done and consequently offered to reduce Jennifer's rent for a period of 12 weeks. Jennifer welcomed the Department's response.

The Department identified consistent performance issues with its contractor and consequently took remedial action.

## Corrections

Zane was in prison and waiting for medical treatment. His illness meant he could not attend his prison bakery job.

Zane thought he should be eligible for sick pay because he had a valid certificate showing he was unfit to work. But prison staff would not accept the document because it had been issued at another prison. Zane was instead paid at a lower 'unemployment' rate.

We contacted the prison. On review, they agreed Zane should have been paid the higher 'medical' rate while ill. The prison arranged back pay, and gave staff refresher training on the correct process.

### Corrections

Kyle was transferred from Loddon Prison to Port Phillip Prison. He left belongings at Loddon, including a large number of important legal documents and several artworks. As an Aboriginal man, Kyle had created a number of paintings as part of the Torch program which helps artists reconnect with culture and earn income from their art.

Once he was in Port Phillip, Kyle received a letter from Loddon stating that his belongings were due to be disposed of within a few weeks. This was the second notice Loddon had sent Kyle, however he had not received the first, meaning he had little time to organise a transfer of his belongings.

Kyle asked Loddon for more time so he could check if family or friends could collect his property, and requested that Port Phillip transfer the property boxes. Port Phillip refused Kyle's request and his family and friends were not able to collect the boxes in the timeframe provided.

Kyle was upset that his property was going to be destroyed, so he complained to us. We contacted Port Phillip Prison which agreed to reconsider its decision and then worked with Loddon to safely transfer Kyle's property.

The Department of Justice and Community Safety has subsequently advised that it has processes that, when correctly followed, deal with the transfer of property between prisons.

### Fines Victoria

Fines Victoria cancelled Helen's payment plan after she fell behind on it.

Helen negotiated a new plan and began paying \$20 a month. However, Helen continued paying the instalment amounts using the cancelled plan reference number. Because it appeared to Fines Victoria that Helen was not keeping up, it issued a warrant for the outstanding fine.

Alarmed, Helen immediately contacted Fines Victoria. It told her to submit an online enquiry, providing evidence of payments, which she did, but a week later she had still not heard back.

Helen called Fines Victoria again and was again told to go online to resolve the issue. By now, Helen was concerned her car might be impounded while she was on the school pick-up or out running errands.

Helen complained to us hoping to sort out the problem quickly. We made enquiries, and Fines Victoria promptly applied the payments to Helen's correct payment plan and withdrew the warrant.

### Local government

In late 2022, John purchased a home in an estate completed in 2019. At the time of purchase, the Council's Land Information Certificate showed that the rates on the property had been paid in full. However, in March 2023, John received an email from a debt collector stating that he owed almost \$700 in outstanding rates charges.

John was told the Council had not amended the property valuation when the house was built and it was still being rated as vacant land.

We asked the Council to consider waiving the outstanding rates charges but the Council initially refused. It acknowledged its mistake in not revaluing the property until 2022. However, it said that John and his solicitor should have been aware the property was under-valued from the information received when the house was purchased.

We encouraged the Council to consider John's experience and reconsider its position. Ultimately, the Council agreed that it was not fair that John pay the outstanding rates and it waived the debt.

### Local government

Stephen had lived in his home for nine years before noticing his local council was charging him for a bin it had never supplied. Stephen contacted the council and it refunded five years' worth of bin charges.

However, when Stephen was selling his property in 2023, he noticed the council had continued to charge him for the bin. Stephen tried to resolve the issue with the council, but without success, so he contacted us for help.

After reviewing the matter, the council refunded all the incorrectly charged fees, including some from the first four years that Stephen lived in the property. The council agreed to pay interest too.

The council also reviewed its processes and changed them to ensure the mistake would not happen again.

### Workcover

Olga has seen the same doctor for more than a decade. The doctor is one of a small number who speak Olga's first language, and they have built a good relationship over the years.

When the doctor moved clinics, Olga was willing to travel a fair way from home to continue her care.

At first, Olga's WorkSafe agent paid some money toward the cost of reaching distant appointments. But after a while, it decided to stop covering Olga's travel expenses because of the availability of other doctors closer to her home.

We asked the WorkSafe agent to reconsider its decision given Olga's circumstances. The WorkSafe agent recognised Olga's relationship with her existing doctor was important and, given the circumstances, agreed to keep paying toward her travel costs.

### VicRoads

89-year-old Manu had held a blue disabled parking permit for 10 years. This permit allowed him to use disabled parking bays.

A recent change in the accessible parking permit system meant Manu's blue permit was replaced with a green one. A green permit allowed Manu to stay in regular parking spots for double the time, but did not allow him to use disabled parking bays.

Unaware of this, Manu continued to park in disabled bays and received a Council fine for parking in a spot that required a blue permit.

Manu contacted us as he felt the fine was unfair. We consulted VicRoads about Manu's situation. VicRoads told us that Manu would not have been provided with details about the conditions of the green permit when it was issued and that the full list of the permit's terms and conditions was only available online.

We asked the Council that issued the fine to consider Manu's situation and his difficulty accessing the details of his new permit. The Council withdrew the fine.



## VicRoads

VicRoads asked Carly to provide a report from a psychiatrist assessing her fitness to drive after a period of licence suspension.

Carly had not seen a psychiatrist for some years, so she tried to find one who was willing to assess her and provide a report. But Carly had no luck. The psychiatrists she contacted would only provide this type of assessment for patients they had been seeing for more than six months.

Carly was unhappy with the lack of assistance from VicRoads to help her meet its medical requirements, so she contacted us. VicRoads acknowledged that people asked to obtain psychiatric reports sometimes faced these difficulties.

The VicRoads Medical Review team considered Carly's circumstances and determined it would instead accept a detailed report from Carly's GP about her fitness to drive.

## University

Samantha applied for a Masters program at a university but did not get in. She was advised to enrol in a different course at the same university for a year, and then apply to switch over.

Samantha took this suggested path, and in December 2023 was offered a place in her preferred program.

A condition of the offer was that within a few days, Samantha had to supply a document to prove her grades and early exit from the first course. Samantha had requested the vital document from the university a few weeks earlier, but it was still finalising academic results.

With the offer deadline looming she again contacted the university. It still could not provide the document, so Samantha was denied entry to her dream course even though her interim marks were good enough.

We contacted the university and after a review, it agreed Samantha could transfer across to the new course, which had already started. The university also took steps to help her overcome her late enrolment and provided additional support to ensure she was able to transition well to her new course.

# Conciliation

## Introduction

The Victorian Ombudsman continues to successfully bring authorities and complainants together through the process of conciliation to achieve informal, tailored resolution of complaints.

Conciliations are conducted by VO staff who are trained and experienced in alternative dispute resolution, and statutory complaint handling.

We can conciliate a complaint at any stage of an enquiry or investigation process.

We ask authorities and complainants to prepare for conciliation by thinking about the steps that might resolve the complaint. It is important to bring an open mind and be prepared to listen.

We can conciliate via phone, video conference or face to face. We encourage face-to-face conciliations because of their humanising effect. To facilitate face-to-face conciliations, our conciliators often travel to where parties are located.

Conciliation provides authorities and complainants a structured setting in which they find sustainable solutions to problems.

Conciliations can help get relationships between complainants and authorities back on track as the process builds on reflection and acknowledgement of the past to look at the future.

In our third year conciliating complaints, over 84 per cent of survey respondents who participated in a conciliation said the process was fair.

## Authority experience

*'The complainant was given opportunity to be heard ... Coming together in a conciliation allowed for a discussion of the key matters going forward to resolve the complaint.'*

*'[T]he process was swift, transparent and fair. The results were beneficial for [the complaint].'*

## Complainant experience

*'A good respectful environment was maintained during conciliation conference and everyone had the opportunity to talk.'*

*'Communication was clear. Steps were clear. Pre meeting was very helpful. Was very well facilitated on the day.'*

## Remedies achieved by conciliation 2023-24



**105**

issues conciliated  
across 52  
complaints



**\$85,820**

in ex gratia  
payments



**41**

apologies and/or  
admissions of error



**43**

better reasons  
given for an  
action/decision



**92.9%**

complaints  
conciliated resulted  
in resolution

The following case studies highlight the humanising effect that conciliation can have for the parties to a complaint. They highlight the power of bringing complainants and authorities together to generate a better understanding of each other's perspective to ultimately develop a clear and shared path forward.

To protect the privacy of the conciliation process the following case studies are amalgamations of actual conciliations.

### Conciliation case study

#### Eight months of constant noise

##### The complaint

Maria complained to the Ombudsman about her council's response to her neighbour's incredibly noisy air conditioner.

Maria's daughter had sensitivities to loud noises, and was unable to sleep because the neighbour ran their air conditioning unit 24 hours a day. Maria had tried to work directly with her neighbour to resolve the issues without success. Maria then complained to the council.

Maria told us that each time she spoke with the council, she dealt with a different area and person – all providing different advice. Although Maria had tried to understand the complicated regulation of noise, after eight months of complaining to the council she felt no closer to resolving the issue.

##### Council's response

We made enquires with the council to understand how it was responding to Maria's situation. The council told us that:

- Maria was correct that neighbour's air conditioner unit was louder than permitted and was located only two metres from her daughter's bedroom
- it had extensively engaged with Maria's neighbour to stop the noise at nighttime without success
- the neighbour had vulnerabilities that made the council's engagement with them challenging
- it was considering what enforcement approach would be most effective for everyone involved
- Maria was contacting the council a lot, and that it was struggling to respond
- Maria had become quite upset with council staff on a few occasions, particularly on days after her daughter had not slept.

We identified that given the long running nature of the complaint, and its impact on Maria, it was appropriate to attempt to resolve the complaint using conciliation. Both Maria and the council agreed to voluntarily participate.

## Conciliation case study continued

### The conciliation

In the conciliation Maria spoke to council about her frustrating interactions about the issue over eight months. Maria was able to detail the significant impact of her noise on her daughter, and also some of the inconsistent advice and lack of responsiveness from council.

During the conciliation the council:

- acknowledged the impact of the noise on Maria's family
- apologised for the delays and inconsistent advice it had provided to Maria
- identified a single point of contact for Maria at the local council to support clear, consistent communication
- acknowledged that advice on its website about noise was confusing, and committed to reviewing and updating the information
- explained the steps it had taken to respond to the noise, and the next steps it planned to take.

Maria apologised to the council for raising her voice in discussions with council workers on a few occasions.

We were satisfied that the conciliated outcome informally resolved the complaint, particularly with council committing to improve its processes when dealing with noise complaints in the future.

### Why conciliation helped to resolve the complaint

The open and respectful communication modelled by Ombudsman conciliators supported constructive engagement between Maria and the council for the first time in many months.

Maria told us after the conciliation that she felt the council had understood her concerns and the impact on her family. Maria came away with a better understanding of the steps council had taken, and the complexity it was navigating, but also with a clear understanding of next steps.

The council was able to ask questions and hear about how its processes was experienced by its residents. This opportunity helped the council identify how it could avoid reduce the likelihood of a similar complaint arising in the future.

### Conciliation case study

#### If it is broke, do fix it

##### The complaint

Kim was upset that her housing provider had entered her house without first discussing it with her. Kim also felt that the provider hadn't made several repairs to the house, including to the oven and stove top which made cooking hard.

Kim wasn't satisfied with the provider's response to her complaint and contacted us.

In our initial discussion with Kim we asked if she would be interested in trying to resolve her complaint using conciliation. Kim asked a few questions about the process, and then told us that she would like to explore the option.

##### Provider's response

We made enquires with the provider, asking them to meet with us to discuss Kim's complaint and consider the possibility of conciliation.

In response to our contact the provider told us:

- that communication with Kim had recently become quite challenging and that made it difficult to complete repairs
- Kim's son had recently turned 18, and a resulting discussion about him starting to contribute to rent had increased tensions and Kim was now not responding to the provider and behind in her rent
- it had applied to VCAT for an order to enter Kim's apartment to complete repairs and a possession order based on unpaid rent
- it welcomed the opportunity to participate in a conciliation with Kim.

We identified that given the long-running nature of the complaint, and its impact on Maria, it was appropriate to attempt to resolve the complaint using conciliation. Both Maria and the council agreed to voluntarily participate.

##### The conciliation

During the conciliation, the provider acknowledged:

- the stress and difficulty Kim had experienced when trying to get repairs done
- Kim's poor experience with a previous maintenance contractor no longer being used by the provider
- that it could have communicated more effectively with Kim about her son starting to contribute rent for the house.

The provider also explained to Kim that it had gained entry to Kim's house to complete repairs and make it safe, but acknowledged that this would have been upsetting for Kim.

## Conciliation case study continued

Kim was able to provide information about her son's circumstances that the provider was not aware of. Kim also acknowledged that she had stopped responding to the provider because of its approach to communication which made engagement around repairs difficult.

Kim told the provider that the house was feeling very old and in need of significant updating. Kim also mentioned the garden was challenging to maintain. In response, the provider asked Kim if she would be interested in moving to a new two-bedroom apartment down the road. Kim said she would be open to inspecting the apartment.

Kim and the provider agreed to a communication strategy that suited them both, including telephone contact with a specific person, and follow up emails confirming the discussion.

The provider agreed to withdraw the VCAT orders. And a tentative date was set for Kim to inspect the apartment.

We were satisfied that the conciliated outcomes informally resolved Kim's complaint.

### Why conciliation helped to resolve the complaint

The structured nature of conciliation helped Kim and the provider to discuss the communication challenges they had experience in a respectful and constructive way. This led to the provider better understanding Kim's communication needs, and developing agreed plan for future communication, including a strategy for what happened when disagreements occurred in the future.

Although Kim's initial complaint to our office was about communication and repairs, the constructive engagement promoted by conciliation, helped to identify a more durable solution for Kim and her son.

# Complaint System Reviews

In addition to resolving complaints informally and investigating decisions of public authorities, the Ombudsman has the power to review an authority's complaint-handling practices and processes (Review).

Reviews allow the Ombudsman to work with authorities to help improve how they handle complaints from the public.

Reviews support authorities to operate complaint-handling systems that are responsive to complainants, encourage reflection and harness the power of complaints to identify continuous improvement within organisations.

Through 2023-24 we continued to embed this function across the complaints team, completing three targeted Reviews that looked at specific aspects of complaint handling.

## Complaint System Reviews 2023-24



**3**

Reviews finalised in financial year



**24**

Recommendations made



**24**

Recommendations accepted

### Benalla Rural City Council

In conducting a Review with Benalla Rural City Council, we engaged with senior Council staff about the scope of the Review and what the Council hoped to achieve through engaging in the process.

We made several recommendations to the Council around its general processes and how it recorded complaints and reported information about complaints to senior management. The Council's engagement with our office was very positive, and it subsequently accepted all recommendations made.

### La Trobe University

We conducted a targeted Review in relation to how La Trobe University explained its appeals and complaint-handling processes to its students. This Review arose out of observations our office made about complaints we received from university students. The University was enthusiastic about participating in the Review and, in addition to accepting the small number of recommendations made about improvements to documentation, self-identified areas where it could improve its complaint-handling practices.

### Office of the Public Advocate

As part of initiating a Review of the Office of the Public Advocate (OPA), we requested it complete a self-assessment to help us determine which aspects of its complaint-handling system the Review should focus on. We also requested examples of complaints it had recently handled. We then met with OPA to discuss the aspects of its complaint-handling processes we would consider during the Review. Meeting with various OPA staff allowed us to get a better understanding of how it engages with its clients and stakeholders, and how it manages its complaints function.

We identified several improvements OPA can make to ensure a consistent approach to its complaint-handling processes. Our recommendations will help OPA to equip its staff with the skills needed to handle complaints well from clients and other stakeholders. OPA was very welcoming of our suggestions for improvement and accepted all recommendations.



## Following up on Review outcomes

As part of our Review function, we continue to engage with authorities about past Reviews. In 2023-24, we followed-up with two councils about their progress implementing recommendations we made at the conclusion of Reviews. Both councils – Yarriambiack Shire Council and Benalla Rural City Council – indicated they had taken steps to make changes to their complaint-handling processes as a result of the Reviews. We will continue to monitor the councils' progress and provide assistance to achieve positive change.

## Key takeaways from Reviews

The Reviews we completed this year, and in previous years, have highlighted several key aspects of complaint handling that all organisations ought to consider when developing and reviewing their practices.

### *The importance of having a clear definition of a complaint*

Authorities should carefully consider how they define a complaint as compared with general feedback, or requests for service. A clear definition of what a complaint is will assist in ensuring a consistent approach to dealing with complaints and engaging with clients and other stakeholders.

### *Ensuring complaint-handling processes are accessible*

Authorities must ensure that clients and other stakeholders can access their complaint-handling processes. This means not only access to the complaints process itself, but also to information about those processes. This ensures that authorities can engage with members of the public with varying communication barriers and needs.

### *Being able to engage with people exhibiting complex behaviours*

Complainants may have complex communication needs and authorities need to have processes in place to encourage meaningful engagement. In certain circumstances, complainants may exhibit complex behaviours that become unreasonable.

We do not expect our staff, or staff in other organisations, to tolerate behaviour that is offensive, abusive or threatening that consumes disproportionate resources. This can adversely affect staff engaged in complaint handling.

Having an established process for dealing with those behaviours can ensure authorities take care of the welfare of staff and be responsive to complainants.

## Next for Complaints Review

Through 2024-25 we will continue to mature our approach to reviewing authority complaint-handling practices and process. We will develop and commence implementation of a data-led, risk-based program of complaint Reviews with scheduled follow-up to measure impact.

# Investigations

The Ombudsman can formally investigate public organisations' actions and decisions based on complaints we receive, or can choose to do so on her 'own motion'.

We also investigate public interest complaints (or 'whistleblower' complaints) referred to us by IBAC about improper conduct and detrimental action by public officers, and matters referred to us by the Victorian Parliament.

