

Ombudsman Western Australia

Annual Report

2014-15



**The President of
the Legislative Council**



**The Speaker of the
Legislative Assembly**

**Annual Report of the Parliamentary Commissioner for
Administrative Investigations (Western Australian
Ombudsman) for the year ended 30 June 2015**

In accordance with section 63 of the *Financial Management Act 2006*, I am pleased to submit to Parliament the Annual Report of the Parliamentary Commissioner for Administrative Investigations for the financial year ended 30 June 2015.

The report has been prepared in accordance with the *Financial Management Act 2006* and section 27 of the *Parliamentary Commissioner Act 1971*.

A handwritten signature in blue ink, appearing to be 'Chris Field'.

Chris Field
Western Australian Ombudsman

24 September 2015

About this Report

This report describes the functions and operations of the Ombudsman Western Australia for the year ending 30 June 2015.

It is available in print and electronic viewing format to optimise accessibility and ease of navigation. It can also be made available in alternative formats to meet the needs of people with a disability. Requests should be directed to the Publications Manager at (08) 9220 7555 or mail@ombudsman.wa.gov.au.

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

- [Executive Summary](#)
 - [Ombudsman's Foreword](#)
 - [Year in Brief](#)
- [Operational Structure](#)
- [Performance Management Framework](#)



Ombudsman's Foreword

I am very pleased to present the 2014-15 Annual Report of the Western Australian Ombudsman. The Ombudsman is an independent, impartial statutory officer that reports directly to the Western Australian Parliament.

The office of the Ombudsman (**the Office**) has four principal functions, which are to:

- Receive, investigate and resolve complaints about State Government agencies, local governments and universities;
- Review certain child deaths and family and domestic violence fatalities;
- Improve public administration for the benefit of all Western Australians through own motion investigations and education and liaison programs with public authorities; and
- Undertake a range of additional functions, including statutory inspection and monitoring functions.



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

Timely and efficient resolution of complaints is a critical role for the Office. During 2014-15, the continuation of our major complaint handling improvement program, introduced in 2007, resulted in 98 per cent of complaints being finalised within three months.

Overall, since June 2007, the average age of complaints has reduced from 173 days to 21 days. Over the same period, the cost of handling complaints has reduced by 37 per cent.

This year, we continued to undertake important work in relation to our child death and family and domestic violence fatality review roles, including undertaking significant work on a major own motion investigation into issues associated with Violence Restraining Orders and their relationship with family and domestic violence fatalities, as well as commencing a major own motion investigation into ways to prevent or reduce child deaths by drowning.

In November 2014, the Office co-hosted the 4th Australasian Conference on Child Death Inquiries and Reviews with the Department for Child Protection and Family Support (**DCPFS**). This important biennial conference, hosted for the first time in Western Australia, brought together a diverse range of professionals responsible for conducting reviews of child deaths, serious child injuries and family and domestic violence fatalities.

The Office has an important role to undertake a range of statutory inspection, monitoring and reporting functions, including the inspection of telecommunication interception records and the Ombudsman's monitoring functions under the *Criminal*

Organisations Control Act 2012. In March 2015, we also commenced a new role to monitor the Infringement Notices provisions of *The Criminal Code*.

In 2007-08, we introduced a new program aimed at significantly enhancing awareness of, and accessibility to, the Office for regional and Aboriginal Western Australians. The program continued this year with visits to Kalgoorlie-Boulder and Northam.

Last, but no less importantly, I take this opportunity to thank each member of my staff team for their outstanding work during the year.



Chris Field
Western Australian Ombudsman





- We received 11,143 contacts, comprised of:
 - 9,096 enquiries; and
 - 2,047 complaints.
- We finalised 98% of complaints within 3 months.
- We achieved a 21% reduction in the time to finalise complaints compared to last year.
- Since 2007, we have:
 - Decreased the age of complaints from 173 days to 21 days; and
 - Reduced the cost of resolving complaints by 37%.
- Public authorities accepted 100% of our Recommendations.

- We received:
 - 33 investigable child deaths; and
 - 16 reviewable family and domestic violence fatalities.
- Significant work was undertaken on a major own motion investigation into issues associated with Violence Restraining Orders and their relationship with family and domestic violence fatalities.
- We commenced a major own motion investigation into ways to prevent or reduce child deaths by drowning.
- We co-hosted the 4th Australasian Conference on Child Death Inquiries and Reviews.
- We commenced our role to monitor the Infringement Notices provisions of *The Criminal Code*.
- We enhanced regional awareness and access to the Office through visits to Kalgoorlie-Boulder and Northam.





Operational Structure

The Role of the Ombudsman

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

Functions of the Ombudsman

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

Principal Functions

<u>Investigating and resolving complaints</u>	Receiving, investigating and resolving complaints about State Government agencies, local government and universities.
<u>Reviewing certain deaths</u>	Reviewing certain child deaths and family and domestic violence fatalities.
<u>Undertaking own motion investigations and promoting improvements to public administration</u>	Improving public administration for the benefit of all Western Australians through own motion investigations, and education and liaison programs with public authorities.
<u>Other functions</u>	Undertaking a range of additional functions, including statutory inspection and monitoring functions.

Other Functions of the Ombudsman

<u>Complaints and appeals by overseas students</u>	Under the relevant national code, the Ombudsman can receive complaints or appeals by overseas students.
<u>Public Interest Disclosures</u>	The Ombudsman can receive disclosures of public interest information relating to matters of administration, and public officers.
<u>Complaints from residents of the Indian Ocean Territories</u>	Under a service delivery arrangement between the Ombudsman and the Australian Government, the Ombudsman can investigate complaints from residents of the Indian Ocean Territories (Christmas and Cocos (Keeling) Islands) about public authorities in the Ombudsman's jurisdiction.
<u>Complaints from persons detained under terrorism legislation</u>	Persons detained under relevant terrorism legislation can make a complaint to the Ombudsman.
<u>Inspection of Telecommunications Interception records</u>	The Ombudsman inspects the records of the Western Australia Police and the Corruption and Crime Commission to ascertain the extent of compliance with relevant telecommunications interception legislation.
<u>Monitoring functions under the <i>Criminal Organisations Control Act 2012</i></u>	Under the <i>Criminal Organisations Control Act 2012</i> , the Ombudsman monitors and reports on the exercise of powers conferred on the Commissioner of Police and police officers under the legislation for a five year period.
<u>Monitoring the Infringement Notices provisions of <i>The Criminal Code</i></u>	The Ombudsman monitors the Infringement Notices provisions of <i>The Criminal Code</i> and reports on the first 12 months of operation.
<u>Energy and Water Ombudsman</u>	The Energy and Water Ombudsman Western Australia resolves complaints about electricity, gas and water services providers. The Ombudsman undertakes the role of the Energy and Water Ombudsman. The costs of the Energy and Water Ombudsman are met by industry members.

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



Our Vision, Mission and Values

Our Vision

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

Our Mission

To serve Parliament and Western Australians by:

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

Our Values

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

Our Strategic Focus

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



Executive Management

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

The role of executive management is to:

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

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

Our Corporate Executive

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



Chris Field, Ombudsman



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

Mary White, Deputy Ombudsman

Vacant, Principal Assistant Ombudsman Investigations and Legal Services



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

Kim Lazenby, Assistant Ombudsman Administrative Improvement

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



Operational Structure

Sarah Cowie, Assistant Ombudsman Complaint Resolution

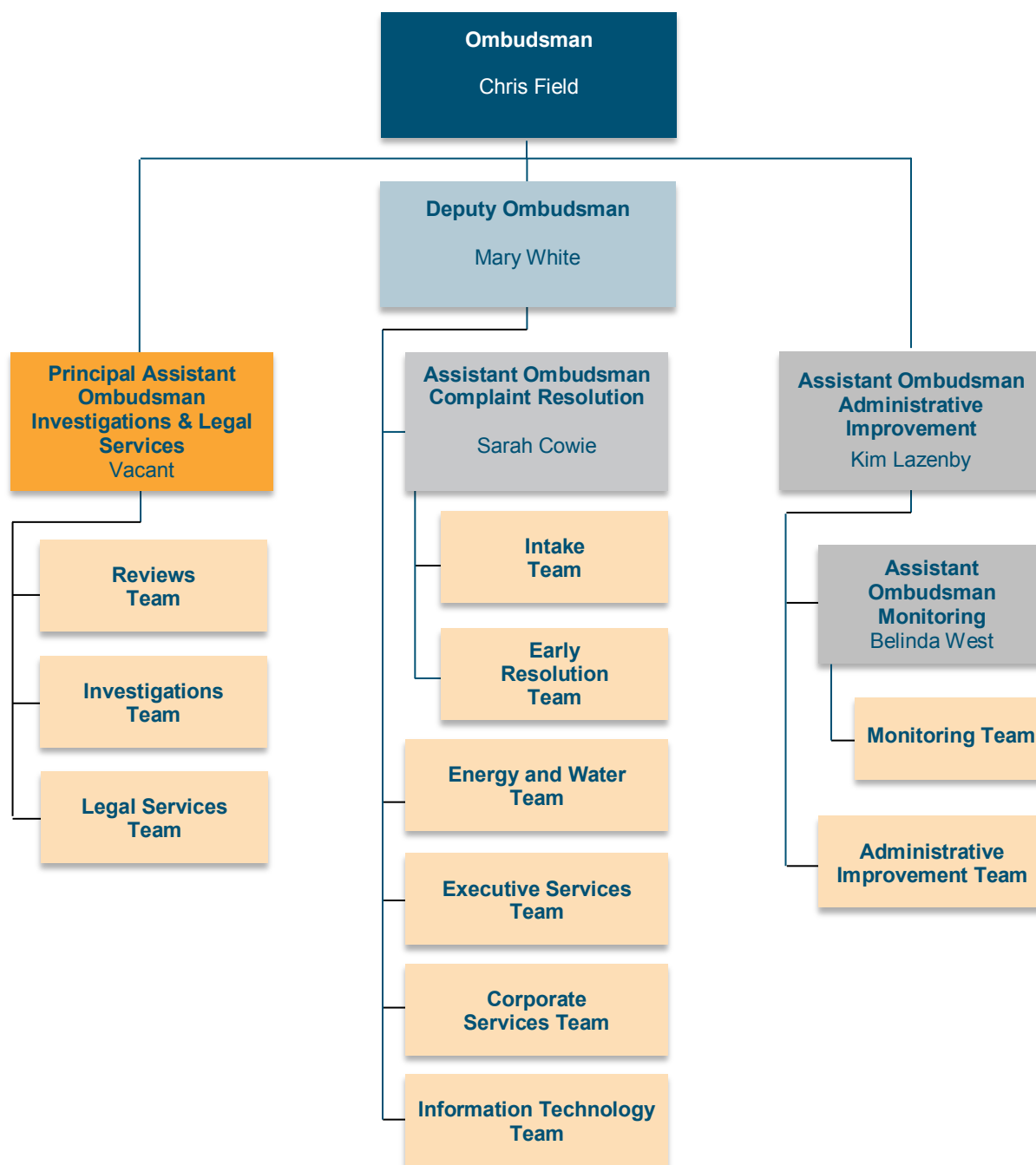


Belinda joined the office in 2008 and commenced acting in the role of Assistant Ombudsman Monitoring in August 2014. She has more than 20 years' experience working in the public sector in financial and performance auditing and leadership roles in both line and accountability agencies.

Belinda West, Acting Assistant Ombudsman Monitoring

Our Structure and Teams

Organisational Structure as at 30 June 2015



Team Responsibilities

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





Performance Management Framework

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

Desired Outcomes of the Ombudsman's Office

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



Key Effectiveness Indicators

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

Service Provided by the Ombudsman's Office

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



Key Efficiency Indicators

- Percentage of allegations finalised within three months.
- Percentage of allegations finalised within 12 months.
- Percentage of allegations on hand at 30 June less than three months old.
- Percentage of allegations on hand at 30 June less than 12 months old.
- Average cost per finalised allegation.
- Average cost per finalised notification of death.
- Cost to monitor the Infringement Notices provisions of *The Criminal Code*.



Our Performance in 2014-15

This section of the report compares results with targets for both financial and non-financial indicators and explains significant variations. It also provides information on achievements during the year, major initiatives and projects, and explains why this work was undertaken.

- [Summary of Performance](#)
 - [Key Effectiveness Indicators](#)
 - [Key Efficiency Indicators](#)
 - [Summary of Financial Performance](#)
- [Complaint Resolution](#)
- [Child Death Review](#)
- [Family and Domestic Violence Fatality Review](#)
- [Own Motion Investigations and Administrative Improvement](#)
- [Collaboration and Access to Services](#)



Summary of Performance

Key Effectiveness Indicators

The Ombudsman aims to improve decision making and administrative practices in public authorities as a result of complaints handled by the Office, reviews of certain child deaths and family and domestic violence fatalities and own motion investigations. Improvements may occur through actions identified and implemented by agencies as a result of the Ombudsman's investigations and reviews, or as a result of the Ombudsman making specific recommendations and suggestions that are practical and effective. Key effectiveness indicators are the percentage of these recommendations and suggestions accepted by public authorities and the number of improvements that occur as a result of Ombudsman action.

Key Effectiveness Indicators	2013-14 Actual	2014-15 Target	2014-15 Actual	Variance
Where the Ombudsman made recommendations to improve practices or procedures, the percentage of recommendations accepted by agencies	100%	100%	100%	Nil
Number of improvements to practices or procedures as a result of Ombudsman action	152	100	99	-1

Another important role of the Ombudsman is to enable remedies to be provided to people who make complaints to the Office where service delivery by a public authority may have been inadequate. The remedies may include reconsideration of decisions, more timely decisions or action, financial remedies, better explanations and apologies. In 2014-15, there were 211 remedies provided by public authorities to assist the individual who made a complaint to the Ombudsman.

Comparison of Actual Results and Budget Targets

Public authorities have accepted every recommendation made by the Ombudsman, matching the actual results of the past four years and meeting the 2014-15 target.

In 2007-08, the Office commenced a program to ensure that its work increasingly contributed to improvements to public administration. Consistent with this program, the number of improvements to practices and procedures of public authorities as a result of Ombudsman action has, in 2014-15, almost doubled since 2010-11. There may, however, be fluctuations from year to year, related to the number and nature of complaints and reviews finalised by the Office in any given year. In 2014-15 the actual result is comparable to the 2014-15 target.

Key Efficiency Indicators

The key efficiency indicators relate to timeliness of complaint handling, the cost per finalised allegation about public authorities, the cost per finalised notification of child deaths and family and domestic violence fatalities and the cost to monitor the Infringement Notices provisions of *The Criminal Code*.

Key Efficiency Indicators	2013-14 Actual	2014-15 Target	2014-15 Actual	Variance from Target
Percentage of allegations finalised within three months	98%	95%	98%	+3%
Percentage of allegations finalised within 12 months	100%	100%	100%	Nil
Percentage of allegations on hand at 30 June less than three months old	98%	90%	96%	+6%
Percentage of allegations on hand at 30 June less than 12 months old	100%	100%	100%	Nil
Average cost per finalised allegation	\$1,858	\$1,820	\$1,857	+\$37
Average cost per finalised notification of death	\$18,407	\$12,325	\$18,983	+\$6,658
Cost to monitor the Infringement Notices provisions of <i>The Criminal Code</i>	N/A*	\$723,000	\$413,586	-\$309,414

*As 2014-15 is the first year of the function, there is no comparable data in 2013-14.

Comparison of Actual Results and Budget Targets

The 2014-15 actual results for each of the key efficiency indicators relating to allegations on hand and allegations finalised matched or exceeded the 2014-15 target. Overall, all 2014-15 actual results represented significant improvement in the efficiency of complaint resolution over the last five years.

The average cost per finalised allegation in 2014-15 is comparable to the 2013-14 actual result (\$1,858) and the 2014-15 target (\$1,820). Since 2007-08, the efficiency of complaint resolution has improved significantly with the average cost per finalised allegation reduced by a total of 37% from \$2,941 in 2007-08 to \$1,857 in 2014-15.

The average cost per finalised notification of death (\$18,983) is consistent with the 2013-14 actual result (\$18,407) and exceeds the 2014-15 target (\$12,235), reflecting the staffing required for:

- The investigation of complex reviews undertaken in 2014-15; and
- The commencement in 2012-13, and development during 2013-14 and 2014-15, of an important new initiative to review family and domestic violence fatalities.

The 2015-16 target has been adjusted to \$18,950 accordingly.



The cost to monitor the Infringement Notices provisions of *The Criminal Code* (\$413,586) is lower than the 2014-15 target (\$723,000) due to the change in the commencement of the function to March 2015.

For further details, see the [Key Performance Indicator section](#).

Summary of Financial Performance

The majority of expenses for the Office (73%) relate to staffing costs. The remainder is primarily for accommodation, communications and office equipment.

Financial Performance	2013-14 Actual	2014-15 Target ('000s)	2014-15 Actual ('000s)	Variance ('000s)
Total cost of services (sourced from Statement of Comprehensive Income)	\$10,551	\$11,218	\$10,331	-\$887
Income other than income from State Government (sourced from Statement of Comprehensive Income)	\$2,506	\$2,560	\$2,463	-\$97
Net cost of services (sourced from Statement of Comprehensive Income)	\$8,045	\$8,658	\$7,867	-\$791
Total equity (sourced from Statement of Financial Position)	\$1,531	\$1,628	\$2,303	+\$675
Net increase in cash held (sourced from Statement of Cash Flows)	(\$65)	\$20	\$873	+\$853
Staff Numbers	Number	Number	Number	Number
Full time equivalent (FTE) staff level at 30 June 2015	63	70	60	-10

Comparison of Actual Results and Budget Targets

The variation between the 2014-15 actual results and the target for the Office's total cost of services and net cost of services is primarily due to the cost to monitor the Infringement Notices provisions of *The Criminal Code* being lower than the 2014-15 target, due to the change in the commencement of the function to March 2015 and temporary vacancies arising from staff movements during the year. There were no significant variations between the actual results for 2014-15 and 2013-14.

For total equity and cash held, the increase in the actual result compared to the target is primarily due to lower than expected payments due to the change in the commencement of the function to monitor the Infringement Notices provisions of *The Criminal Code* to March 2015, expenses incurred during 2014-15 but paid in 2015-16, and temporary vacancies arising from staff movements during the year.

For further details see [Note 27 'Explanatory Statement' in the Financial Statements section](#).



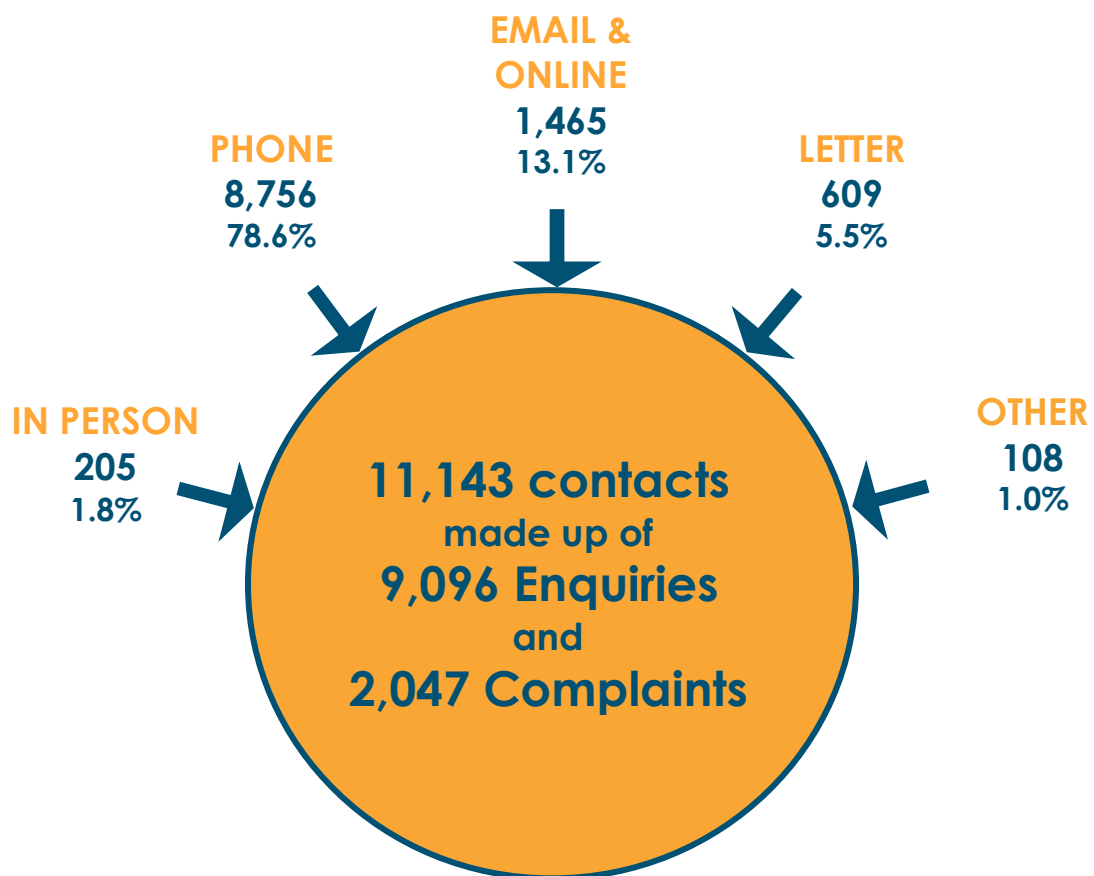
Complaint Resolution

One of the core Ombudsman functions is to resolve complaints received from the public about the decision making and practices of State Government agencies, local governments and universities (commonly referred to as public authorities). This section of the report provides information about how the Office assists the public by providing independent and timely complaint resolution and investigation services or, where appropriate, referring them to a more appropriate body to handle the issues they have raised.

Contacts

In 2014-15, the Office received 11,143 contacts from members of the public consisting of:

- 9,096 enquiries from people seeking advice about an issue or information on how to make a complaint; and
- 2,047 written complaints from people seeking assistance to resolve their concerns about the decision making and administrative practices of a range of public authorities.

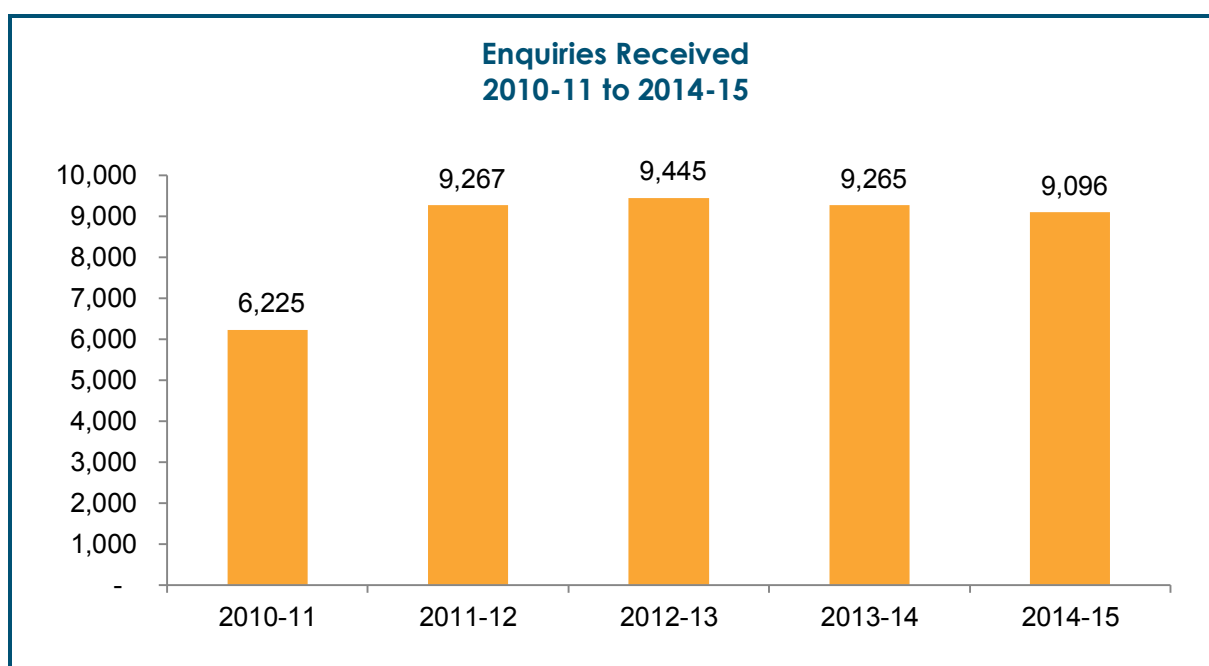


Enquiries Received

There were 9,096 enquiries received during the year.

For enquiries about matters that are within the Ombudsman's jurisdiction, staff provide information about the role of the Office and how to make a complaint. For approximately half of these enquiries, the enquirer is referred back to the public authority in the first instance to give it the opportunity to hear about and deal with the issue. This is often the quickest and most effective way to have the issue dealt with. Enquirers are advised that if their issues are not resolved by the public authority, they can make a complaint to the Ombudsman.

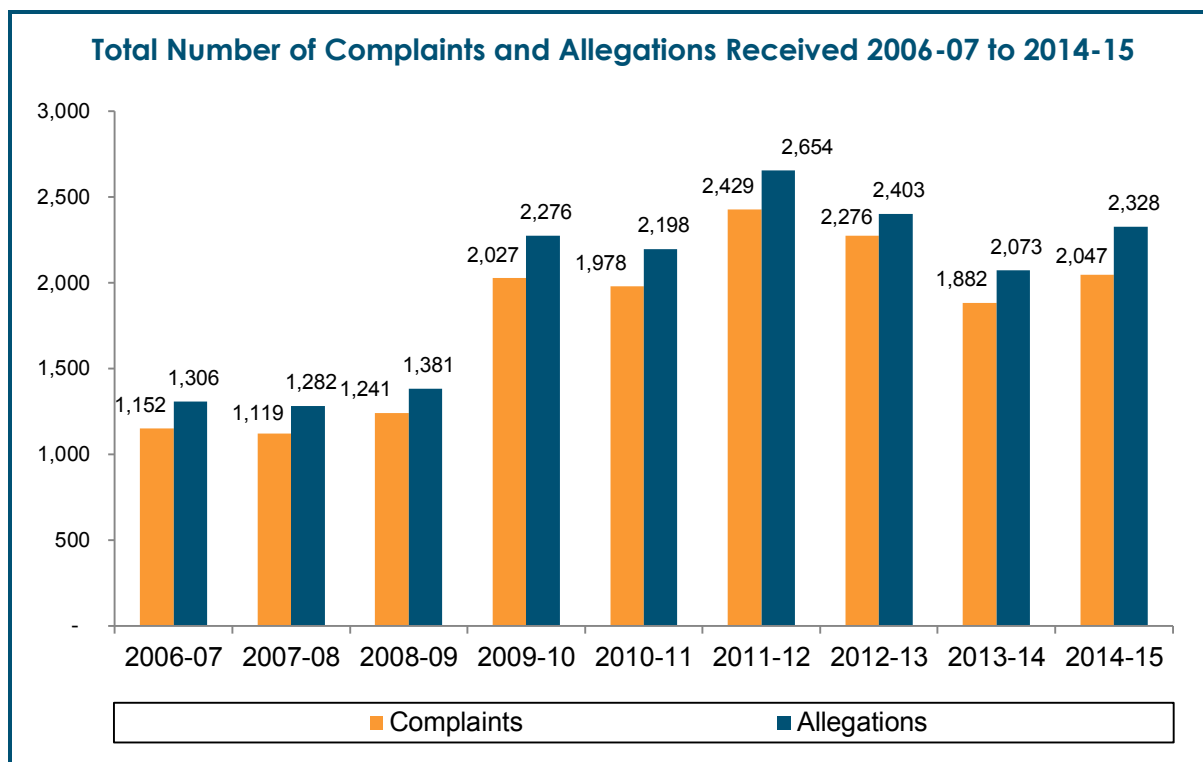
For enquiries that are outside the jurisdiction of the Ombudsman, staff assist members of the public by providing information about the appropriate body to handle the issues they have raised.



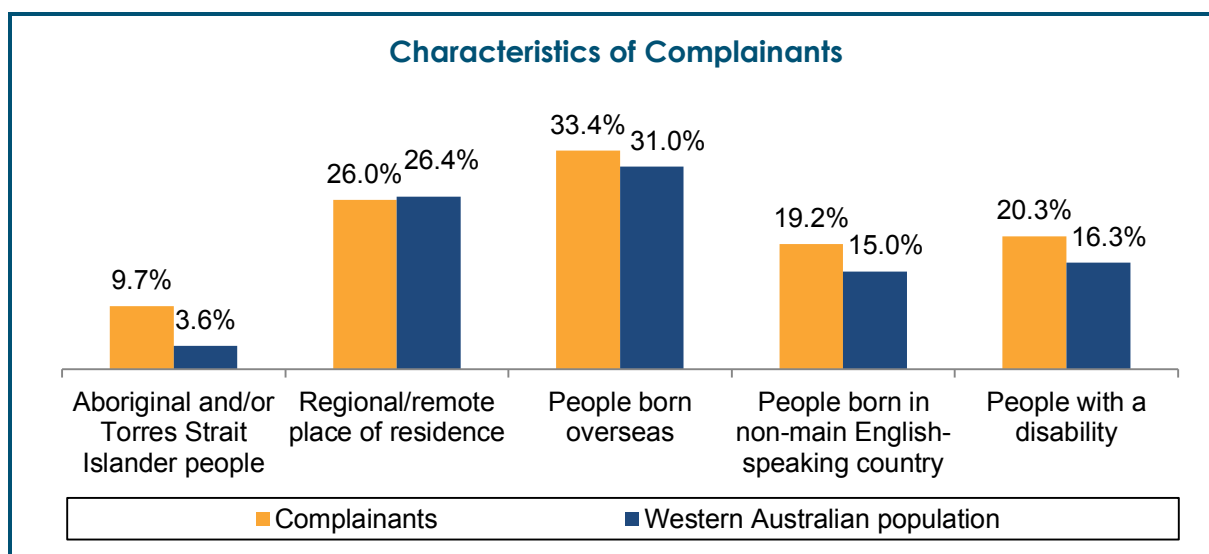
Enquirers are encouraged to try to resolve their concerns directly with the public authority before making a complaint to the Ombudsman.

Complaints Received

In 2014-15, the Office received 2,047 complaints, with 2,328 separate allegations, and finalised 2,060 complaints. There are more allegations than complaints because one complaint may cover more than one issue.



NOTE: The number of complaints and allegations shown for a year may vary in this and other charts by a small amount, from the number shown in previous annual reports. This occurs because, during the course of an investigation, it can become apparent that a complaint is about more than one public authority or there are additional allegations with a start date in a previous reporting year.