During formal investigations, the Ombudsman has the powers of a Royal Commission, including the power to:

- compel a person to attend an interview on oath or affirmation
- compel a person to produce documents
- inspect a public organisation's premises.

Only some of our investigation team's work involves the use of these coercive powers. We also work closely and flexibly with organisations in less formal ways to quickly address issues and achieve positive change.

In suitable cases, for example, we allow organisations to internally investigate complaints made about them. We monitor their progress, and sometimes take further steps to investigate where necessary or appropriate.

Similarly, we are increasingly sharing information with organisations using powers available under the Ombudsman Act. Alerting the organisations early to trends or issues requiring their attention often prevents problems escalating.

We are always considering new ways to manage our investigations workload, with a focus on meaningful outcomes and recommendations that serve the public interest.

This year, for example, we began trialling a new approach to handling concerns raised with us about prisons and youth justice centres. These represent a sizeable proportion of work across our office. As part of our pilot, a dedicated investigations team now acts as a central point for assessing many of these matters. It is anticipated these specialists will continue to develop deeper knowledge of the corrections sector – and the often complex needs of people in it.

## Tabled reports 2023-24

*Reflections on 10 years* | March 2024

*Social Housing complaint handling – progress report* | March 2024

*Investigation into healthcare provision for Aboriginal people in Victorian prisons* | March 2024

*Investigation of a matter referred from the Legislative Council on 9 February 2022 – Part 2* | December 2023

*Investigation into a Building Permit complaint* | November 2023

*Watchdog for the people: 50 years of the Victorian Ombudsman* | October 2023

*Investigation into the Department of Transport and Planning's implementation of the zero and low emission vehicle charge* | September 2023

*Operation Watts Progress report* | September 2023

*Misconduct in public organisations: A casebook* | August 2023

## Driving systemic improvement

Whether investigating a specific complaint made by an individual with unique circumstances or conducting a thematic deep dive, we are always conscious of identifying opportunities for systemic improvements.

The *Misconduct in public organisations* casebook we tabled in 2023-24 is an example of how we extract and collate lessons from individual cases we investigate so they can be applied more broadly across the public sector.

Meaningful change resulting from our investigations can take time. For example, as the 2023-24 year ended, Parliament debated a Bill to establish a Parliamentary Ethics Committee and a Parliamentary Integrity Commissioner. We recommended the establishment of both in the July 2022 report on Operations Watts, our joint investigation with IBAC.

## Parliamentary complaints

Under section 16 of the Ombudsman Act, the Victorian Parliament – through the Legislative Council, Legislative Assembly or a Parliamentary Committee – can refer ‘any matter’ to the Ombudsman to investigate.

During 2023-24, we completed one investigation into a matter referred by Parliament, and received two new such complaints.

The report from the completed investigation centred on alleged politicisation of the public sector. It was tabled in the Victorian Parliament in December 2023 in response to a referral from the Legislative Council in February 2022.

The two new matters referred by the Legislative Council arose from two private members’ motions passed on 19 June 2024. The motions required the Ombudsman to investigate:

- the development of Kensington Banks, the relocation of the flood overlay at Rivervue Retirement Village and other related matters
- the Victorian Managed Insurance Authority’s management of domestic building insurance claims.

The Ombudsman will report to Parliament at the conclusion of each of these new investigations.

# SNAPSHOT: DEPARTMENT OF TRANSPORT AND PLANNING'S IMPLEMENTATION OF THE THE ZERO AND LOW EMISSION VEHICLE CHARGE

## THE CASE

In July 2021, a new road-user charge for zero and low emission vehicles ('ZLEV') was introduced in Victoria. The charge, which is administered by the Department of Transport and Planning ('the Department'), is calculated based on the number of kilometres a ZLEV travels.

The Victorian Government's rationale for the charge was that while fuel-powered vehicles paid for the maintenance of Victorian roads through the Commonwealth fuel excise, ZLEV owners paid little or nothing. The ZLEV charge was intended to ensure that all drivers made a fair contribution. However, some ZLEV owners felt that the ZLEV charge was unfair given their particular circumstances.

## KEY FINDINGS

- While the ZLEV Act gives the Department the discretion to waive charges in any circumstances it considers appropriate, in practice, the Department has been reluctant to use this discretion.
- The Department has no guiding policy on how it should consider using its discretion and routinely refused requests for ZLEV charges to be waived.
- The Department provided unhelpful and evasive responses to complaints about the ZLEV charge and did not make ZLEV owners aware of its discretion to waive charges.
- The Department also penalised ZLEV owners when they were late declaring their odometer readings, by unfairly suspending and cancelling registrations and by imposing 'penalty' charges. No part of the ZLEV Act explicitly allows the Department to impose a penalty.

## RECOMMENDATIONS

This report made four recommendations:

- To review each ZLEV complaint to ensure the circumstances are properly considered and the substance of the complaint is addressed.
- To cease imposing a 'penalty' charge.
- To establish a process to identify all instances of ZLEV owners being overcharged and to refund all 'penalty' charges.
- To develop and publish processes for ZLEV owners to:
  - dispute inaccurate ZLEV charges
  - request waivers of the requirement to declare an odometer reading
  - request discretionary waivers.

## BY THE NUMBERS

**19,200**

ZLEVs registered in Victoria

**180+**

complaints made to the Department

**67%**

of these were about an unsatisfactory process or policy

**240+**

ZLEV registrations cancelled

# SNAPSHOT: INVESTIGATION INTO A BUILDING PERMIT COMPLAINT

## THE CASE

After the Black Saturday bushfires destroyed everything on Robyn's land, she rebuilt, including a detached building for her adult son to live in. Robyn believed she had a Building Permit to build a habitable building, but she did not. According to the Building Permit, issued by Mitchell Shire Council, the building should be a shed.

After construction, Yarra Ranges Shire Council, Robyn's local council, ordered her to stop using the building as a habitable building. Robyn complained to the Ombudsman after attempting to work with both councils but finding no solution.

## KEY FINDINGS

- Mitchell Shire Council issued the Building Permit for a shed, as this is what Robyn's builder applied for. It was Robyn's responsibility to check that she had the right kind of permit before building. However, an error by Mitchell Shire Council meant she never received her permit from the Council, so she did not realise she had the wrong type of permit.
- Later, when Robyn was trying to find a solution, Mitchell Shire repeatedly told Robyn that it could not assist her, as her building was outside of the Council's boundaries, without providing further reasoning for this position.
- It was reasonable for Yarra Ranges Shire Council to order Robyn to stop using the building as a dwelling. However, its poor communication at times, and unclear goals led to confusion and reported anxiety for Robyn.

## RECOMMENDATIONS

This report recommended that Mitchell Shire Council provide Robyn with an apology, a clear articulation of her options so that she can make an informed decision, and a clear statement that the Council will consider a future Building Permit application, if this is Robyn's preferred option.

## BY THE NUMBERS

**6+ years**

how long Robyn has been trying to resolve the issue

**\$77,000**

the fine for living in a non-habitable building in 2017

**60 days**

how long Robyn had to address issues with the building to avoid being fined

**9 times**

Robyn had to request an extension to avoid potential prosecution

# Public interest disclosure

Victoria's public interest disclosure scheme encourages people to report improper conduct or detrimental action in the Victorian public sector.

The identities of disclosers are kept confidential to protect them from reprisals such as bullying, harassment, job loss or legal action. Protections also apply to people who cooperate with investigations into disclosures.

- failing to declare real or perceived conflicts of interest
- using excessive force on people in prison
- misusing confidential information
- gaining private benefit from public resources such as credit or fuel cards
- falsifying records.

## What is a disclosure?

People can make disclosures about:

- public organisations or public officers
- another person whose conduct adversely affects the honest performance of a public organisation's or public officer's official functions (eg a person who tries to bribe a public officer).

A disclosure can be about conduct that has already taken place, is occurring now, or may happen in the future.

Most allegations we received in 2023-24 related to poor conduct by public officers, such as:

- recruiting or promoting friends or family members
- manipulating procurement processes to benefit themselves or their connections

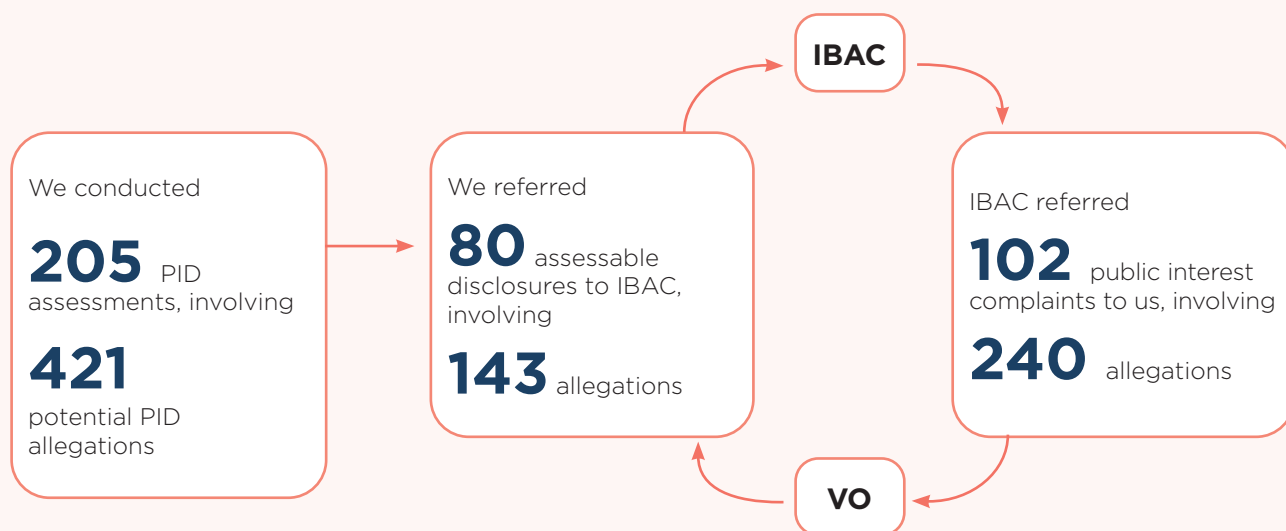
## Our role

We have a role in assessing, enquiring into, and investigating public interest disclosures and complaints. We must refer a matter to IBAC if we decide it may be a public interest disclosure. IBAC then assesses the disclosure and determines if it is 'a public interest complaint'. IBAC often refers those complaints back to us, and we decide if they warrant investigation.

## How we deal with public interest disclosures and complaints

We received 102 public interest complaints from IBAC in the 2023-24 financial year, involving 240 allegations. There was a 15 per cent decrease in complaints from the previous year.

## Disclosure cases referred to and received from IBAC



## Public interest complaints allegations

**183** 2023-24

↓ 4%

**191** 2022-23

## Finalising public interest complaints through enquiries

In 2023-24 we completed 14 public interest complaint investigations and began another 13.

We resolve many public interest complaint allegations without proceeding to a full investigation.

Changes to the Ombudsman Act in 2020 gave us additional powers which allow us to make enquiries on public interest complaints.

Sometimes our enquiries show an investigation is not warranted, but that examination of other issues is needed to improve public administration.

Some of the work may include:

- meeting with disclosers, witnesses and agencies
- reviewing employment, procurement or other contract documents
- conducting criminal record checks
- reviewing policies and procedures
- performing site inspections
- securing and reviewing CCTV footage or other sensitive information.

## Disclosure cases closed

We finalised

**99** public interest complaints cases involving  
**235** allegations

We finalised

**14** public interest complaint investigations, involving

**23** allegations:

- **1** allegation substantiated or partially substantiated
- **22** allegations discontinued

We finalised

**212** public interest complaint allegations referred to us by IBAC without investigation,

**183** of these following an enquiry process. Reasons for deciding not to investigate included:

- we were not reasonably satisfied that improper conduct or detrimental action had occurred
- the complaint was investigated by another integrity body and/or a body with coercive powers
- the complaint lacked substance or credibility.

# Protecting human rights

## Human rights complaints

**4,327** 2023-24

The Victorian Ombudsman is Victoria's human rights investigator.

When we deal with complaints, we look to see if public organisations have breached human rights or not considered them properly.

The sizeable increase in the number of complaints recorded as engaging human rights in 2023-24 compared to the previous year was mainly due to a change in how we record matters in our case management system.

We took action in hundreds of individual cases, prompting reversals of decisions, improved policies and other actions upholding people's rights. Many of these complaints alleging breaches of human rights were resolved through enquiries.

Our 'own motion' investigation this year into healthcare provision for Aboriginal people in Victorian prisons is an example of how our work helps public authorities understand their human rights responsibilities at a systemic level. The investigation put cultural safety at its heart to reflect the distinct cultural rights First Nations peoples have under Victoria's Charter of Rights Act.

In 2023-24 we also published a progress report on our social housing complaint-handling investigation. The original 2022 report included two recommendations for changes to the Charter of Rights Act. The Minister for Housing informed us these were 'under active consideration' by the government.

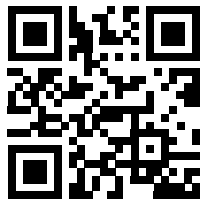


## Reconciliation Action Plan

Our office continues to seek to build trust and form respectful and mutually beneficial relationships with Aboriginal and Torres Strait Islander peoples. Our second Reconciliation Action Plan, developed with Reconciliation Australia, has been endorsed. The plan builds on strong foundations from the first RAP and feedback from the RAP Working Group as we continue to educate and engage our staff and others on reconciliation.

VO continued our First Nations cultural awareness and safety training and expanded our Indigenous annual calendar of events. This included engaging a provider to develop and deliver a suite of cultural awareness training at introductory and advanced levels as well as to host panels of Indigenous leaders to assist staff in developing greater level of awareness and understanding of both historical and contemporary issues affecting Aboriginal and Torres Strait Islander people.

[Scan the QR code to access our Reconciliation Action Plan](#)



## Gender Equality Action Plan

For an organisation like ours, advancing gender equality is critical for creating an inclusive workplace that represents the diversity of the community, ensures every individual is safe, respected and valued, and aligns our culture with our values.

In February 2024, we submitted our progress audit and progress report to the Commission for Gender Equality in the Public Sector for the period 2021-23. The audit required us to compile data, and the report required us to demonstrate whether our actions are achieving positive change towards gender equality.

Our audit demonstrated considerable progress toward gender representation, with women constituting 68 per cent of our workforce, men at 31 per cent, and 1 per cent identifying as self-described. However, we know we can do more, and the Commission's assessment will provide valuable feedback to help us keep improving our systems, practices and workplace culture.

We're proud that women are strongly represented across all levels of our organisation, including senior leadership positions, and of the strategies outlined in our Gender Equality Action Plan, addressing recruitment, leadership development programs, and other initiatives to foster an inclusive and empowering work environment.

We are committed to promoting organisational diversity in decision-making processes and leadership opportunities and look forward to drawing on the Commission's feedback to improve our practices and examine our organisation through an intersectionality lens.

[Scan the QR code to access our Gender Equality Action Plan](#)



# Public sector education



**70**

educational workshops  
(8 more than last year)



**1,059**

workshop attendees



**97%**

satisfaction rates

Our functions include providing public sector education and training to improve administration and complaint-handling practices and prevent maladministration. We offer four workshops on good complaint handling, managing conflicts of interests, dealing with complex behaviour and our newest offering on good decision making.

It was a busy year for our Education team, running 70 workshops, with attendance up 11 per cent, totalling 1,059 people. More than 30 different organisations engaged our education services this year, many for the first time.

Most organisations preferred our face-to-face delivery for 'in-house' workshops, with just a handful opting for online delivery. While shorter 'open registration' workshops are conveniently offered online, we remain flexible delivering our more comprehensive workshop on dealing with complex behaviour both in person and online.

Participant satisfaction rates remained high at 97 per cent, consistent with last year's results.

## Education workshops – what participants said

### Dealing with complex behaviour

*'The presentation was amazing, the facilitator was next level engaging had everyone collaborating and engaged – one of the best workshops I have attended. Thank you for your time!'*

*'This was a great course. The facilitator was really engaging, the content was valuable and readily applicable.'*

### Conflict of interest:

*'The way it was presented, and the depth of understanding required to "get it right" – and be able to identify Conflict of interest.'*

### Good complaint handling:

*'There was value in developing and understanding checklists for self-scrutiny ... providing tools and clarity to confidently manage complaints going forward.'*

### Good decision-making:

*'What resonated most for me was the discussion around procedural fairness and distilling a potentially difficult legal concept into easily understandable language and terms that are also easy to apply.'*



1. Event at Whitehorse City Council
2. VO staff at Victorian Law Week 2024
3. Victorian Ombudsman stand at the Midsumma Festival 2024

# Engagement

In 2023-24, we continued to focus our engagement efforts on building relationships with peak bodies working with First Nations communities, social housing tenants, and culturally and linguistically diverse communities.

We held face-to-face meetings with the Gippsland and East Gippsland Aboriginal Cooperative and the Bendigo District Aboriginal Cooperative, the latter of which resulted in delivery of two good complaint handling workshops for senior staff.

We also continued our partnership with the Victoria Law Foundation, enabling us to engage with young people at Regional School Talks and other community groups including Neighbourhood Houses.

We travelled across the state including to Warrnambool, Bendigo, Cobram, Shepparton, Tongala, Sale, Bairnsdale and Morwell to promote our services to people in regional Victoria.

In January 2024, we once again joined the Midsumma Festival to engage with the LGBTQIA+ community and allies, promoting the role of the Ombudsman in the protection of human rights, including the right to recognition and equality before the law.

We partnered with other integrity agencies on webinars to present to hundreds of public servants, including a session titled 'United Against Corruption' with the National Anti-corruption Commission and IBAC and another titled 'Counsel about councils' involving the Local Government Inspectorate.

In October 2023, we also hosted the Australasian Pacific Ombudsman Region (APOR) conference themed *Through The Ombudsman Looking Glass: Now And Into The Future*.

At the conference, ombudsmen from the region explored the role of their offices in a crisis, asked whether the public still cares about integrity, considered the balance an Ombudsman must strike when exercising powers and discussed the impact of emerging technologies, including artificial intelligence.



The conference coincided with celebrations to mark the Victorian Ombudsman's 50th anniversary and the 35th annual APOR Members meeting, during which members issued the following communique:



**Communiqué of the APOR conference and 35<sup>th</sup> Members' meeting  
1 November 2023**

The Australasian Pacific Ombudsman Region (APOR) held a conference on 31 October and its 35th annual Members' meeting on 1 November 2023 in Melbourne, Australia.

The conference, themed *Through The Ombudsman Looking Glass: Now And Into The Future* was hosted by Victorian Ombudsman Deborah Glass OBE as Regional President.

Among other topics the conference explored the role of an Ombudsman in a crisis, noting the Ombudsman has a vital role to play in ensuring balance – understanding that governments may need to act decisively and swiftly, but must always be proportionate and responsible and have due consideration to maintaining human rights.

It coincided with celebrations to mark the 50th anniversary of the Ombudsman in Victoria. APOR members noted the significant contribution of the Victorian Ombudsman to the Victorian community over this period and commended their demonstrated integrity and independence.

APOR Members reflected on and reaffirmed their commitment to the Principles on the Protection and Promotion of the Ombudsman Institution adopted by the Venice Commission on 15 March 2019, and the Resolution adopted by the United Nations General Assembly on 16 December 2020, in particular noting:

- The importance of independent and autonomous Ombudsman institutions to improving public administration and ensuring fairness
- The role of the Ombudsman in the promotion and protection of human rights, good governance and the rule of law.

Noting the mandate for the promotion and protection of human rights, APOR Members also acknowledge the importance of supporting the rights of First Nations and Indigenous people. Ombudsmen throughout the region have an important role to play in empowering those aggrieved by the actions of government agencies and supporting their human rights.

MELBOURNE '23  
AUSTRALASIA & PACIFIC OMBUDSMAN REGION

# Our people

We employ 109 staff with a diverse range of qualifications, experience and backgrounds. Our people's diverse qualifications range from law and criminal justice to social sciences, media and communications, human rights and business.

Table 1: Staff profile by gender, age and classification 2023-24

FY2023-24	All Employees		Ongoing			Fixed Term	
	Headcount	FTE	Full Time - Headcount	Part Time - Headcount	FTE	Headcount	FTE
<b>Gender</b>							
Female	74	70.3	55	8	60.1	11	10.2
Male	34	32.8	26	4	29.0	4	3.8
Self-Described	1	1	1		1		
<b>Total</b>	<b>109</b>	<b>104</b>	<b>82</b>	<b>12</b>	<b>90</b>	<b>15</b>	<b>14</b>
<b>Age</b>							
Under 25	1	0.4				1	0.4
25-34	23	22.6	19	1	19.6	3	3
35-44	42	39.8	31	7	36.0	4	3.8
45-54	26	24.7	19	3	20.9	4	3.8
55-64	14	13.6	11	1	11.6	2	2
Over 65	3	3.0	2		2	1	1
<b>Total</b>	<b>109</b>	<b>104</b>	<b>82</b>	<b>12</b>	<b>90</b>	<b>15</b>	<b>14</b>
<b>Classification</b>							
VPS 2	1	0.4				1	0.4
VPS 3	3	3.0	3		3.0		
VPS 4	43	40.5	34	8	39.5	1	1
VPS 5	36	35.2	29	2	30.2	5	5
VPS 6	17	16.6	15	1	15.8	1	0.8
STS	2	1.4		1	0.6	1	0.8
Executive	6	6.0			1.0	6	6
Independent officer of Parliament	1	1.0	1				
<b>Total</b>	<b>109</b>	<b>104</b>	<b>82</b>	<b>12</b>	<b>90</b>	<b>15</b>	<b>14</b>

\* Employees have been correctly classified in workforce data collections. Excludes staff on leave without pay, volunteers, contractors and consultants. Employees reported as 'secondee' are included in the fixed term counts.

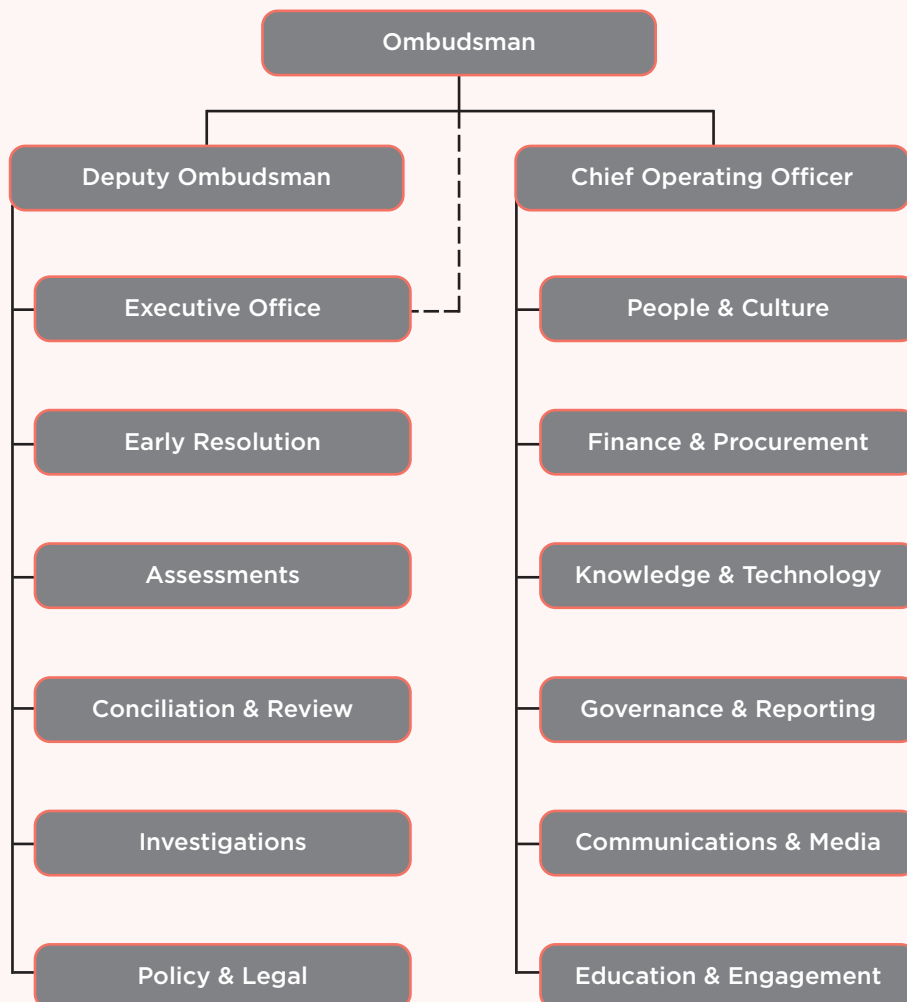
Table 2: Staff profile by gender, age and classification 2022-23

FY2022-23	All Employees		Ongoing			Fixed Term	
	Headcount	FTE	Full Time - Headcount	Part Time - Headcount	FTE	Ongoing	FTE
<b>Gender</b>							
Female	79	74.4	55	11	62	13	12.4
Male	38	37	28	4	31.2	5	5.8
Self-Described	1	1	1		1		
<b>Total</b>	<b>118</b>	<b>112</b>	<b>90</b>	<b>14</b>	<b>99</b>	<b>21</b>	<b>20</b>
<b>Age</b>							
Under 25	1	1.0	1		1		
25-34	29	27	25		23.8	4	3.4
35-44	42	40.0	33	5	36.2	4	3.8
45-54	26	24.6	13	6	17.6	7	7
55-64	16	15.4	10	3	12.6	3	3
Over 65	4	4.0	2	1	3	1	1
<b>Total</b>	<b>118</b>	<b>122</b>	<b>84</b>	<b>15</b>	<b>94</b>	<b>19</b>	<b>18</b>
<b>Classification</b>							
VPS 2							
VPS 3	4	3.3	2		2	2	1.3
VPS 4	49	46.0	37	7	42	5	5
VPS 5	37	35.3	26	6	29.3	6	6
VPS 6	19	18.8	18		18	1	0.8
STS	2	1.6		2	1.6		
Executive	6	6.0	1		1	5	5
Independent officer of Parliament	1	1.0				1	1
<b>Total</b>	<b>118</b>	<b>112</b>	<b>84</b>	<b>15</b>	<b>94</b>	<b>19</b>	<b>18</b>

\*Employees have been correctly classified in workforce data collections. Excludes staff on leave without pay, volunteers, contractors and consultants. Employees reported as 'secondee's are included in the fixed term counts.

## Organisational Structure

In **2023-24**, the VO comprised an Executive Office and two Divisions, namely Statutory Functions, led by Deputy Ombudsman Megan Philpot, and Corporate Services, led by Chief Operating Officer Dr Marija Maher.





## Salary

The following table discloses the annualised total salary for senior employees of the Victorian Ombudsman, categorised by classification. The salary amount is reported as the full-time annualised salary.

Table 3: Annualised total salary, by \$20,000 bands, for executives and other senior non-executive staff

Income band (salary)	Executives	STS	PS	SMA	SRA	Other
< \$160,000						2
\$160,000 – \$179,999						5
\$180,000 – \$199,999	2	1*				
\$200,000 – \$219,999	1					
\$220,000 – \$239,999	1	1*				
\$240,000 – \$259,999						
\$260,000 – \$279,999						
\$280,000 – \$299,999						
\$300,000 – \$319,999						
\$320,000 – \$339,999						
\$340,000 – \$359,999	2					
\$360,000 – \$379,999						
\$380,000 – \$399,999						
\$400,000 – \$419,999						
\$420,000 – \$439,999						
\$440,000 – \$459,999						
\$460,000 – \$479,999						
\$480,000 – \$499,999						
<b>Total</b>	<b>6</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7</b>

**Note:** The salaries reported above are for the full financial year, at a 1-FTE rate, and exclude superannuation.

(\*) There are two employees employed on a part-time basis at a 0.6 FTE rate and a 0.8 FTE rate respectively.

## People Matter 2023-24 survey

The 86 per cent response rate for the 2023-24 People Matter survey has provided us with valuable insights on how we're supporting our people..

Our people continue to report high levels of engagement, with positive responses reflecting pride, attachment, inspiration, motivation and advocacy for the organisation.

76 per cent of our people responding to the survey believe that the organisation will make improvements based on this year's results.

During 2023-24, reflecting the feedback from the 2022-23 survey and staff consultation sessions, emphasis was given to psychosocial safety, workplace safety and staff wellbeing. With this focus, we continued to partner to deliver health and wellbeing programs and interventions, invested in building staff and manager understanding and capability in relation to workplace safety, psychosocial safety, workplace behaviours, unconscious bias and DEI.

Question	2023 response	2024 response
<b>My workplace has effective procedures in place to support employees who may experience stress</b>	<b>60%</b>	<b>68%</b>
<b>My workplace has good communication about psychological safety issues that affect me</b>	<b>67%</b>	<b>73%</b>
<b>All levels of the organisation are involved in the prevention of stress</b>	<b>56%</b>	<b>62%</b>
<b>I feel safe to challenge inappropriate behaviour at work</b>	<b>79%</b>	<b>81%</b>

This year's survey saw improved responses in relation to workload and time pressures with agreement up 2 per cent and 5 per cent respectively.

Of those who experienced work-related stress; workload, time pressure and dealing with clients or stakeholders were the top causes.

Our frontline people interacting with the public continue to experience increasingly challenging behaviour and complex work. Of the 13 per cent of our people who reported experiencing violence or aggression at work, 69 per cent identified a member of the public and 62 per cent a client/customer/stakeholder as the perpetrators. This reflects a 19 per cent and 12 per cent increase from last year's survey.

Our work in relation to psychosocial safety and wellbeing will continue, with a focus this year on vicarious trauma to further support our people and managers.

Our people report having meaningful work, high level of workgroup support and quality service delivery which continues to deliver positive outcomes for the organisation, our work and for our people. 98 per cent of survey responses reflect understanding of how the VPS Code of Conduct applies to our work and 97 per cent understanding how the Charter of Rights applies.

## Supporting our people

Under section 21 of the *Occupational Health and Safety Act 2004* (Vic), an employer has an obligation to provide a safe workplace for employees, and under section 25 of the Act, employees must also take reasonable care for their own and others health and safety and cooperate with their employer in the workplace.

Our OHS Committee meets quarterly and provides updates and recommendations to the Executive on matters relating to the health, safety and wellbeing of our employees.

As part of our ongoing commitment to the health, safety and wellbeing of our employees and others our workplace activities and resources included:

- Employee Assistance Program, available 24/7 for employees and their immediate family members
- weekly onsite Employee Assistance program health and wellbeing consultant
- reimbursement initiative for prescription glasses
- influenza vaccination program
- first aid officer training
- peer support officers
- mental health and wellbeing workshops
- 'Managing Psychosocial Hazard' module for people leaders
- appropriate workplace behaviours workshops, including EEO and sexual harassment, for employees and people leaders
- October Safety month awareness raising and promotion
- promotion of key dates and activities e.g. R U Ok day?

### Employment and conduct principles

Our staff comply with the public sector values established under the *Public Administration Act 2004* (Vic). The values prescribe the behaviours expected of public officials: responsiveness, integrity, impartiality, accountability, respect, leadership and promoting human rights.

### Public sector employment principles

We are committed to applying merit and equity principles when appointing staff. Our selection processes ensure applicants are assessed and evaluated fairly and equitably, based on key selection criteria and other accountabilities, without discrimination.

We embrace the public sector employment principles established under section 8 of the Public Administration Act. We ensure:

1. employees are treated fairly
2. employment decisions are based on merit
3. equal employment opportunity is provided
4. human rights as set out in the *Charter of Human Rights and Responsibilities Act 2006* (Vic) are upheld
5. employees have a reasonable avenue of redress against unfair or unreasonable treatment
6. a career in public service is fostered.

Consistent with the Victorian Public Sector Commission's employment standards, we educate our employees on how to avoid conflicts of interest and manage conflicts where they cannot be avoided, and how to respond to offers of gifts and hospitality.

### Workforce inclusion

We are committed to providing a working environment where equality, diversity and inclusion are valued.

Our workforce inclusion practices have resulted in us employing 67 per cent female, 32 per cent male and 1 per cent Self-Described in an ongoing or fixed term employment capacity this year.

Ways we celebrate diversity:

- Recognising days of cultural significance
- Supporting LGBTQIA+ events
- Celebrating awareness days or weeks
- Cultural Safety and Awareness workshops
- Reconciliation Action Plan
- Gender Equality Action Plan
- Diversity, Equity and Inclusion Strategy

The Victorian Ombudsman continues to work towards creating an inclusive working environment where equal opportunity and diversity are valued, and that reflects the communities we serve. Consistent with the Gender Equality Act 2020, The target set by the Victorian Government of at least 50 per cent women on the executives' gender profile by 2021 was met and surpassed by the Victorian Ombudsman in 2023-24.

The Victorian Ombudsman values staff with non-binary gender identities. The Victorian Ombudsman acknowledges that due to historic and current barriers to disclosure of non-binary gender identities, staff may not choose to disclose this information.

The following table outlines the Victorian Ombudsman's progress against Gender Equality Action Plan at the executive level in 2023-24.

Table 4: Victorian Ombudsman's actual progress against this target in 2023-24

Workforce inclusion policy initiative	Target	Actual progress in 2023-24	Actual progress in 2022-23
Gender profile at executive levels <sup>(a)</sup>	Executive Officers: 50 per cent women; 50 per cent men by 2021	Executive Officers: 83 per cent women; 17 per cent men	Executive Officers: 87 per cent women; 13 per cent men

Note: (a) The self-described category is nil for this entity.

## Executive Data

For the Victorian Ombudsman, a member of the Senior Executive Service (SES) is defined as a person employed as an executive under Part 3 of the *Public Administration Act 2004* (PAA). For a public body, an executive is defined as a person employed as an executive under Part 3 of the PAA or a person to whom the Victorian Government's Public Entity Executive Remuneration Policy applies. All figures reflect employment levels at the last full pay period in June of the current and corresponding previous reporting year.

The definition of SES does not include a statutory office holder or an Accountable Officer.