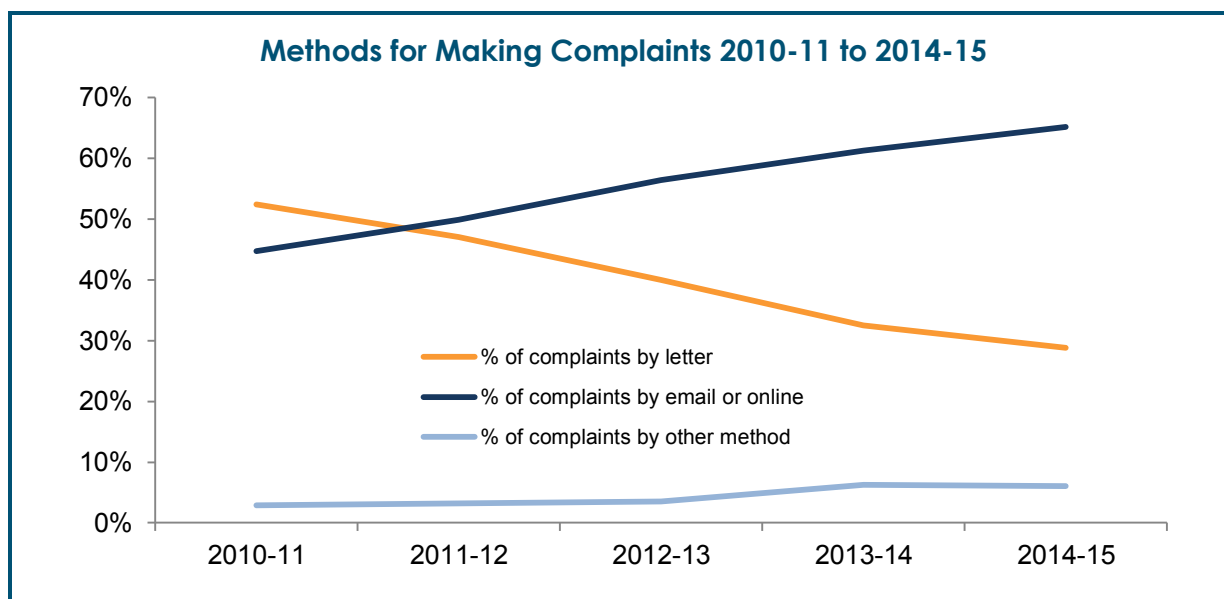


NOTE: Non-main English-speaking countries as defined by the Australian Bureau of Statistics are countries other than Australia, United Kingdom, the Republic of Ireland, New Zealand, Canada, South Africa and the United States of America. Being from a non-main English-speaking country does not imply a lack of proficiency in English.

How Complaints Were Made

The increase in the use of email and online facilities to lodge complaints has continued in 2014-15, increasing from 61% in 2013-14 to 65% in 2014-15. The proportion of people using email and online facilities to lodge complaints has increased by 20% since 2010-11, when 45% were received in this way.

During the same period, the proportion of people who lodge complaints by letter has reduced from 52% to 29%. The remaining complaints were received by a variety of means, including by fax, during regional visits and in person.



Resolving Complaints

Where it is possible and appropriate, staff use an early resolution approach to investigate and resolve complaints. This approach is highly efficient and effective and results in timely resolution of complaints. It gives public authorities the opportunity to provide a quick response to the issues raised and to undertake timely action to resolve the matter for the complainant and prevent similar complaints arising again. The outcomes of complaints may result in a remedy for the complainant or improvements to a public authority's administrative practices, or a combination of both. Complaint resolution staff also track recurring trends and issues in complaints and this information is used to inform broader administrative improvement in public authorities and investigations initiated by the Ombudsman (known as [own motion investigations](#)).

Early resolution involves facilitating a timely response and resolution of a complaint.

Time Taken to Resolve Complaints

Timely complaint handling is important, including the fact that early resolution of issues can result in more effective remedies and prompt action by public authorities to prevent similar problems occurring again. The Office's continued focus on timely complaint resolution has resulted in ongoing improvements in the time taken to handle complaints.

Timeliness and efficiency of complaint handling has substantially improved over time due to a major complaint handling improvement program introduced in 2007-08. An initial focus of the program was the elimination of aged complaints.

Building on the program, the Office developed and commenced a new organisational structure and processes in 2011-12 to promote and support early resolution of complaints. There have been further enhancements to complaint handling processes in 2014-15, in particular in relation to the early resolution of complaints.

Together, these initiatives have enabled the Office to maintain substantial improvements in the timeliness of complaint handling.

Over the last year:

- The percentage of allegations finalised within 3 months was 98%; and
- We achieved a 21% reduction in the time taken to finalise complaints.

**98% of allegations
were finalised within
3 months.**

Following the introduction of the Office's complaint handling improvement program in 2007-08, very significant improvements have been achieved in timely complaint handling including:

- The average age of complaints has decreased from 173 days to 21 days; and
- Complaints older than 6 months have decreased from 40 to 1.

Complaints Finalised in 2014-15

There were 2,060 complaints finalised during the year and, of these, 1,423 were about public authorities in the Ombudsman's jurisdiction. Of the complaints about public authorities in jurisdiction, 869 were finalised at initial assessment, 526 were finalised after an Ombudsman investigation and 28 were withdrawn.

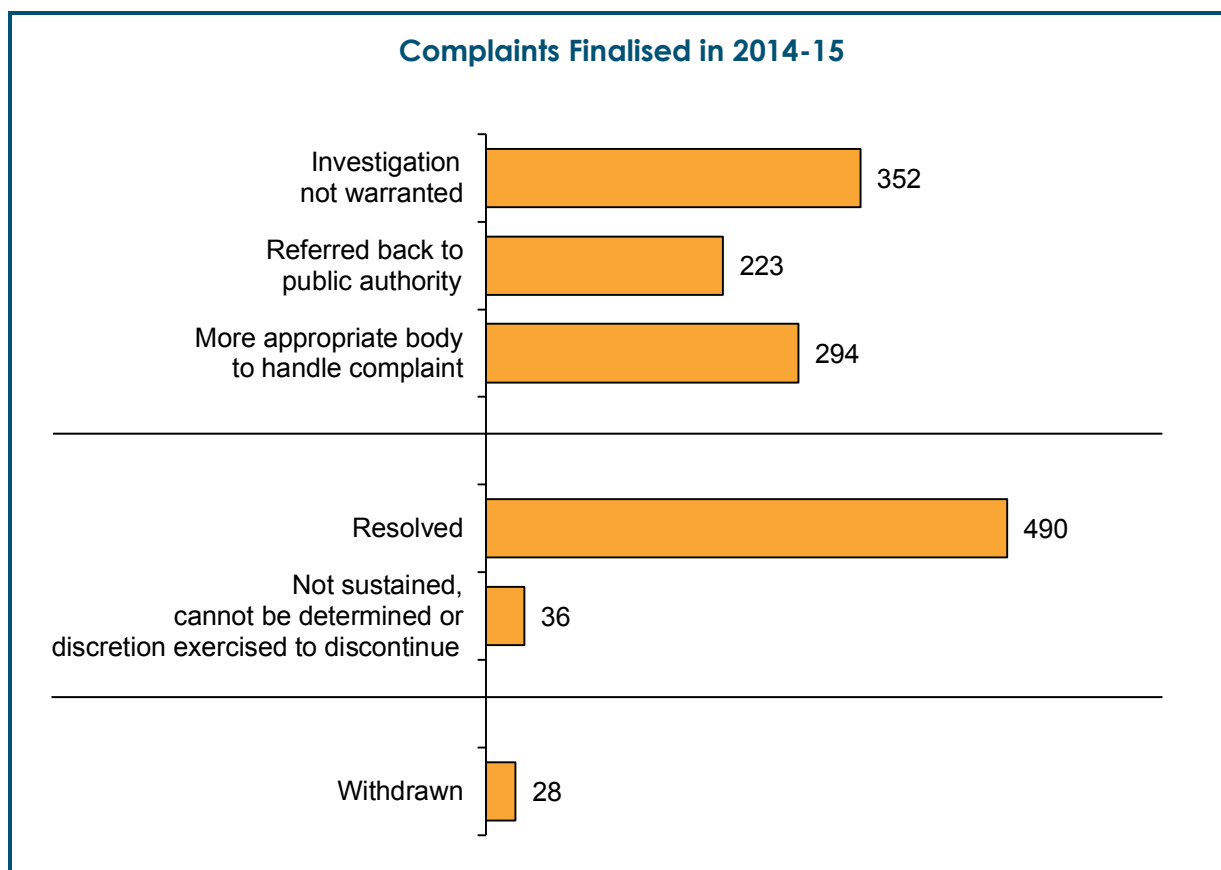
Complaints finalised at initial assessment

Over a quarter (26%) of the 869 complaints finalised at initial assessment were referred back to the public authority to provide it with an opportunity to resolve the matter before investigation by the Ombudsman. This is a common and timely approach and often results in resolution of the matter. The person making the complaint is asked to contact the Office again if their complaint remains unresolved. In a further 294 (34%) complaints finalised at the initial assessment, it was determined that there was a more appropriate body to handle the complaint. In these cases, complainants are provided with contact details of the relevant body to assist them.

Complaints finalised after investigation

Of the 526 complaints finalised after investigation, 93% were resolved through the Office's early resolution approach. This involves Ombudsman staff contacting the public authority to progress a timely resolution of complaints that appear to be able to be resolved quickly and easily. Public authorities have shown a strong willingness to resolve complaints using this approach and frequently offer practical and timely remedies to resolve matters in dispute, together with information about administrative improvements to be put in place to avoid similar complaints in the future.

The following chart shows how complaints about public authorities in the Ombudsman's jurisdiction were finalised.

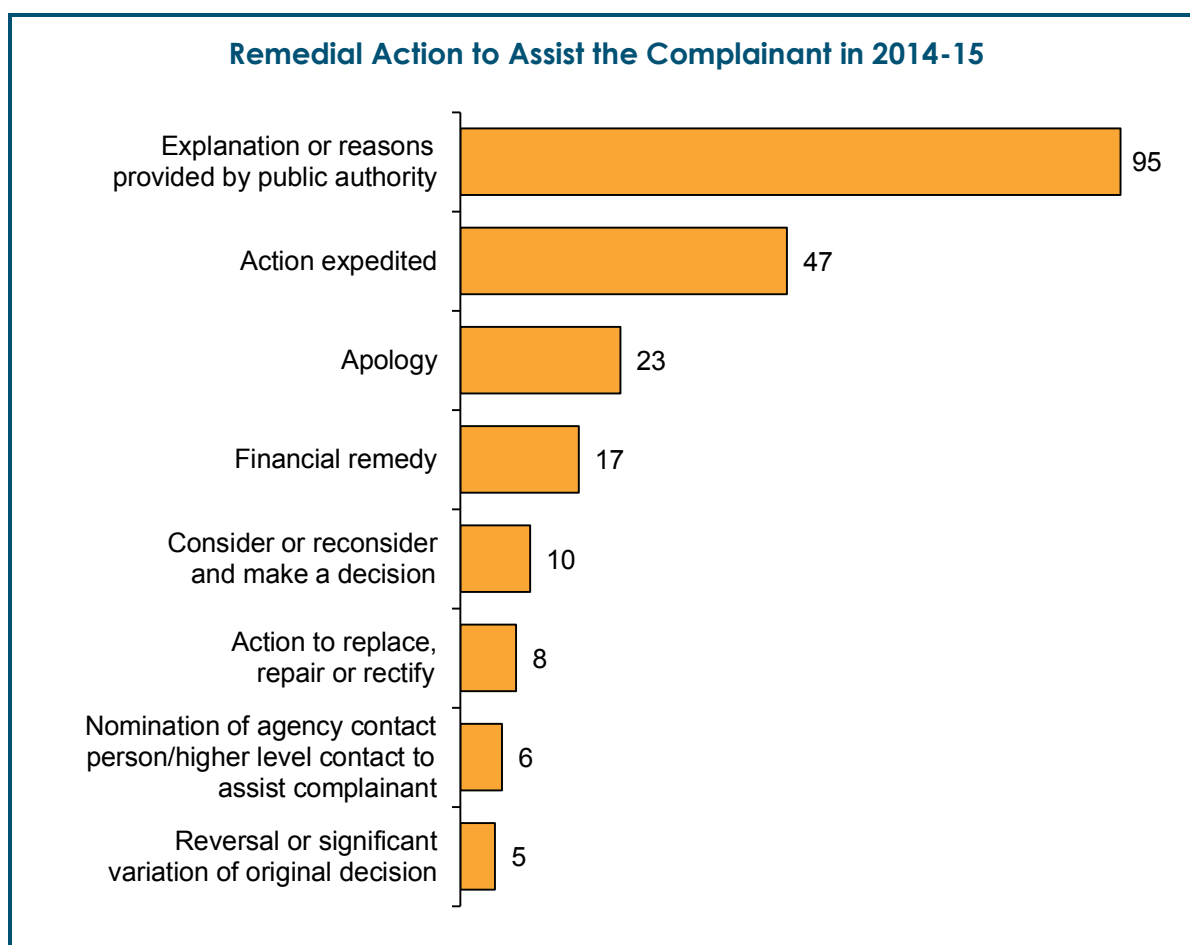


Note: Investigation not warranted includes complaints where the matter is not in the Ombudsman's jurisdiction.

Outcomes to assist the complainant

Complainants look to the Ombudsman to achieve a remedy to their complaint. In 2014-15, there were 211 remedies provided by public authorities to assist the individual who made a complaint to the Ombudsman, an increase of 6% from 199 in 2013-14. In some cases there is more than one action to resolve a complaint. For example, the public authority may apologise and reverse their original decision. In a further 72 instances, the Office referred the complaint to the public authority following its agreement to expedite examination of the issues and to deal directly with the person to resolve their complaint. In these cases, the Office follows up with the public authority to confirm the outcome and any further action the public authority has taken to assist the individual or to improve their administrative practices.

The following chart shows the types of remedies provided to complainants.



Case Study

Response to complaint expedited and staff reminded about complaints management process

A person complained to a public authority about alleged delays in relation to their deceased partner's estate. The person then complained to the Office that they had not received a response from the public authority to their complaint.

Following enquiries by the Office, the public authority acknowledged that its policy on complaints management had not been followed. It arranged for a letter to be sent to the person which contained an apology for the time taken to deal with the complaint, an explanation about the delays in administering the estate and action the public authority was taking.

Further, as a result of the Office's enquiries, the public authority reminded staff of the definition of a complaint and the correct complaint handling procedure to be followed. Emphasis was placed on the value of the complaint handling system, with reference to the system being instrumental in improving policies, procedures and business practices.

Outcomes to improve public administration

In addition to providing individual remedies, complaint resolution can also result in improved public administration. This occurs when the public authority takes action to improve its decision making and practices in order to address systemic issues and prevent similar complaints in the future. Administrative improvements include changes to policy and procedures, changes to business systems or practices and staff development and training.

Case

Study

Reversal of decision, monetary refund and website information updated

A person applied for professional registration to the Registration Board, which regulated their particular profession. The Registration Board invoiced the person for a fee to cover their requested period of registration and an additional fee for a period before they were registered. The person complained to the Office that they should not have been charged a fee for a period when they were not registered and had they realised that this fee would be charged, they would have delayed their registration until the new registration period commenced. The person also alleged that the wording of the fee structure on the Registration Board's website was not clear.

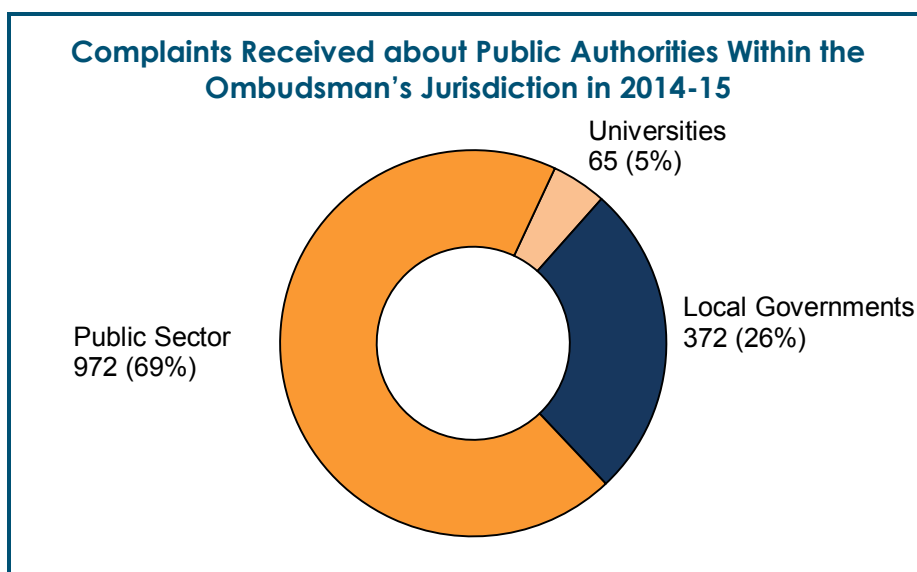
Following enquiries by the Office, the Registration Board reviewed the circumstances of the person's application, including the timing of the grant of registration. The Registration Board indicated that its decision to charge the fee was consistent with relevant regulations and that this information was reflected in the application the person had completed. However, the Registration Board took into account the information received that the person would have held off applying for the registration if they had understood an additional fee would be charged, and the person's view that information about the nature of the fee could be made clearer in the Registration Board's communications. The Registration Board decided to refund the additional fee and also undertook to improve the information available about the fees on its website and forms.



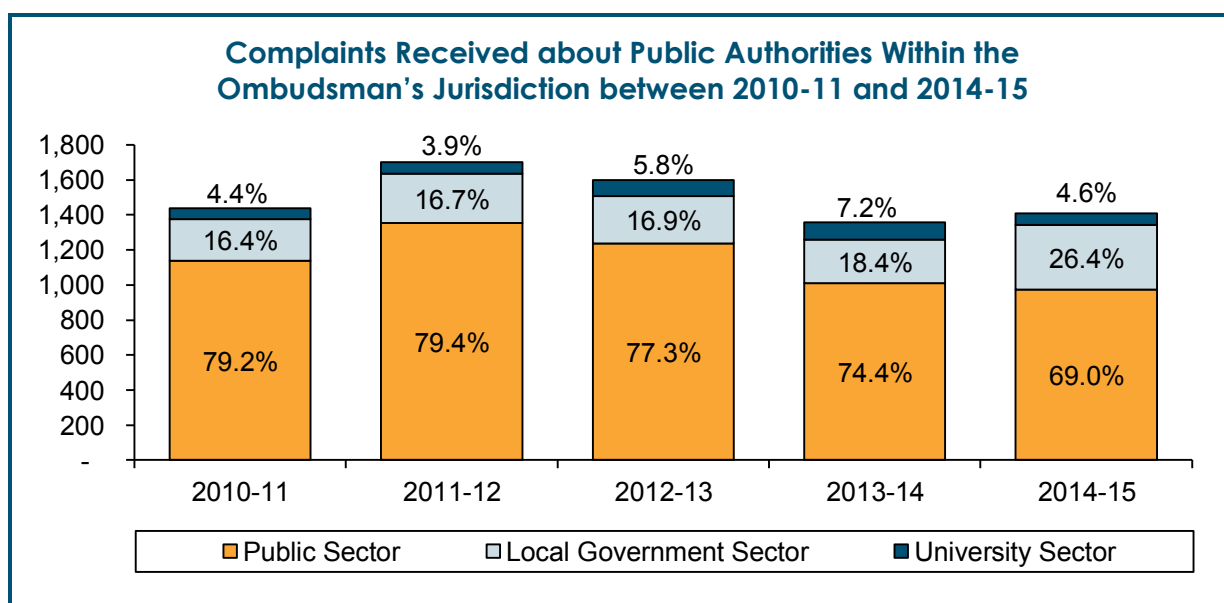
About the Complaints

Of the 2,047 complaints received, 1,409 were about public authorities that are within the Ombudsman's jurisdiction. The remaining 638 complaints were about bodies outside the Ombudsman's jurisdiction. In these cases, Ombudsman staff provided assistance to enable the people making the complaint to take the complaint to a more appropriate body.

Public authorities in the Ombudsman's jurisdiction fall into three sectors: the public sector (972 complaints) which includes State Government departments, statutory authorities and boards; the local government sector (372 complaints); and the university sector (65 complaints).



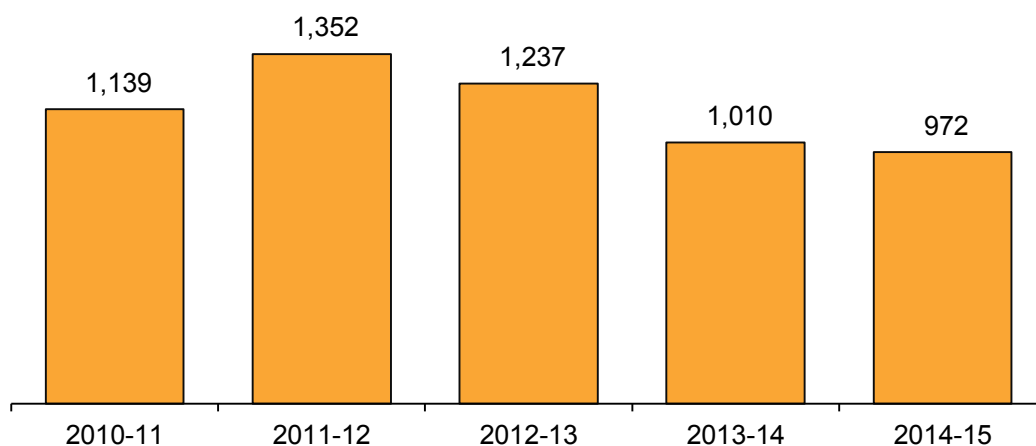
The proportion of complaints about each sector in the last five years is shown in the following chart.



The Public Sector

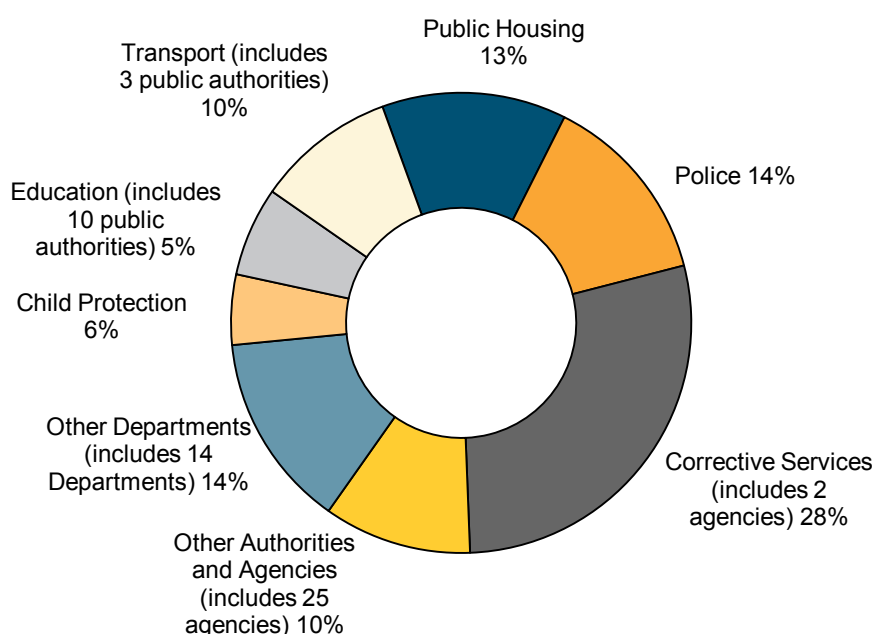
In 2014-15, there were 972 complaints received about the public sector and 979 complaints were finalised. The number of complaints about the public sector as a whole since 2010-11 is shown in the chart below.

Complaints Received About the Public Sector between 2010-11 and 2014-15



Public sector agencies are very diverse. In 2014-15, complaints were received about 57 agencies as shown in the following chart.

Complaints Received About the Public Sector in 2014-15



Of the 972 complaints received about the public sector in 2014-15, 76% were about six key areas covering:

- Corrective services, in particular prisons (276 or 28%);
- Police (132 or 14%);
- Public housing (126 or 13%);
- Transport (95 or 10%);
- Child protection (61 or 6%); and
- Education – public schools and institutes of technology (48 or 5%). Information about universities is shown separately under the University Sector.

The remaining complaints about the public sector (234) were about 39 other State Government departments, statutory authorities and boards. For 31 (79%) of these agencies, the Office received five complaints or less.

Outcomes of complaints about the public sector

There were 185 actions taken by public sector bodies as a result of complaints finalised in 2014-15. These resulted in 147 remedies being provided to complainants and 38 improvements to public sector practices.

The following case study illustrates the outcomes arising from complaints about the public sector. Further information about the issues raised in complaints and the outcomes of complaints is shown in the following tables for each of the six key areas and for the other public sector agencies as a group.

Case Study

Decision reconsidered and policy updated

A person had become eligible for an offer of public housing accommodation but the public authority was unable to make the offer because, due to the person's particular circumstances at the time, they could not take up the offer for several months. Rather than defer the offer to a later date, the applicant was withdrawn from the waiting list. The person complained to the Office about their removal from the waiting list.

Following enquiries by the Office, the public authority agreed to reconsider its decision, including considering action to place the person back on the waiting list.

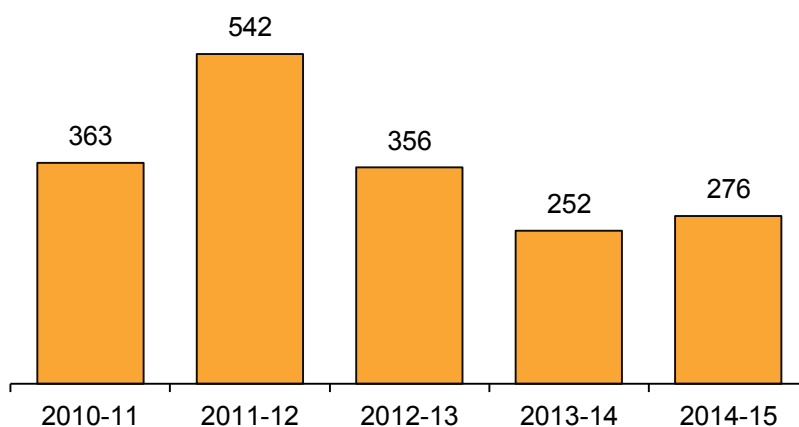
The public authority also updated its policy covering deferment of accommodation offers, to clarify that an applicant may request a one-off deferment of up to a maximum of six months due to extenuating circumstances.



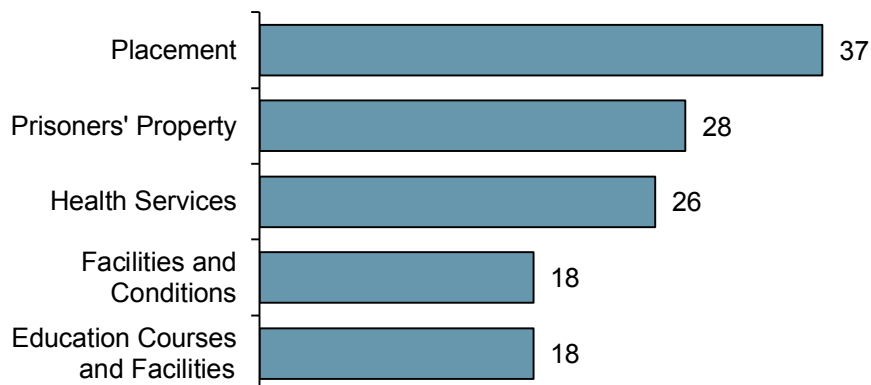
Public Sector Complaint Issues and Outcomes

Corrective Services

Complaints received



Most common allegations



Other types of allegations

- Visits;
- Discipline;
- Rehabilitation programs;
- Prison Officer conduct;
- Complaint management; and
- Canteen and other spending.

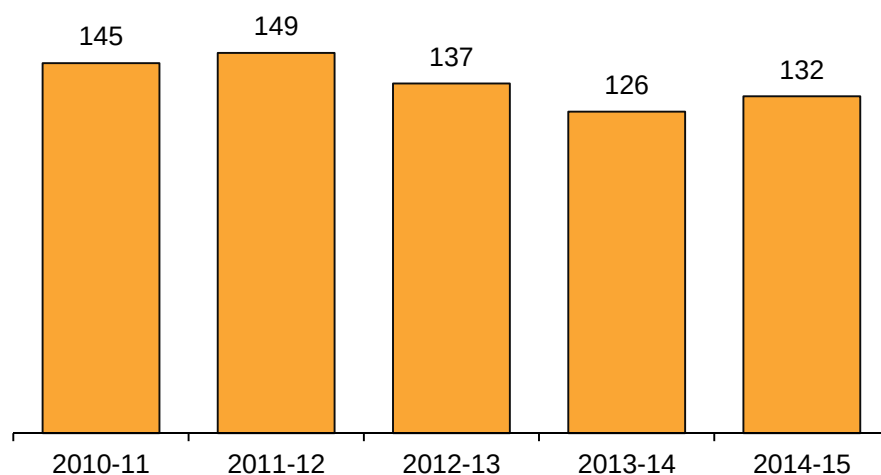
Outcomes achieved

- Act of grace payment;
- Apology given;
- Action expedited;
- Consider or reconsider a matter and make a decision;
- Explanation given or reasons provided;
- Change to policy or procedure;
- Change to business system or practices;
- Conduct an audit or review;
- Improved record keeping; and
- Staff training.

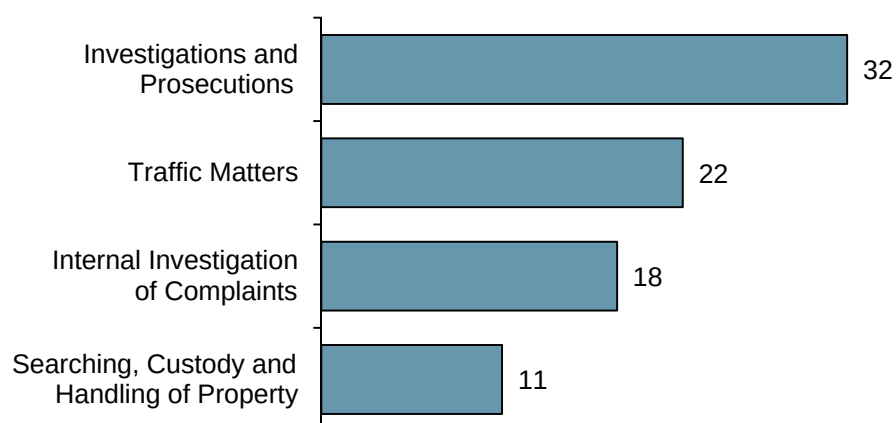


Police

Complaints received



Most common allegations



Other types of allegations

- Arrest and detention;
- Information;
- Improper conduct; and
- Management issues.