The following tables disclose the SES of the office of the Victorian Ombudsman for 30 June 2023:

- Table 6 discloses the total numbers of SES for the Victorian Ombudsman, broken down by gender
- Table 7 provides a reconciliation of executive numbers presented between the report of operations and Note 9.9 Remuneration of executives in the financial statements

Table 5: Total number of SES for the Victorian Ombudsman, broken down into gender

	All		Women		Men		Self-described	
Class	No.	Var.	No.	Var.	No.	Var.	No.	Var.
SES3	0	0	0	0	0	0	n	n
SES2	2	0	2	0	0	0	n	n
SES1	4	0	3	1	1	0	n	n
<b>Total</b>	<b>6</b>	<b>0</b>	<b>6</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>n</b>	<b>n</b>

The number of executives in the report of operations is based on the number of executive positions that are occupied at the end of the financial year. Note 8.3 in the financial statements lists the actual number of SES and the total remuneration paid to SES over the course of the reporting period. The financial statements note does not include the Accountable Officer, nor does it distinguish between executive levels or disclose separations. Separations are executives who have left the Department during the relevant reporting period. To assist readers, these two disclosures are reconciled below

Table 6: Reconciliation of executive numbers

		2024	2023
	Executives (financial statement Note 8.3)	6	8
	Accountable Officer (Secretary)	1	1
Less	Separations	(0)	(2)
	<b>Total executive numbers at 30 June</b>	<b>7</b>	<b>7</b>

# Occupational health and safety

Table 7: Occupational Health and Safety (OHS)

Measure	Key Performance Indicator	2021-22	2022-23	2023-24
Incidents*	No. of reported incidents	2	13	14**
	Rate per 100 FTE	1.57	7.69	13.46
	No. of incidents requiring first aid and/or further medical treatment	1	5	4
Claims	No. of standard claims ***	1	1	1
	Rate per 100 FTE	0.78	0.78	0.96
	No. of lost time claims	1	1	1
	Rate per 100 FTE	0.78	0.78	0.96
	No. of claims exceeding 13 weeks	0	1	0
	Rate per 100 FTE	0	0.78	0
Fatalities	Fatality claims	0	0	0
Claim costs	Average cost per standard claim	\$0	\$3,000	\$19,027.50
Return to work	Percentage of claims with RTW plan <30 days	0	0	0
Management commitment	Evidence of OHS policy statement, OHS objectives, regular reporting to senior management of OHS, and OHS plans	Completed	Completed	Completed
	Evidence of OH&S criteria(s) in purchasing guidelines (including goods, services and personnel)	Completed	Completed	Completed
Consultation and participation	Evidence of agreed structure of designated workgroups, (DWGs), health and safety representatives (HSRs), and issue resolution procedures (IRPs)	Completed	Completed	Completed
	Compliance with agreed structure of DWGs, HSRs and IRPs	Completed	Completed	Completed
Risk management	Percentage of internal audits/inspections conducted as planned	75%	75%	75%
	No. of Improvement Notices issued across the organisation by WorkSafe Inspector	0	0	0
	Percentage of issues resolved arising from:			
	<ul style="list-style-type: none"> <li>internal audits and inspections</li> <li>HSR Provisional Improvement Notices (PINs)</li> <li>WorkSafe Notices</li> </ul>	100% 100% 100%	100% 100% 100%	100% 100% 100%
Training	Percentage of staff that have received OHS training:			
	<ul style="list-style-type: none"> <li>induction</li> <li>management training</li> <li>contractors, temps, and visitors</li> </ul>	100% 100% 100%	100% 100% 100%	100% 100% 100%
	Percentage of HSRs trained:			
	<ul style="list-style-type: none"> <li>on acceptance of role</li> <li>re-training (refresher)</li> <li>on reporting of incidents and injuries</li> </ul>	100% 100% 100%	100% 100% 100%	100% 100% 100%

Note: \* Incidents includes injuries and near misses.

\*\* Reported incidents have increased since 2021-22 as a result of our focus on reporting through our IMS. Pleasingly the number of claims remains low at 1.

\*\*\* Standard claims are those that have exceeded the employer excess (for medical and like expenses) threshold and/or liability for 10 working days of time lost.

# Our performance

Table 8: Output performance statement

Performance measures	Unit of measure	2023-24 target	2023-24 actual	Target Met , Not Met or Exceeded
<b>Quantity</b>				
Number of jurisdictional cases opened	number	18,000	18,021	✓
<b>Department Comments – including explanation of all variance greater than 5%</b> The number of jurisdictional complaints is contingent on approaches to the office by members of the public, which is an external factor beyond the direct control of the VO.				
Jurisdictional cases selected for enquiry/ investigation	per cent	27	27	✓
<b>Department Comments</b> Where the VO receives a significant number of complaints in a short period of time, relating to the same or similar issue, it may chose to conduct an investigation or enquiry into the underlying systemic issues. As such, the number of jurisdictional complaints enquired or investigated into may be greater than this represents.				
Education and training participants	number	580	1,059	✓
<b>Department Comments</b> The number of education and training participants has shown consistent volumes to last year increased sessions in the second half of 2023-24 have led to the final result.				
<b>Quality</b>				
Jurisdictional cases that lead to an agreed improvement (e.g., practice/ policy/law reform, remedial/ rectification/mitigation action)	per cent	55	78	✓
<b>Department Comments</b> Jurisdictional cases that lead to an agreed improvement are contingent on cases being capable of being resolved.				
Public sector education program satisfaction rate	per cent	90	94	✓
<b>Department Comments</b> Collectively, virtual and face to face training programs deliver consistent and positive satisfaction rates.				
Complaint service satisfaction	per cent	60	51	■
<b>Department Comments</b> The overall service satisfaction result is impacted by lower satisfaction levels from online complainants (compared to those who submit their complaint on the phone). The VO continues to review and refine operational processes and systems to ensure online complainants interactions with the office meet the complainants needs and expectations.				
<b>Timeliness</b>				
Complaints closed within 30 days	per cent	90	97	✓
<b>Department Comments</b> The VO will continue to explore ways to streamline and enhance its processes and systems to ensure complaints are resolved as quickly as possible.				
Investigations closed within 12 mths	per cent	80	37	■
<b>Department Comments</b> This measure was impacted by the Parliamentary referral relating to the politicisation of the public sector which absorbed significant resources and meant other investigative work was not completed within expected timeframes. Whilst the VO has in recent years had to conduct investigations into Parliamentary referrals, the scale and complexity of the politicisation investigation was such that it had a greater impact on the organisation's resources. Other factors which impacted the result include: the need to respond to the welfare needs of those involved in our investigations; sensitive subject matter which required detailed consideration; and resource constraints of those we were investigating causing delays in receipt of material.				
<b>Cost</b>				
Total cost output	\$ million	\$21.70	\$21.90	■
This excludes: Parliamentary Referral expense reimbursement   Special Appropriation   ATNAB (Addition to net asset base) funding				

Note: ✓ Performance target achieved or exceeded.  
 ■ Performance target not achieved – exceeds 5 per cent variance.

# Feedback about us

## Complainant satisfaction survey

Since 2019 we have engaged EY Sweeney to conduct quarterly complainant satisfaction surveys to help us identify opportunities for improvement.

Overall complainant satisfaction with our service has remained consistent with last year's results. One in two (51 per cent) are either satisfied or very satisfied.

Also consistent with previous years, people who speak with us on the phone are more likely to report being satisfied with our service.

Although the survey is focussed on our complaints processes, including lodgement, assessment, communication, timeliness and providing reasons, whether a case goes in the complainant's favour significantly influences perceptions of service, with 83 per cent of complainants dissatisfied with the outcome of their complaint reporting services did not meet their expectations.

In most cases, we think it's fair authorities get a chance to deal with complaints about them before we become involved. This means when a person contacts us without having complained to the authority first, we will likely encourage them to do so.

The survey results suggest that telling complainants to first complain to the relevant authority is impacting their perceptions of VO and are significantly less likely to rate us positively across all key metrics, including perceptions of fairness.

These results show how important it is that we work with authorities to improve their complaint-handling practices so people can have confidence their complaints will be dealt with effectively and fairly when we refer them.

## Stakeholder satisfaction survey

To complement our work with complainants, in 2023 we asked EY Sweeney to also conduct stakeholder research to understand the perceptions, needs and expectations of the authorities we oversee.

Based on 87 online surveys and 20 in-depth interviews between May and September 2024, most view the VO in a positive way with four in five (83 per cent) being satisfied with interactions.

A large majority of stakeholders rated us positively in terms of trustworthiness (92 per cent), responsiveness (92 per cent), independence (91 per cent), professionalism (93 per cent), respectfulness (90 per cent), accessibility (88 per cent) and acting in the best interests of Victorians (91 per cent).

The stakeholder survey results show optimism about our future engagement with the sector and an opportunity to improve how we ensure we understand the role and operating environments of those we oversee.



# Complaints about us

When people complain to us about the merits of our decisions or our service delivery, we consider their request and may undertake a review in which a senior officer not previously involved in the matter reviews how we had handled it.

In 2023-24, we received 168 requests for review, 120 about the merits of our decisions and 48 about our service delivery.

Of the 120 requests for review of the merits of our decisions, 88 were declined; 10 resulted in the matter being returned to the case officer for further work and 22 progressed to internal review, of which:

- 14 determined the original decision was satisfactory.
- 8 resulted in us reconsidering the complaint or taking further action.

Of the 48 complaints about our service delivery:

- in 36, we determined our service delivery was satisfactory.
- in 12, we determined that service delivery was unsatisfactory and attempted to resolve the concerns raised through providing an explanation, apologising, or agreeing to take further action.

Requests for review are initially considered by the original complaint handler in conjunction with their manager which provides an opportunity for the concerns raised in the request for review to be considered and potentially addressed prior to, and sometimes instead of, the request having to be formally considered. In particular, this step provides a valuable opportunity to consider additional information not previously provided by the person making the review request.

Most requests that were assessed as being not suitable for internal review were declined on the basis that the person seeking review had merely expressed their disagreement or dissatisfaction with the decision, rather than any error in how their complaint was managed.

If complaints allege corrupt conduct or staff misconduct, we must notify IBAC or the Victorian Inspectorate, and they deal with it independently of us.

# Freedom of information

The *Freedom of Information Act 1982* (Vic) ('FOI Act') creates a right for the public to access certain documents held by public sector agencies, including the Victorian Ombudsman.

Section 29A of the Ombudsman Act provides a limited exemption from the FOI Act and means the FOI Act does not apply to documents in the possession of the Ombudsman or any other person or body that disclose information about:

- a complaint, a referred complaint, a referred matter or a matter referred to the Ombudsman by Parliament under section 16 of the Ombudsman Act
- an enquiry or investigation under the Ombudsman Act
- a recommendation made by the Ombudsman under the Ombudsman Act
- a report or draft report made under the Ombudsman Act.

In 2023-24 we received 32 FOI requests, processed 30, and carried over 2 into the 2024-25 financial year. Due to the operation of section 29A of the Ombudsman Act, the FOI Act did not apply to 27 of the FOI requests processed in 2023-24. Access to documents sought was granted in full to 5 requests, in part to 0 requests and access denied in full to 0 requests. 6 requests for consultation under section 33 of the FOI Act were received and processed.

## Categories of documents held

We hold a number of categories of documents:

- investigation reports tabled in Parliament and published on our website
- internal administrative and operational documents
- internal policy and procedural documents
- documents about developing or implementing policy and legislation
- human resources documents
- financial records
- documents obtained or created in the course of conducting investigations or making enquiries, including complaints, correspondence, file notes and reports
- documents relating to our functions under the

Public Interest Disclosures Act

- background material, records of conversation, analysis and advice
- fact sheets, brochures and promotional material.

Certain documents are destroyed or transferred to the Public Record Office Victoria in accordance with the *Public Records Act 1973* (Vic).

## Publicly available information

The following information is available on our website:

- statements about the Ombudsman's role, responsibilities, scope, governing law and reporting to Parliament
- information about the Public Interest Disclosures Act
- reports that have been tabled in Parliament
- our Service Delivery Charter and Code of Conduct
- good practice guides on handling complaints, managing complex complainant behaviours and managing complaints involving human rights
- our policies on Public Interest Disclosures, Human Rights, and Gifts, Benefits and Hospitality, Complaints, Enquiries, Investigations, Referrals and Notifications, information requests, Complaints about and oversight of the Ombudsman
- answers to common questions
- information about public sector workshops and education programmes
- media releases
- Internal service delivery report supporting the Victorian Ombudsman's Budget paper 3 measures
- complaints about our procurement process
- Procurement Activity Plan.

This material can also be requested by emailing or calling us:

[legal@ombudsman.vic.gov.au](mailto:legal@ombudsman.vic.gov.au)

(03) 9613 6222

1800 806 314 (for regional callers)

## Making an FOI request

An FOI request can be made to the Victorian Ombudsman directly via our website. If you are applying to us directly, your FOI request should clearly describe the document/s sought, specify that the application is a request made under the FOI Act and should not form part of a letter or email on another subject. The applicant should provide the following information:

- name
- address
- phone number
- details of document(s) requested
- form of access required; for example, copy of documents, inspection of file or other.

If seeking to have the application fee waived or reduced due to hardship, the applicant should include this request in the application.

## Fees

An application fee of \$32.70 is required unless an authorised officer, satisfied that the payment of the fee would cause hardship, waives or reduces that fee.

## Reviews

Applicants may seek an external review of a decision made about:

- requests for access to documents or amendment of records
- the cost levied for allowing access to documents.

Depending on the decision made in the first instance, the Information Commissioner or the Victorian Civil and Administrative Tribunal can conduct the review. The letter to the applicant advising our FOI decision will include information on the appropriate avenue of review, if any. Applicants are advised to consult Part VI of the FOI Act for more information about appeal rights.

For those FOI applications to which section 29A of the Ombudsman Act applies, there is a limited avenue of appeal to the Information Commissioner for a review of the decision that section 29A of the Ombudsman Act applies to the request.

An applicant may seek a review by the Victorian Civil and Administrative Tribunal under its review jurisdiction (see Part 3 of the Victorian Civil and Administrative Tribunal Act 1989).

## FOI Complaints

A person may complain to the Information Commissioner about certain matters relating to an FOI request, including about:

- an agency's decision that a requested document does not exist or cannot be located
- a delay by the agency in processing an FOI request
- any other action taken or failed to be taken by an agency in performing its functions and obligations under the FOI Act.

For those FOI applications to which section 29A of the Ombudsman Act applies, there is an avenue of complaint to the Information Commissioner.

For more information on seeking a review or complaining to the Information Commissioner, visit:

[ovic.vic.gov.au/freedom-of-information/for-the-public/apply-for-a-review/](https://ovic.vic.gov.au/freedom-of-information/for-the-public/apply-for-a-review/)

Further information about the FOI Act is available online at:

[www.ovic.vic.gov.au](https://www.ovic.vic.gov.au)

# Corporate governance

The Ombudsman is the:

- ‘Accountable Officer’ pursuant to section 42 of the *Financial Management Act 1994* (Vic).
- ‘Responsible Body’ under the Standing Directions of the Minister for Finance.
- ‘Public Service Body Head’ pursuant to sub-section 16(1)(h) of the *Public Administration Act 2004* and section 3 of the *Privacy and Data Protection Act 2014* (Vic).
- ‘Officer in Charge’ pursuant to section 13 of the *Public Records Act 1973* (Vic).

The Ombudsman Act bestows all the powers and functions conferred on the Office of the Ombudsman on the Ombudsman personally.

Employees or executive staff exercise only the powers and functions that the Ombudsman delegates to them via delegation instrument.

In 2023-24, the Ombudsman was supported by one internal committee – the Executive Committee – and one external committee – the Audit and Risk Management Committee.

Each committee:

- has terms of reference approved by the Ombudsman stating:
  - the purpose and membership
  - meeting frequency\*
  - record keeping obligations
  - reporting obligations.
- may co-opt expertise from across the office as required
- receives appropriate secretariat support.

\*Which may be that the committee meets as frequently as it sees fit.

Table 9: Internal Committee as at 30 June 2024

Executive Committee	Function
<b>Membership</b> Ombudsman Deputy Ombudsman Chief Operating Officer	The Committee oversees the office’s strategic focus, good governance, strategies and plans that commit significant resources and monitor overall performance. It regularly reviews the status of the office’s budget, compliance obligations, strategic risks, business continuity planning and information management governance.

## Audit and Risk Management Committee

### Role

The Audit and Risk Management Committee's primary role is to oversee and advise the Ombudsman on matters of accountability, risk and internal controls affecting the Victorian Ombudsman's operations as outlined by the *Financial Management Act 1994* (FMA) and Standing Directions (2018).

### Key Responsibilities

- Independently review and assess the effectiveness of VO's systems and controls for financial management, performance and sustainability, including risk management
- Oversee the internal audit function.
- Review annual financial statements.
- Review information in the report of operations on financial management, performance and sustainability before it is released to Parliament.
- Review and monitor compliance with the FMA (including the Standing Directions).
- Maintain effective communication with external auditors.
- Consider recommendations made by internal and external auditors and review implementation of any actions to resolve issues raised.
- Oversee the effective operation of the risk management framework.

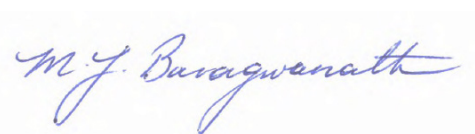
Table 10: Audit and Risk Management Committee membership as at 30 June 2024

Audit and Risk Management Committee members
<b>Scott Goddard</b> , Chair GRC Ready Business Consulting & Services – Co-founder
<b>Kim Rowe</b> Associate – VUCA Trusted Advisors
<b>Patricia Christie</b> Former CEO and acting Principal Register, Family Court of Australia
<b>Damien Manuel</b> Adjunct Professor and Director, Deakin University Centre for Cyber Security and Innovation

## Victorian Ombudsman Financial Management Compliance Attestation Statement

I, Marlo Baragwanath, in my capacity as the Responsible Body, certify that the Victorian Ombudsman has no Material Compliance Deficiency with respect to the applicable Standing Directions under the *Financial Management Act 1994* and Instructions.

Signed:



Ombudsman  
18 September 2024

### Strategically focussed

Our corporate planning framework is based on the six core elements of the Victorian Government's Strategic Management Framework:

- Analyse
- Plan
- Allocate resources
- Implement and monitor
- Evaluate
- Report.

Key outputs from the corporate planning framework are:

- a multi-year strategic plan
- an annual plan
- regular reporting on progress against objectives.

### Transparent and accountable

We make our priorities known publicly through our annual plan. Performance targets are set and published in the output statement included in our annual report. The Integrity and Oversight Committee of Parliament reviews our annual plan and can hold public hearings where the Ombudsman gives evidence.

We also ensure we are accountable by:

- tabling reports in Parliament
- having internal review and complaint processes
- establishing performance criteria for every member of staff
- having a service charter
- assessing our recommendations to public organisations against our own practices
- having a rigorous internal strategy and annual audit plan.

### Committed to compliant practices

We are committed to complying with all relevant obligations, internal and external. We use quality assurance and internal audit programs to monitor compliance.

### Ethical culture

Good governance practices are only effective when supported by an ethical culture, where the values of the office are lived and its institutional practices are respected. This is particularly critical for us, as an integrity agency. An ethical culture not only supports good governance but also our position as a leading public sector oversight organisation.

Our leaders are accountable for upholding and developing an ethical culture by:

- modelling ethical conduct
- expressly canvassing ethical issues as they arise
- recognising and reinforcing ethical conduct by staff
- intervening and addressing unethical conduct.

Ethical decision making is also supported by:

- the *Code of Conduct for Victorian Public Sector Employees of Special Bodies* issued by the Victorian Public Sector Commission
- internal policies and procedures, such as our Conflict-of-Interest Policy, Grievance Resolution Policy and our Gifts, Benefits and Hospitality Policy.

### Compliance with the Building Act 1993

We do not own or control any Government buildings, so are exempt from notifying our compliance with the building and maintenance provisions of the *Building Act 1993* (Vic).

### National Competition Policy

The National Competition Policy requires that (among other things) where Government services compete with the private sector, any advantage arising solely from Government ownership be removed if the advantage is not in the public interest. We do not provide services in competition with the private sector.

## Local Jobs First Act 2003

Local Jobs First aims to:

- promote employment and business growth by expanding market opportunities to local industry
- provide contractors with increased access to, and raised awareness of, local industry capability
- expose local industry to world's best practice in the workplace innovation, e-commerce and use of new technologies and materials
- develop local industry international competitiveness and flexibility in responding to changing global markets by giving local industry a fair opportunity to compete against foreign suppliers.

Departments and public sector bodies are required to apply the Local Jobs First policy in all projects valued at \$3 million or more in Metropolitan Melbourne or for state-wide projects, or \$1 million or more for projects in regional Victoria.

The Local Jobs First Act requires public bodies to report on their compliance. In 2023-24, the Victorian Ombudsman had no procurements or projects to which the policy applied.

## Procurement Related Complaints

A procurement related complaint is defined as an issue or concern expressed by a supplier in relation to the process and probity applied by an organisation when carrying out a procurement activity.

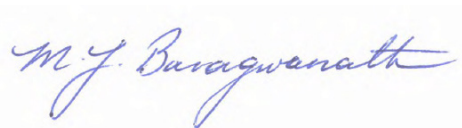
The Victorian Ombudsman has a procurement complaints management system, setting out the process for addressing complaints by suppliers. The Victorian Ombudsman's Chief Procurement Officer (Chief Financial Officer) is responsible for the complaint's management process. In 2023-24, the Victorian Ombudsman received no complaints from suppliers related to a procurement activity.

## Statutory disclosures

Under Standing Direction 5.2 Annual Reporting and the *Financial Management Act 1994* (Vic), we are required to disclose certain information. There is a disclosure index at Appendix 1.

## Accountable officer's declaration

In accordance with the *Financial Management Act 1994* (Vic), I am pleased to present the Report of Operations for the Victorian Ombudsman's office for the year ended 30 June 2024.



Ombudsman  
18 September 2024

# Financial information

Table 11: Five year financial summary

Five-year financial summary	2024 <sup>(a)</sup>	2023	2022	2021 <sup>(b)</sup>	2020
Total income from transactions <sup>(c)</sup>	23,259,204	23,316,259	20,681,144	20,675,043	19,313,014
Total expenses from transactions	23,282,389	23,316,259	20,804,345	19,959,766	18,851,676
Net result from transactions <sup>(d)</sup>	(23,185)	-	(123,202)	715,277	461,338
Other economic flows included in net result	(5,715)	-	-	11,161	77,100
Net result for the period	(28,900)	-	(123,202)	726,438	538,438
Net cash flow from operating activities	1,071,888	1,077,645	1,077,935	(709,475)	606,679
Total assets	18,079,729	18,573,281	18,676,055	19,426,638	11,276,436
Total liabilities	12,596,021	13,060,674	13,163,449	13,790,830	6,387,047

Notes:

(a) This table presents data from the current reporting year with comparative data from the past four reporting years.

(b) 2021 restated

(c) Income from government includes both output and special appropriations.

(d) The 'net result from transactions' is identical to the 'net operating balance' for the general government sector.

## Current financial year review

The Victorian Government considers the net result from transactions to be the appropriate measure of financial management. This measure excludes the effects of gains and losses associated with the disposal of assets and the impact of the revaluation of leave liabilities due to changes in discount rates and market assumptions. Such gains and losses are outside the control of the Victorian Ombudsman.

In 2023-24, the Office reported an operating deficit of \$0.02million due to CPI increases for non-salary expenditure.

There was reduction in income and expenses from transactions in 2023-24.

## Financial position – balance sheet

The Victorian Ombudsman's net asset base as at 30 June 2024 is \$5.48 million, which is a \$0.02 million decrease from the previous year.

There were no other significant changes or factors that affected the current year's performance.

## Cash flows

The net cash inflows from operating activities \$1.07 million for the year. The main driver being timing differences relating to the receipting of appropriation revenue from Government and payments.



## Significant changes in financial position

There were no significant matters which changed VO's financial position during the reporting period.

## Capital projects

The Office completed installation of Customer Relationship Management system, which has been capitalised in 2023-24.

## Disclosure of grants and transfer payments

The Victorian Ombudsman has not provided any grants or transfer payments to companies or organisations.

## Subsequent events

There are no subsequent events to report.

## Advertising Expenditure

The Victorian Ombudsman did not conduct any activities that triggered the disclosure threshold of \$100,000 or greater on government advertising expenditure. We make a nil report statement against this requirement.

## Consultancies

Nil to report for 2023-24.

## Other information available on request

In compliance with the requirements of the Standing Directions under the *Financial Management Act 1994* (Vic), details of items listed below have been retained by the Ombudsman's office and are available on request, subject to the provisions of the Freedom of Information Act.

These items include:

- a statement that declarations of pecuniary interests have been duly completed by all relevant Ombudsman officers including the Ombudsman
- details of all consultancies and contractors.

## ICT expenditure

Our ICT expenditure comprises:

- non-business as usual expenditure: extending or enhancing our current capabilities
- business as usual expenditure: all remaining ICT expenditure, which primarily relates to operating and maintaining our current capability.

This year, we had a total operational ICT expenditure of \$3.124 million.

## Office based environmental impact

The use of electrical power, paper, and office vehicles over the five years since 2019-20 is outlined below.

### Electricity use

In 2023-24 electricity use was 22 per cent higher than in 2022-23 due to increase in staff return to working from office.

### Waste

This year we continued to use recycling bins throughout the office for recyclable materials including paper, cardboard, and plastics. Printer consumable wastes are separately collected. Recycling, general waste and food waste are collected separately.

### Paper use

Paper use in 2023-24 per FTE staff member was 1.13 reams which is a decrease of 10 per cent in comparison to 2022-23.

### Transportation

Where possible, we encourage our staff to use public transport for official business instead of office cars. The office has one hybrid electric/petrol vehicle available for staff.

## Financial information

Table 12: 2023-24 ICT Expenditure

All Operational ICT Expenditure	ICT Expenditure related to projects to create or enhance ICT Capabilities		
Business As Usual (BAU) ICT Expenditure	Non-Business As Usual (Non-BAU) ICT expenditure	Operational expenditure	Capital expenditure
(Total)	(Total = Operational expenditure and capital expenditure)		
\$3,124,323	\$274,764	\$57,446	\$217,318

Table 13: Electricity usage since 2019-20

	2019-20	2020-21	2021-22	2022-23	2023-24
Total electricity used in the office (gigajoules)	502	547	569	579	708
Electricity used per FTE staff member (megajoules)	5,151	5,364	5,692	4,825	5,898
Electricity used per m <sup>2</sup> office space (megajoules)	231	251	261	266	325

Table 14: Paper usage since 2019-20

	2019-20	2020-21	2021-22	2022-23	2023-24
Total Paper used in officer (reams)	350	79	66	150	135
Paper Used per FTE member (reams)	3.59	0.77	0.66	1.25	1.13

Table 15: Vehicle usage since 2019-20

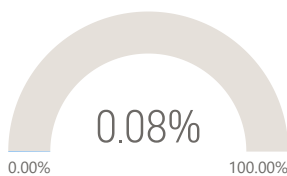
	2019-20	2020-21	2021-22	2022-23	2023-24
<b>Passenger vehicle trips</b>					
Total kilometres driven	4,104	4,194	467	7,432	8,501
Kilometres driven per FTE staff member	42	41	5	71.94	70.84
<b>Greenhouse gas emissions associated with vehicles</b>					
Total tonnes CO <sub>2</sub> -e emitted	0.55	0.73	0.08	2.74	1.39
Tonnes CO <sub>2</sub> -e emitted per FTE staff member	0.01	0.01	0.00	0.02	0.01

## Social Procurement

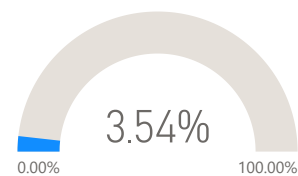
Social procurement is when organisations use their buying power to generate social value above and beyond the value of the goods or services being procured. Victorian Ombudsman’s Social Procurement strategy is developed as required by VGPB to enable social procurement discussions and part of our overall procurement strategy. Our social procurement covers both direct and indirect approaches to social procurement. VO has a small procurement spend but our intent is to enable and engage suppliers through conversations.

Below shows our supplier spend in 2023-24 (GST inclusive) for supplies which meet the Social Procurement Framework.

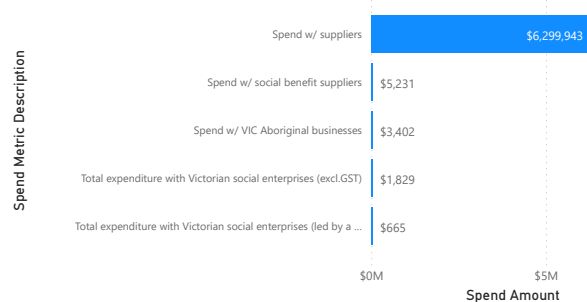
Social Benefit Supplier Spend as a Proportion of Total Supplier Spend



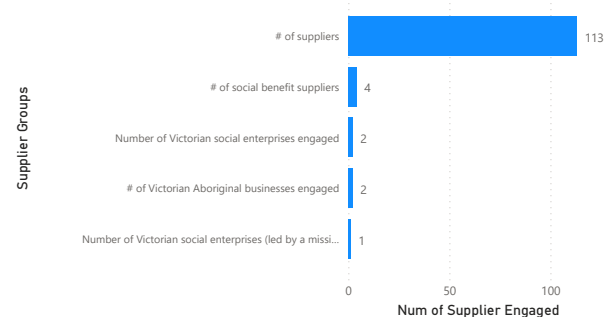
Social Benefit Supplier as a Proportion of Total Suppliers



Total Expenditure by Spend Metric Description



Total Number of Suppliers by Supplier Group



## Emergency Procurement

Nil report statement

Office’s Emergency procurement was not activated, resulting in nil spending for emergency procurements.

Greenhouse gas emissions

The Victorian Ombudsman reports its greenhouse gas emissions broken down into emissions ‘scopes’ consistent with national and international reporting standards. Scope 1 emissions are from sources that the office owns or controls, such as burning fossil fuels in its vehicles. Scope 2 emissions are indirect emissions from the Office’s use of electricity from the grid, which still uses coal and gasfired power generation. Scope 3 emissions are indirect emissions from sources the Office does not control but does influence. The Office reports only scope 3 emissions from corporate air travel.

The Victorian Ombudsman is aiming to reduce its greenhouse gas emissions through few energy and environmental initiatives.

Table 16: Greenhouse gas emissions since 2021-22

	2021-22	2022-23	2023-24
Total Scope 1 greenhouse gas emissions vehicles (Tonnes CO2-e)	0.08	2.74	1.39
Total Scope 2 greenhouse gas emissions building (Tonnes CO2-e)	0.63	0.80	1.64
Total Scope 3 greenhouse gas emissions from commercial air travel (Tonnes CO2-e)	5.90	8.40	3.60

Table 17: NABERS Energy Rating 2023-24

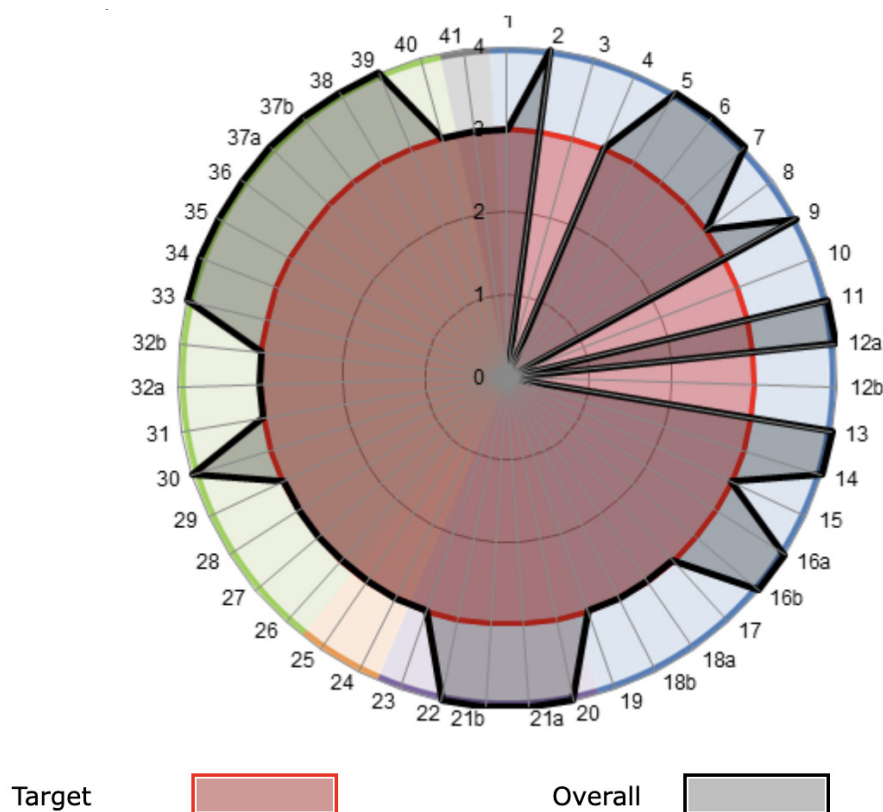
Name of Building	Building type	Rating scheme	Rating
Level 2, 570 Bourke St	General Office Building	NABERS - Energy	5

## Asset Management Accountability Framework (AMAF) maturity assessment

VO's assessment of maturity against the requirements of the Asset Management Accountability Framework (AMAF) is represented in graph below.

VO's target maturity rating is 'competence', meaning systems and processes fully in place, consistently applied and systematically meeting the AMAF requirement, including a continuous improvement process to expand system performance above AMAF minimum requirements.

VO has met its target maturity level for all of the 41 mandatory requirements and has a plan in place to further enhance VO's maturity level in areas of operation and acquisition.



Legend	
Status	Scale
Not Applicable	N/A
Innocence	0
Awareness	1
Developing	2
Competence	3
Optimising	4
Unassessed	U/A

# Financial statements



## Independent Auditor's Report

### To the Victorian Ombudsman

<b>Opinion</b>	<p>I have audited the financial report of the Office of the Ombudsman (the Ombudsman) which comprises the:</p> <ul style="list-style-type: none"><li>• balance sheet as at 30 June 2024</li><li>• comprehensive operating statement for the year then ended</li><li>• statement of changes in equity for the year then ended</li><li>• cash flow statement for the year then ended</li><li>• notes to the financial statements, including material accounting policy information</li><li>• Ombudsman's and Chief Financial Officer's Declaration.</li></ul> <p>In my opinion the financial report presents fairly, in all material respects, the financial position of the Ombudsman as at 30 June 2024 and its financial performance and cash flows for the year then ended in accordance with the financial reporting requirements of Part 7 of the <i>Financial Management Act 1994</i> and applicable Australian Accounting Standards.</p>
<b>Basis for Opinion</b>	<p>I have conducted my audit in accordance with the <i>Audit Act 1994</i> which incorporates the Australian Auditing Standards. I further describe my responsibilities under that Act and those standards in the <i>Auditor's Responsibilities for the Audit of the Financial Report</i> section of my report.</p> <p>My independence is established by the <i>Constitution Act 1975</i>. My staff and I are independent of the Ombudsman in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 <i>Code of Ethics for Professional Accountants</i> (the Code) that are relevant to my audit of the financial report in Victoria. My staff and I have also fulfilled our other ethical responsibilities in accordance with the Code.</p> <p>I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.</p>
<b>Ombudsman's responsibilities for the financial report</b>	<p>The Ombudsman is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards and the <i>Financial Management Act 1994</i>, and for such internal control as the Ombudsman determines is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.</p> <p>In preparing the financial report, the Ombudsman is responsible for assessing the ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless it is inappropriate to do so.</p>

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**Auditor's  
responsibilities  
for the audit  
of the financial  
report**

As required by the *Audit Act 1994*, my responsibility is to express an opinion on the financial report based on the audit. My objectives for the audit 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 the 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 the purpose of expressing an opinion on the effectiveness of the Ombudsman's internal control
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Ombudsman
- conclude on the appropriateness of the Ombudsman'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 Ombudsman'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. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Ombudsman 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 Ombudsman 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.