Outcomes achieved

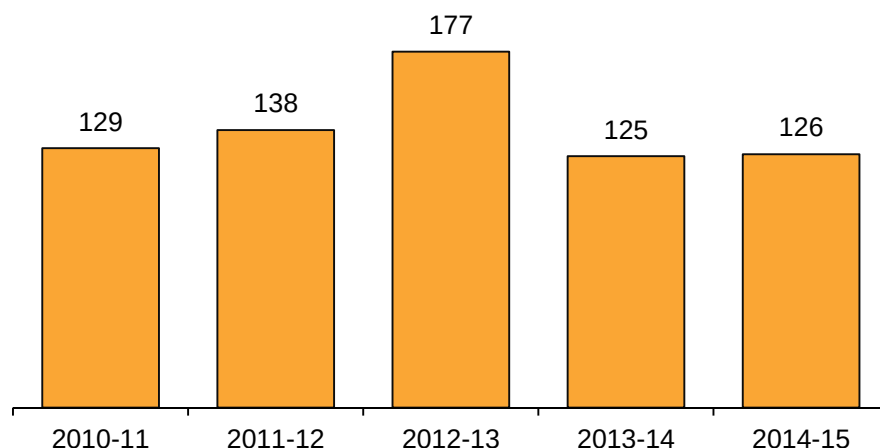
- Infringement withdrawn;
- Action expedited;
- Consider or reconsider a matter and make a decision; and
- Explanation given or reasons provided.



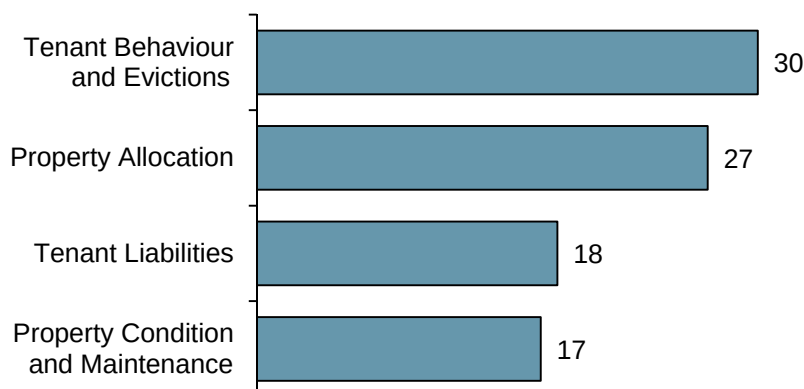
Complaint Resolution

Public Housing

Complaints received



Most common allegations



Other types of allegations

- Rental or bond assistance;
- Construction and development;
- Property transfers;
- Tenant's personal property;
- Rental sales; and
- Debt repayments.

Outcomes achieved

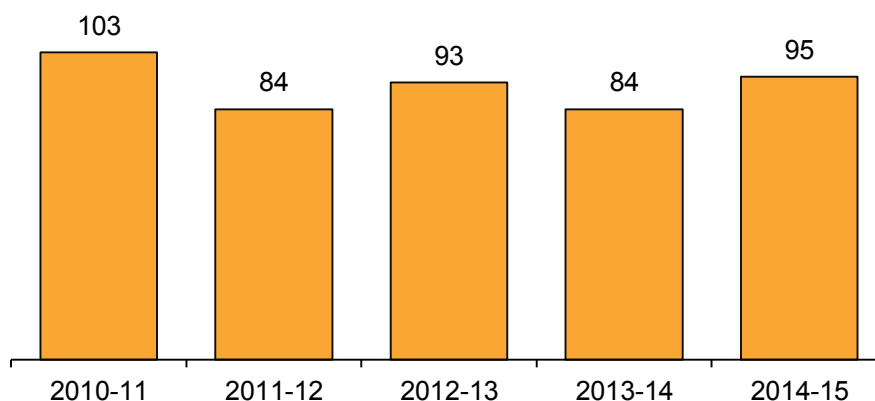
- Action to replace, repair or rectify a matter;
- Reversal or significant variation of original decision;
- Tenant liability waived or rebate given;
- Apology given;
- Action expedited;
- Consider or reconsider a matter and make a decision;
- Explanation given or reasons provided;
- Change to policy or procedure;
- Conduct an audit or review;
- Update to publications or website; and
- Staff training.



Complaint Resolution

Transport

Complaints received



Most common allegations



Other types of allegations

- Other decision or action by officer or agency;
- Complaint management; and
- Policies and procedures.

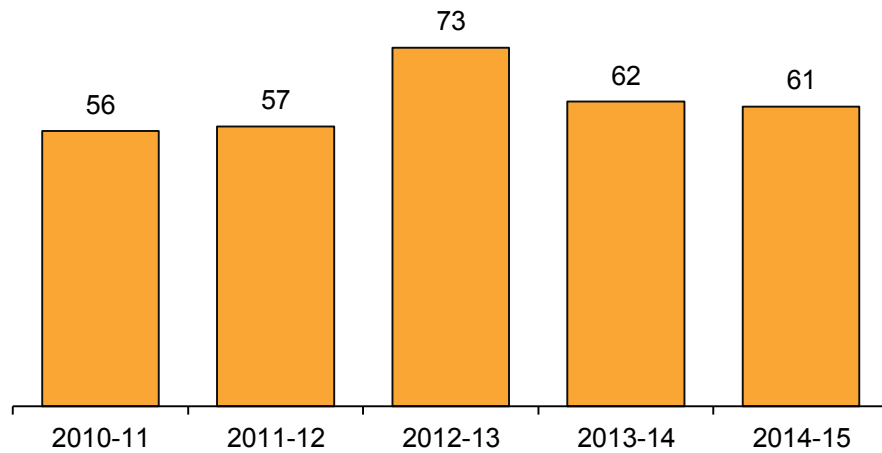
Outcomes achieved

- Reversal or significant variation of original decision;
- Monetary charge refunded;
- Apology given;
- Action expedited;
- Explanation given or reasons provided;
- Change to business system or practices;
- Conduct an audit or review;
- Update to publications or website; and
- Staff training.

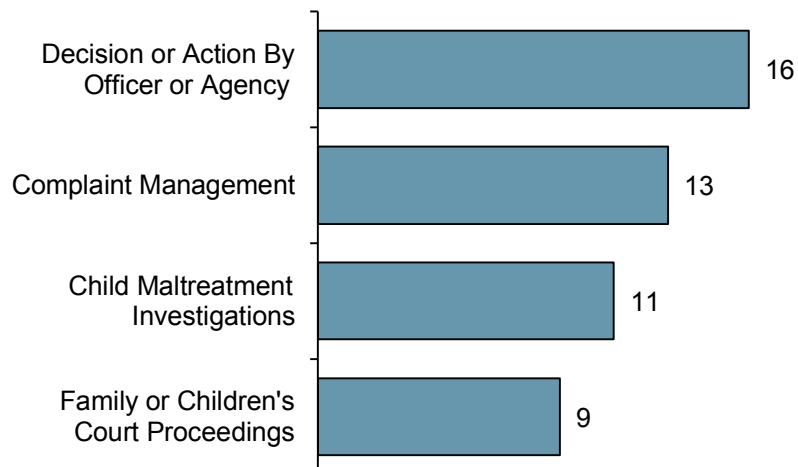


Child Protection

Complaints received



Most common allegations



Other types of allegations

- Out of home care (fostering); and
- Adoption.

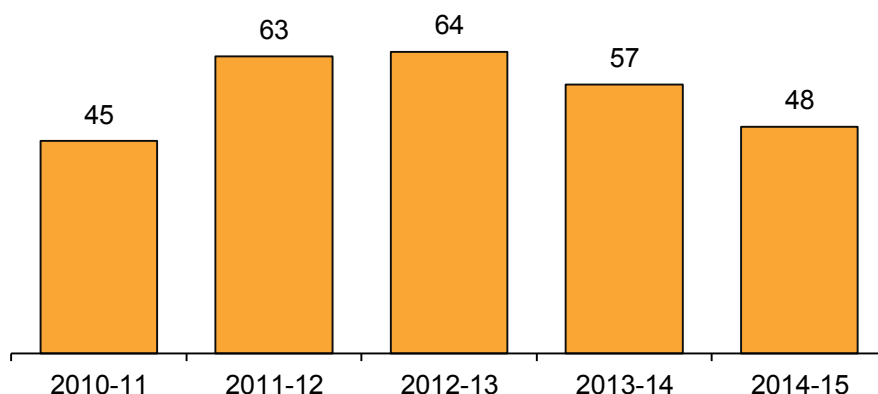
Outcomes achieved

- Monetary charge refunded;
- Action expedited; and
- Explanation given or reasons provided.

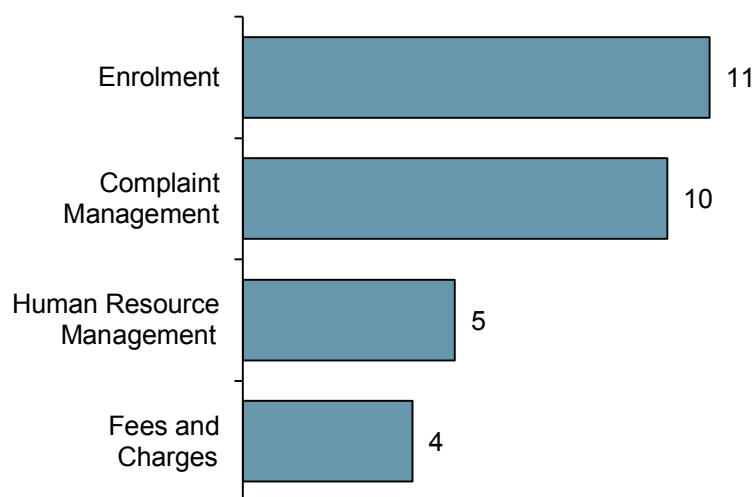


Education

Complaints received



Most common allegations



These figures include appeals by overseas students under the [National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007](#). Further details on these appeals are included later in this section.

Other types of allegations

- Termination of enrolment;
- Student care;
- Staff conduct; and
- Examinations, assessments, prizes and awards.

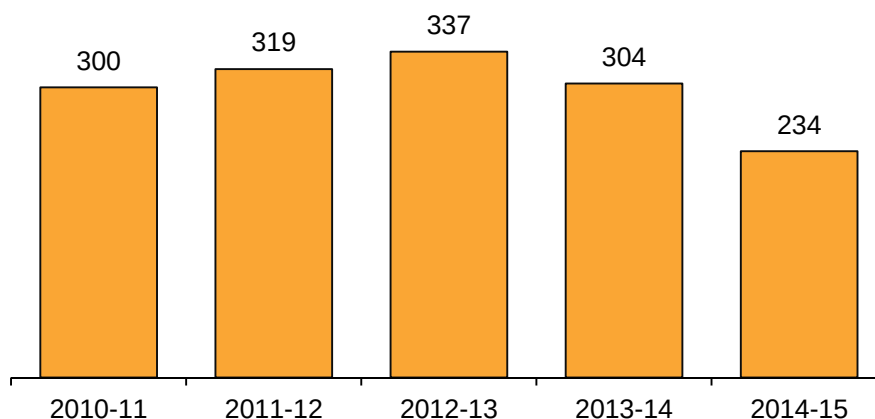
Outcomes achieved

- Reversal or significant variation of original decision;
- Monetary charge withdrawn;
- Action expedited;
- Consider or reconsider a matter and make a decision;
- Explanation given or reasons provided;
- Change to policy or procedure;
- Update to publications and websites; and
- Improved record keeping.

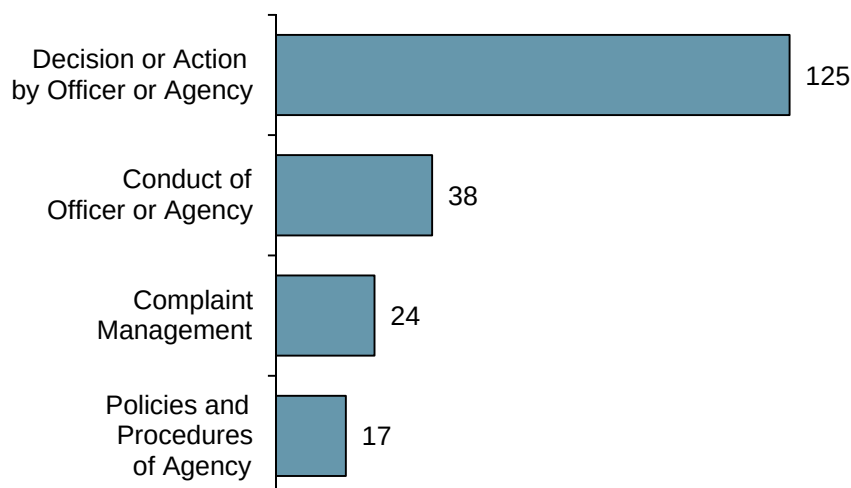


Other Public Sector Agencies

Complaints received



Most common allegations



Other types of allegations

- Medical or allied health treatment;
- Human resource issues; and
- Fines and enforcement.

Outcomes achieved

- Monetary charges reduced or withdrawn;
- Apology given;
- Action expedited;
- Consider or reconsider a matter and make a decision;
- Explanation given or reasons provided;
- Change to policy or procedure;
- Conduct an audit or review;
- Update publications or website; and
- Staff training.



The following case study provides an example of action taken by a public sector agency as a result of the involvement of the Ombudsman.



Female prisoner transfer expedited to enable visits with her children

A female prisoner was in a prison located some distance from where her children lived and as a result she had not seen them for a considerable period of time. She requested a temporary transfer to a prison closer to her children to enable them to visit her. The prisoner later complained to the Office about the time taken by the prison to consider her request for the temporary transfer.

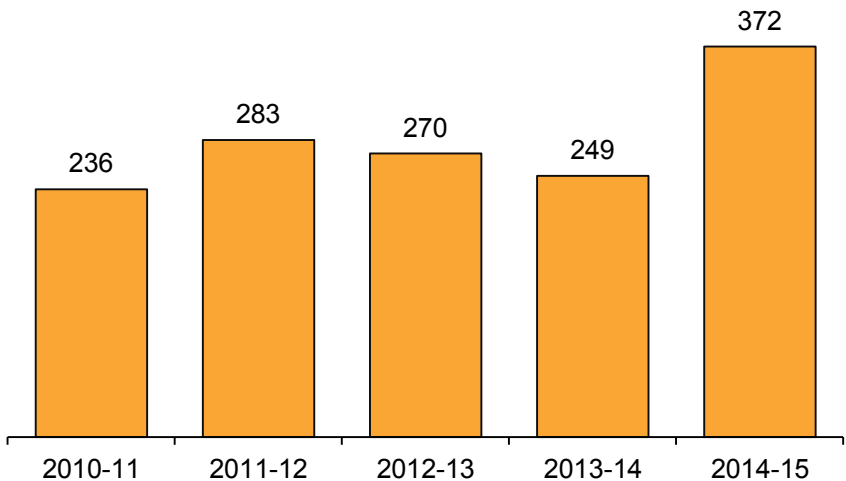
Following enquiries by the Office, the prison spoke with the prisoner and expedited arrangements for a two week temporary transfer to another prison to enable the visit. The transfer occurred within three weeks of her complaint to the Office.

The Local Government Sector

The following section provides further details about the issues and outcomes of complaints for the local government sector.

Local Government

Complaints received

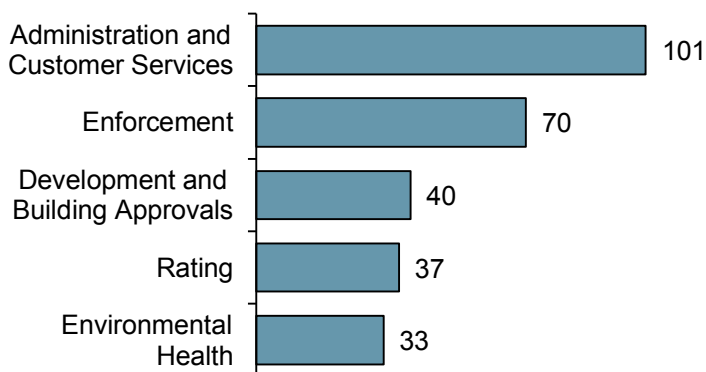


The fluctuation in the numbers in 2014-15 is partly due to complaints where identical or similar complaints were made by different people about the same issue.



Local Government

Most common allegations



Other types of allegations

- Engineering;
- Other approvals and licences;
- Planning;
- Community facilities; and
- Contracts and property management.

Outcomes achieved

- Monetary charge or infringement reduced or withdrawn;
- Apology given;
- Action expedited;
- Consider or reconsider a matter and make a decision;
- Explanation given or reasons provided;
- Change to policy or procedure;
- Change to business systems or practices;
- Update publications or website; and
- Staff training.

Case

Study

Payment of damage bond supported and new bond process implemented

A person who was undertaking construction work at their property was required to pay a \$10,000 damage bond to the local government for any potential damage to the adjacent road reserve during construction, including damage to the footpath. On completion of the works, the person applied for release of the bond which was denied due to apparent footpath damage. The person complained to the Office alleging that they were not responsible for the damage and the bond should be released.

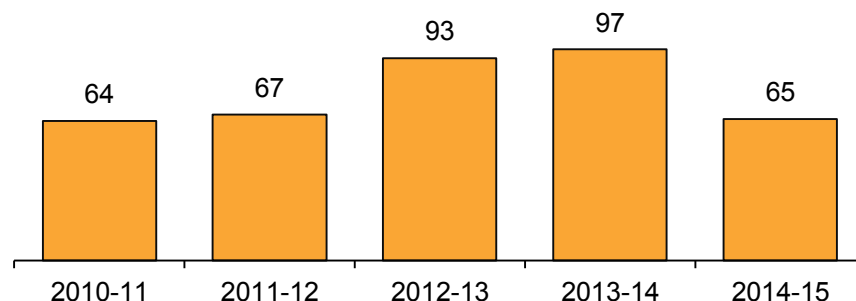
Following enquiries by the Office, the local government reviewed its decision and released the bond as there was no photographic record of the pre-construction state of the footpath. The local government also implemented a new process for managing the receipt and release of damage bonds to ensure that a site inspection occurs prior to construction commencing and a photographic record is made of the pre-construction status.

The University Sector

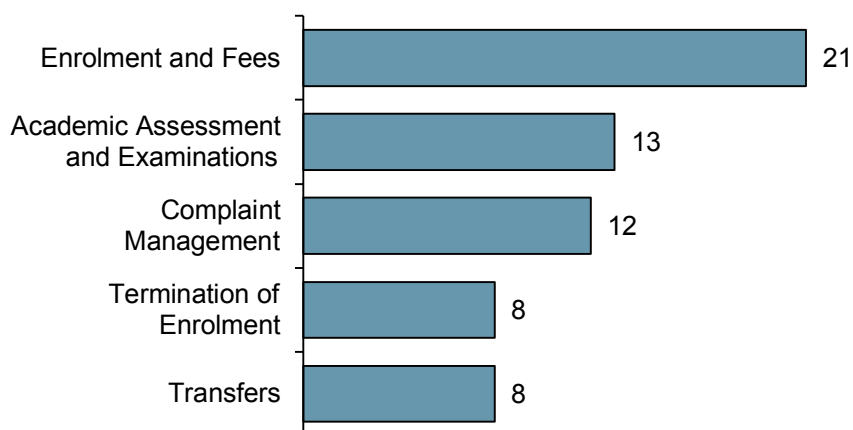
The following section provides further details about the issues and outcomes of complaints for the university sector.

Universities

Complaints received



Most common allegations



These figures include appeals by overseas students under the [National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007](#). Further details on these appeals are included later in this section.

Other types of allegations

- Staff appointments and promotions;
- Academic misconduct;
- Scholarships and prizes;
- Human resource management issues; and
- Staff conduct.

Outcomes Achieved

- Action to replace, repair or rectify;
- Reversal or significant variation of original decision;
- Monetary charge reduced or refunded;
- Action expedited;
- Explanation given or reasons provided;
- Change to policy or procedure;
- Change to business systems or practices;
- Conduct an audit or review;
- Update publications or website; and
- Improve record keeping.





Revised system for collection of portfolios

A person complained to the Office that a university had not been able to locate their portfolio of work which had been stored at the university after it was marked.

Following enquiries by the Office, the university arranged for a letter to be sent to the person which provided an explanation about the process for the submission of portfolios, the investigation undertaken by the university into the missing work, and action being taken by the university for the storage of portfolios in the future. The university also offered to print missing images for inclusion in the student's portfolio and undertook to develop and implement a revised system for the collection of portfolios by students.

Other Complaint Related Functions

Reviewing appeals by overseas students

The [National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007](#) (the **National Code**) sets out standards required of registered providers who deliver education and training to overseas students studying in Australian universities. It provides overseas students with rights of appeal to external, independent bodies if the student is not satisfied with the result or conduct of the internal complaint handling and appeals process.

Overseas students studying with both public and private education providers have access to an Ombudsman who:

- Provides a free complaint resolution service;
- Is independent and impartial and does not represent either the overseas students or education and training providers; and
- Can make recommendations arising out of investigations.

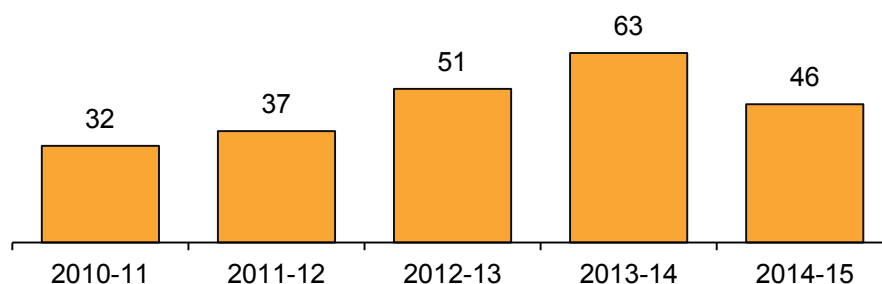
In Western Australia, the Ombudsman is the external appeals body for overseas students studying in Western Australian public education and training organisations. The [Overseas Students Ombudsman](#) is the external appeals body for overseas students studying in private education and training organisations.

Complaints lodged with the Office under the National Code

Education and training providers are required to comply with 15 standards under the National Code. In dealing with these complaints, the Ombudsman considers whether the decisions or actions of the agency complained about comply with the requirements of the National Code and if they are fair and reasonable in the circumstances.



Complaints Received from Overseas Students under the National Code between 2010-11 and 2014-15



During 2014-15, the Office received 46 complaints about public education and training providers from overseas students. Thirty two complaints were about universities, four were about institutes of technology and four were about other education agencies. The Office also received six complaints that, after initial assessment, were found to be about a private education provider. The Office referred these complaints to the Overseas Students Ombudsman.

The most common issues raised by overseas students were decisions about:

- Termination of enrolment (14);
- Transfers between education and training providers (9); and
- Fees (9).

During the year, the Office finalised 48 complaints about 49 issues.



Case

Study

University provides refund of tuition fees in full and improves documentation relating to refunds

An overseas university student was enrolled in a course at a Western Australian university to commence studies in February 2014 and paid the required tuition fees. When the student was unable to obtain a student visa, they requested a refund of the fees. The university refunded the student 50% of the fees, retaining the remainder of the fees as a deposit towards the next semester. The student complained to the Office that the university did not refund their fees in full.

The Office's investigation found that the university had failed to refund the fees in accordance with its refund policy. As a result, the university reviewed and updated relevant sections of its refund policy and agreed to return and release the remaining 50% of the student's fees.



Public Interest Disclosures

Section 5(3) of the [Public Interest Disclosure Act 2003](#) allows any person to make a disclosure to the Ombudsman about particular types of 'public interest information'. The information provided must relate to matters that can be investigated by the Ombudsman, such as the administrative actions and practices of public authorities or relate to the conduct of public officers.

Key members of staff have been authorised to deal with disclosures made to the Ombudsman and have received appropriate training. They assess the information provided to determine whether the matter requires investigation, having regard to the [Public Interest Disclosure Act 2003](#), the [Parliamentary Commissioner Act 1971](#) and relevant guidelines. If a decision is made to investigate, subject to certain additional requirements regarding confidentiality, the process for investigation of a disclosure is the same as that applied to the investigation of complaints received under the [Parliamentary Commissioner Act 1971](#).

During the year, four disclosures were received.

Indian Ocean Territories

Under a service delivery arrangement between the Ombudsman and the Australian Government, the Ombudsman handles complaints from residents of the Indian Ocean Territories about public authorities in the Ombudsman's jurisdiction. There were no complaints received during the year.

Terrorism

The Ombudsman can receive complaints from a person detained under the [Terrorism \(Preventative Detention\) Act 2006](#), about administrative matters connected with his or her detention. There were no complaints received during the year.

Requests for Review

Occasionally, the Ombudsman is asked to review or re-open a complaint that was investigated by the Office. The Ombudsman is committed to providing complainants with a service that reflects best practice administration and, therefore, offers complainants who are dissatisfied with a decision made by the Office an opportunity to request a review of that decision.

Ten requests for review were received in 2014-15, compared to seven in 2013-14, representing less than half of one per cent of the total number of complaints received by the Office. In all cases where a review was undertaken, the original decision was upheld and, in one case, a complaint was reopened due to new information provided by the complainant.



Child Death Review

This section sets out the work of the Office in relation to its child death review function. Information on this work has been divided as follows:

- Background;
- The role of the Office in child death reviews;
- The child death review process;
- Notifications and reviews;
- Patterns and trends identified from child death reviews;
- Improvements to public administration to prevent or reduce child deaths; and
- Stakeholder liaison.

Background

In November 2001, prompted by the coronial inquest into the death of a 15 year old Aboriginal girl at the Swan Valley Nyoongar Community in 1999, the (then) Government announced a special inquiry into the response by Government agencies to complaints of family violence and child abuse in Aboriginal communities.

The resultant 2002 report, *Putting the Picture Together: Inquiry into Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities*, recommended that a Child Death Review Team be formed to review the deaths of children in Western Australia (Recommendation 146). Responding to the report the (then) Government established the Child Death Review Committee (**CDRC**), with its first meeting held in January 2003. The function of the CDRC was to review the operation of relevant policies, procedures and organisational systems of the (then) Department for Community Development in circumstances where a child had contact with the Department.

In August 2006, the (then) Government announced a functional review of the (then) Department for Community Development. Ms Prudence Ford was appointed the independent reviewer and presented the report, *Review of the Department for Community Development: Review Report (the Ford Report)* to the (then) Premier in January 2007. In considering the need for an independent, inter-agency child death review model, the Ford Report recommended that:

- The CDRC together with its current resources be relocated to the Ombudsman (Recommendation 31); and
- A small, specialist investigative unit be established in the Office to facilitate the independent investigation of complaints and enable the further examination, at the discretion of the Ombudsman, of child death review cases where the child was known to a number of agencies (Recommendation 32).

Subsequently, the [*Parliamentary Commissioner Act 1971*](#) was amended to enable the Ombudsman to undertake child death reviews, and on 30 June 2009, the child death review function in the Office commenced operation.

The Role of the Office in Child Death Reviews

The child death review function enables the Ombudsman to review investigable deaths. Investigable deaths are defined in the Ombudsman's legislation, the [Parliamentary Commissioner Act 1971](#) (see Section 19A(3)), and occur when a child dies in any of the following circumstances:

- In the two years before the date of the child's death:
 - The Chief Executive Officer (**CEO**) of the Department for Child Protection and Family Support (**DCPFS**) had received information that raised concerns about the wellbeing of the child or a child relative of the child;
 - Under section 32(1) of the [Children and Community Services Act 2004](#), the CEO had determined that action should be taken to safeguard or promote the wellbeing of the child or a child relative of the child; and
 - Any of the actions listed in section 32(1) of the [Children and Community Services Act 2004](#) was done in respect of the child or a child relative of the child.
- The child or a child relative of the child is in the CEO's care or protection proceedings are pending in respect of the child or a child relative of the child.

In particular, the Ombudsman reviews the circumstances in which and why child deaths occur, identifies patterns and trends arising from child deaths and seeks to improve public administration to prevent or reduce child deaths.

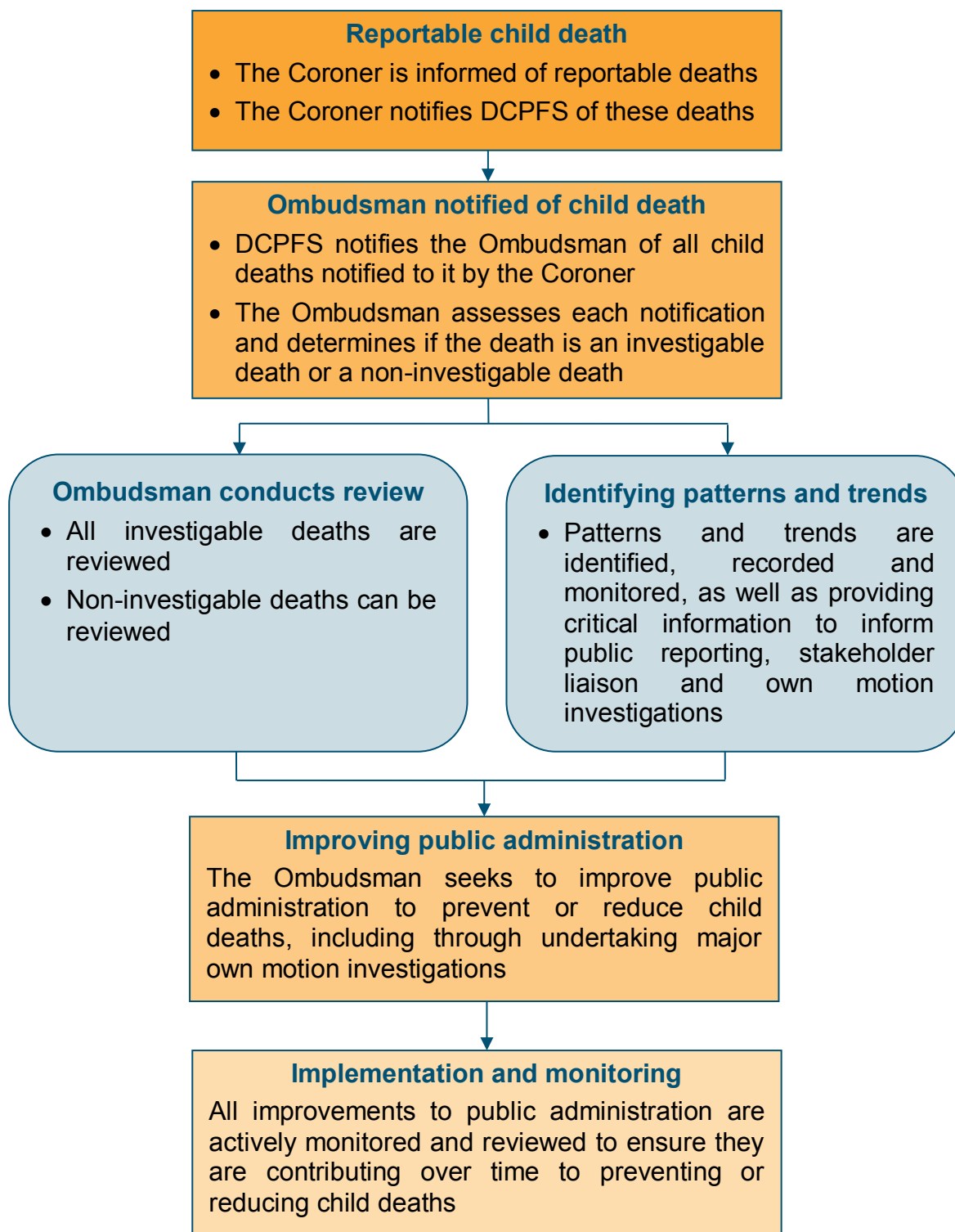
In addition to reviewing investigable deaths, the Ombudsman can review other notified deaths. The Ombudsman also undertakes major own motion investigations arising from child death reviews.

In reviewing child deaths the Ombudsman has wide powers of investigation, including powers to obtain information relevant to the death of a child and powers to recommend improvements to public administration about ways to prevent or reduce child deaths across all agencies within the Ombudsman's jurisdiction.

The Ombudsman reviews certain child deaths, identifies patterns and trends arising from these deaths and seeks to improve public administration to prevent or reduce child deaths, including through the undertaking of major own motion investigations.



The Child Death Review Process



Notifications and Reviews

DCPFS receives information from the Coroner on reportable deaths of children and notifies the Ombudsman of these deaths. The notification provides the Ombudsman with a copy of the information provided to DCPFS by the Coroner about the circumstances of the child's death together with a summary outlining the past involvement of DCPFS with the child.

The Ombudsman assesses all child death notifications received to determine if the death is, or is not, an investigable death. If the death is an investigable death, it must be reviewed. If the death is a non-investigable death, it can be reviewed. The extent of a review depends on a number of factors, including the circumstances surrounding the child's death and the level of involvement of DCPFS or other public authorities in the child's life. Confidentiality of the child, family members and other persons involved with the case is strictly observed.

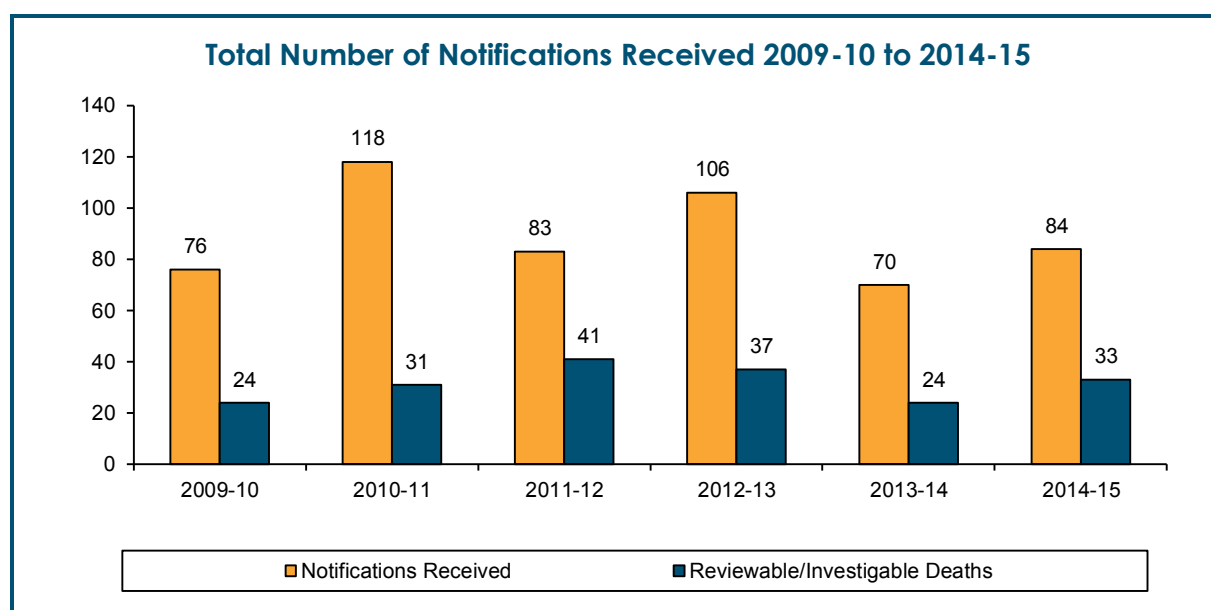
The child death review process is intended to identify key learnings that will positively contribute to ways to prevent or reduce child deaths. The review does not set out to establish the cause of the child's death; this is properly the role of the Coroner.

Child death review cases prior to 30 June 2009

At the commencement of the child death review jurisdiction on 30 June 2009, 73 cases were transferred to the Ombudsman from the CDRC. These cases related to child deaths prior to 30 June 2009 that were reviewable by the CDRC and covered a range of years from 2005 to 2009. Almost all (67 or 92%) of the transferred cases were finalised in 2009-10 and six cases were carried over. Three of these transferred cases were finalised during 2010-11 and the remaining three were finalised in 2011-12.

Number of child death notifications and reviews

During 2014-15, there were 33 child deaths that were investigable and subject to review from a total of 84 child death notifications received.



Comparison of investigable deaths over time

The Ombudsman commenced the child death review function on 30 June 2009. Prior to that, child death reviews were undertaken by the CDRC with the first full year of operation of the CDRC in 2003-04.

The following table provides the number of deaths that were determined to be investigable by the Ombudsman or reviewable by the CDRC compared to all child deaths in Western Australia for the 12 years from 2003-04 to 2014-15. It is important to note that an investigable death is one which meets the legislative criteria and does not necessarily mean that the death was preventable, or that there has been any failure of the responsibilities of DCPFS.

Comparisons are also provided with the number of child deaths reported to the Coroner and deaths where the child or a relative of the child was known to DCPFS. It should be noted that children or their relatives may be known to DCPFS for a range of reasons.

Year	A	B	C	D
	Total WA child deaths (excluding stillbirths) (See Note 1)	Child deaths reported to the Coroner (See Note 2)	Child deaths where the child or a relative of the child was known to DCPFS (See Note 3)	Reviewable/ investigable child deaths (See Note 4 and Note 5)
2003-04	177	92	42	19
2004-05	212	105	52	19
2005-06	210	96	55	14
2006-07	165	84	37	17
2007-08	187	102	58	30
2008-09	167	84	48	25
2009-10	201	93	52	24
2010-11	199	118	60	31
2011-12	144	76	49	41
2012-13	189	121	62	37
2013-14	151	75	40	24
2014-15	157	93	48	33

Abbreviations

DCPFS: Department for Child Protection and Family Support from 2012-13, Department for Child Protection for the years 2006-07 to 2011-12 and Department for Community Development (DCD) prior to 2006-07.

Notes

1. The data in Column A has been provided by the [Registry of Births, Deaths and Marriages](#). Child deaths within each year are based on the date of death rather than the date of registration of the death. The CDRC included numbers based on dates of registration of child deaths in their Annual Reports in the years 2005-06 through to 2007-08 and accordingly the figures in Column A will differ from the figures included in the CDRC Annual Reports for these years because of the difference between dates of child deaths and dates of registration of child deaths.
2. The data in Column B has been provided by the [Office of the State Coroner](#). Reportable child deaths received by the Coroner are deaths reported to the Coroner of children under the age of 18 years pursuant to the provisions of the [Coroners Act 1996](#). The data in this section is based on the number of deaths of children that were reported to the Coroner during the year.
3. The data in Column C has been provided by DCPFS and is based on the date the notification was received by DCPFS. For 2003-04 to 2007-08 this information is the same as that included in the CDRC Annual Reports for the relevant year. In the 2005-06 to 2007-08 Annual Reports, the CDRC counted 'Child death notifications where any form of contact had previously occurred with DCPFS: recent, historical, significant or otherwise'. In the 2003-04 and 2004-05 Annual Reports, the CDRC counted 'Coroner notifications where the families had some form of contact with DCD'.
4. The data in Column D relates to child deaths considered reviewable by the CDRC up to 30 June 2009 or child deaths determined to be investigable by the Ombudsman from 30 June 2009. It is important to note that reviewable deaths and investigable deaths are not the same, however, they are similar in effect. The definition of reviewable death is contained in the Annual Reports of the CDRC. The term investigable death has the meaning given to it under section 19A(3) of the [Parliamentary Commissioner Act 1971](#).
5. The number of investigable child deaths shown in a year may vary, by a small amount, from the number shown in previous annual reports for that year. This occurs because, after the end of the reporting period, further information may become available that requires a reassessment of whether or not the death is an investigable death. Since the commencement of the child death review function this has occurred on one occasion resulting in the 2009-10 number of investigable deaths being revised from 23 to 24.

Timely handling of notifications and reviews

The Office places a strong emphasis on the timely review of child deaths. This ensures reviews contribute, in the most timely way possible, to the prevention or reduction of future deaths. In 2014-15, timely review processes have resulted in nearly 90% of all reviews being completed within six months.

Patterns and Trends Identified from Child Death Reviews

By examining all child death notifications, the Ombudsman is able to capture data relating to demographics, risk factors and social and environmental characteristics and identify patterns and trends in relation to child deaths. When child death notifications are finalised, all relevant issues are identified and recorded and, over time, indicate relevant patterns and trends in relation to the issues associated with child deaths. These patterns and trends are identified, recorded, monitored, reported and analysed. They also provide critical information for own motion investigations, including *Planning for children in care: An Ombudsman's own motion investigation into the administration of the care planning provisions of the Children and Community Services Act 2004*, which was tabled in Parliament in November 2011; *Investigation into ways that State Government departments can prevent or reduce sleep-related infant deaths*, which was tabled in Parliament in November 2012; and the *Investigation into ways that State Government departments and authorities can prevent or reduce suicide by young people*, which was tabled in Parliament in April 2014. In 2014-15, the Office commenced a major own motion investigation into ways to prevent or reduce child deaths by drowning.



Characteristics of children who have died

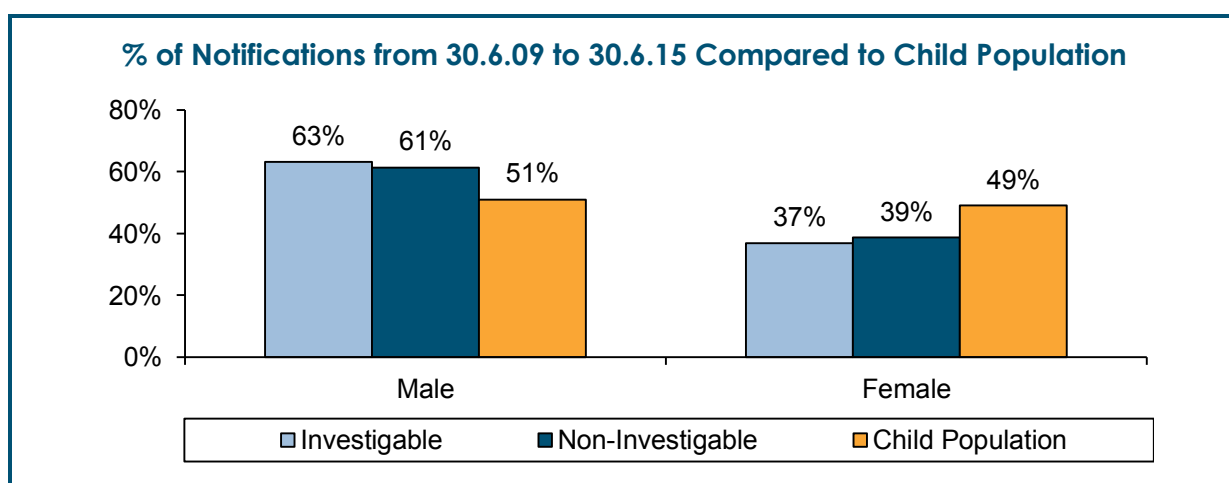
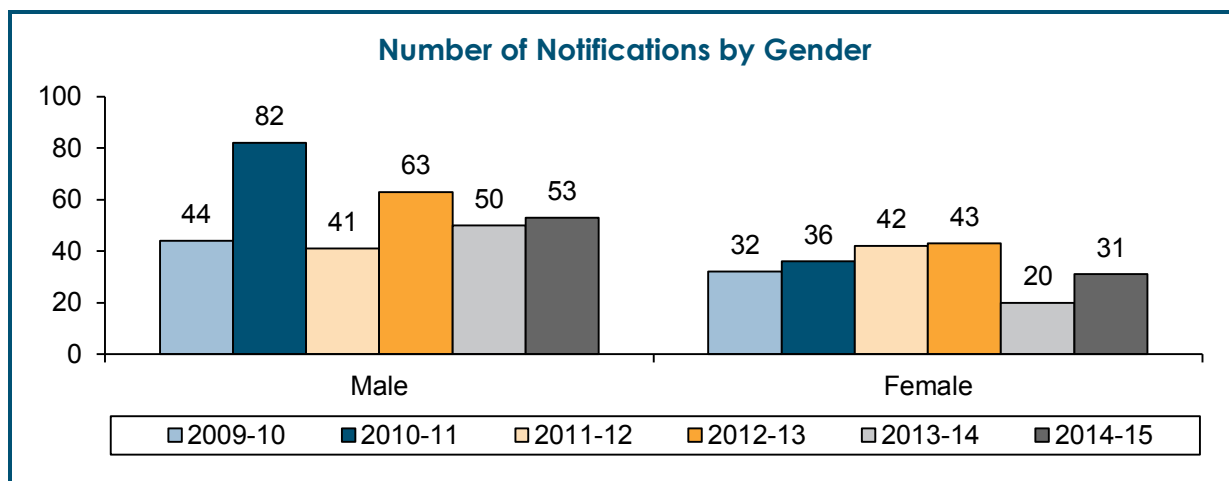
Information is obtained on a range of characteristics of the children who have died including gender, Aboriginal status, age groups and residence in the metropolitan or regional areas. A comparison between investigable and non-investigable deaths can give insight into factors that may be able to be affected by DCPFS in order to prevent or reduce deaths.

The following charts show:

- The number of children in each group for each year from 2009-10 to 2014-15; and
- For the period from 30 June 2009 to 30 June 2015, the percentage of children in each group for both investigable deaths and non-investigable deaths, compared to the child population in Western Australia.

Males and females

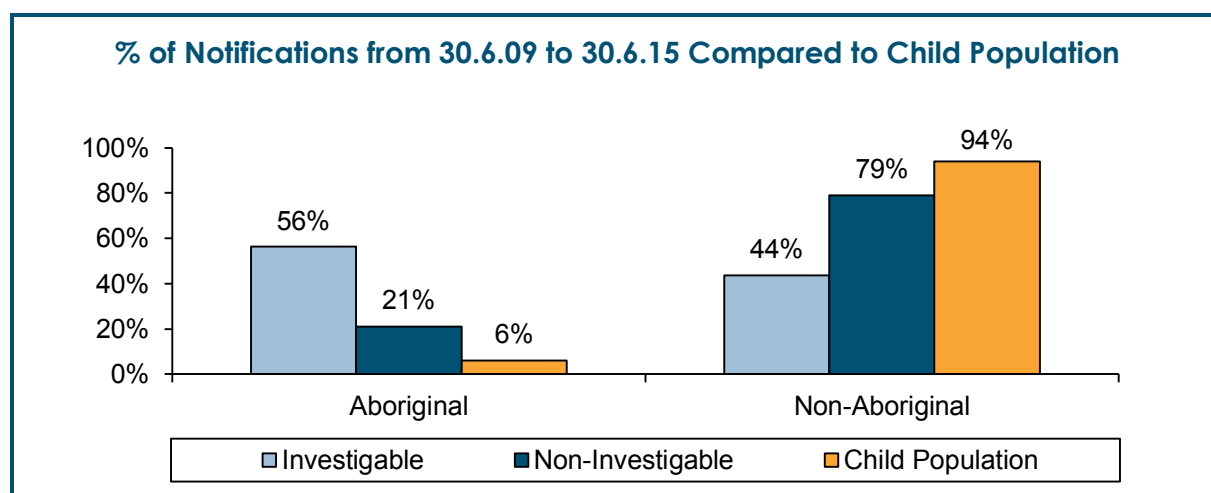
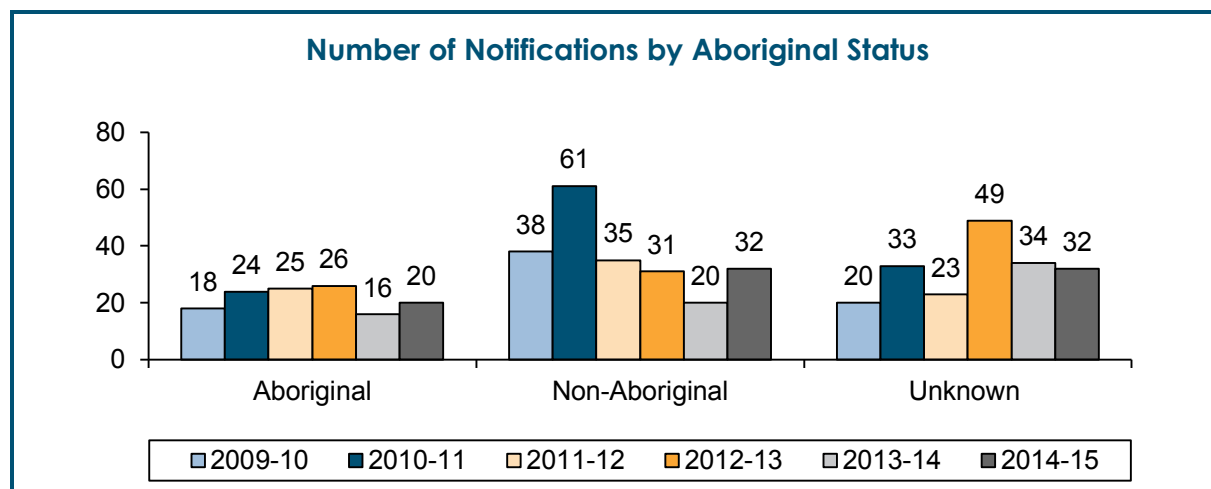
As shown in the following charts, considering all six years, male children are over-represented compared to the population for both investigable and non-investigable deaths.



Further analysis of the data shows that, considering all six years, male children are over-represented for all age groups, but particularly for children under the age of one and children aged between six and 12 years.

Aboriginal status

As shown in the following charts, Aboriginal children are over-represented compared to the population in all deaths and more so for investigable deaths.



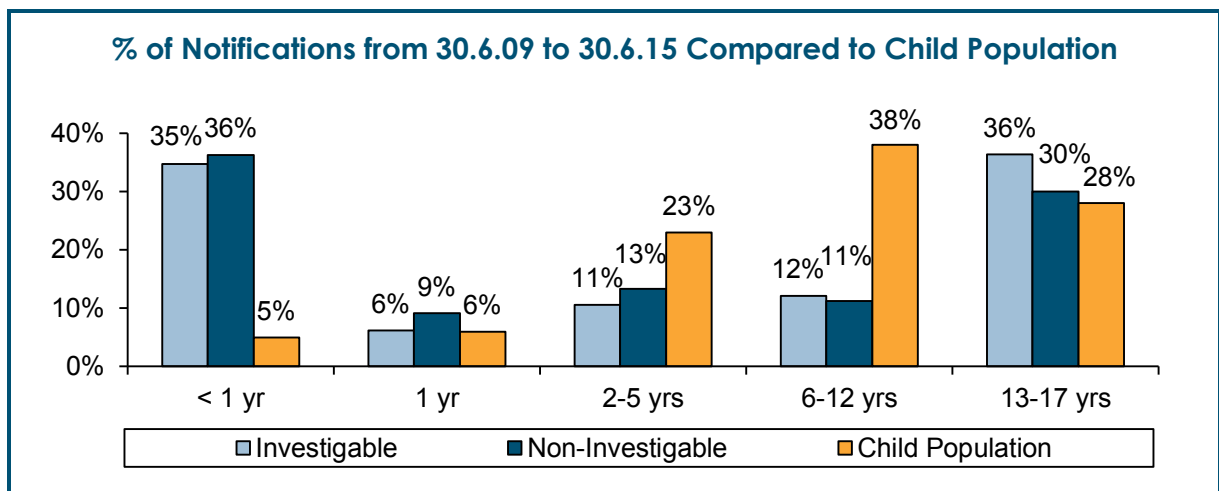
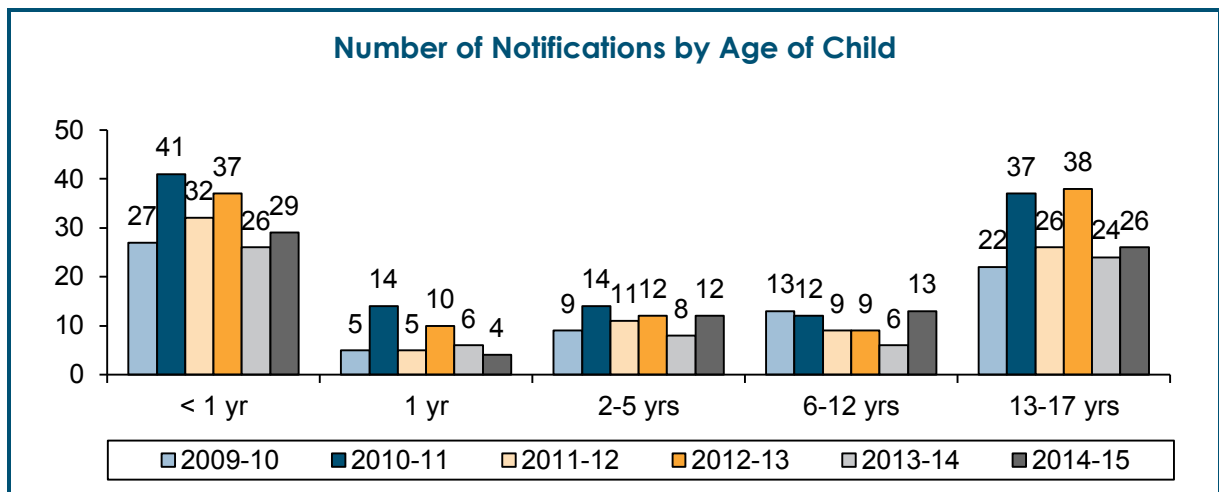
Note: Percentages for each group are based on the percentage of children whose Aboriginal status is known. Numbers may vary slightly from those previously reported as, during the course of a review, further information may become available on the Aboriginal status of the child.

Further analysis of the data shows that Aboriginal children are more likely than non-Aboriginal children to be under the age of one and living in regional and remote locations.

Age groups

As shown in the following charts, children under one year and children aged between 13 and 17 are over-represented compared to the child population as a whole for both investigable and non-investigable deaths.

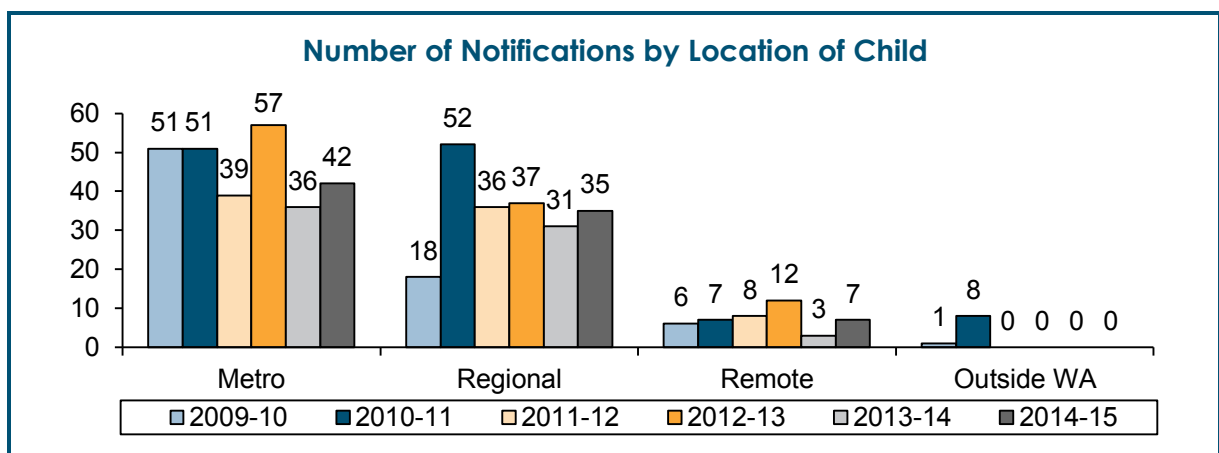




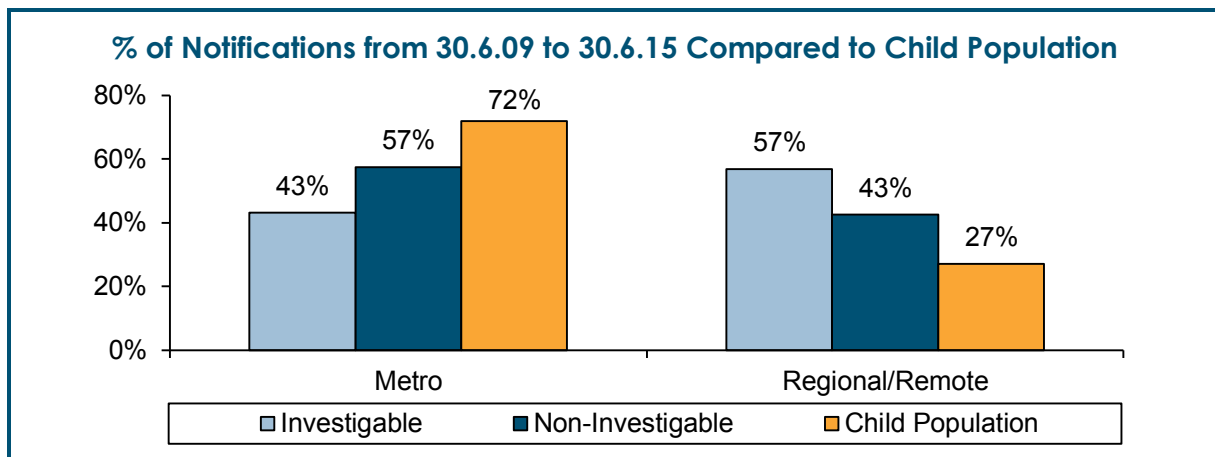
Further analysis of the data shows that Aboriginal children are more likely to be under the age of one than non-Aboriginal children. A more detailed analysis by age group is provided later in this section.

Location of residence

As shown in the following charts, children in regional locations are over-represented compared to the child population as a whole, and more so for investigable deaths.



Note: Outside WA includes children whose residence is not in Western Australia, but the child died in Western Australia. Numbers may vary slightly from those previously reported as, during the course of a review, further information may become available on the place of residence of the child.



Further analysis of the data shows that 82% of Aboriginal children who died were living in regional or remote locations when they died. Most non-Aboriginal children who died lived in the metropolitan area but the proportion of non-Aboriginal children who died in regional areas is higher than would be expected based on the child population.



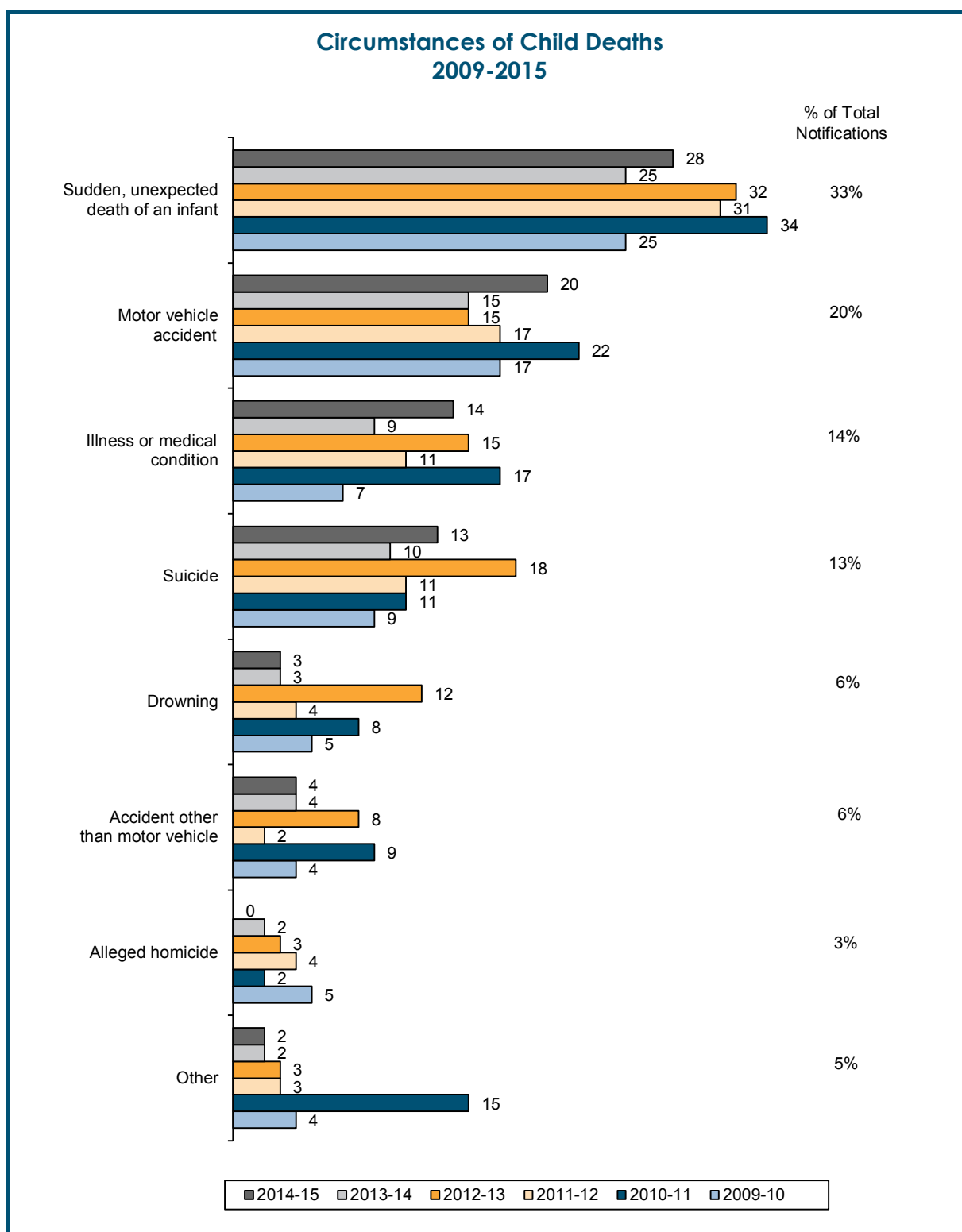
Circumstances of child deaths

The child death notification received by the Ombudsman includes general information on the circumstances of death. This is an initial indication of how the child may have died but is not the cause of death, which can only be determined by the Coroner. The Ombudsman's review of the child death will normally be finalised prior to the Coroner's determination of cause of death.