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MELBOURNE  
23 September 2024



Roberta Skliros  
*as delegate for the Auditor-General of Victoria*

**OFFICE OF THE OMBUDSMAN**

**Financial Statements**

**For the Year Ended 30 June 2024**



## OFFICE OF THE OMBUDSMAN

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OFFICE OF THE OMBUDSMAN

**Comprehensive operating statement**  
**For the financial year ended 30 June 2024**

	Notes	2024 \$	2023 \$
<b>Continuing operations</b>			
<b>Revenue and income from transactions</b>			
Output appropriations	2.1	22,489,776	22,768,160
Special appropriation	2.1	769,428	548,099
<b>Total revenue and income from transactions</b>		<b>23,259,204</b>	<b>23,316,259</b>
<b>Expenses from transactions</b>			
Employee expenses	3.2.1	17,454,017	16,865,937
Depreciation	4.3	1,714,868	1,750,566
Interest expense	6.2.2	261,339	284,144
Other operating expenses	3.3	3,852,165	4,415,613
<b>Total expenses from transactions</b>		<b>23,282,389</b>	<b>23,316,259</b>
<b>Net result from transactions</b>		<b>(23,185)</b>	<b>-</b>
<b>Other economic flows included in net results</b>			
Net gain/(loss) from disposal of assets		(5,715)	-
Net gain/(loss) arising from revaluation of leave liabilities		-	-
<b>Total other economic flows included in net results</b>		<b>(5,715)</b>	<b>-</b>
<b>Net result</b>		<b>(28,900)</b>	<b>-</b>
<b>Items that will not be reclassified to net result</b>			
Changes in non-financial assets revaluation surplus		-	-
<b>Total other economic flows - other comprehensive income</b>		<b>-</b>	<b>-</b>
<b>Comprehensive result</b>		<b>(28,900)</b>	<b>-</b>

*The accompanying notes form part of these financial statements.*

## OFFICE OF THE OMBUDSMAN

### Balance sheet As at 30 June 2024

		2024	2023
	Notes	\$	\$
<b>Assets</b>			
<b>Financial assets</b>			
Receivables	5.1	9,769,931	8,731,230
<b>Total financial assets</b>		<b>9,769,931</b>	<b>8,731,230</b>
<b>Non-financial assets</b>			
Property, plant and equipment	4.1	7,320,591	8,787,944
Intangible assets	4.2	688,354	681,278
Prepayments	5.3	300,853	372,829
<b>Total non-financial assets</b>		<b>8,309,798</b>	<b>9,842,051</b>
<b>Total assets</b>		<b>18,079,729</b>	<b>18,573,281</b>
<b>Liabilities</b>			
Payables	5.2	951,099	708,182
Other provisions	5.4	499,422	499,422
Borrowings	6.2	8,218,482	9,030,064
Employee related provisions	3.2.2	2,926,654	2,779,006
Other liabilities	5.5	365	44,000
<b>Total liabilities</b>		<b>12,596,021</b>	<b>13,060,674</b>
<b>Net assets</b>		<b>5,483,708</b>	<b>5,512,607</b>
Accumulated surplus/(deficit)		(216,196)	(187,297)
Contributed capital		5,699,904	5,699,904
<b>Net worth</b>		<b>5,483,708</b>	<b>5,512,607</b>

The accompanying notes form part of these financial statement.

## OFFICE OF THE OMBUDSMAN

### Cash flow statement For the financial year ended 30 June 2024

		2024	2023
	Notes	\$	\$
<b>Cash flows from operating activities</b>			
<b>Receipts</b>			
Receipts from Victorian Government		21,893,560	21,917,135
Goods and services tax from the Australian Taxation Office (ATO)		508,951	528,927
<b>Total receipts</b>		<b>22,402,511</b>	<b>22,446,062</b>
<b>Payments</b>			
Payments to suppliers and employees		(21,069,284)	(21,120,463)
Interest and other financing costs	6.2.2	(261,339)	(284,144)
<b>Total payments</b>		<b>(21,330,623)</b>	<b>(21,404,607)</b>
<b>Net cash flows from/(used in) operating activities</b>	6.4	<b>1,071,888</b>	<b>1,041,455</b>
<b>Cash flows from investing activities</b>			
Payments for property, plant and equipment	4.1	(43,368)	(141,847)
Payments for intangible assets	4.2	(216,939)	(113,780)
<b>Net cash flows from/(used in) investing activities</b>		<b>(260,306)</b>	<b>(255,627)</b>
<b>Cash flows from financing activities</b>			
Repayment of lease		(811,582)	(785,828)
<b>Net cash flows from/(used in) financial activities</b>		<b>(811,582)</b>	<b>(785,828)</b>
<b>Net increase in cash and cash equivalents</b>		<b>-</b>	<b>-</b>
Cash and cash equivalents at the beginning of the financial year		-	-
<b>Cash and cash equivalents at end of the financial year</b>		<b>-</b>	<b>-</b>

The accompanying notes form part of these financial statements.

## OFFICE OF THE OMBUDSMAN

### Statement of changes in equity For the financial year ended 30 June 2024

	Contributed capital \$	Accumulated deficit \$	Total \$
Balance at 1 July 2022	5,699,904	(187,297)	5,512,607
Net result for the year	-	-	-
<b>Balance at 30 June 2023</b>	<b>5,699,904</b>	<b>(187,297)</b>	<b>5,512,607</b>
<b>Balance at 1 July 2023</b>	<b>5,699,904</b>	<b>(187,297)</b>	<b>5,512,607</b>
Net result for the year	-	(28,900)	(28,900)
<b>Balance at 30 June 2024</b>	<b>5,699,904</b>	<b>(216,197)</b>	<b>5,483,707</b>

*The accompanying notes form part of these financial statements.*

## Notes to financial statements 30 June 2024

### 1. About this report

The Office of the Ombudsman (the Office) is a government agency of the State of Victoria, established under the *Ombudsman Act 1973*.

The principal address is:

Level 2, 570 Bourke Street  
Melbourne Victoria 3000

A description of the nature of the principal services of the Office is included in the “Report of Operations” of the Annual Report which does not form part of these financial statements.

### Basis of preparation

These financial statements are prepared in Australian dollars and the historical cost convention is used unless a different measurement basis is specifically disclosed in the note associated with the item measured on a different basis.

The accrual basis of accounting has been applied in the preparation of these financial statements whereby assets, liabilities, equity, income, and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

Consistent with the requirements of AASB 1004 *Contributions*, contributions by owners (that is, contributed capital and its repayment) are treated as equity transactions and, therefore, do not form part of the income and expenses of the Office.

Additions to net assets which have been designated as contributions by owners are recognised as contributed capital. Other transfers that are in the nature of contributions to or distributions by owners have also been designated as contributions by owners.

Transfers of net assets arising from administrative restructurings are treated as distributions to or contributions by owners. Transfers of net liabilities arising from administrative restructurings are treated as distributions to owners.

Judgements, estimates, and assumptions are required to be made about financial information being presented. The significant judgements made in the preparation of these financial statements are disclosed in the notes where amounts affected by those judgements are disclosed. Estimates and associated assumptions are based on professional judgements derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and in future periods that are affected by the revision. Judgements and assumptions made by management in applying Australian Accounting Standards (AASs) that have significant effects on the financial statements and estimates are disclosed in the notes to which they relate.

These financial statements cover the Office of the Ombudsman as an individual reporting entity and include all the controlled activities of the Office.

### Compliance information

These general-purpose financial statements have been prepared on a going concern basis in accordance with the *Financial Management Act 1994* and applicable Australian Accounting Standards (AASs) which include Interpretations, issued by the Australian Accounting Standards Board (AASB). In particular, they are presented in a manner consistent with the requirements of AASB 1049 *Whole of Government and General Government Sector Financial Reporting*.

Where appropriate, those AASs paragraphs applicable to not-for-profit entities have been applied. Accounting policies selected and applied in these financial statements ensure that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported.

## 2. Funding delivery of our services

### Introduction

The Office is funded by accrual based Parliamentary appropriations for the provision of outputs. These appropriations are received directly by the Office.

### Structure

- 2.1 Summary of revenue and income that funds the delivery of our services
- 2.2 Appropriations
- 2.3 Summary of compliance with annual Parliamentary and special appropriations

### 2.1. Summary of revenue and income that funds the delivery of our services

	Notes	2024 \$	2023 \$
Output appropriations	2.2, 2.3	22,489,776	22,768,160
Special appropriations	2.2, 2.3	769,428	548,099
<b>Total revenue from transactions <sup>(a)</sup></b>		<b>23,259,204</b>	<b>23,316,259</b>

Notes:

(a) The total revenue and income from transactions includes the Offices Annual and Special appropriations, and other supplementary funding such as Treasurer's Advance, fee for service revenue collected and retained through a Section 29 arrangement. All these funds have been received directly as appropriations from Department of Treasury and Finance (DTF).

Revenue that funds delivery of the Office's services is accounted for consistently with the requirements of the relevant accounting standards disclosed in the following notes.

### 2.2. Appropriations

Once annual Parliamentary appropriations are applied by the Treasurer, they become controlled by the Office and are recognised as income when applied for the purposes defined under the relevant Appropriations Act.

**Output appropriations:** Income from the outputs the Office provided to the Government is recognised when those outputs have been delivered and the relevant minister has certified delivery of those outputs in accordance with specified performance criteria.

**Special appropriations:** Under Ombudsman Act 1973 Section 5, income pertaining to the Ombudsman (salary and related entitlements) is recognised when the amount appropriated for that purpose is due and payable by the Office.



## 2.3 Summary of compliance with annual Parliamentary and special appropriations

The following table discloses the details of the various annual Parliamentary appropriations received by the Office for the year.

In accordance with accrual output-based management procedures, 'provision of outputs' and 'additions to net assets' are disclosed as 'controlled' activities of the Office. Administered transactions are those that are undertaken on behalf of the State over which the Office has no control or discretion.

	Appropriations Act		Financial Management Act		Total Parliamentary authority	Appropriations applied	Variance <sup>(a)</sup>
	Annual appropriation	Advance from Treasurer	Section 29	Section 35			
<b>Controlled</b>							
Provision for outputs	21,440,423	756,028	293,325	-	22,489,776	22,489,776	-
Addition to net assets		-		-	-		-
<b>Administered</b>							
Payments made on behalf of the State	-	-	-	-	-	-	-
<b>2024 total</b>	<b>21,440,423</b>	<b>756,028</b>	<b>293,325</b>	<b>-</b>	<b>22,489,776</b>	<b>22,489,776</b>	<b>-</b>
<b>2023</b>							
<b>Controlled</b>							
Provision for outputs	20,176,902	2,240,894	350,364		22,768,160	22,768,160	-
Addition to net assets					-		
<b>Administered</b>							
Payments made on behalf of the State							
<b>2023 total</b>	<b>20,176,902</b>	<b>2,240,894</b>	<b>350,364</b>	<b>-</b>	<b>22,768,160</b>	<b>22,768,160</b>	<b>-</b>

Notes

(a) There is a no variance to report.

### Section 29

The Office is permitted under section 29 of the *Financial Management Act 1994* (FMA) to have certain income annotated to the annual appropriation. The Office applied to the Treasurer to retain revenue generated from its Education and Prevention Program, table above includes FMA section 29 annotated income agreement approved by the Treasurer.

### Advance from Treasurer

\$613,071 relates to the Parliamentary Referral expenditure pertaining to the referral from the Legislative Council of the Parliament of Victoria, pursuant to section 16 of the *Ombudsman Act 1973*, relating to the alleged politicisation of the Victorian Public Service and \$142,957 relates to the

The following table discloses the details of compliance with special appropriations:

Authority	Purpose	Appropriations applied	
		2024 \$	2023 \$
Ombudsman Act 1973- Section 5	Ombudsman's salary and employee related entitlements	769,428	548,099
		<b>769,428</b>	<b>548,099</b>

Special appropriations amount in 2024 includes recognition of provision of accrued leave entitlements for the new Ombudsman.

## 3. The cost of delivering services

### Introduction

This section provides an account of the expenses incurred by the Office in delivering services and outputs.

The funds that enable the provision of the services were disclosed in Note 2.

### Structure

- 3.1 Expenses incurred in delivery of services.
- 3.2 Employee benefits
- 3.3 Other operating expenses

### 3.1 Expenses incurred in delivery of services

	Notes	2024 \$	2023 \$
Employee benefit expenses	3.2.1	17,454,017	16,865,937
Other operating expenses	3.3	3,852,165	4,415,613
<b>Total expenses incurred in delivery of services</b>		<b>21,306,182</b>	<b>21,281,550</b>

### 3.2 Employee benefits

#### 3.2.1 Employee benefits in the comprehensive operating statement

	2024 \$	2023 \$
Defined contribution superannuation expense	1,507,506	1,443,405
Salaries and wages, annual leave and long service leave	15,946,511	15,422,532
<b>Total employee expenses</b>	<b>17,454,017</b>	<b>16,865,937</b>

Employee expenses include all costs related to employment including wages and salaries, fringe benefits tax, leave entitlements, termination payments and Workcover premiums.

	2024 \$	2023 \$
Defined contribution superannuation expense	1,507,506	1,443,405
Payroll tax	790,494	765,419
Covid debt & Mental health wellbeing levy	306,525	142,196
Work cover	92,571	69,664
Salaries and wages, annual leave and long service leave	14,756,921	14,445,253
<b>Total employee expenses</b>	<b>17,454,017</b>	<b>16,865,937</b>

The amount recognised in the comprehensive operating statement in relation to superannuation is employer contributions for members of defined contribution superannuation plans that are paid or payable during the reporting period. The Office does not contribute to any defined benefit funds.

### 3.2.2 Employee benefits in the balance sheet

Provision is made for benefits accruing to employees in respect of annual leave and long service leave for services rendered up to the reporting date and recorded as an expense during the period the services are delivered. (AASB119 *Employee Benefits*)

	2024 \$	2023 \$
<b>Current provisions:</b>		
<b>Annual leave</b>		
Unconditional and expected to settle within 12 months	989,882	1,110,175
<b>Long service leave</b>		
Unconditional and expected to settle within 12 months	1,325,089	1,071,471
<b>Provision for on-costs</b>		
Unconditional and expected to settle within 12 months	431,009	345,653
<b>Total current provisions for employee benefits</b>	<b>2,745,980</b>	<b>2,527,299</b>
<b>Non-current provisions:</b>		
Employee benefits	153,052	222,414
On-costs	27,621	29,293
<b>Total non-current provisions for employee benefits</b>	<b>180,673</b>	<b>251,707</b>
<b>Total provisions for employee benefits</b>	<b>2,926,654</b>	<b>2,779,006</b>

**Current provisions:** The annual leave liability is classified as a current liability and measured at the undiscounted amount expected to be paid, as the Office does not have an unconditional right to defer settlement of the liability for at least 12 months after the end of the reporting period as per AASB 119 *Employee Benefits*.

Unconditional long service leave (LSL) is disclosed as a current liability even where the Office does not expect to settle the liability within 12 months because it will not have the unconditional right to defer the settlement of the entitlement should an employee take leave within 12 months as per AASB 101 *Presentation of Financial Statements*.

No provision has been made for sick leave as all sick leave is non-vesting and it is not considered probable that the average sick leave taken in the future will be greater than the benefits accrued in the future. As sick leave is non-vesting, an expense is recognised in the Comprehensive Operating Statement as it is taken.

Employment on-costs such as payroll tax, workers compensation and superannuation are disclosed separately as a component of the provision for employee benefits when employment to which they relate has occurred.

**Non-current provisions:** Conditional LSL is disclosed as a non-current liability. There is a conditional right to defer the settlement of the entitlement until the employee has completed the requisite years of service. This non-current LSL is measured at present value.

Any gain or loss following revaluation of the present value of non-current LSL liability is recognised as a transaction, except to the extent that a gain or loss arises due to changes in bond interest rates for which it is then recognised as an 'other economic flow' in the net result.

### 3.3 Other operating expenses

	2024 \$	2023 \$
<b>Supplies and services</b>		
Purchase of services	1,758,127	2,253,094
Information technology	873,012	820,694
Supplies and services	641,511	847,190
Occupancy costs	579,515	494,635
<b>Total other operating expenses</b>	<b>3,852,165</b>	<b>4,415,613</b>

Other operating expenses represent the day-to-day running costs incurred in delivering services of the Office. They are recognised as an expense in the period in which they are incurred.

## 4 Key assets available to support output delivery

### Introduction

The Office controls property, plant and equipment in fulfilling its objectives and conducting its activities. These assets represent the key resources that the Office uses for the delivery of those activities.

### Structure

- 4.1 Property, plant and equipment
- 4.2 Intangible assets
- 4.3 Depreciation and amortisation

### 4.1 Total Property, plant and equipment

	Gross carrying amount		Accumulated depreciation		Net carrying amount	
	2024 \$	2023 \$	2024 \$	2023 \$	2024 \$	2023 \$
Leasehold improvements	4,847,440	4,847,440	(3,715,434)	(3,268,340)	1,132,006	1,579,100
Right of Use Buildings	10,102,709	10,102,709	(4,150,661)	(3,320,529)	5,952,048	6,782,180
Office furniture and equipment at fair value	1,048,975	1,322,878	(860,281)	(912,785)	188,694	410,093
Lease Motor vehicles	78,112	26,906	(38,025)	(18,175)	40,087	8,732
Cultural assets at fair value	8,200	8,200	(443)	(361)	7,757	7,839
<b>Net carrying amount</b>	<b>16,085,436</b>	<b>16,308,133</b>	<b>(8,764,845)</b>	<b>(7,520,190)</b>	<b>7,320,591</b>	<b>8,787,943</b>

### Rights of use assets

	2024 \$	2023 \$
Rights of Use Buildings	10,102,709	10,102,709
Less: Accumulated Depreciation	(4,150,661)	(3,320,529)
<b>Net carrying amount</b>	<b>5,952,048</b>	<b>6,782,180</b>

The following tables are subsets of buildings, and plant and equipment by right-of-use assets.