The circumstances of death are categorised by the Ombudsman as:

- Sudden unexpected death of an infant – that is, infant deaths in which the likely cause of death cannot be explained immediately;
- Motor vehicle accident – the child may be a pedestrian, driver or passenger;
- Illness or medical condition;
- Suicide;
- Drowning;
- Accident other than motor vehicle – this includes accidents such as house fires, electrocution and falls;
- Alleged homicide; and
- Other.

The following chart shows the circumstances of notified child deaths over the last six years.



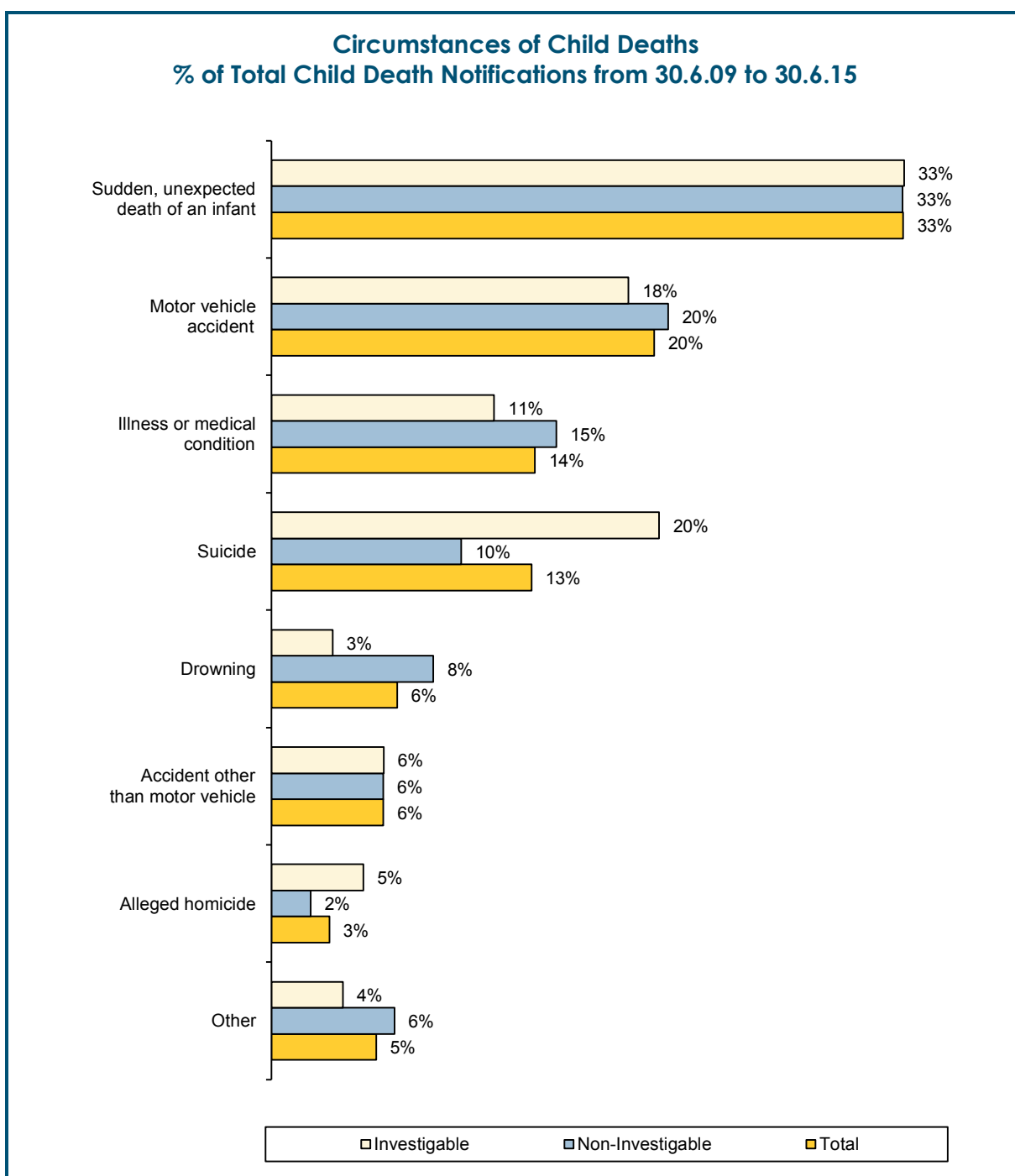
Note 1: In 2010-11, the 'Other' category includes eight children who died in the SIEV (Suspected Illegal Entry Vessel) 221 boat tragedy off the coast of Christmas Island in December 2010.

Note 2: Numbers may vary slightly from those previously reported as, during the course of a review, further information may become available on the circumstances in which the child died.

The two main circumstances of death for the 537 child death notifications received in the six years from 30 June 2009 to 30 June 2015 are:

- Sudden, unexpected deaths of infants, representing 33% of the total child death notifications from 30 June 2009 to 30 June 2015 (33% of the child death notifications received in 2009-10, 29% in 2010-11, 37% in 2011-12, 30% in 2012-13, 36% in 2013-14, and 33% in 2014-15); and
- Motor vehicle accidents, representing 20% of the total child death notifications from 30 June 2009 to 30 June 2015 (22% of the child death notifications received in 2009-10, 19% in 2010-11, 20% in 2011-12, 14% in 2012-13, 21% in 2013-14, and 24% in 2014-15).

The following chart provides a breakdown of the circumstances of death for child death notifications for investigable and non-investigable deaths.



There are two areas where the circumstance of death shows a higher proportion for investigable deaths than for deaths that are not investigable. These are:

- Suicide; and
- Alleged homicide.

Longer term trends in the circumstances of death

The CDRC also collated information on child deaths, using similar definitions, for the deaths it reviewed. The following tables show the trends over time in the circumstances of death. It should be noted that the Ombudsman's data shows the information for all notifications received, including deaths that are not investigable, while the data from the CDRC relates only to completed reviews.

Child Death Review Committee up to 30 June 2009 – see Note 1

The figures on the circumstances of death for 2003-04 to 2008-09 relate to cases where the review was finalised by the CDRC during the financial year.

Year	Accident – Non-vehicle	Accident - Vehicle	Acquired Illness	Asphyxiation /Suffocation	Alleged Homicide (lawful or unlawful)	Immersion/ Drowning	SUDI *	Suicide	Other
2003-04	1	1	1	1	2	3	1		
2004-05		2	1	1	3	1	2		
2005-06	1	5			2	3	13		
2006-07	1	2	2				4	1	
2007-08	2	1			1	1	2	3	4
2008-09						1	6	1	

* Sudden, unexpected death of an infant – includes Sudden Infant Death Syndrome

Ombudsman from 30 June 2009 – see Note 2

The figures on the circumstances of death from 2009-10 relate to all notifications received by the Ombudsman during the year including cases that are not investigable and are not known to DCPFS. These figures are much larger than previous years as the CDRC only reported on the circumstances of death for the cases that were reviewable and that were finalised during the financial year.

Year	Accident Other Than Motor Vehicle	Motor Vehicle Accident	Illness or Medical Condition	Asphyxiation / Suffocation	Alleged Homicide	Drowning	SUDI *	Suicide	Other
2009-10	4	17	7		5	5	25	9	4
2010-11	9	22	17		2	8	34	11	15
2011-12	2	17	11		4	4	31	11	3
2012-13	8	15	15		3	12	32	18	3
2013-14	4	15	9		1	3	26	10	2
2014-15	4	20	14			3	28	13	2

* Sudden, unexpected death of an infant – includes Sudden Infant Death Syndrome

Note 1: The source of the CDRC's data is the CDRC's Annual Reports for the relevant year. For 2007-08, only partial data is included in the Annual Report. The remainder of the data for 2007-08 and all data for 2008-09 has been obtained from the CDRC's records transferred to the Ombudsman. Types of circumstances are as used in the CDRC's Annual Reports.

Note 2: The data for the Ombudsman is based on the notifications received by the Ombudsman during the year. The types of circumstances are as used in the Ombudsman's Annual Reports. Numbers may vary slightly from those previously reported as, during the course of a review, further information may become available on the circumstances in which the child died.

Social and environmental factors associated with investigable deaths

A number of social and environmental factors affecting the child or their family may impact on the wellbeing of the child, such as:

- Family and domestic violence;
- Drug or substance use;
- Alcohol use;
- Parenting;
- Homelessness; and
- Parental mental health issues.

Reviews of investigable deaths often highlight the impact of these factors on the circumstances leading up to the child's death and, where this occurs, these factors are recorded to enable an analysis of patterns and trends to assist in considering ways to prevent or reduce future deaths.

It is important to note that the existence of these factors is associative. They do not necessarily mean that the removal of this factor would have prevented the death of a child or that the existence of the factor necessarily represents a failure by DCPFS or another public authority.



Social or Environmental Factor	% of Finalised Reviews from 30.6.09 to 30.6.15
Family and domestic violence	58%
Parenting	58%
Alcohol use	37%
Drug or substance use	35%
Homelessness	25%
Parental mental health issues	19%

One of the features of the investigable deaths reviewed is the co-existence of a number of these social and environmental factors. The following observations can be made:

- Where family and domestic violence was present:
 - Parenting was a co-existing factor in nearly three quarters of the cases;
 - Drug or substance use was a co-existing factor in over half of the cases;
 - Alcohol use was a co-existing factor in over half of the cases;
 - Homelessness was a co-existing factor in over a third of the cases; and
 - Parental mental health issues were a co-existing factor in almost a quarter of the cases.
- Where alcohol use was present:
 - Parenting was a co-existing factor in over three quarters of the cases;
 - Family and domestic violence was a co-existing factor in over three quarters of the cases;
 - Drug or substance use was a co-existing factor in over half of the cases; and
 - Homelessness was a co-existing factor in over a third of the cases.

Reasons for contact with DCPFS

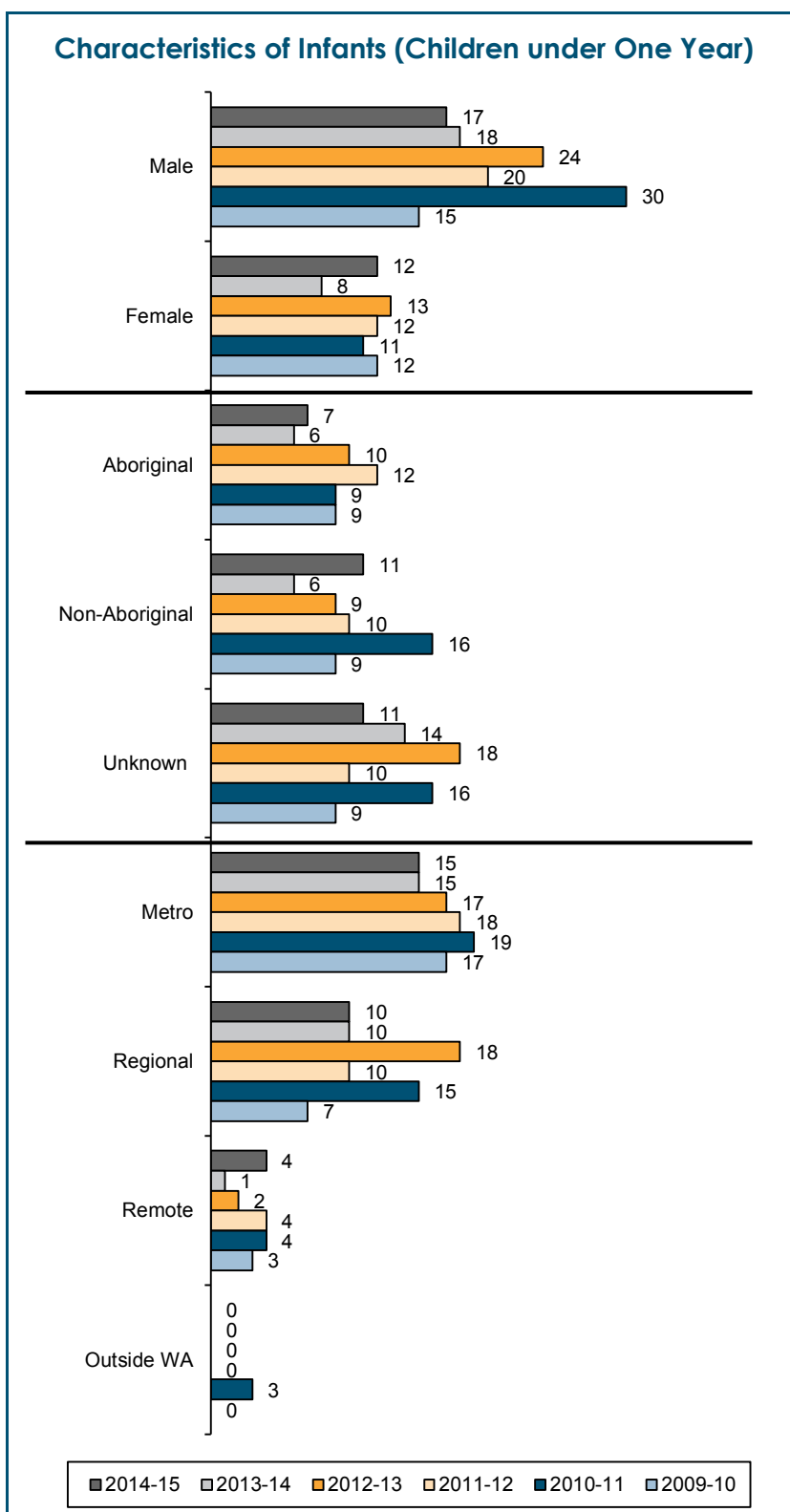
In 2014-15, the majority of children who were known to DCPFS were known because of contact relating to concerns for a child's wellbeing or for family and domestic violence. Other reasons included financial problems, parental support, access, fostering or adoption enquiries and homelessness.

Patterns and trends of children in particular age groups

In examining the child death notifications by their age groups the Office is able to identify patterns that appear to be linked to childhood developmental phases and associated care needs. This age-related focus has enabled the Office to identify particular characteristics and circumstances of death that have a high incidence in each age group and refine the reviews to examine areas where improvements to public administration may prevent or reduce these child deaths. The following section identifies four groupings of children: under one year (**infants**); children aged 1 to 5; children aged 6 to 12; and children aged 13 to 17, and demonstrates the learning and outcomes from this age-related focus.

Deaths of infants

Of the 537 child death notifications received by the Ombudsman from 30 June 2009 to 30 June 2015, there were 192 (36%) related to deaths of infants. The characteristics of infants who died are shown in the following chart.

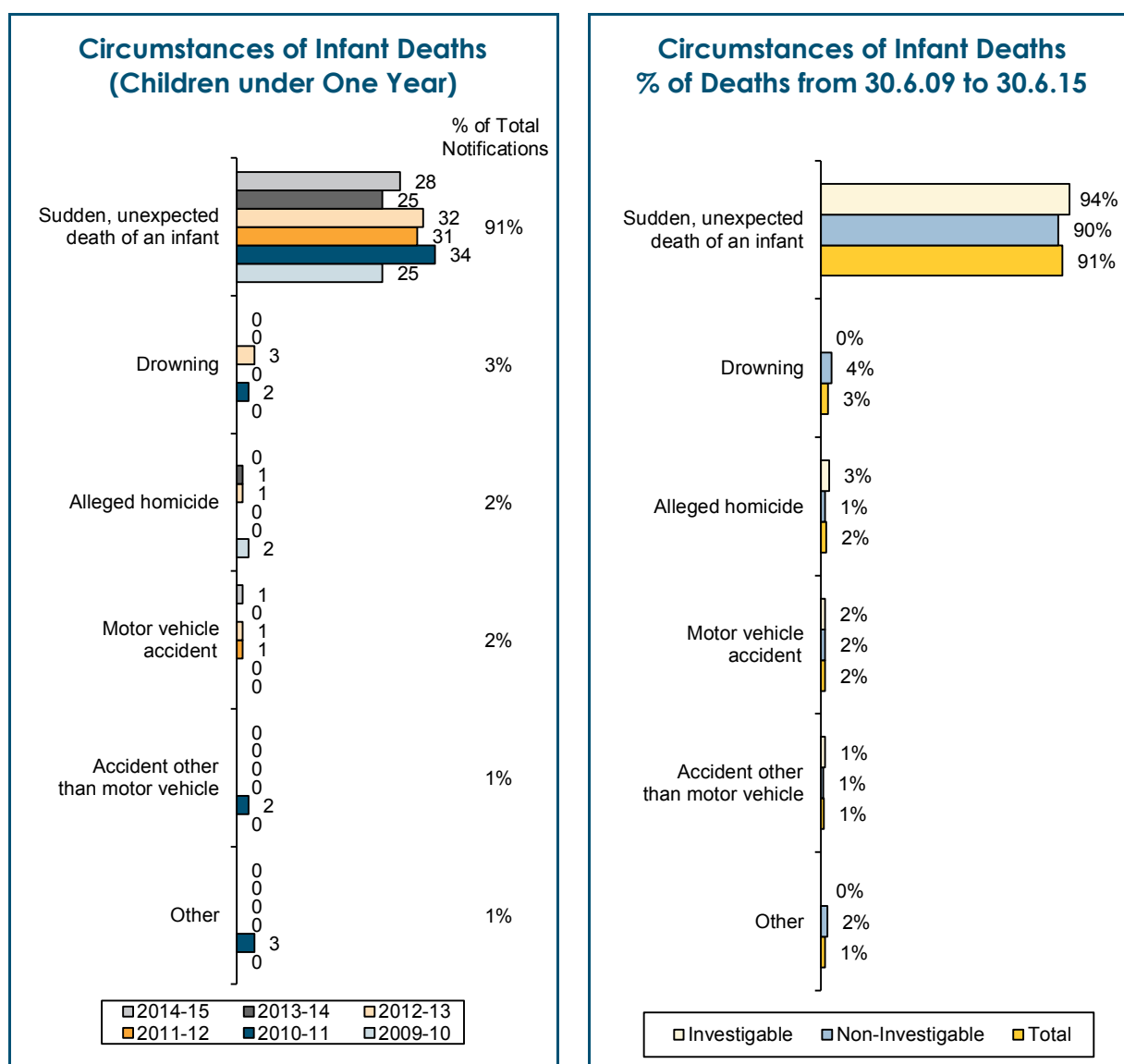


Note: Numbers may vary slightly from those previously reported as, during the course of a review, further information may become available.

Further analysis of the data shows that, for these infant deaths, there was an over-representation compared to the child population for:

- Males – 74% of investigable infant deaths and 59% of non-investigable infant deaths were male compared to 51% in the child population;
- Aboriginal children – 65% of investigable deaths and 33% of non-investigable deaths were Aboriginal children compared to 6% in the child population; and
- Children living in regional or remote locations – 53% of investigable infant deaths and 43% of non-investigable deaths of infants, living in Western Australia, were children living in regional or remote locations compared to 27% in the child population.

An examination of the patterns and trends of the circumstances of infant deaths showed that of the 192 infant deaths, 175 (91%) were categorised as sudden, unexpected deaths of an infant and the majority of these (115) appear to have occurred while the infant had been placed for sleep. There were a small number of other deaths as shown in the following charts.



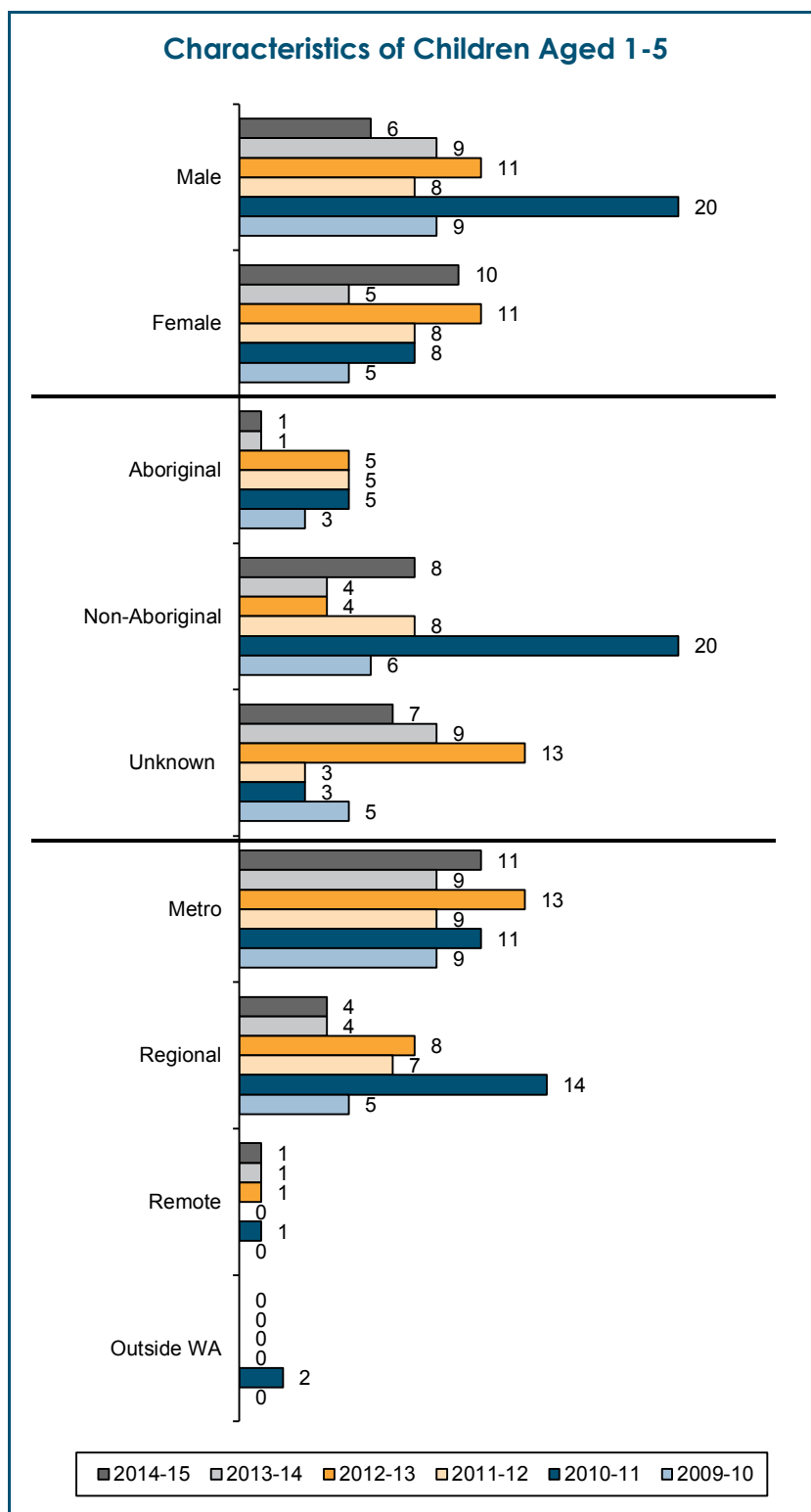
Note: Numbers may vary slightly from those previously reported as, during the course of a review, further information may become available on the circumstances in which the child died.

Sixty six deaths of infants were determined to be investigable deaths.

Deaths of children aged 1 to 5 years

Of the 537 child death notifications received by the Ombudsman from 30 June 2009 to 30 June 2015, there were 110 (20%) related to children aged from 1 to 5 years.

The characteristics of children aged 1 to 5 are shown in the following chart.



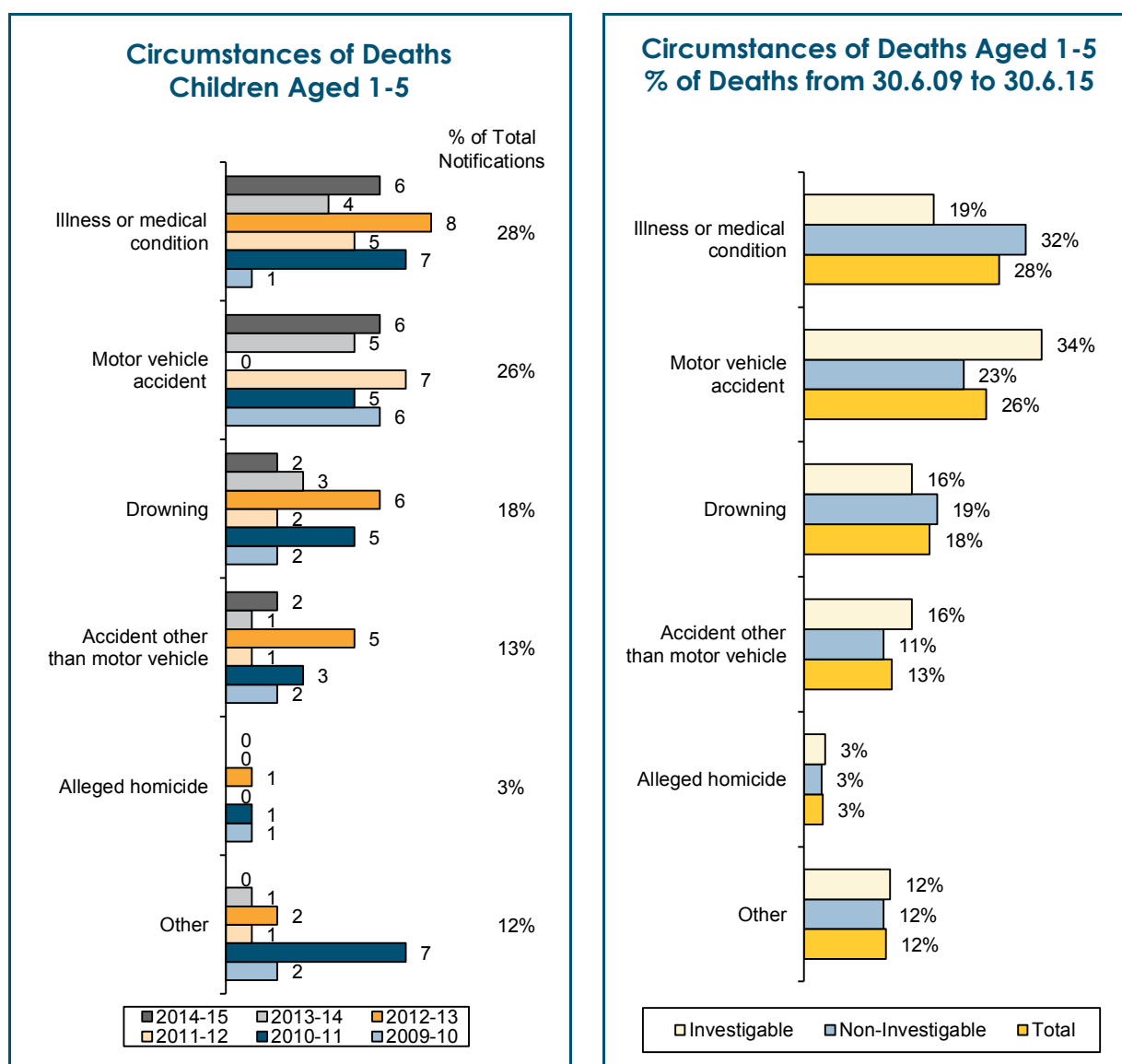
Note: Numbers may vary slightly from those previously reported as, during the course of a review, further information may become available.



Further analysis of the data shows that, for these deaths, there was an over-representation compared to the child population for:

- Males – 63% of investigable deaths and 55% of non-investigable deaths of children aged 1 to 5 were male compared to 51% in the child population;
- Aboriginal children – 52% of investigable deaths and 12% of non-investigable deaths of children aged 1 to 5 were Aboriginal children compared to 6% in the child population; and
- Children living in regional or remote locations – 47% of investigable deaths and 41% of non-investigable deaths of children aged 1 to 5, living in Western Australia, were children living in regional or remote locations compared to 27% in the child population.

As shown in the following chart, illness or medical condition is the most common circumstance of death for this age group (28%), followed by motor vehicle accidents (26%) and drowning (18%).



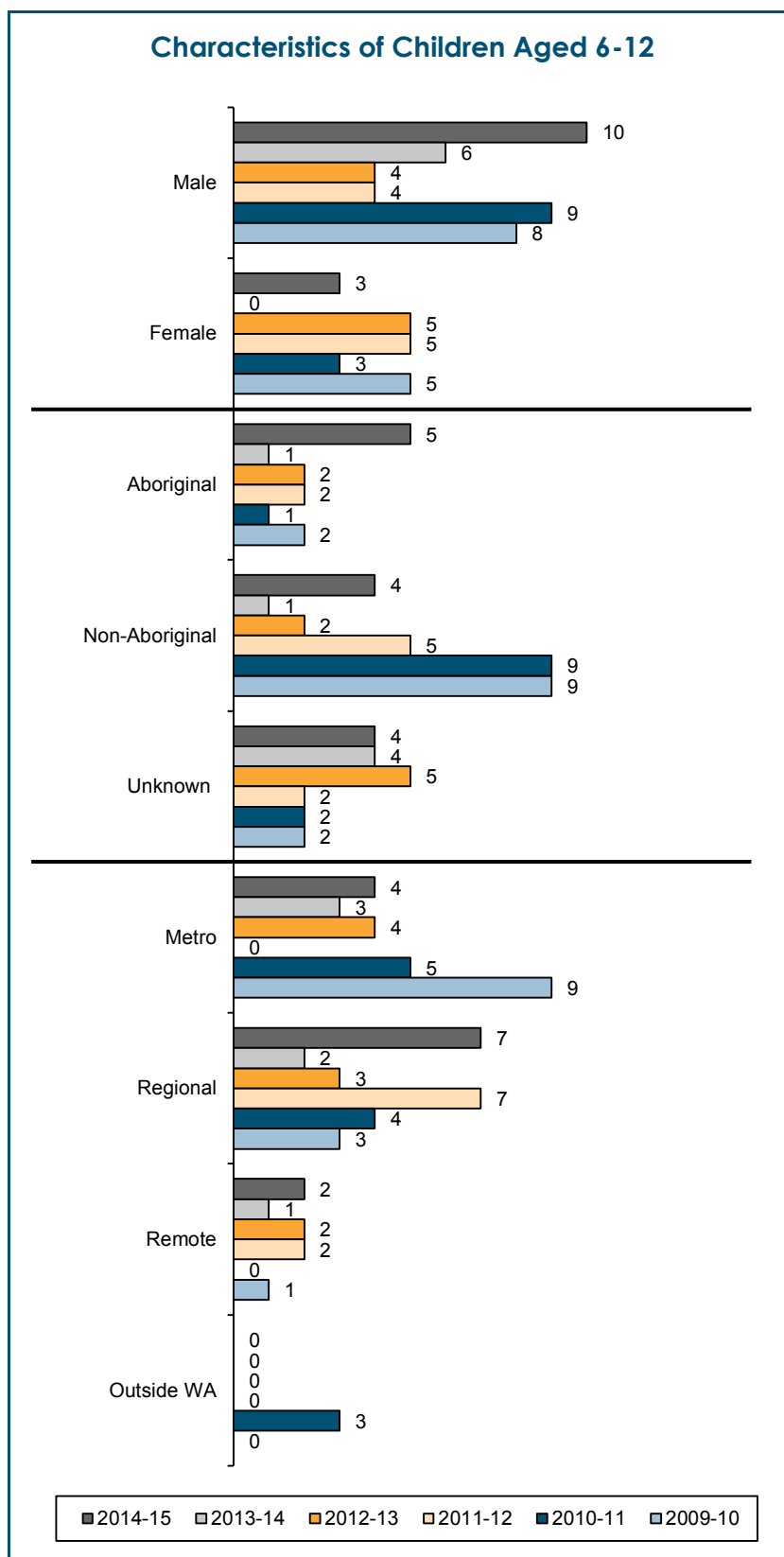
Note: Numbers may vary slightly from those previously reported as, during the course of a review, further information may become available on the circumstances in which the child died.

Thirty two deaths of children aged 1 to 5 years were determined to be investigable deaths.

Deaths of children aged 6 to 12 years

Of the 537 child death notifications received by the Ombudsman from 30 June 2009 to 30 June 2015, there were 62 (12%) related to children aged from 6 to 12 years.

The characteristics of children aged 6 to 12 are shown in the following chart.

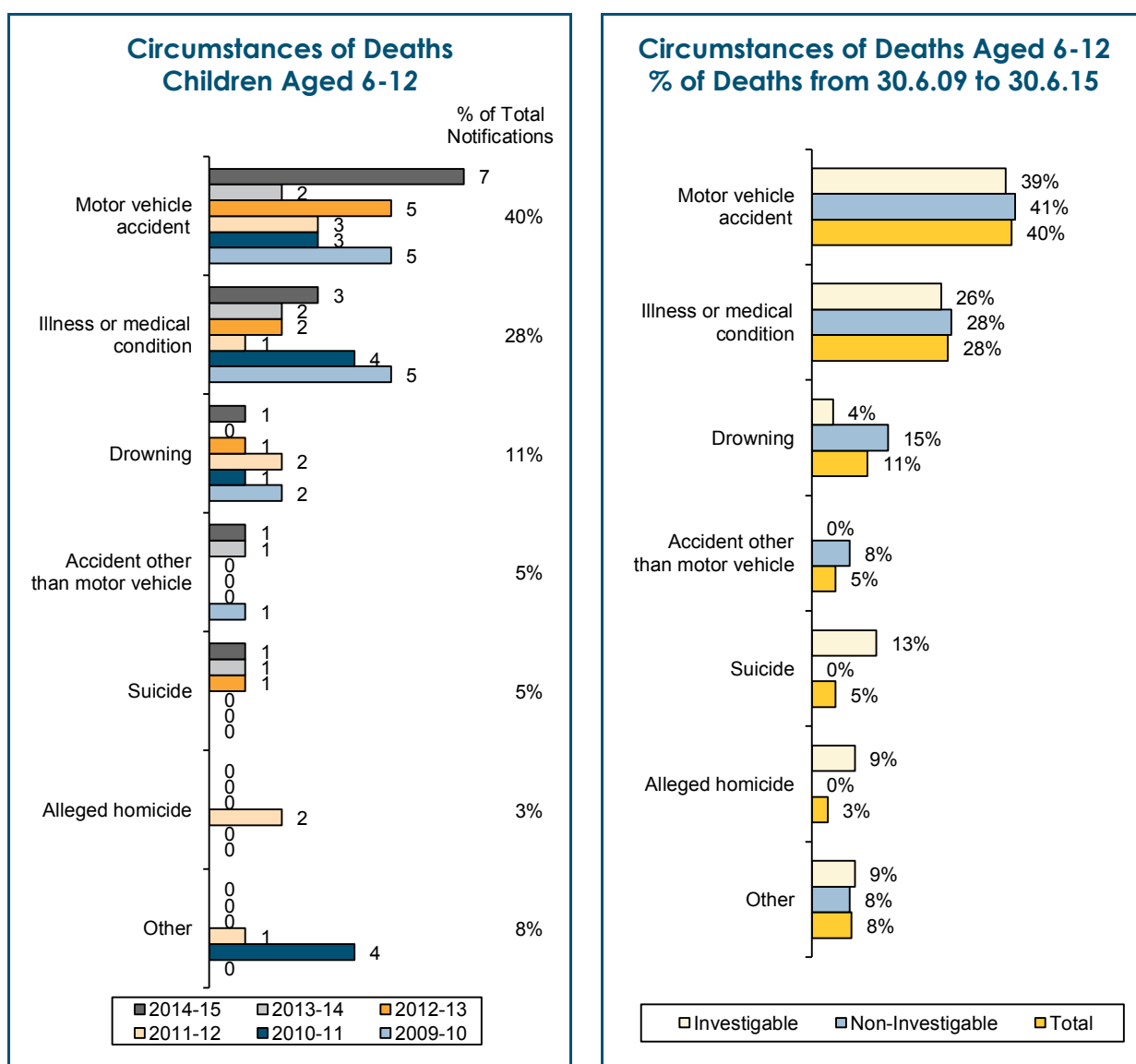


Note: Numbers may vary slightly from those previously reported as, during the course of a review, further information may become available.

Further analysis of the data shows that, for these deaths, there was an over-representation compared to the child population for:

- Males – 57% of investigable deaths and 72% of non-investigable deaths of children aged 6 to 12 were male compared to 51% in the child population;
- Aboriginal children – 48% of investigable deaths and 14% of non-investigable deaths of children aged 6 to 12 were Aboriginal children compared to 6% in the child population; and
- Children living in regional or remote locations – 70% of investigable deaths and 50% of non-investigable deaths of children aged 6 to 12, living in Western Australia, were children living in regional or remote locations compared to 27% in the child population.

As shown in the following chart, motor vehicle accidents are the most common circumstance of death for this age group (40%), followed by illness or medical condition (28%) and drowning (11%).



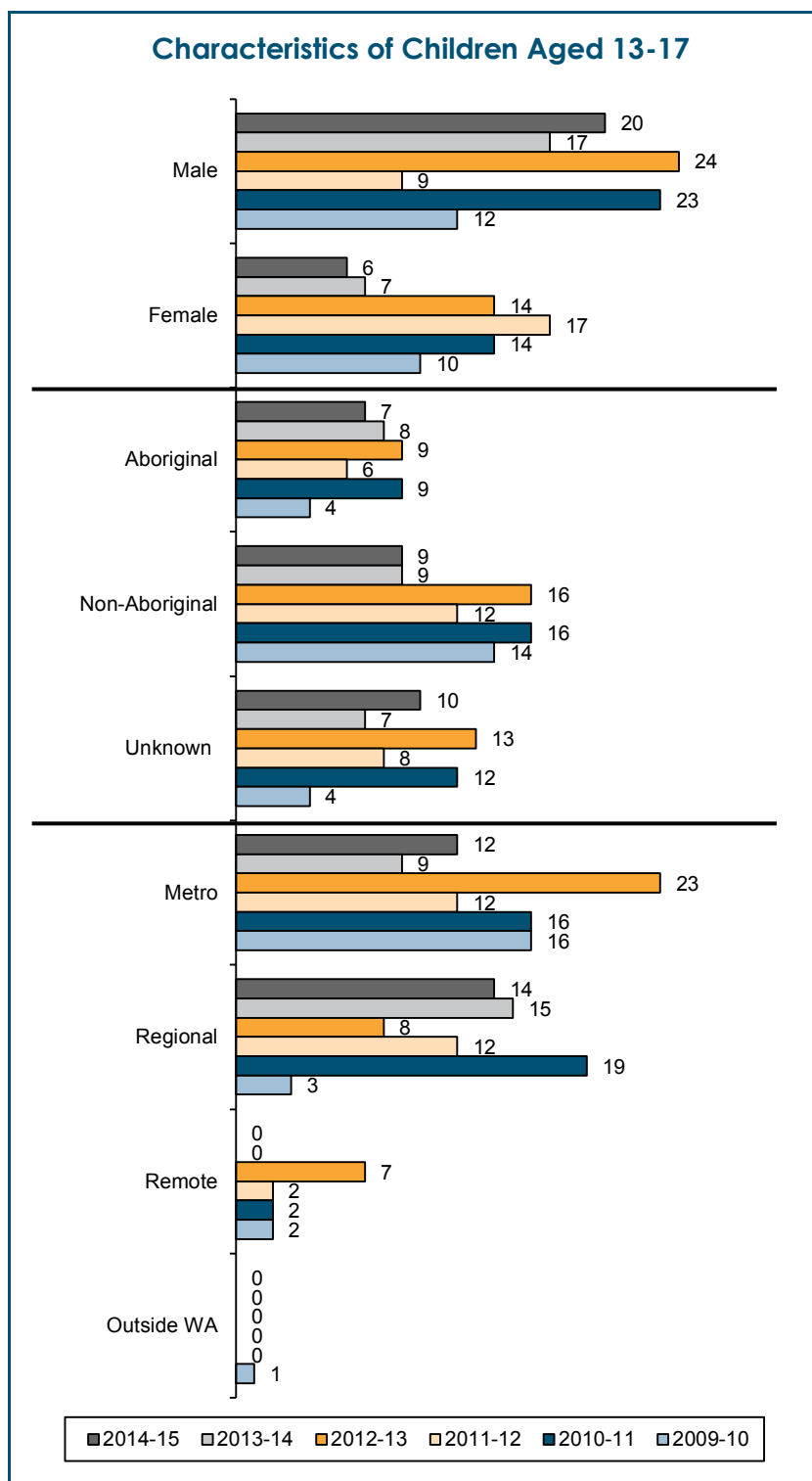
Note: Numbers may vary slightly from those previously reported as, during the course of a review, further information may become available on the circumstances in which the child died.

Twenty three deaths of children aged 6 to 12 years were determined to be investigable deaths.

Deaths of children aged 13 – 17 years

Of the 537 child death notifications received by the Ombudsman from 30 June 2009 to 30 June 2015, there were 173 (32%) related to children aged from 13 to 17 years.

The characteristics of children aged 13 to 17 are shown in the following chart.

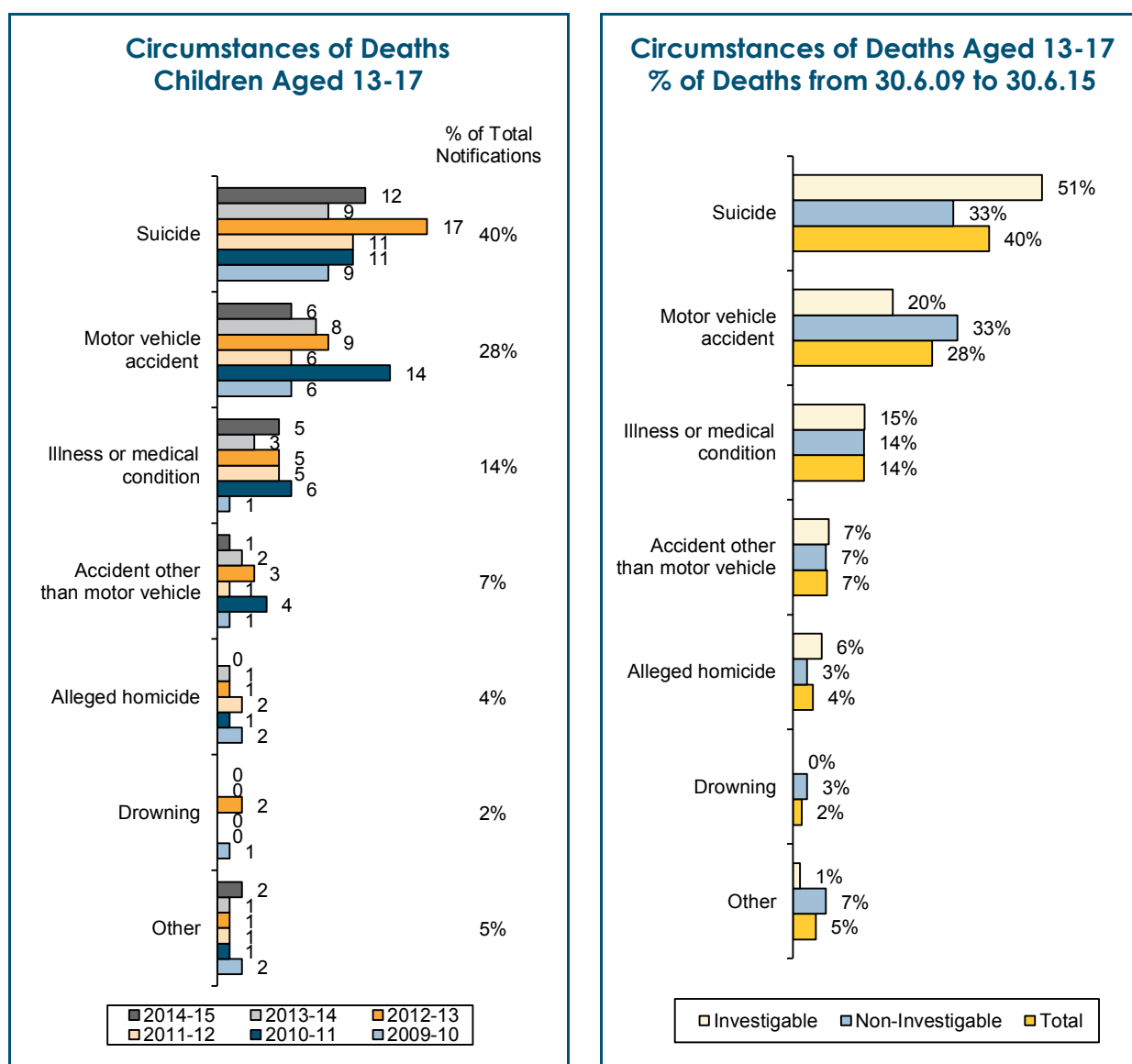


Note: Numbers may vary slightly from those previously reported as, during the course of a review, further information may become available.

Further analysis of the data shows that, for these deaths, there was an over-representation compared to the child population for:

- Males – 55% of investigable deaths and 64% of non-investigable deaths of children aged 13 to 17 were male compared to 51% in the child population;
- Aboriginal children – 55% of investigable deaths and 16% of non-investigable deaths of children aged 13 to 17 were Aboriginal compared to 6% in the child population; and
- Children living in regional or remote locations – 61% of investigable deaths and 41% of non-investigable deaths of children aged 13 to 17, living in Western Australia, were living in regional or remote locations compared to 27% in the child population.

As shown in the following chart, suicide is the most common circumstance of death for this age group (40%), particularly for investigable deaths, followed by motor vehicle accidents (28%) and illness or medical condition (14%).



Note: Numbers may vary slightly from those previously reported as, during the course of a review, further information may become available on the circumstances in which the child died.

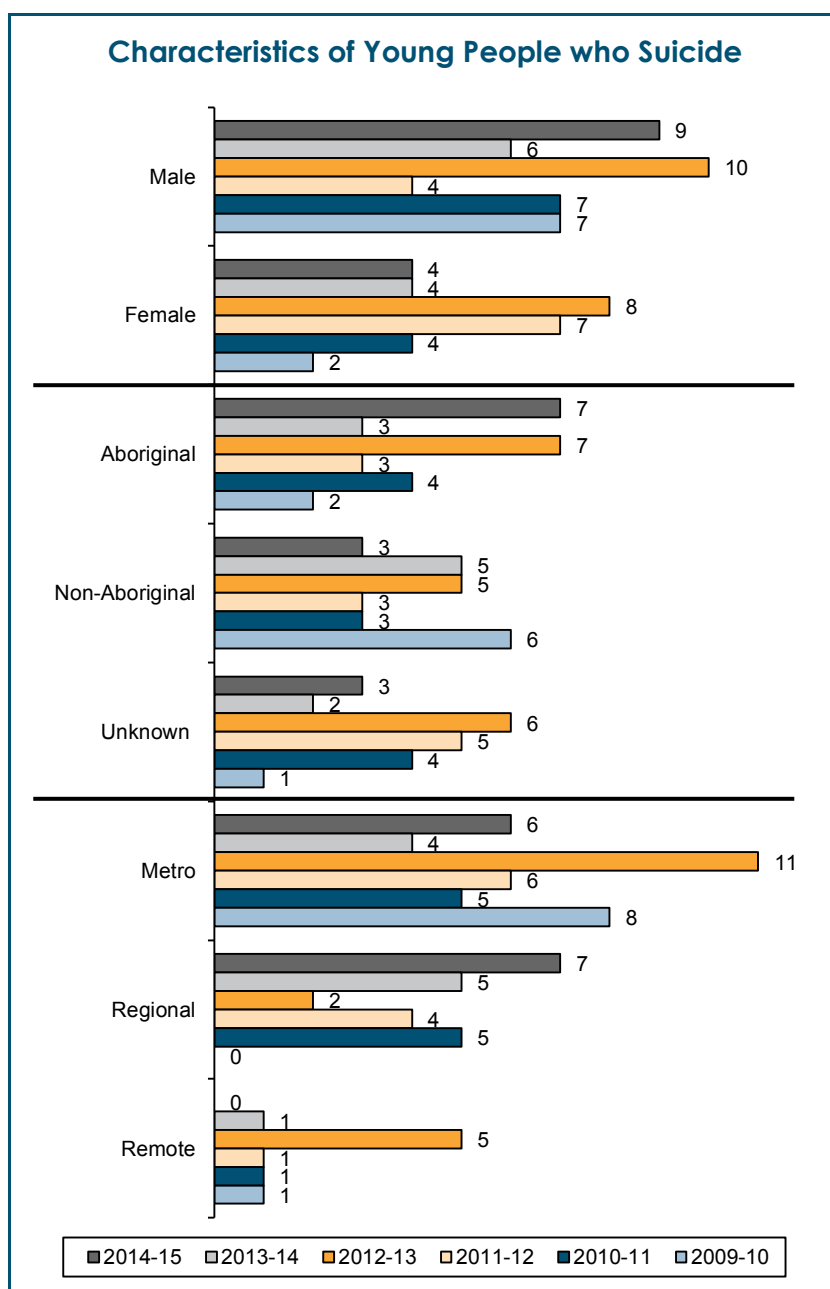
Sixty nine deaths of children aged 13 to 17 years were determined to be investigable deaths.

Suicide by young people

Of the 72 young people who apparently took their own lives from 30 June 2009 to 30 June 2015:

- Three were under 13 years old;
- Four were 13 years old;
- Eight were 14 years old;
- Seventeen were 15 years old;
- Sixteen were 16 years old; and
- Twenty four were 17 years old.

The characteristics of the young people who apparently took their own lives are shown in the following chart.



Note: Numbers may vary slightly from those previously reported as, during the course of a review, further information may become available.



Further analysis of the data shows that, for these deaths, there was an over-representation compared to the child population for:

- Males – 55% of investigable deaths and 65% of non-investigable deaths were male compared to 51% in the child population;
- Aboriginal young people – for the 51 apparent suicides by young people where information on the Aboriginal status of the young person was available, 66% of the investigable deaths and 19% of non-investigable deaths were Aboriginal young people compared to 6% in the child population; and
- Young people living in regional and remote locations – the majority of apparent suicides by young people occurred in the metropolitan area, but 61% of investigable youth suicides and 26% of non-investigable youth suicides were young people who were living in regional or remote locations compared to 27% in the child population.

Deaths of Aboriginal children

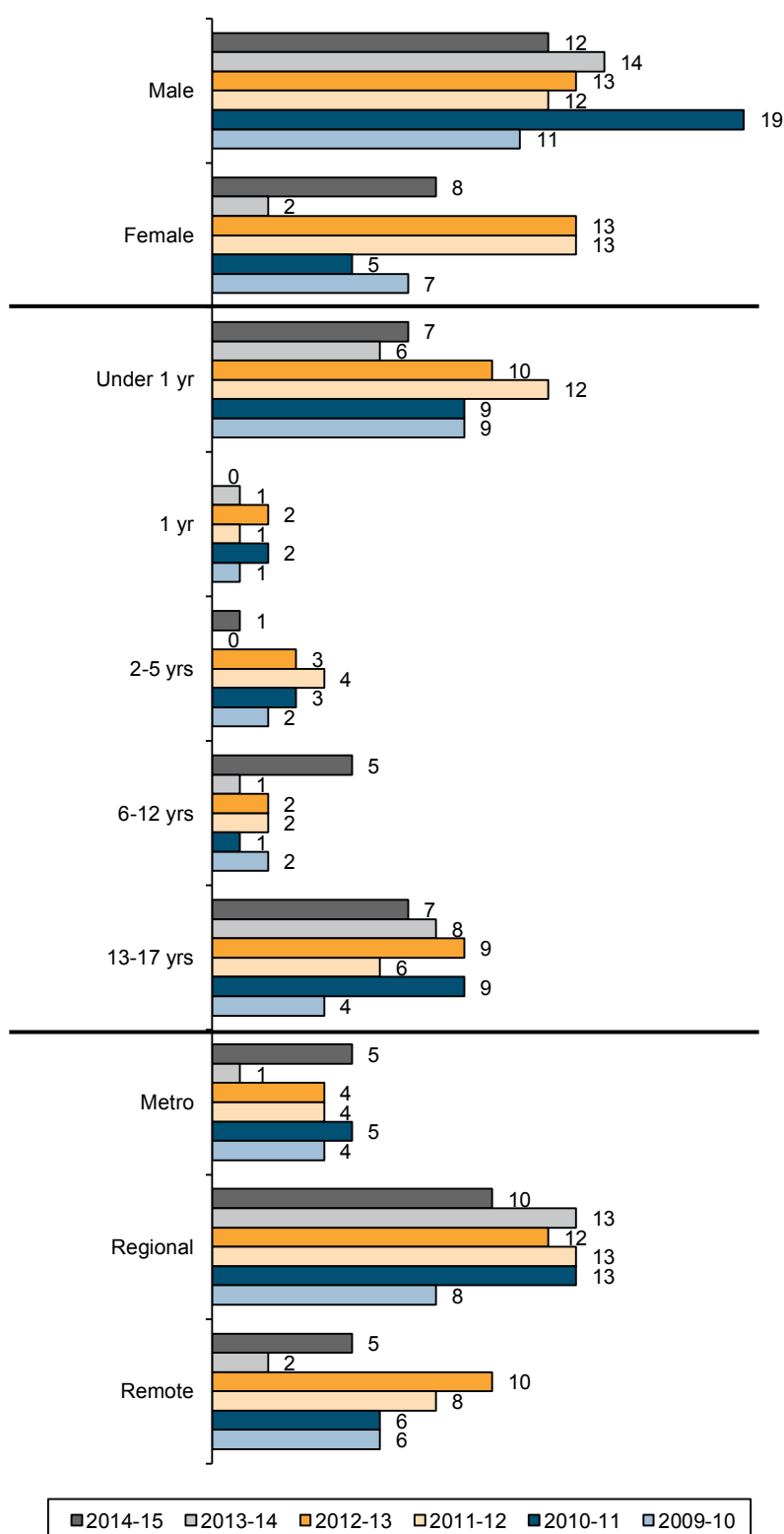
Of the 346 child death notifications received from 30 June 2009 to 30 June 2015, where the Aboriginal status of the child was known, 129 (37%) of the children were identified as Aboriginal.

For the notifications received, the following chart demonstrates:

- Over the six year period from 30 June 2009 to 30 June 2015, the majority of Aboriginal children who died were male (63%). For 2014-15, 60% of Aboriginal children who died were male;
- Most of the Aboriginal children who died were under the age of one or aged 13-17; and
- The deaths of Aboriginal children living in regional communities far outnumber the deaths of Aboriginal children living in the metropolitan area. Over the six year period, 82% of Aboriginal children who died lived in regional or remote communities.

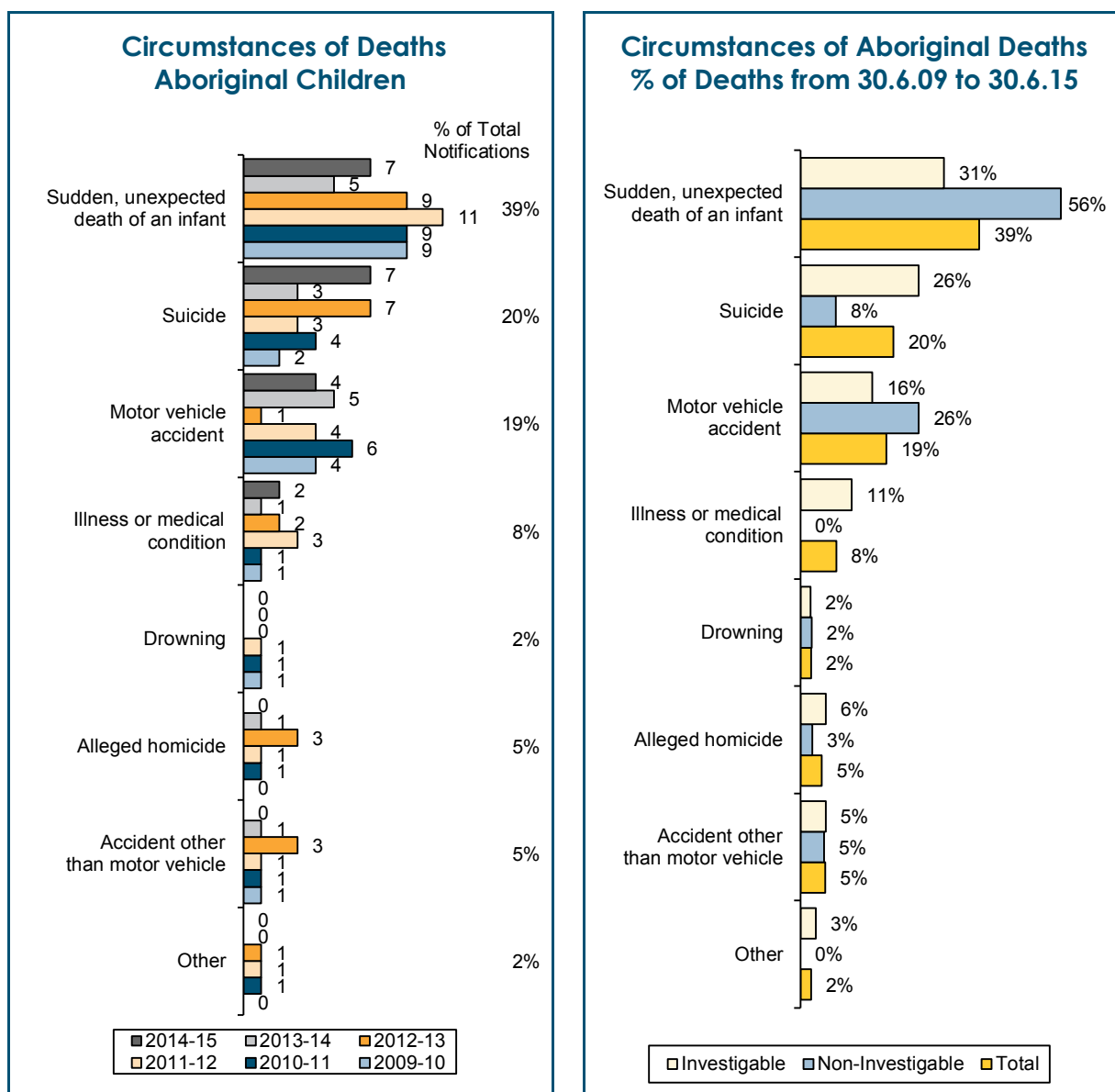


Characteristics of Aboriginal Children who Died



Note: Numbers may vary slightly from those previously reported as, during the course of a review, further information may become available.

As shown in the following chart, sudden, unexpected deaths of infants (39%), suicide (20%), and motor vehicle accidents (19%) are the largest circumstance of death categories for the 129 Aboriginal child death notifications received in the six years from 30 June 2009 to 30 June 2015.



Note: Numbers may vary slightly from those previously reported as, during the course of a review, further information may become available on the circumstances in which the child died.

Improvements to Public Administration to Prevent or Reduce Child Deaths

By undertaking child death reviews the Ombudsman seeks to improve public administration and promote good decision making in those public authorities that provide services to children and families. All improvements are subject to ongoing monitoring and review, to ensure that they are, over time, contributing to the prevention or reduction of child deaths. Information in this section has been set out as follows:

- Issues identified in child death reviews;
- Improvements to public administration to address issues;
- Outcomes of reviews by age cohort;
- Major own motion investigations arising from child death reviews (including future own motion investigations); and
- Other mechanisms to prevent or reduce child deaths.

Issues identified in child death reviews

The following are the types of issues identified when undertaking child death reviews.

It is important to note that:

- Issues are not identified in every child death review; and
- When an issue has been identified, it does not necessarily mean that the issue is related to the death of a child.

- Not undertaking sufficient intra-agency communication to enable effective case management and collaborative responses.
- Not undertaking sufficient inter-agency communication to enable effective case management and collaborative responses.
- Not adequately meeting policies and procedures relating to management and timeliness of case allocation.
- Not adequately meeting policies and procedures relating to decision making for case closure where child protection concerns are not resolved.
- Not adequately meeting policies and procedures relating to Safety and Wellbeing Assessments.
- Not adequately meeting policies and procedures relating to the Signs of Safety Framework.
- Not conducting Safety and Wellbeing Assessments in a sufficiently timely manner.
- Not adequately meeting policies and procedures in relation to pre-birth planning.
- Not providing sufficient case management supervision to ensure timely action in regard to pre-birth planning.



- Not adequately meeting policies and procedures relating to post-birth safety planning.
- Missed opportunities to promote infant safe sleeping by providing appropriate information, including risks of co-sleeping associated with parental alcohol use and/or drug use.
- Not adequately meeting policies and procedures in relation to family and domestic violence.
- Actions in relation to non-compliant pool security.
- Not meeting recordkeeping requirements.

Improvements to public administration to address issues

To address the types of issues identified during the Ombudsman's reviews, the public authorities involved undertook to carry out a range of actions. The following are the types of improvements arising from child death reviews.

- Revising policies for effective intra-agency communication and collaboration when working with children and their families who reside in more than one district.
- Improving inter-agency communication to promote effective decision making and collaborative inter-agency responses.
- Improving compliance with policies and procedures relating to:
 - Management of case allocations;
 - Case closure where child protection concerns have not been resolved;
 - Signs of Safety Framework;
 - Safety and Wellbeing Assessments;
 - Pre-birth planning;
 - Family and domestic violence; and
 - Inter-agency collaboration.
- Using the findings from the Ombudsman's child death reviews for learning and practice guidance in relation to family and domestic violence.
- Improved pre-birth parenting support.
- Revising policies to improve guidance to staff in undertaking pre-birth planning.
- Improving the provision of infant safe sleeping information and education.
- Improving appropriate and timely assessments in relation to Safety and Wellbeing Assessments.
- Reviewing non-compliant swimming pools.
- Improving recordkeeping practices.