#### Reconciliation of movements in carrying amount of property, plant and equipment

	Leasehold improvements \$	Rights of use Building \$	Office furniture and equipment at fair value \$	Lease Motor vehicles \$	Cultural assets at fair value \$	Total
Opening balance – 1 July 2023	1,579,100	6,782,180	410,095	8,732	7,839	8,787,945
Adjustment to Provision	-	-	-	-	-	-
Additions	-	-	5,793	37,574	-	43,367
Disposals/ Retirement	-	-	-	-	-	0
Transfers between classes	-	-	-	-	-	-
Depreciation	(447,094)	(830,132)	(227,193)	(6,219)	(82)	(1,510,720)
Closing balance – 30 June 2024	1,132,005	5,952,048	188,694	40,087	7,757	7,320,591
Opening balance – 1 July 2022	1,961,655	7,612,312	575,495	14,101	4,692	10,168,256
Adjustment to Provision	36,190	-	-	-	-	36,190
Adjustment to include lease incentive	-	-	-	-	-	-
Additions	-	-	138,647	-	3,200	141,847
Disposals/ Retirement	-	-	-	-	-	-
Transfers between classes	0	-	-	-	-	-
Depreciation	(418,745)	(830,132)	(304,048)	(5,370)	(53)	(1,558,348)
Closing balance – 30 June 2023	1,579,100	6,782,180	410,095	8,732	7,839	8,787,945

#### Property, plant and equipment other than right of use assets

**Initial recognition:** Items of property, plant and equipment are recognised initially at cost. Where an asset is acquired for no or nominal consideration, the cost is its fair value at the date of acquisition.

The cost of a leasehold improvement is capitalised and depreciated over the shorter of the remaining term of the lease or their estimated useful lives.

The cost of the office furniture and equipment is the purchase price and any other additional cost incurred in bring the asset to the place and condition it is available for use.

The cost of the leased motor vehicle is measured at amounts equal to the fair value of the leased asset or, if lower, the present value of the minimum lease payments, each determined at the inception of the lease.

**Subsequent measurement:** Property, plant and equipment is subsequently measured at fair value less accumulated depreciation and impairment. Fair value is determined with regard to the asset's highest and best use (considering legal or physical restrictions imposed on the asset, public announcements or commitments made in relation to the intended use of the asset).

#### Right-of-use asset acquired by lessees – Initial recognition

The Office recognises a right-of-use asset and a lease liability at the lease commencement date. The right-of-use asset is initially measured at cost which comprises the initial amount of the lease liability adjusted for:

- any lease payments made at or before the commencement date less any lease incentive received; plus
- any initial direct costs incurred; and
- an estimate of costs to dismantle and remove the underlying asset or to restore the underlying asset or the site on which it is located.

## Right-of-use asset – Subsequent measurement

The Office depreciates the right-of-use assets on a straight-line basis from the lease commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The right-of-use assets are also subject to fair value revaluation.

## Impairment of property, plant and equipment

The recoverable amount of primarily non-cash-generating assets of the Office, which are typically specialised in nature and held for continuing use of their service capacity, is expected to be materially the same as fair value determined under AASB 13 *Fair Value Measurement*, with the consequence that AASB 136 does not apply to such assets that are regularly revalued.

## 4.2 Intangible assets

	Gross carrying amount		Accumulated depreciation		Net carrying amount	
	2024	2023	2024	2023	2024	2023
	\$	\$	\$	\$	\$	\$
Intangible assets - Work in progress	31,900	113,780	-	-	31,900	113,780
Capitalised software	1,438,289	1,147,471	(781,835)	(579,973)	656,454	567,499
<b>Net carrying amount</b>	<b>1,470,189</b>	<b>1,261,251</b>	<b>(781,835)</b>	<b>(579,973)</b>	<b>688,355</b>	<b>681,279</b>

Reconciliation of movements in carrying amount:

	2024	2023
	\$	\$
Carrying account at start of year	681,279	759,716
Additions including -work in progress	216,939	113,780
Write off	(5,715)	-
Amortisation expense	(204,148)	(192,217)
<b>Carrying amount at the end of year</b>	<b>688,355</b>	<b>681,279</b>

Intangible assets represent identifiable non-monetary assets without physical substance.

**Initial recognition:** Purchased intangible assets are measured at cost less accumulated amortisation and impairment. Costs incurred subsequent to initial acquisition are capitalised when it is expected that additional future economic benefits will flow to the Office.

Amortisation begins when the asset is available for use, that is, when it is in the location and condition necessary for it to be capable of operating in the manner intended by management.

**Subsequent measurement:** Intangible assets with finite useful lives are amortised as an 'expense from transactions' on a straight-line basis over their useful lives. Purchased intangible assets have useful lives of between three to seven years.

**Impairment:** Intangible assets with finite useful lives are tested for impairment whenever an indication of impairment is identified.

### 4.3 Depreciation and amortisation

Charge for the period

	2024 \$	2023 \$
Leasehold improvements	447,094	418,745
Right of use Buildings <sup>(a)</sup>	830,132	830,132
Office furniture and equipment	227,193	304,048
Leased motor vehicles	6,219	5,370
Cultural assets at fair value	82	54
Capitalised software	204,148	192,216
<b>Total depreciation and amortisation</b>	<b>1,714,868</b>	<b>1,750,566</b>

(a) Right of use buildings relates to the Office's accommodation lease.

All buildings, plant and equipment and other non-financial physical assets that have finite useful lives, are depreciated.

Depreciation is generally calculated on a straight-line basis, at rates that allocate the asset's value, less any estimated residual value, over its estimated useful life.

Typical estimated useful lives for the different asset classes for current year is included in the table below:

Asset	Useful life
Right of use Buildings <sup>(a)</sup>	2 to 10 <sup>(b)</sup>
Plant, equipment and vehicle	3 to 10
Cultural assets (with finite life)	100
Leased motor vehicles	2 to 3
Capitalised software	3 to 7

(a) Right of use buildings relates to the Office's accommodation lease.

(b) Office has depreciated over the shorter of the asset's useful life and the lease term.

The estimated useful lives, residual values and depreciation method are reviewed at the end of each annual reporting period, and adjustments made where appropriate.

Where the Office obtains ownership of the underlying leased asset or if the cost of the right-of-use asset reflects that the Office will exercise a purchase option, the Office depreciates the right-of-use asset over its useful life.

Leasehold improvements are depreciated over the shorter of the lease term and their useful lives.

## 5 Other assets and liabilities

### Introduction

This section sets out those assets and liabilities that arise from the Office's operations.

### Structure

- 5.1 Receivables
- 5.2 Payables
- 5.3 Prepayments
- 5.4 Other provisions
- 5.5 Other liabilities

### 5.1 Receivables

	2024 \$	2023 \$
<b>Contractual</b>		
Receivables	23,893	285
<b>Statutory</b>		
Amount owing from Victorian Government	9,638,842	8,569,567
GST recoverable	107,196	161,377
<b>Total receivables</b>	<b>9,769,931</b>	<b>8,731,230</b>
<i>Represented by</i>		
Current receivables	9,769,931	8,731,230
Non-current receivables	-	-

**Contractual receivables** are classified as financial instruments and measured at amortised cost. They are initially recognised at fair value plus any directly attributable transaction costs. Subsequent to initial recognition they are measured at amortised cost using the effective interest method, less any impairment.

There are no financial assets that have had their terms renegotiated so as to prevent them from being past due or impaired, and they are stated at the carrying amounts as indicated.

**Statutory receivables** do not arise from contracts and are recognised and measured similarly to contractual receivables (except for impairment) but are not classified as financial instruments. The Office applies AASB 9 *Financial Instruments* for initial measurement of the statutory receivables and, as a result, statutory receivables are initially recognised at fair value plus any directly attributable transaction cost. Amounts recognised from the Victorian Government represent funding for all commitments incurred and are drawn from the Consolidated Fund as the commitments fall due.



## 5.2 Payables

	2024 \$	2023 \$
<b>Contractual</b>		
Supplies and services	699,237	416,680
Amounts payable to government and agencies	251,862	291,502
<b>Total payables</b>	<b>951,099</b>	<b>708,182</b>
<i>Represented by:</i>		
Current payables	951,099	708,182

Payables represent liabilities for goods and services provided to the Office that are unpaid at the end of the financial year. Payables are initially measured at fair value, being the cost of the goods and services, and then subsequently measured at amortised cost.

## 5.3 Prepayments

	2024 \$	2023 \$
Prepayment	300,853	372,829
<b>Total Prepayments</b>	<b>300,853</b>	<b>372,829</b>

Prepayments represent payments in advance of receipt of goods or services or payment for expenditure relating to future periods.

## 5.4 Other provisions

	2024 \$	2023 \$
Make good provision	499,422	499,422
<b>Total Provision</b>	<b>499,422</b>	<b>499,422</b>

The make-good provision is recognised in accordance with the agreement over the leased premises. The Office is required to remove any leasehold improvements from the leased premises and restore the premises to its original condition at the end of the lease term.

### 5.4.1 Reconciliation of movements in make-good provision

	2024 \$	2023 \$
<b>Opening balance</b>	499,422	463,232
Additional provision	-	36,190
<b>Closing balance</b>	<b>499,422</b>	<b>499,422</b>

## 5.5 Other liabilities

	2024 \$	2023 \$
Deferred income	365	44,000
<b>Total Other liabilities</b>	<b>365</b>	<b>44,000</b>

Deferred income refers to income received for education program in advance of receipt of services.

## 6 Financing our operations

### Introduction

This section provides information on the sources of finance utilised by the Office during its operations, along with interest expenses (the cost of borrowings) and other information related to financing activities of the Office. This section also includes disclosures on commitments for expenditure.

### Structure

- 6.1 Borrowings
- 6.2 Leases
- 6.3 Commitments for expenditure
- 6.4 Reconciliation of net result for the period to cash flow from operating activities

### 6.1 Borrowings

Borrowings refer to interest bearing liabilities mainly raised, lease liabilities.

### 6.2 Leases

For any new contracts entered into, the Office considers whether a contract is, or contains a lease. A lease is defined as 'a contract, or part of a contract, that conveys the right to use an asset (the underlying asset) for a period of time in exchange for consideration'. To apply this definition the Office assesses whether the contract meets three key evaluations:

- whether the contract contains an identified asset, which is either explicitly identified in the contract or implicitly specified by being identified at the time the asset is made available to the Office and for which the supplier does not have substantive substitution rights;
- whether the Office has the right to obtain substantially all of the economic benefits from use of the identified asset throughout the period of use, considering its rights within the defined scope of the contract and the Office has the right to direct the use of the identified asset throughout the period of use; and
- whether the Office has the right to take decisions in respect of 'how and for what purpose' the asset is used throughout the period of use.

This policy is applied to contracts entered into, or changed, on or after 1 July 2019

Information about leases for which the Office is a lessee is presented below.

	2024 \$	2023 \$
<b>Secured</b>		
Current lease liabilities	948,031	1,112,315
Non-Current lease liabilities	7,270,451	7,917,749
<b>Total borrowings</b>	<b>8,218,482</b>	<b>9,030,064</b>

Leases are secured borrowings as the right to the leased assets will revert to the lessor in the event of a default. There were no defaults and breaches of any lease conditions during the current or previous financial years.

The Office leases right-of-use buildings and motor vehicles.

Right-of-use building's lease contracts are typically made for a fixed period of 1-10 years with an option to renew the lease after that date.

Motor vehicles lease agreement are of low value and short term, Office has elected not to recognise right-of-use asset and lease liability for these.

#### 6.2.1 Right-of-use Assets

Right-of-use assets are presented in note 4.1.

#### 6.2.2 Amounts recognised in the comprehensive operating statement

The following amounts are recognised in the comprehensive operating statement relating to leases:

	2024 \$	2023 \$
Interest on leases liabilities	261,339	284,144
<b>Total interest expense</b>	<b>261,339</b>	<b>284,144</b>

#### 6.2.3 Amounts recognised in the statement of cashflows

The following amounts are recognised in the statement of cashflows relating to leases:

	2024 \$	2023 \$
Interest cost	261,339	284,144
Other financing cost	550,243	501,684
<b>Total amount recognised in the statement of cash flows</b>	<b>811,582</b>	<b>785,828</b>

'Interest expense' includes costs incurred in connection with interest component of lease repayments and the increase in financial liabilities and other provisions due to the unwinding of discounts to reflect the passage of time.

Interest expense is recognised in the period in which it is incurred.

The Office recognises borrowing costs immediately as an expense, even where they are directly attributable to the acquisition, construction or production of a qualifying asset.

#### Separation of lease and non-lease components

At inception or on reassessment of a contract that contains a lease component, the lessee is required to separate out and account separately for non-lease components within a lease contract and exclude these amounts when determining the lease liability and right-of-use asset amount.

#### Recognition and measurement of leases as a lessee

##### Lease Liability – initial measurement

The lease liability is initially measured at the present value of the lease payments unpaid at the commencement date, discounted using the interest rate implicit in the lease if that rate is readily determinable or the Office's incremental borrowing rate.

Lease payments included in the measurement of the lease liability comprise the following:

- fixed payments (including in-substance fixed payments) less any lease incentive receivable.
- variable payments based on an index or rate, initially measured using the index or rate as at the commencement date.
- amounts expected to be payable under a residual value guarantee.

- payments arising from purchase and termination options reasonably certain to be exercised.

## Lease Liability – subsequent measurement

Subsequent to initial measurement, the liability will be reduced for payments made and increased for interest. It is remeasured to reflect any reassessment or modification, or if there are changes in-substance fixed payments. When the lease liability is remeasured, the corresponding adjustment is reflected in the right-of-use asset, or profit and loss if the right-of-use asset is already reduced to zero.

## Short-term leases and leases of low-value assets

The Office has elected to account for short-term leases and leases of low-value assets using the practical expedients. Instead of recognising a right-of-use asset and lease liability, the payments in relation to these are recognised as an expense in profit or loss when the expenditure is incurred.

## Presentation of right-of-use assets and lease liabilities

The Office presents right-of-use assets as 'property plant equipment' unless they meet the definition of investment property, in which case they are disclosed as 'investment property' in the balance sheet. Lease liabilities are presented as 'borrowings' in the balance sheet.

## 6.3 Commitments for expenditure

Commitments for future expenditure include operating and capital commitments arising from contracts. These commitments are recorded below at their nominal value and inclusive of GST. Where it is considered appropriate and provides additional relevant information to users, the net present values of significant individual projects are stated. These future expenditures cease to be disclosed as commitments once the related liabilities are recognised in the balance sheet.

	2024 \$	2023 \$
<b>Operating commitments</b>		
Commitments contracted for at the end of the reporting period but not recognised as liabilities, are payable as follows:		
Within one year	1,496,923	1,243,348
Later than one year but not later than five years	383,391	1,381,404
<b>Total commitments (inclusive of GST)</b>	<b>1,880,314</b>	<b>2,624,752</b>
Less GST recoverable	170,938	262,475
<b>Total commitments (exclusive of GST)</b>	<b>1,709,376</b>	<b>2,362,277</b>
<b>Capital commitments</b>		
Commitments for capital projects payable as follows:		
Within one year	7,260	78,850
Later than one year but not later than five years	0	45,520
<b>Total commitments (inclusive of GST)</b>	<b>7,260</b>	<b>124,370</b>
Less GST recoverable	660	12,437
<b>Total commitments (exclusive of GST)</b>	<b>6,600</b>	<b>111,933</b>

#### 6.4 Reconciliation of net result for the period to cash flow from operating activities

	2024 \$	2023 \$
<b>Net result for the period</b>	(28,900)	-
<b>Non-cash movements</b>		
Depreciation	1,714,868	1,750,566
(Gain)/loss on disposal of non-current assets	5,715	-
<b>Movements in assets and liabilities</b>		
(Increase)/decrease in receivables	(1,038,701)	(1,246,032)
(Increase)/decrease in prepayments	71,976	(109,942)
Increase/(decrease) in payables	242,916	239,966
Increase/(decrease) in provisions	147,647	412,588
Increase/(decrease) in other liabilities	(43,635)	30,500
<b>Net cash flows from operating activities</b>	<b>1,071,887</b>	<b>1,077,645</b>

## 7 Risks, contingencies, and valuation judgements

### Introduction

The Office is exposed to risk from its activities and outside factors. In addition, it is often necessary to make judgements and estimates associated with recognition and measurement of items in the financial statements. This section sets out financial instrument specific information, (including exposures to financial risks) as well as those items that are contingent in nature or require a higher level of judgement to be applied.

### Structure

- 7.1 Financial instruments specific disclosures
- 7.2 Contingent assets and contingent liabilities

### 7.1 Financial instruments specific disclosures

#### Introduction

Financial instruments arise out of contractual agreements between entities that give rise to a financial asset of one entity and a financial liability or equity instrument of another entity. Due to the nature of the Office's activities, certain financial assets and financial liabilities arise under statute rather than a contract. Such financial assets and financial liabilities do not meet the definition of financial instruments in AASB 132 *Financial Instruments: Presentation*. For example, statutory receivables do not meet the definition of financial instruments as they do not arise under contract. The Office's statutory receivables are disclosed in note 5.1.

#### Categories of financial assets and financial liabilities

##### *Financial assets measured at amortised cost*

Financial assets are measured at amortised costs. These assets are initially recognised at fair value plus any directly attributable transaction costs and subsequently measured at amortised cost using the effective interest method less any impairment. Financial assets at amortised cost include the Office's trade receivables, but not statutory receivables.

Financial assets are measured at amortised costs if both of the following criteria are met, and the assets are not designated as fair value through net result:

- the assets are held by the Office to collect the contractual cash flows.
- the assets' contractual terms give rise to cash flows that are solely payments of principal and interests.

##### *Financial liabilities measured at amortised cost*

Financial liabilities are initially recognised on the date they are originated. They are initially measured at fair value plus any directly attributable transaction costs. Subsequent to initial measurement, these financial instruments are measured at amortised cost using the effective interest method.

Financial liabilities measured at amortised cost include all of the Office's contractual payables and lease liabilities (borrowings).

#### Derecognition of financial assets

A financial asset (or, where applicable, a part of a financial asset or part of a group of similar financial assets) is derecognised when the rights to receive cash flows from the asset have expired.