Outcomes of reviews by age cohort

Information on outcomes of reviews and the administrative improvements achieved as a result of reviews is set out below. The information has been structured under the various age cohorts identified earlier in the patterns and trends section of the report.

Deaths of infants

Sleep-related infant deaths

Through the undertaking of child death reviews, the Office identified a need to undertake an investigation into the number of deaths that had occurred after infants had been placed to sleep, referred to as 'sleep-related infant deaths'.

The investigation principally involved the Department of Health but also involved the (then) Department for Child Protection and the (then) Department for Communities. The objectives of the investigation were to analyse all sleep-related infant deaths notified to the Office, consider the results of our analysis in conjunction with the relevant research and practice literature, undertake consultation with key stakeholders and, from this analysis, research and consultation, recommend ways the departments could prevent or reduce sleep-related infant deaths.

The investigation found that the Department of Health had undertaken a range of work to contribute to safe sleeping practices in Western Australia, however, there was still important work to be done. This work particularly included establishing a comprehensive statement on safe sleeping that would form the basis for safe sleeping advice to parents, including advice on modifiable risk factors, that is sensitive and appropriate to both Aboriginal and culturally and linguistically diverse communities and is consistently applied state-wide by health care professionals and non-government organisations at the antenatal, hospital-care and post-hospital stages. This statement and concomitant policies and practices should also be adopted, as relevant, by the (then) Department for Child Protection and the (then) Department for Communities.

The investigation also found that a range of risk factors were prominent in sleep-related infant deaths reported to the Office. Most of these risk factors are potentially modifiable and therefore present opportunities for the departments to assist parents, grandparents and carers to modify these risk factors and reduce or prevent sleep-related infant deaths.

The report of the investigation titled [Investigation into ways that State Government departments and authorities can prevent or reduce sleep-related infant deaths](#) was tabled in Parliament in November 2012. The report made 23 recommendations about ways to prevent or reduce sleep-related infant deaths, all of which were accepted by the agencies involved.

Each of the recommendations arising from own motion investigations is actively monitored by the Office to ensure its implementation and effectiveness in relation to the observations made in the investigation.

More particularly, significant work was undertaken during the year on a report in relation to the implementation of the Ombudsman's recommendations arising from the [Investigation into ways that State Government departments and authorities can prevent or reduce sleep-related infant deaths](#).



Infant A

Infant A died at the age of two months in the circumstances of co-sleeping. Following Infant A's birth, concerns were reported to DCPFS that the family was homeless, the parental relationship had broken down and Infant A's mother was suffering from post-natal depression. DCPFS located the family, sighted both children, discussed co-sleeping risks and provided information regarding accommodation options. Additionally, DCPFS records indicated previously reported concerns regarding the family and Infant A's sibling due to alleged parental drug use.

The Ombudsman's review identified that while, importantly, the risks of co-sleeping were discussed (although not documented) with the family, an opportunity was missed to discuss specifically the increased risk of infant death when co-sleeping with parents who may be affected by drugs.

In response to this review DCPFS agreed to take action to enable and support compliance with policies and procedures relating to safe infant sleeping.

Deaths of children aged 1 to 5 years

Deaths from drowning

The *Royal Life Saving Society – Australia: National Drowning Report 2014* (available at <http://www.royallifesaving.com.au/>) states (at page 8) that:

Children under five continue to account for a large proportion of drowning deaths in swimming pools, particularly home swimming pools. It is important to ensure that home pools are fenced with a correctly installed compliant pool fence with a self-closing and self-latching gate.

Through the undertaking of child death reviews, including the prevalence of drowning as a circumstance of death for children under one year of age and children between one and five years of age, the Office identified a need to commence, in 2014-15, a major own motion investigation into ways to prevent or reduce child deaths by drowning. The report of this major own motion investigation will be tabled in Parliament in 2016.

Deaths of children aged 6 to 12 years

The Ombudsman's examination of reviews of deaths of children aged 6 to 12 years has identified the critical nature of certain core health and education needs. Where these children are in the CEO's care, inter-agency cooperation between DCPFS, the Department of Health and the Department of Education in care planning is necessary to ensure the child's health and education needs are met.



Care planning for children in the CEO's care

Through the undertaking of child death reviews, the Office identified a need to undertake an investigation of planning for children in the care of the Chief Executive Officer of the (then) Department for Child Protection – a particularly vulnerable group of children in our community.

This investigation involved the (then) Department for Child Protection, the Department of Health and the Department of Education and considered, among other things, the relevant provisions of the *Children and Community Services Act 2004*, the internal policies of each of these departments along with the recommendations arising from the Review of the Department for Community Development undertaken by Ms Prudence Ford.

The investigation found that in the five years since the introduction of the *Children and Community Services Act 2004*, these three agencies had worked cooperatively to operationalise the requirements of the Act. In short, significant and pleasing progress on improved planning for children in care had been achieved, however, there was still work to be done, particularly in relation to the timeliness of preparing care plans and ensuring that care plans fully incorporate health and education needs, other wellbeing issues, the wishes and views of children in care and are regularly reviewed.

The report, titled [Planning for children in care: An Ombudsman's own motion investigation into the administration of the care planning provisions of the Children and Community Services Act 2004](#), was tabled in Parliament in November 2011.

The report made 23 recommendations that were designed to assist with the work to be done, all of which were agreed by the relevant Departments.

The implementation of the recommendations in the report, and improvement in the ways that public authorities are working to strengthen and enhance care planning for children in the CEO's care, is actively monitored in individual child death reviews, and through the Ombudsman's monitoring of the actions taken by public authorities to implement recommendations made by the Ombudsman.

More particularly, significant work was undertaken during the year on a report in relation to the implementation of Ombudsman recommendations arising from the report, [Planning for children in care: An Ombudsman's own motion investigation into the administration of the care planning provisions of the Children and Community Services Act 2004](#).

Deaths of primary-school aged children from motor vehicle accidents

In 2014-15, the Ombudsman received seven notifications of the deaths of children aged six to 12 years in the circumstances of motor vehicle accidents. In five cases the child who died was a passenger travelling in a car.



The Office of Road Safety's Fact Sheet *Restraints* (available at <http://www.ors.wa.gov.au/>) states at page one:

Drivers and passengers travelling unrestrained in a car are at least 10 times more likely to be killed in a road crash than those wearing a seat belt. Wearing a seat belt may reduce the chance of being killed in a road accident by up to 50%.

In Rural areas 14% of those killed or seriously injured were unrestrained, compared to 5% of those killed or seriously injured in the Metropolitan area.

The Ombudsman's reviews of these cases identified that of the five children travelling in cars only one notification identified that the child was wearing a seat belt at the time of the accident and four of the five accidents occurred in rural and remote areas.

Deaths of children aged 13 to 17 years

Suicide by young people

Of the child death notifications received by the Office since the commencement of the Office's child death review responsibility, nearly a third related to children aged 13 to 17 years old. Of these children, suicide was the most common circumstance of death, accounting for nearly 40% of deaths. Furthermore, and of serious concern, Aboriginal children were very significantly over-represented in the number of young people who died by suicide. For these reasons, the Office decided to undertake a major own motion investigation into ways that State Government departments and authorities can prevent or reduce suicide by young people.

The objectives of the investigation were to analyse, in detail, deaths of young people who died by suicide notified to the Office, comprehensively consider the results of this analysis in conjunction with the relevant research and practice literature, undertake consultation with government and non-government stakeholders and, if required, recommend ways that agencies can prevent or reduce suicide by young people.

The Office found that State Government departments and authorities had already undertaken a significant amount of work that aimed to prevent and reduce suicide by young people in Western Australia, however, there was still more work to be done. The Office found that this work included practical opportunities for individual agencies to enhance their provision of services to young people. Critically, as the reasons for suicide by young people are multi-factorial and cross a range of government agencies, the Office also found that this work included the development of a collaborative, inter-agency approach to preventing suicide by young people. In addition to the Office's findings and recommendations, the comprehensive level of data and analysis contained in the report of the investigation was intended be a valuable new resource for government departments and authorities to inform their planning and work with young people. In particular, the Office's analysis suggested this planning and work target four groups of young people that the Office identified.

The report, [Investigation into ways that State Government departments and authorities can prevent or reduce suicide by young people](#), was tabled in Parliament in April 2014. The report is available on the [Ombudsman's website](#).

Arising from the investigation findings, the Ombudsman made 22 recommendations to four government agencies about ways to prevent or reduce suicide by young people, all agreed to by the agencies.

Identification of good practice

Reviews may identify examples of good practice by agencies as shown in the following case study.



Child B

Child B was born with complex health care needs. In early childhood, Child B entered into the care of the Chief Executive Officer of DCPFS, and was placed with a foster carer.

DCPFS coordinated care planning meetings for Child B, involving health and education service providers, the foster carers and relevant non-government disability services. The Care Plans developed from these meetings detailed Child B's health, educational and emotional care needs and how these would be managed.

Child B subsequently died due to an illness.

The Ombudsman's review of this case identified good practice related to inter-agency collaboration and care planning for Child B.

Major own motion investigations arising from child death reviews

In addition to taking action on individual child deaths, the Office identifies patterns and trends arising out of child death reviews to inform major own motion investigations that examine the practices of public authorities that provide services to children and their families. During the year, the Ombudsman commenced an own motion investigation into ways that State Government departments and authorities can prevent or reduce child deaths by drowning.

The Office monitors the implementation of recommendations from own motion investigations, including:

- [*Planning for children in care: An Ombudsman's own motion investigation into the administration of the care planning provisions of the Children and Community Services Act 2004*](#), which was tabled in Parliament in November 2011;
- [*Investigation into ways that State Government departments can prevent or reduce sleep-related infants deaths*](#), which was tabled in Parliament in November 2012; and
- [*Investigation into ways that State Government departments and authorities can prevent or reduce suicide by young people*](#), which was tabled in Parliament in April 2014.

In particular, in 2014-15 the Office undertook significant work on a report on the implementation of recommendations arising from the following two reports:

- [*Planning for children in care: An Ombudsman's own motion investigation into the administration of the care planning provisions of the Children and Community Services Act 2004*](#), which was tabled in Parliament in November 2011; and
- [*Investigation into ways that State Government departments can prevent or reduce sleep-related infants deaths*](#), which was tabled in Parliament in November 2012.

Details of own motion investigations are provided in the [Own Motion Investigations and Administrative Improvement section](#).

Other mechanisms to prevent or reduce child deaths

In addition to reviews of individual child deaths and major own motion investigations, the Office uses a range of other mechanisms to improve public administration with a view to preventing or reducing child deaths. These include:

- Assisting public authorities by providing information about issues that have arisen from child death reviews, and enquiries and complaints received, that may need their immediate attention, including issues relating to the safety of a child's siblings;
- Through the Ombudsman's Advisory Panel, and other mechanisms, working with public authorities and communities where children may be at risk to consider child safety issues and potential areas for improvement, and highlight the critical importance of effective liaison and communication between and within public authorities and communities;
- Exchanging information with other accountability and oversight agencies including Ombudsmen in other States to facilitate consistent approaches and shared learning; and
- Undertaking or supporting research that may provide an opportunity to identify good practices that may assist in the prevention or reduction of child deaths.

Stakeholder Liaison

The Department for Child Protection and Family Support

Efficient and effective liaison has been established with DCPFS to support the child death review process and objectives. Regular liaison occurs between the Ombudsman and the Director General of DCPFS, together with regular liaison at senior executive level, to discuss issues raised in child death reviews and how positive change can be achieved. Since the jurisdiction commenced, meetings with DCPFS's staff have been held in all districts in the metropolitan area, and in regional and remote areas.

The Ombudsman's Advisory Panel

The Ombudsman's Advisory Panel (**the Panel**) is an advisory body established to provide independent advice to the Ombudsman on:

- Issues and trends that fall within the scope of the child death review function;
- Contemporary professional practice relating to the wellbeing of children and their families; and
- Issues that impact on the capacity of public sector agencies to ensure the safety and wellbeing of children.

The Panel met four times in 2014-15 and during the year, the following members provided a range of expertise:

- Professor Steve Allsop (Director, National Drug Research Institute of Curtin University);
- Ms Jocelyn Jones (Health Sciences, Curtin University);
- Professor Donna Chung (Head of the Department of Social Work, Curtin University);
- Ms Dorinda Cox (Consultant);
- Ms Angela Hartwig (Women's Council for Domestic and Family Violence Services WA);
- Ms Victoria Hovane (Consultant); and
- Associate Professor Carolyn Johnson (School of Population Health, University of Western Australia).

Observers from DCPFS, the Department of Health, Department of Aboriginal Affairs, Department of Education, Department of Corrective Services, Department of the Attorney General and Western Australia Police also attended the meetings.

4th Australasian Conference on Child Death Inquiries and Reviews

The Office, together with DCPFS, hosted the 4th Australasian Conference on Child Death Inquiries and Reviews on 6 and 7 November 2014. This year the conference also considered inquiries and reviews of family and domestic violence fatalities.

The conference was officially opened by the Honourable Helen Morton MLC, Minister for Child Protection, and featured opening and closing addresses from the Ombudsman and Emma White, Director General of DCPFS.

This important biennial conference, hosted for the first time in Western Australia, provided a program of national and international leaders in reviews of child deaths, serious injuries to children, and family and domestic violence fatalities.

The conference's theme, 'Achieving Outcomes that Make a Difference', provided delegates with the opportunity to consider a range of topics critical to the success of child death and family and domestic violence fatality reviews. These topics included:

- Challenges and opportunities for enhancing child death review functions;
- Child death review: achieving outcomes that make a difference;



- Leading for learning following a child fatality;
- Creating a culture of learning in safeguarding following a crisis;
- Prevention of youth suicide;
- Child death: the impact of family and domestic violence on Aboriginal women, children and families; and
- Issues and challenges for family and domestic violence fatality review jurisdictions and child protection agencies.

Attendees had the opportunity to participate in discussions about innovations, challenges and future opportunities to strengthen child protection services and child death and family and domestic violence fatality review practices by achieving outcomes that make a difference.

During his opening address, the Ombudsman highlighted the importance of working collaboratively across professional and jurisdictional boundaries to develop expertise in conducting child death reviews and reviews of family and domestic violence fatalities in Australia and New Zealand.

The conference, which received very positive feedback, featured keynote addresses from Professor Donna Chung, Head of the Department of Social Work at Curtin University, and Victoria Hovane, Managing Director of Tjallara Consulting. Former Director General of DCPFS, Terry Murphy, and Jayne Forsdike, from Newcastle Children's Social Care, also gave presentations to delegates. Copies of all presentation slides are available on the [Ombudsman's website](#).

Other key stakeholder relationships

There are a number of public authorities and other bodies that interact with, or deliver services to, children and their families. Important stakeholders with which the Office liaises as part of the child death review jurisdiction include:

- The Coroner;
- Public authorities that have involvement with children and their families including:
 - Department of Housing;
 - Department of Health;
 - Department of Education;
 - Department of Corrective Services;
 - Department of Aboriginal Affairs;
 - Western Australia Police; and
 - Other accountability and similar agencies including the Commissioner for Children and Young People;
- Non-government organisations; and
- Research institutions including universities.

A Memorandum of Understanding has been established by the Ombudsman with the Commissioner for Children and Young People and a letter of understanding has been established with the Coroner.

Aboriginal and regional communities

Significant work continued throughout the year to build relationships relating to the child death review jurisdiction with Aboriginal and regional communities, for example by communicating with:

- Key public authorities that work in regional areas;
- Non-government organisations that provide key services, such as health services to Aboriginal people; and
- Aboriginal community leaders to increase the awareness of the child death review function and its purpose.

Additional networks and contacts have been established to support effective and efficient child death reviews. This has strengthened the Office's understanding and knowledge of the issues faced by Aboriginal and regional communities that impact on child and family wellbeing and service delivery in diverse and regional communities.

As part of this work, Office staff liaise with Aboriginal community leaders, Aboriginal Health Services, local governments, regional offices of Western Australia Police, DCPFS and community advocates.





Family and Domestic Violence Fatality Review

On 1 July 2012, the Office commenced an important new function to review family and domestic violence fatalities.

This section sets out the work of the Office in relation to this function. Information on the work has been divided as follows:

- Background;
- The role of the Ombudsman in relation to family and domestic violence fatalities;
- Patterns and trends identified from family and domestic violence fatality reviews;
- Issues identified in family and domestic violence fatalities;
- Improvements to public administration to address issues;
- Emerging themes from family and domestic violence fatality reviews; and
- Stakeholder liaison.

Background

The *National Plan to Reduce Violence against Women and their Children 2010-2022* (the **National Plan**) identifies six key national outcomes:

- Communities are safe and free from violence;
- Relationships are respectful;
- Indigenous communities are strengthened;
- Services meet the needs of women and their children experiencing violence;
- Justice responses are effective; and
- Perpetrators stop their violence and are held to account.

The National Plan is endorsed by the Council of Australian Governments and supported by the *First Action Plan: Building a Strong Foundation 2010-2013* (available at <https://www.dss.gov.au/>), which established the 'groundwork for the National Plan', and the *Second Action Plan: Moving Ahead 2013-2016* (available at <https://www.dss.gov.au/>), which builds upon this work.

The *WA Strategic Plan for Family and Domestic Violence 2009-13* and *Western Australia's Family and Domestic Violence Prevention Strategy to 2022: Creating safer communities* include the following principles:

1. Family and domestic violence and abuse is a fundamental violation of human rights and will not be tolerated in any community or culture.
2. Preventing family and domestic violence and abuse is the responsibility of the whole community and requires a shared understanding that it must not be tolerated under any circumstance.



3. The safety and wellbeing of those affected by family and domestic violence and abuse will be the first priority of any response.
4. Children have unique vulnerabilities in family and domestic violence situations, and all efforts must be made to protect them from short and long term harm.
5. Perpetrators of family and domestic violence and abuse will be held accountable for their behaviour and acts that constitute a criminal offence will be dealt with accordingly.
6. Responses to family and domestic violence and abuse can be improved through the development of an all-inclusive approach in which responses are integrated and specifically designed to address safety and accountability.
7. An effective system will acknowledge that to achieve substantive equality, partnerships must be developed in consultation with specific communities of interest including people with a disability, people from diverse sexualities and/or gender, people from Aboriginal and Torres Strait Islander communities and people from culturally and linguistically diverse backgrounds.
8. Victims of family and domestic violence and abuse will not be held responsible for the perpetrator's behaviour.

The associated *Annual Action Plan 2009-10* identified a range of strategies including a 'capacity to systematically review family and domestic violence deaths and improve the response system as a result'. The *Annual Action Plan 2009-10* sets out 10 key actions to progress the development and implementation of the integrated response in 2009-10, including the need to 'research models of operation for family and domestic violence fatality review committees to determine an appropriate model for Western Australia'.

Following a Government working group process examining models for a family and domestic violence fatality review process, the Government requested that the Ombudsman undertake responsibility for the establishment of a family and domestic violence fatality review function.

On 1 July 2012, the Office commenced its family and domestic violence fatality review function.

It was essential to the success of the establishment of the family and domestic violence fatality review role that the Office identified and engaged with a range of key stakeholders in the implementation and ongoing operation of the role. It was important that stakeholders understood the role of the Ombudsman, and the Office was able to understand the critical work of all key stakeholders.

Working arrangements were established to support implementation of the role with Western Australia Police (**WAPOL**) and the Department for Child Protection and Family Support (**DCPFS**) and with other agencies, such as the Department of Corrective Services (**DCS**) and the Department of the Attorney General (**DOTAG**), and relevant courts.

The Ombudsman's Child Death Review Advisory Panel was expanded to include the new family and domestic violence fatality review role. Through the Ombudsman's Advisory Panel (**the Panel**), and regular liaison with key stakeholders, the Office gains valuable information to ensure its review processes are timely, effective and efficient.

The Office has also accepted invitations to speak at relevant seminars and events to explain its role in regard to family and domestic violence fatality reviews, engaged with other family and domestic violence fatality review bodies in Australia and New Zealand and, since 1 July 2012, has met regularly via teleconference with the Australian Domestic and Family Violence Death Review Network.

Information regarding reporting

The annual reporting of the work of the Office on its family and domestic violence fatality review responsibility will be developed over future annual reports, in accordance with information identified from undertaking reviews over multiple years. This will include case studies and further information and analysis on underlying patterns and trends over time arising from family and domestic violence fatality reviews.

There will also be reporting to Parliament of major own motion investigations, the first of which is examining issues associated with Violence Restraining Orders and their relationship with family and domestic violence fatalities. The report of the investigation will be tabled in Parliament in 2015 and publically available immediately upon tabling. Additionally, the report of the investigation will be reported upon comprehensively in the Ombudsman Western Australia Annual Report 2015-16.

The Role of the Ombudsman in Relation to Family and Domestic Violence Fatalities

Information regarding the use of terms

Information in relation to those fatalities that are suspected by WAPOL to have occurred in circumstances of family and domestic violence are described in this report as family and domestic violence fatalities. For the purposes of this report the person who has died due to suspected family and domestic violence will be referred to as 'the person who died' and the person whose actions are suspected of causing the death will be referred to as the 'suspected perpetrator' or, if the person has been convicted of causing the death, 'the perpetrator'.

Additionally, following Coronial and criminal proceedings, it may be necessary to adjust relevant previously reported information if the outcome of such proceedings is that the death did not occur in the context of a family and domestic relationship.

WAPOL informs the Office of all family and domestic violence fatalities and provides information about the circumstances of the death together with any relevant information of prior WAPOL contact with the person who died and the suspected perpetrator. A family and domestic violence fatality involves persons apparently in a 'family and domestic relationship' as defined by section 4 of the *Restraining Orders Act 1997*.



More specifically, the relationship between the person who died and the suspected perpetrator is a relationship between two people:

- (a) Who are, or were, married to each other; or
- (b) Who are, or were, in a de facto relationship with each other; or
- (c) Who are, or were, related to each other; or
- (d) One of whom is a child who —
 - (i) Ordinarily resides, or resided, with the other person; or
 - (ii) Regularly resides or stays, or resided or stayed, with the other person;or
- (e) One of whom is, or was, a child of whom the other person is a guardian; or
- (f) Who have, or had, an intimate personal relationship, or other personal relationship, with each other.

‘Other personal relationship’ means a personal relationship of a domestic nature in which the lives of the persons are, or were, interrelated and the actions of one person affects, or affected the other person.

‘Related’, in relation to a person, means a person who —

- (a) Is related to that person taking into consideration the cultural, social or religious backgrounds of the two people; or
- (b) Is related to the person’s —
 - (i) Spouse or former spouse; or
 - (ii) De facto partner or former de facto partner.

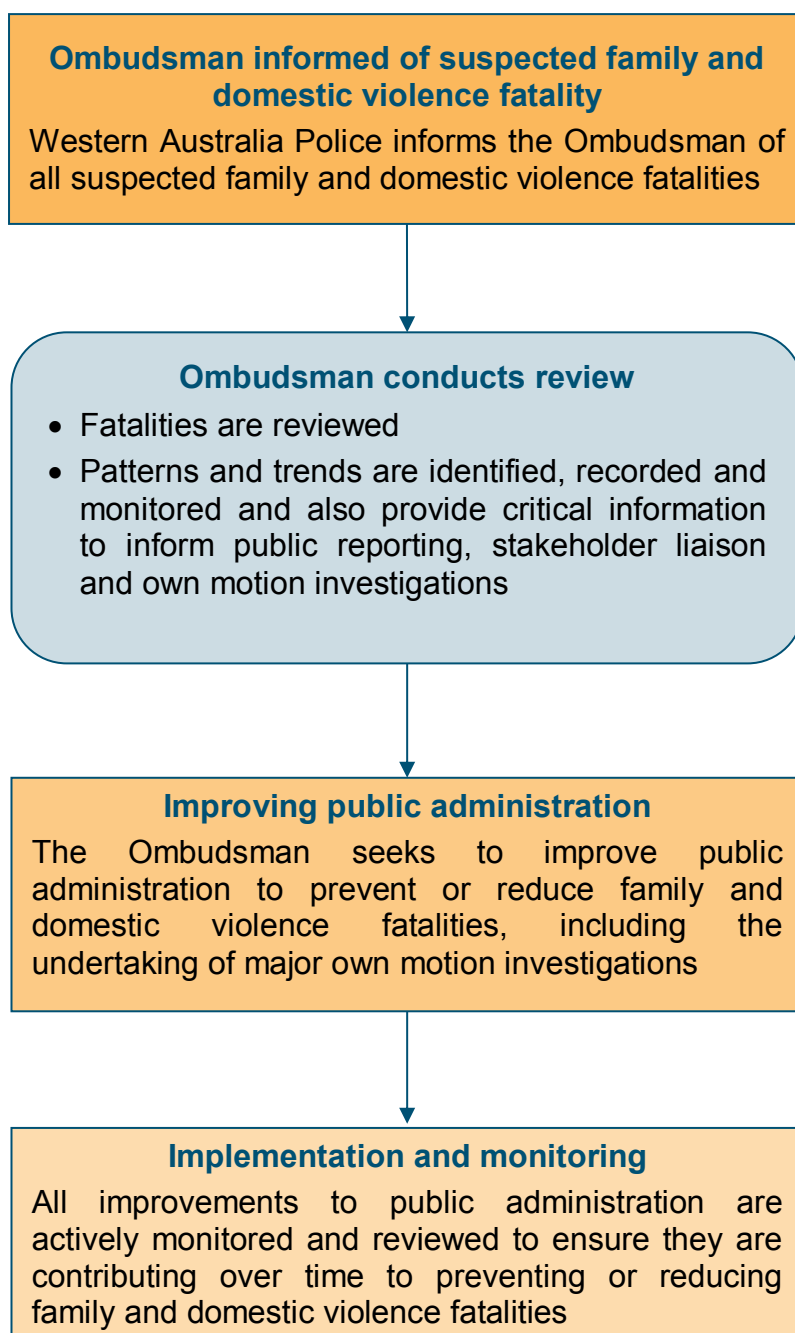
If the relationship meets these criteria, a review is undertaken.

The extent of a review depends on a number of factors, including the circumstances surrounding the death and the level of involvement of relevant public authorities in the life of the person who died or other relevant people in a family and domestic relationship with the person who died, including the suspected perpetrator. Confidentiality of all parties involved with the case is strictly observed.

The family and domestic violence fatality review process is intended to identify key learnings that will positively contribute to ways to prevent or reduce family and domestic violence fatalities. The review does not set out to establish the cause of death of the person who died; this is properly the role of the Coroner. Nor does the review seek to determine whether a suspected perpetrator has committed a criminal offence; this is only a role for a relevant court.



The Family and Domestic Violence Fatality Review Process



Number of family and domestic violence fatality reviews

In 2014-15, the number of reviewable family and domestic violence fatalities received was 16, compared to 15 in 2013-14 and 20 in 2012-13.

Patterns and Trends Identified from Family and Domestic Violence Fatality Reviews

Information on interpretation of data

Information in this section is derived from the 51 reviewable family and domestic violence fatalities received from 2012-13 to 2014-15. As the information in the following charts is based on three years of data only, very significant care should be undertaken in interpreting the data. In subsequent reporting years, information will be presented across multiple years and include analysis of underlying patterns and trends.

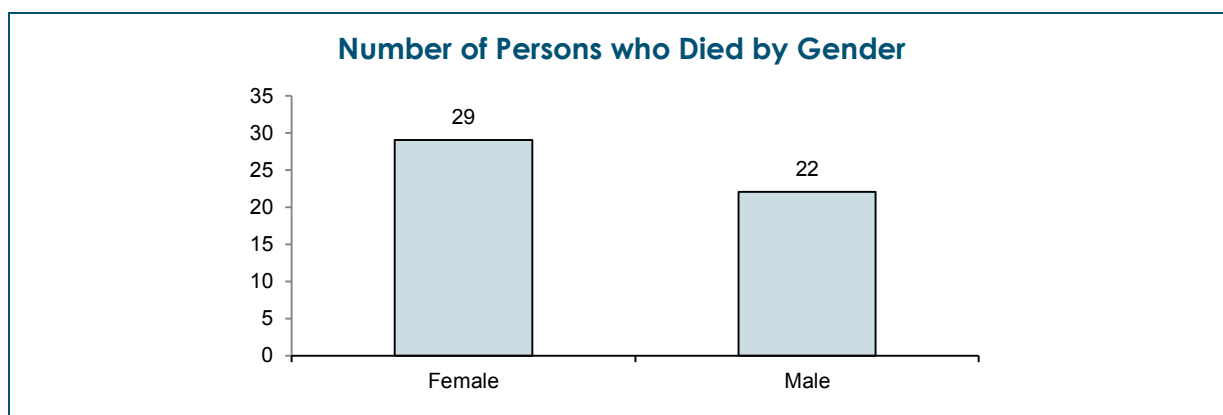


By examining family and domestic violence fatalities, the Ombudsman is able to capture data relating to demographics, risk factors and social and environmental characteristics and identify patterns and trends in relation to these deaths. When family and domestic violence fatality reviews are finalised, all relevant issues are identified and recorded and, over time, these issues indicate relevant patterns and trends in relation to family and domestic violence fatalities. These patterns and trends are identified, recorded, monitored, reported and analysed. They also inform the Ombudsman's own motion investigations relating to family and domestic violence fatalities.

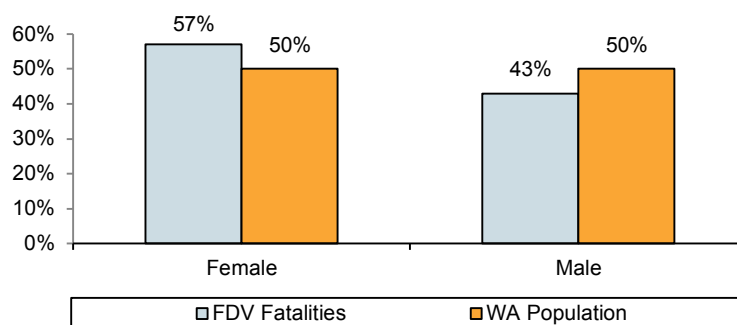
Characteristics of the persons who died

Information is obtained on a range of characteristics of the person who died, including gender, age group, Aboriginal status, and location of the incident in the metropolitan or regional areas.

The following charts show characteristics of the persons who died for the 51 family and domestic violence fatalities received by the Office from 1 July 2012 to 30 June 2015. The numbers may vary from numbers previously reported as, during the course of the period, further information may become available.