### Derecognition of financial liabilities

A financial liability is derecognised when the obligation under the liability is discharged, cancelled or expires.

### Offsetting financial instruments

Financial instrument assets and liabilities are offset and the net amount presented in the balance sheet when, and only when, the Office has a legal right to offset the amounts and intend either to settle on a net basis or to realise the asset and settle the liability simultaneously.

#### 7.1.1 Categorisation of financial instruments

		Carrying amount	
		2024	2023
		\$	\$
<b>Financial assets</b>			
Receivables		23,893	285
<b>Total financial assets</b>		<b>23,893</b>	<b>285</b>
<b>Financial liabilities</b>			
Payables	5.2 Financial liabilities at amortised cost	951,099	708,182
Borrowings	6.1 Financial liabilities at amortised cost	8,218,482	9,030,064
<b>Total financial liabilities</b>		<b>9,169,581</b>	<b>9,738,246</b>

#### 7.1.2 Financial risk management objectives and policies

As a whole, the Office's financial risk management program seeks to manage the risks arising from volatility in financial performance. The Office's main financial risks include credit risk, liquidity risk and market risk. The Office uses different methods to measure and manage the financial risks to which it is exposed.

##### Credit risk

Credit risk arises from the financial assets of the Office, which comprise trade and other receivables. The Office's exposure to credit risk arises from the potential default of counterparties on their contractual obligations resulting in financial loss to the Office. Credit risk is measured at fair value and is monitored on a regular basis. Credit risk associated with the Office's financial assets is minimal because the main debtor is the Victorian Government.

##### Liquidity risk

Liquidity risk arises when the Office is unable to meet its financial obligations as they fall due. The Office operates under the Victorian Government's fair payments policy of settling financial obligations within 30 days and in the event of a dispute, making payments within 30 days from the date of resolution. The Office's exposure to liquidity risk is deemed insignificant based on a current assessment of risk. Maximum exposure to liquidity risk is the carrying amounts of financial liabilities. The Office manages its liquidity risk by maintaining an adequate level of uncommitted funds that can be used at short notice to meet its short-term obligations.

### Market risk

The Office has no exposure to interest rate, foreign currency or other price risks. Interest rates on the Office's lease liabilities are fixed.

## 7.2 Contingent assets and contingent liabilities

Contingent assets and contingent liabilities are not recognised in the balance sheet but are disclosed and, if quantifiable, are measured at nominal value.

Contingent assets and liabilities are presented inclusive of GST receivable or payable, respectively.

### Contingent assets

Contingent assets are possible assets that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the entity.

These are classified as either quantifiable, where the potential economic benefit is known, or non-quantifiable.

There were no contingent assets based on the above definitions relating to the Office at 30 June 2024 (30 June 2023: Nil).

### Contingent liabilities

Contingent liabilities are:

- possible obligations that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the entity; or
- present obligations that arise from past events but are not recognised because:
  - it is not probable that an outflow of resources embodying economic benefits will be required to settle the obligations; or
  - the amount of the obligations cannot be measured with sufficient reliability.

Contingent liabilities are also classified as either quantifiable or non-quantifiable. There were no contingent liabilities based on the above definitions relating to the Office at 30 June 2024 (30 June 2023: \$33,000).



## 8 Other disclosures

### Introduction

This section includes additional material disclosures required by accounting standards or otherwise, for the understanding of this financial report.

### Structure

- 8.1 Subsequent events
- 8.2 Responsible persons
- 8.3 Remuneration of executives
- 8.4 Related parties
- 8.5 Remuneration of auditors
- 8.6 Administered items
- 8.7 Australian Accounting Standards issued that are not yet effective

### 8.1 Subsequent events

There have been no subsequent events that have been identified by the Office as at 30 June 2024.

### 8.2 Responsible persons

In accordance with the Ministerial Directions issued by the Assistant Treasurer under the *Financial Management Act 1994* (FMA), the following disclosures are made regarding responsible persons for the reporting period.

Responsible Minister:

The Hon. Jaclyn Symes MLC, Attorney-General 1 July 2023 to 30 June 2024

Accountable Officer:

Deborah Glass OBE, Ombudsman 1 July 2023 to 29 March 2024  
Marlo Baragwanath, Ombudsman 30 March 2024 to 30 June 2024

### Remuneration

The total remuneration package of the person holding the office of Ombudsman, in connection with the management of the Office during the reporting period, was in the range: \$560,000- \$570,000 (\$545,000 – \$555,000 in 2022-23).

Amounts relating to Ministers are reported in the Annual Financial Report of the State of Victoria

### 8.3 Remuneration of executives

The number of executive officers, other than Ministers and Accountable Officers, and their total remuneration during the reporting period are shown in the table below. Total annualised employee equivalents provide a measure of full time equivalent executive officers over the reporting period.

Remuneration comprises employee benefits (as defined in AASB 119 Employee Benefits) in all forms of consideration paid, payable or provided by the entity, or on behalf of the entity, in exchange for services rendered, and is disclosed in the following categories.

**Short-term employee benefits:** include amounts such as wages, salaries, annual leave or sick leave that are usually paid or payable on a regular basis, as well as non-monetary benefits such as allowances and free or subsidised goods or services.

**Post-employment benefits:** include employer contributions to superannuation entitlements.

**Other long-term benefits:** include long service leave, sabbatical leave, jubilee or other long service benefits, long-term disability benefits, deferred compensation.

**Termination benefits:** include termination of employment payments, such as severance packages.

	2024 \$	2023 \$
Remuneration of executive officers		
Short-term employee benefits	1,508,076	1,594,561
Post-employment benefits	140,879	154,544
Other long-term benefits	55,263	39,039
Termination benefits	-	118,417
<b>Total remuneration</b>	<b>1,704,218</b>	<b>1,906,561</b>
<b>Total number of executives</b>	<b>6</b>	<b>8</b>
<b>Total annualised employee equivalents</b>	<b>6.0</b>	<b>7.0</b>

Note:

(a) Annualised employee equivalent is based on paid working hours of 38 ordinary hours per week over the 52 weeks for the reporting period.

(b) The total number of executive officers includes persons who meet the definition of Key Management Personnel (KMP) of the entity under AASB 124 Related Party Disclosures and are also reported within the related parties note disclosure.

## 8.4 Related parties

The Office is a wholly owned and controlled entity of the State of Victoria. Related parties of the Office include:

- all key management personnel and their close family members.
- all cabinet Ministers and their close family members.
- all departments and public sector entities that are controlled and consolidated into the whole of State consolidated financial statements.

### Significant transactions with government-related entities

The Office received direct appropriation funding from the Department of Treasury and Finance of \$22.489 million (2023: \$22.768 million).

**Key management personnel (KMP)** of the Office included the Portfolio Minister being The Hon Jaclyn Symes MLC, Attorney-General and the Executive Team of the Office being the Ombudsman, Deborah Glass OBE (1 Jul 2023 to 29 Mar 2024) and Marlo Baragwanath (30 Mar 2024 to 30 June 24), Deputy Ombudsman, Megan Philpot, and Chief Operating Officer, Dr Marija Maher.

The compensation detailed below excludes the salaries and benefits of the Portfolio Minister receives. The Minister's remuneration and allowances are set by the *Parliamentary Salaries and Superannuation Act 1968* and are reported in the financial report of State of Victoria.

	2024 \$	2023 \$
Remuneration of KMP's		
Short-term employee benefits	1,212,630	1,171,189
Post-employment benefits	77,152	75,617
Other long-term benefits	39,139	33,892
<b>Total remuneration</b>	<b>1,328,920</b>	<b>1,280,698</b>
<b>Total number of KMPs</b>	<b>4</b>	<b>3</b>

Note that KMPs are also reported in the disclosure of remuneration of executive officers (Note 8.3).

#### Transactions with KMPs and other related parties

Given the breadth and depth of State government activities, related parties transact with the Victorian public sector in a manner consistent with other members of the public. Further employment of processes within the Victorian public sector occurs on terms and conditions consistent with the *Public Administration Act 2004* and Codes of Conduct and Standards issued by the Victorian Public Sector Commission.

Procurement processes occur on terms and conditions consistent with the Victorian Government Procurement Board requirements.

Outside of normal citizen type transactions with the Office, there were no related party transactions that involved key management personnel, their close family members and their personal business interests.

No provision has been required, nor any expense recognised, for impairment of receivables from related parties.

### 8.5 Remuneration of auditors

	2024 \$	2023 \$
Audit fees paid or payable to the Victorian Auditor-General's Office		
Audit of the annual financial statements	30,200	29,000
<b>Total remuneration of auditors</b>	<b>30,200</b>	<b>29,000</b>

No other direct services were provided by the Victorian Auditor-General's Office.

### 8.6 Administered items

In addition to the specific operations of the Office which are included in the balance sheet, comprehensive operating statement and cash flow statement, the Office administers or manages activities on behalf of the State. There was no activity to report relating to these transactions as at 30 June 2024 (30 June 2023: Nil).

### **8.7 Australian Accounting Standards issued that are not yet effective which are applicable to the Office**

Certain new and revised accounting standards have been issued but are not effective for the 2023-24 reporting period. These accounting standards have not been applied to the Financial Statements.

AASB 2022-10 Amendments to Australian Accounting Standards – Fair Value Measurement of Non-Financial Assets of Not-for-Profit Public Sector Entities.

AASB 2022-10 amends AASB 13 Fair Value Measurement by adding authoritative implementation guidance and illustrative examples for fair value measurements of non-financial assets of not-for-profit public sector entities not held primarily for their ability to generate net cash inflows.

Among other things, the Standard:

- specifies that an entity needs to consider whether an asset's highest and best use differs from its current use only when it is held for sale or held for distributions to owners under AASB 5 Non-current Assets Held for Sale and Discontinued Operations or if it is highly probable that it will be used for an alternative purpose.
- clarifies that an asset's use is 'financially feasible' if market participants would be willing to invest in the asset's service capacity, considering both the capacity to provide needed goods or services and the resulting costs of those goods and services.
- specifies that if both market selling price and some market participant data required to fair value the asset are not observable, an entity needs to start with its own assumptions and adjust them to the extent that reasonably available information indicates that other market participants would use different data and
- provides guidance on the application of the cost approach to fair value, including the nature of costs to be included in a reference asset and identification of economic obsolescence.

This Standard applies prospectively to annual periods beginning on or after 1 January 2024, with earlier application permitted.

AASB 17 Insurance Contracts, AASB 2022-8 Amendments to Australian Accounting Standards – Insurance Contracts: Consequential Amendments and AASB 2022-9 Amendments to Australian Accounting Standards – Insurance Contracts in the Public Sector

AASB 17 replaces AASB 4 Insurance Contracts, AASB 1023 General Insurance Contracts and AASB 1038 Life Insurance Contracts for not-for-profit public sector entities for annual reporting periods beginning on or after 1 July 2026.

AASB 2022-9 amends AASB 17 to make public sector-related modifications (for example, it specifies the pre-requisites, indicators and other considerations in identifying arrangements that fall within the scope of AASB 17 in a public sector context). This Standard applies for annual reporting periods beginning on or after 1 July 2026.

AASB 2022-8 makes consequential amendments to other Australian Accounting Standards so that public sector entities are permitted to continue to apply AASB 4 and AASB 1023 to annual periods before 1 July 2026. This Standard applies for annual reporting periods beginning on or after 1 January 2023.

The Office is currently in the process of assessing the potential impact of these standards and amendments.

- A number of other standards and amendments have also been issued that apply to future reporting periods, however they are not expected to have any significant impact on the financial statements in the period of initial application.

### Ombudsman and Chief Financial Officer's Declaration

The attached financial statements for the Office of the Ombudsman have been prepared in accordance with Direction 5.2 of the Standing Directions of the Assistant Treasurer under the *Financial Management Act 1994*, applicable Financial Reporting Directions Australian Accounting Standards including interpretations, and other mandatory professional reporting requirements.

We further state that, in our opinion, the information set out in the comprehensive operating statement, balance sheet, statement of changes in equity, cash flow statement and accompanying notes, presents fairly the financial transactions during the year ended 30 June 2024 and financial position of the Office of the Ombudsman at 30 June 2024.

At the time of signing, we are not aware of any circumstance which would render any particulars included in the financial statements to be misleading or inaccurate.

We authorise the attached financial statements for issue on 18 September 2024.



**Sheetal Kapoor**  
Chief Financial Officer

**Melbourne**  
18 September 2024



**Marlo Baragwanath**  
Ombudsman

**Melbourne**  
18 September 2024



# Appendix 1: Disclosure Index

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Note: (a): References to FRDs have been removed from the Disclosure Index if the specific FRDs do not contain requirements that are of the nature of disclosure.

# Appendix 2: Business glossary

Business glossary	
Business term	Definition
Cases Received	<b>Cases Received</b> means the number of cases VO has recorded in our case management system in a given FY period. (Includes Jurisdictional plus non-Jurisdictional cases)
Website Redirects	<b>Website redirects</b> means the number of matters we automatically redirect from our website to the correct organisation, because we can't deal with them. (These are not recorded in the VO case management system).
Matters redirected by phone	<b>Matters redirected</b> by phone means the number of matters we automatically redirect from our phone system to the correct organisation, because we can't deal with them. (These are not recorded in the VO case management system).
Totals Approaches (Contacts)	<b>Total Approaches</b> means the number of initial contacts (cases plus redirected matters) made to VO in a given FY period.
Matters redirected via phone or website	Matters redirected via phone or website means the number of website redirects and matters redirected by phone.
Jurisdictional cases received	<b>Jurisdictional cases received</b> means the number of cases opened we could deal with, including complaints, public interest complaints, assessable disclosures and own motions.
Investigations finalised	An <b>Investigation</b> is a formal investigation notified to an authority under section 17 of the Ombudsman Act, in which the Ombudsman is able to exercise coercive powers.
Recommendations accepted %	A <b>Recommendation</b> is a formal suggestion by the Ombudsman to remedy an issue identified in an investigation.
Recommendations accepted #	
Enquiries Made	Enquiries made means any action taken by VO (e.g. seeking information from an authority, research, inspecting records) to decide whether the issue may be informally resolved or whether it should be investigated.
Assessable Disclosures notified to IBAC (S21 Assessable Disclosure)	An <b>assessable disclosure</b> is a whistleblower complaint to VO about public organisations/officers that might involve improper or corrupt conduct, which VO refers to IBAC under the <i>Public Interest Disclosures Act 2012</i> (Vic).
Public interest complaints finalised by VO	A <b>public interest complaint</b> is a whistleblower complaint about a public organisation/officer which IBAC has referred to VO to deal with. Public interest complaints receive specific legal protections.
# Potential PID allegations assessed	Number of allegations assessed by VO for possible referral as an assessable disclosure to IBAC under the <i>Public Interest Disclosures Act 2012</i> (Vic). Each assessable disclosure may contain multiple allegations.
# PIC Investigations Finalised	Number of investigations into public interest complaints VO finalised.
# PIC Allegations that were substantiated or partially substantiated	Number of public interest complaint allegations substantiated or partly substantiated by VO.
# PIC Allegations that were not substantiated	Number of public interest complaint allegations not substantiated by VO.

Business glossary	
(PIC) Public Interest Complaints Received	Number of public interest complaints IBAC referred to VO to deal with. VO is required to investigate public interest complaints referred by IBAC, with some exceptions.
# <b>ALL</b> Investigations commenced	An <b>Investigation</b> is a formal investigation notified to an authority under section 17 of the Ombudsman Act, in which the Ombudsman is able to exercise coercive powers.
# 16E Corrupt conduct notifications	Number of notifications VO made to IBAC under section 16E of the <i>Ombudsman Act 1973</i> (Vic). If the Ombudsman suspects at any time that a case involves corrupt conduct, the Ombudsman must notify IBAC.
# Jurisdictional complex cases	Refers to cases that require significantly more effort and resources than other cases of the same category.
# Allegations notified to IBAC under S21	Number of allegations in the assessable disclosures VO notified to IBAC under section 21 of the <i>Public Interest Disclosures Act 2012</i> (Vic).
# PIC allegations received	Number of allegations in the public interest complaints VO received from IBAC under section 73 of the <i>IBAC Act 2011</i> (Vic).
# PIC allegations declined to investigate " <b>Enquiries Made</b> "	Number of public interest complaint allegations VO declined to investigate after making enquiries (closed cases).
"# PIC allegations declined to investigate " <b>No Enquiries Made</b> "	Number of public interest complaint allegations VO declined to investigate without making enquiries (closed cases).
# PIC cases suspended	Number of public interest complaint cases suspended. It may be appropriate for VO to suspend action on a public interest complaint for reasons such as another agency is investigating or has completed an investigation into the matter.
% Jurisdictional complaints completed within 30 days	<b>Jurisdictional complaints</b> that have been completed within a set time period in this case 30 calendar days.
Jurisdictional cases finalised	<b>Jurisdictional cases finalised</b> means the number of cases we could deal with that were finalised, including complaints, public interest complaints, assessable disclosures and own motions.
# NJU cases received	<b>NJU</b> means non-Jurisdictional cases the Ombudsman could not deal with. People with NJU cases are redirected to the correct organisation.
# Information requests received	<b>Information Requests</b> are not complaints, but instances where people contact the Ombudsman for information about the office. Information requests are not requests made under the <i>Freedom of Information Act 1982</i> (Vic).
# PIC Investigations commenced	Number of investigations into public interest complaints VO commenced.
# PIC Allegations/Issues Investigated	Number of public interest complaint allegations VO investigated and finalised.
Allegations Discontinued	Number of public interest complaint allegations VO discontinued investigating in accordance with section 17 of the <i>Ombudsman Act 1973</i> (Vic).
Non-PIC investigation cases	The number of (non-PIC) investigation cases we closed.
Non-PIC investigation issues	The number of (non-PIC) issues VO investigated in the cases we closed.

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