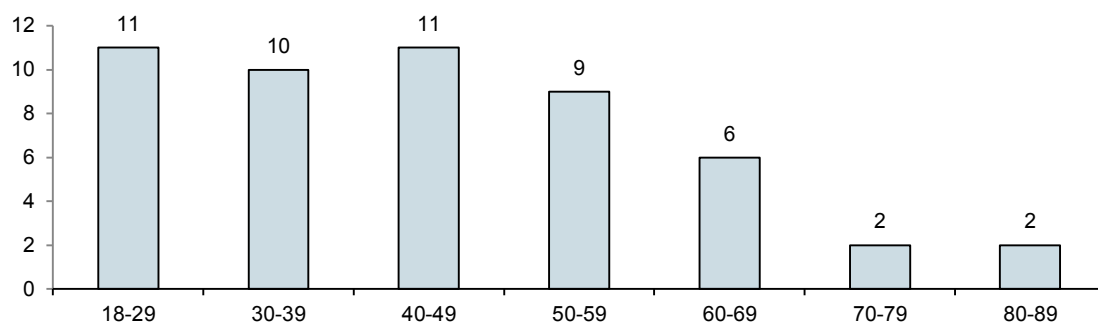
Gender of Persons who Died Compared to WA Population



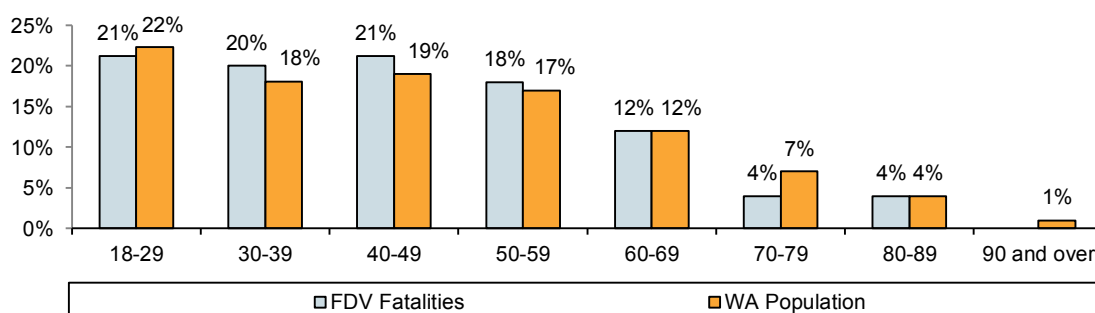
Compared to the Western Australian population, females who died in the three years from 1 July 2012 to 30 June 2015, were over-represented, with 57% of persons who died being female compared to 50% in the population.

In relation to all 29 females who died, the suspected perpetrator is a male. Of the 22 men who died, four were apparent suicides, 11 involved a female suspected perpetrator, and seven involved a male suspected perpetrator.

Number of Persons who Died by Age

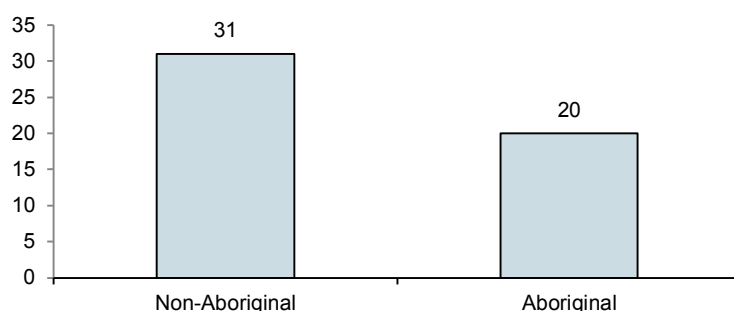


Age of Persons who Died Compared to WA Population

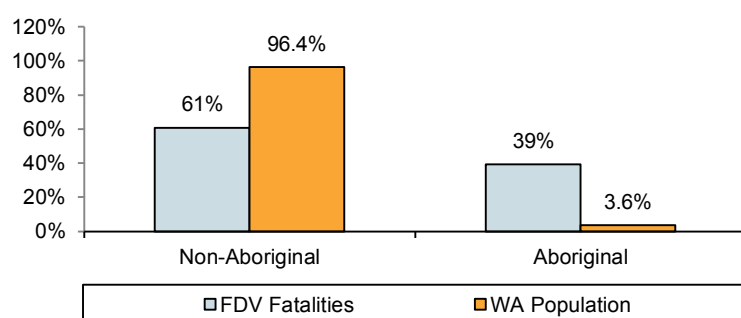




Number of Persons who Died by Aboriginal Status

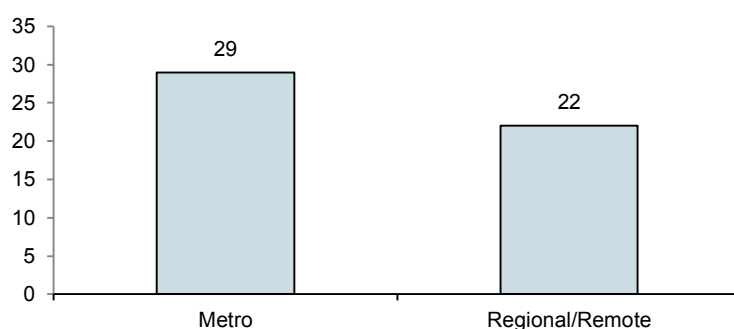


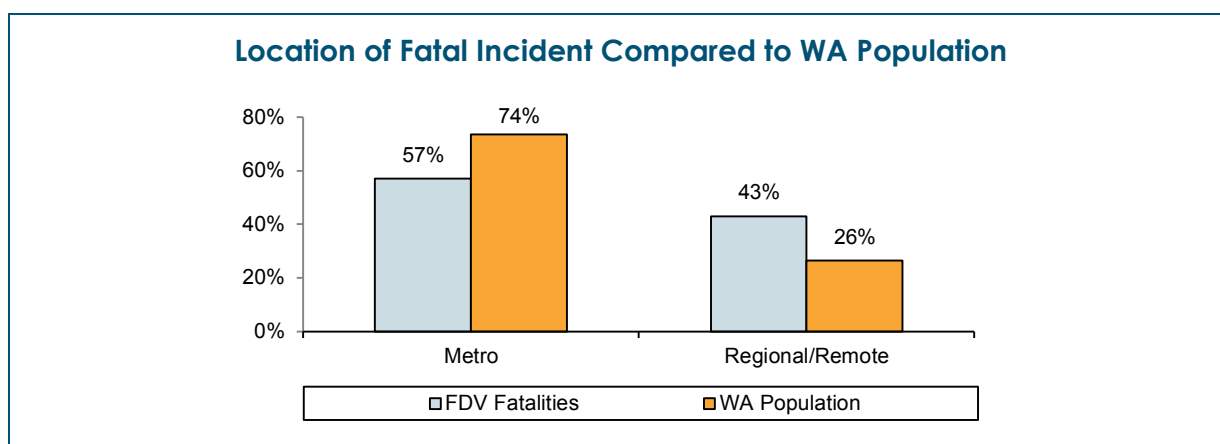
Aboriginal Status of Persons who Died Compared to WA Population



Compared to the Western Australian population, Aboriginal people who died were over-represented, with 39% of people who died in the three years from 1 July 2012 to 30 June 2015 being Aboriginal compared to 3.6% in the population. Of the 20 Aboriginal people who died, 11 were female and 9 were male.

Number of Persons who Died by Location of Fatal Incident





Compared to the Western Australian population, incidents in regional or remote locations were over-represented, with 43% of fatal incidents in the three years from 1 July 2012 to 30 June 2015 occurring in regional or remote locations, compared to 26% of the population living in those locations.

The *WA Strategic Plan for Family and Domestic Violence 2009-13* notes that:

While there has been debate about the reliability of research that quantifies the incidence of family and domestic violence, there is general agreement that ...

- *An overwhelming majority of people who experience family and domestic violence are women, and*
- *Aboriginal women are more likely than non-Aboriginal women to be victims of family violence.*

More specifically, with respect to the impact on Aboriginal women in Western Australia, the *WA Strategic Plan* notes that:

Family and domestic violence is particularly acute in Aboriginal communities. In Western Australia, it is estimated that Aboriginal women are 45 times more likely to be the victim of family violence than non-Aboriginal women, accounting for almost 50 per cent of all victims.

In its work, the Office is placing a focus on ways that public authorities can prevent or reduce family and domestic violence fatalities for women, including Aboriginal women. In undertaking this work, specific consideration is being given to issues relevant to regional and remote Western Australia.

Characteristics of the perpetrators

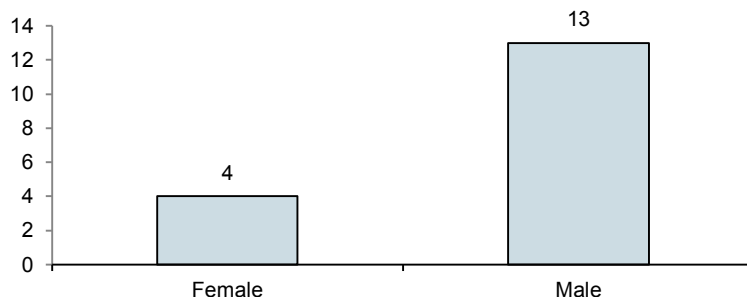
Information in this section relates only to family and domestic violence fatalities reviewed from 1 July 2012 to 30 June 2015 where coronial and criminal proceedings (including the appellate process, if any) were finalised by 30 June 2015.

Of the 51 family and domestic violence fatalities received by the Ombudsman from 1 July 2012 to 30 June 2015, coronial and criminal proceedings were finalised in 17 cases.

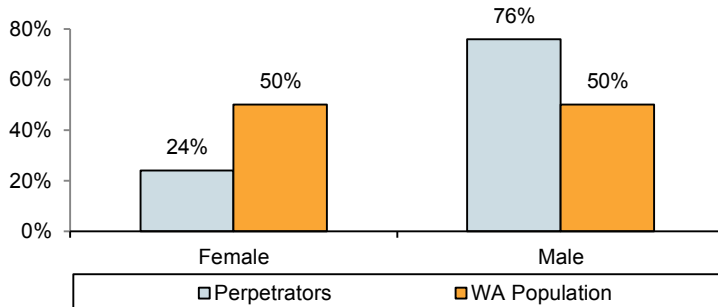


Information is obtained on a range of characteristics of the perpetrator including gender, age group and Aboriginal status. The following charts show characteristics for the 17 perpetrators where both the criminal proceedings and the coronial process have been finalised.

Perpetrator by Gender



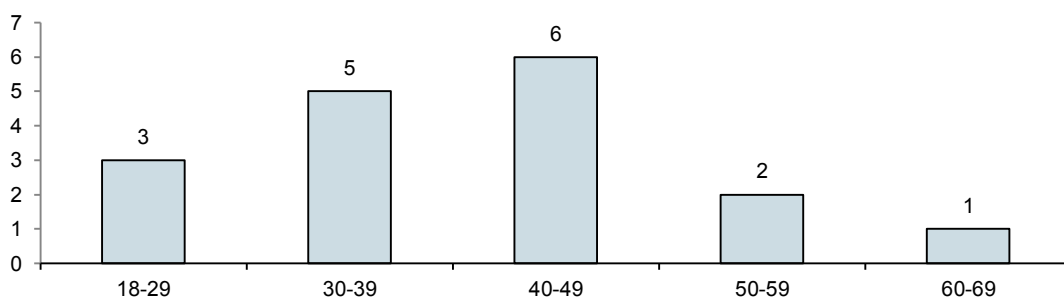
Gender of Perpetrators Compared to WA Population

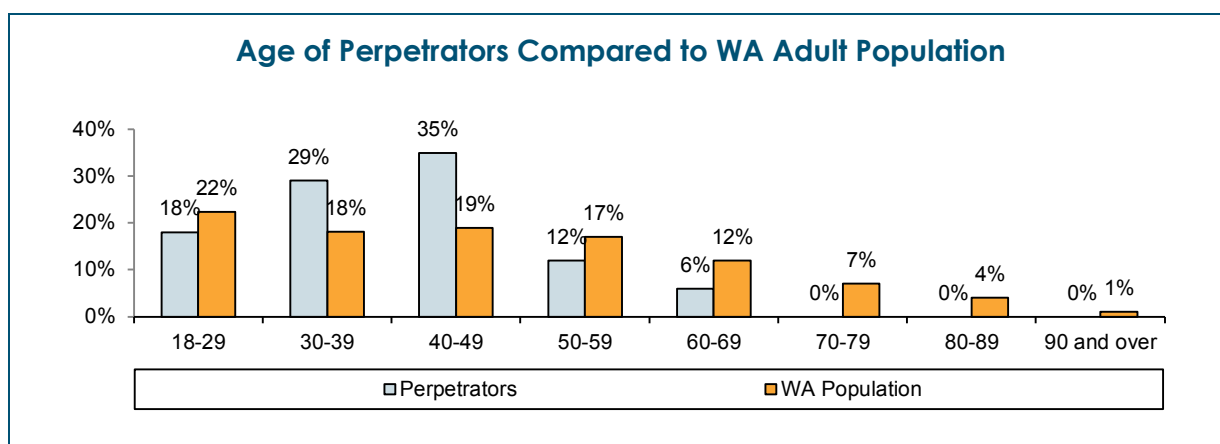


Compared to the Western Australian population, male perpetrators of fatalities in the years from 1 July 2012 to 30 June 2015 were over-represented, with 76% of perpetrators being male compared to 50% in the population.

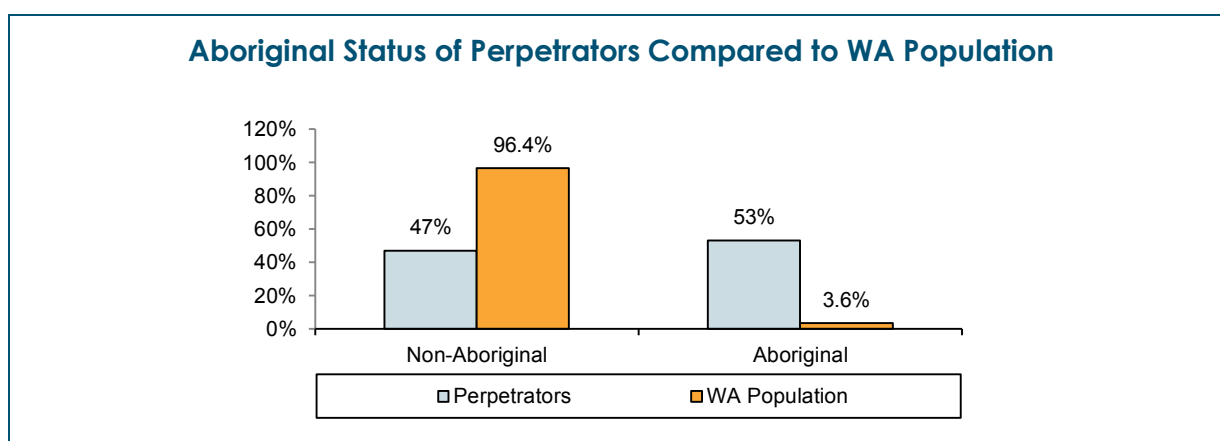
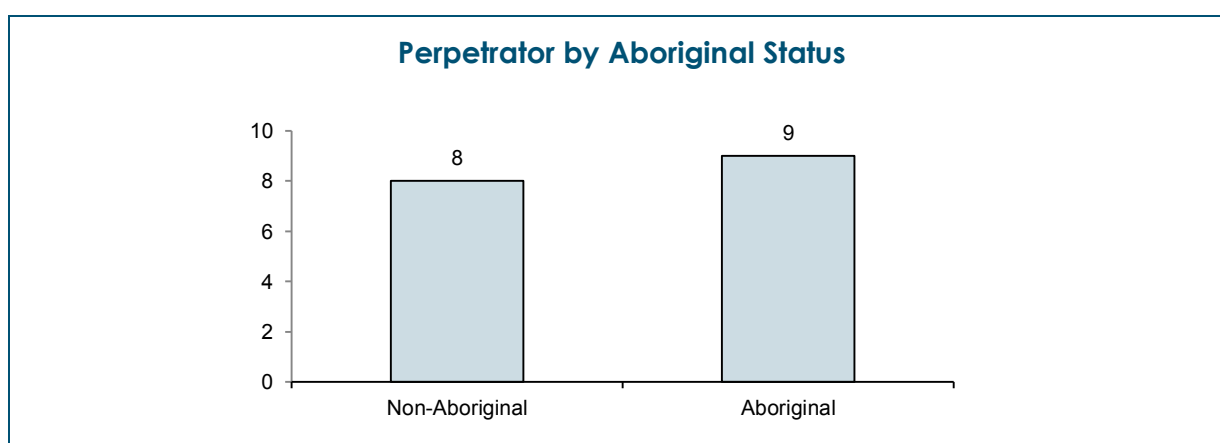
Six males were convicted of manslaughter and seven males were convicted of murder. Three females were convicted of manslaughter and one female was convicted of murder.

Perpetrator by Age





Compared to the Western Australian adult population, perpetrators of fatalities in the three years from 1 July 2012 to 30 June 2015 in the age groups 30-39 and 40-49 were over-represented, with 29% of perpetrators being in the 30-39 age group compared to 18% in the population, and 35% of perpetrators being in the 40-49 age group compared to 19% in the population.

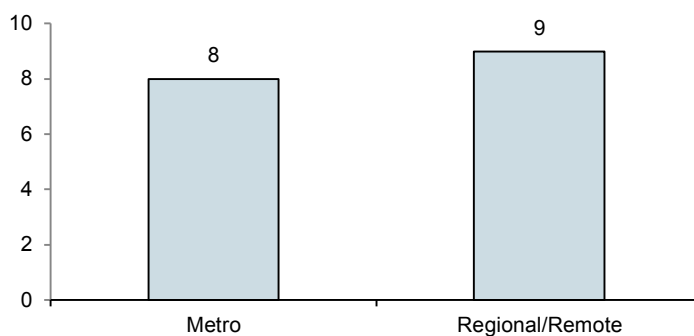


Compared to the Western Australian population, Aboriginal perpetrators of fatalities in the three years from 1 July 2012 to 30 June 2015 were over-represented with 53% of perpetrators being Aboriginal compared to 3.6% in the population.

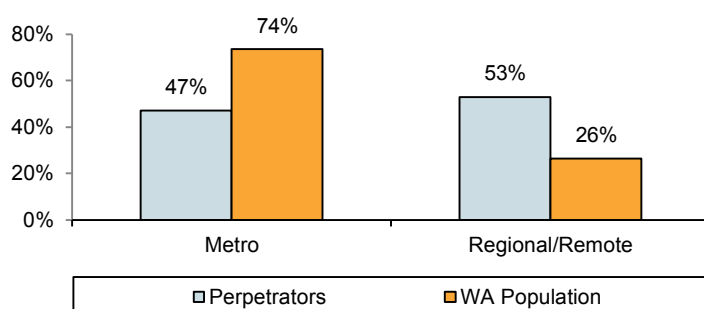
In eight of the nine cases where the perpetrator was Aboriginal, the person who died was also Aboriginal.



Perpetrator by Location of Fatal Incident



Perpetrators by Location of Fatal Incident Compared to WA Population



The majority of fatal incidents occurred in regional or remote areas.

Compared to the Western Australian population, perpetrators of fatalities that occurred in regional or remote locations in the three years from 1 July 2012 to 30 June 2015 were over-represented, with 53% of perpetrators in regional or remote locations compared to 26% of the population living in those locations.

Circumstances of family and domestic violence fatalities

Information provided to the Office by WAPOL about family and domestic violence fatalities includes general information on the circumstances of death. This is an initial indication of how the death may have occurred but is not the cause of death, which can only be determined by the Coroner.

Family and domestic violence fatalities may occur through alleged homicide or apparent suicide and the circumstances of death are categorised by the Ombudsman as:

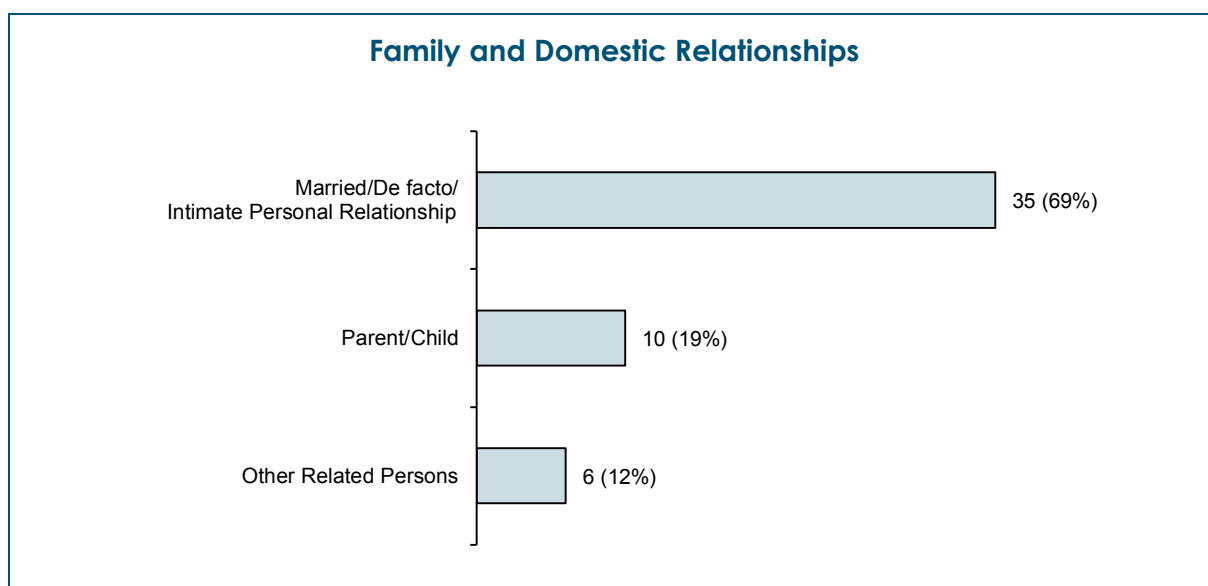
- Alleged homicide, including:
 - Stabbing;
 - Physical assault;
 - Gunshot wound;
 - Asphyxiation/suffocation;
 - Drowning; and
 - Other.

- Apparent suicide, including:
 - Gunshot wound;
 - Overdose of prescription or other drugs;
 - Stabbing;
 - Motor vehicle accident;
 - Hanging;
 - Drowning; and
 - Other.
- Other, including fatalities where it is not clear whether the circumstances of death are alleged homicide or apparent suicide.

The principal circumstances of death in 2014-15 were alleged homicide by stabbing and physical assault.

Family and domestic relationships

As shown in the following chart, married, de facto, or intimate personal relationship are the most common relationships involved in family and domestic violence fatalities.



Of the 51 family and domestic violence fatalities received by the Office from 1 July 2012 to 30 June 2015:

- 35 fatalities (69%) involved a married, de facto or intimate personal relationship, of which there were 31 alleged homicides and 4 apparent suicides. The 35 fatalities included 8 deaths that occurred in 4 cases of alleged homicide/suicide and, in all 4 cases, a female was allegedly killed by a male, who subsequently died in circumstances of apparent suicide. Of the remaining 27 alleged homicides, 19 (70%) of the people who died were female and 8 (30%) were male;
- There were 10 people who died (19%) who were either the parent or adult child of the suspected perpetrator. Of these, 4 (40%) were female and 6 (60%) were male. In 6 cases (60%) the person who died was the parent or step-parent and in 4 cases (40%) the person who died was the adult child or step-child; and



- There were 6 people who died (12%) who were otherwise related to the suspected perpetrator (including siblings and extended family relationships). Of these, 2 (33%) were female and 4 (67%) were male.

Issues identified in Family and Domestic Violence Fatalities

The following are the types of issues identified when undertaking family and domestic violence fatality reviews.

It is important to note that:

- Issues are not identified in every family and domestic violence fatality review; and
- When an issue has been identified, it does not necessarily mean that the issue is related to the death.

- Not identifying incidents as related to family and domestic violence.
- Not adequately informing staff of family and domestic violence policies and procedures.
- Not adequately implementing family and domestic violence policies and procedures.
- Not adequately progressing family and domestic violence investigations in a timely manner.
- Missed opportunities to address family and domestic violence perpetrator accountability.
- Missed opportunities for internal communication to enable the location of a victim of family and domestic violence.
- Inaccurate recordkeeping.

Improvements to Public Administration to Address Issues

To address the types of issues identified during the Ombudsman's reviews, the public authorities involved agreed to carry out a range of actions. The following are the types of improvements arising from family and domestic violence fatality reviews.

- Improving awareness of the requirements of family and domestic violence policies and procedures.
- Improving compliance with the requirements of family and domestic violence policies and procedures.
- Improving intra-agency communication to achieve compliance with family and domestic violence policies and procedures.
- Improving recordkeeping practices.



In addition to improvements arising from the review of family and domestic violence fatalities, the Office undertakes major own motion investigations from identified patterns and trends arising from the undertaking of reviews. These major own motion investigations also lead to improvements to public administration to address the issues identified in these major own motion investigations (principally through the making of recommendations to public authorities about ways to prevent or reduce family and domestic violence fatalities).

Own Motion Investigation into Family and Domestic Violence Fatalities

Through the review of family and domestic violence fatalities, the Ombudsman identified a pattern of cases in which Violence Restraining Orders (VROs) were in place.

For this reason, the Ombudsman has undertaken significant work on a major own motion investigation into issues associated with VROs and their relationship with family and domestic violence fatalities, with a view to determining whether it may be appropriate to make recommendations to any public authority about ways to prevent or reduce family and domestic violence fatalities.

The report of this major own motion investigation will be tabled in Parliament in 2015.

Emerging Themes from Family and Domestic Violence Fatality Reviews

Information on interpretation of emerging themes

Information in this section is derived from the 43 reviewable family and domestic violence fatalities finalised from 2012-13 to 2014-15. As the information in the following section is based on three years of data, care should be undertaken in interpreting the emerging themes.

Type of relationships

The Ombudsman finalised 43 family and domestic violence fatality reviews from 1 July 2012 to 30 June 2015.

For 30 (70%) of the finalised reviews of family and domestic violence fatalities, the fatality occurred between persons who, either at the time of death or at some earlier time, had been involved in a married, de facto or intimate personal relationship. For the remaining 13 (30%) of the finalised family and domestic violence fatality reviews, the fatality occurred between persons where the relationship was between a parent and their adult child or persons otherwise related (such as siblings and extended family relationships).



These two groups will be referred to as 'intimate partner fatalities' and 'non-intimate partner fatalities'.

For the 43 finalised reviews, the circumstances of the fatality were as follows:

- For the 30 intimate partner fatalities, 27 were alleged homicide and 3 were apparent suicide; and
- For the 13 non-intimate partner fatalities, all were alleged homicide.

Intimate partner relationships

Of the 27 intimate partner relationship fatalities involving alleged homicide:

- There were 20 fatalities where the person who died was female and the suspected perpetrator was male, and 7 where the person who died was male and the suspected perpetrator was female;
- There were 12 intimate partner fatalities that involved Aboriginal people as both the person who died and the suspected perpetrator. In 7 of these fatalities the person who died was female and in 5 the person who died was male;
- There were 15 fatalities that occurred at the joint residence of the person who died and the suspected perpetrator, 4 at the residence of the person who died or the residence of the suspected perpetrator, 4 at the residence of a family or friends, and 4 at the workplace of the person who died or the suspected perpetrator or in a public place; and
- There were 14 fatalities that occurred in regional and remote areas, and in 11 of these the person who died was Aboriginal.

Non-intimate partner relationships

Of the 13 non-intimate partner fatalities, there were eight fatalities involving a parent and adult child and five fatalities where the parties were otherwise related.

Of the 13 non-intimate partner fatalities, all of which involved alleged homicide:

- In the 4 fatalities where the person who died was female, the suspected perpetrator was a male. In the 9 fatalities where the person who died was male, 6 of the suspected perpetrators were male and 3 were female;
- There were 5 non-intimate partner fatalities that involved Aboriginal people as both the person who died and the suspected perpetrator;
- There were 4 fatalities that occurred at the joint residence of the person who died and the suspected perpetrator, 6 at the residence of the person who died or the residence of the suspected perpetrator, and 3 at the residence of family or friends or in a public place; and
- There were 4 fatalities that occurred in regional and remote areas.



Prior reports of family and domestic violence

Intimate partner fatalities were more likely than non-intimate partner fatalities to have involved previous reports of alleged family and domestic violence between the parties. In 18 (67%) of the 27 intimate partner fatalities involving alleged homicide, alleged family and domestic violence between the parties had been reported to WAPOL and, in some instances, to other public authorities, such as the Department of Health (DOH) and DCPFS. In three (23%) of the 13 non-intimate partner fatalities, alleged family and domestic violence between the parties had been reported to WAPOL or other public authorities.

Cases with no previous reports of family and domestic violence

In nine (33%) of the 27 intimate partner fatalities involving alleged homicide, the fatal incident was the only family and domestic violence between the parties that had been reported to WAPOL. It is important to note, however, research indicating under-reporting of family and domestic violence. The Australian Bureau of Statistics' [*Personal Safety Survey 2012*](#) 'collected information about a person's help seeking behaviours in relation to their experience of partner violence'. For example, this research found that (emphasis in original text):

*An estimated 190,100 women (80% of the 237,100 women who had experienced current partner violence) had **never** contacted the police about the violence by their current partner.*

Family and domestic violence involving Aboriginal people

Family and domestic violence involving Aboriginal people in regional and remote communities

Of the 43 family and domestic violence fatality reviews finalised from 1 July 2012 to 30 June 2015, Aboriginal Western Australians were over-represented, with 17 persons who died being Aboriginal. In each case, the suspected perpetrator was also Aboriginal. There were 14 of these fatalities that occurred in a regional or remote area of Western Australia, of which 11 were intimate partner fatalities.

Of the 43 family and domestic violence fatality reviews finalised from 1 July 2012 to 30 June 2015, eight (19%) occurred in the Kimberley region compared to 1.6% of people in the Western Australian population living in the region. All of these fatalities involved Aboriginal people as both the person who died and the suspected perpetrator. The over-representation of family and domestic violence fatalities involving Aboriginal people in the Kimberley region, is consistent with the over-representation of family and domestic violence in the Kimberley region reported in the *Second Action Plan: Moving Ahead 2013-2016* (available at <https://www.dss.gov.au/>). This plan indicates (at page 24) that in regional areas of Western Australia, 'particularly the Kimberley, the rate of reported family and domestic violence per head of population is significantly higher than the metropolitan area'.

The Ombudsman's review of family and domestic violence fatalities will continue to focus particular attention on the effectiveness of the administration of the responsibilities of public authorities in relation to reducing and preventing family and domestic violence involving Aboriginal people in regional communities.



Factors co-occurring with family and domestic violence

On the information available, relating to the 40 family and domestic violence fatalities involving alleged homicide that were finalised from 1 July 2012 to 30 June 2015, the Ombudsman's reviews identify where alcohol use and/or drug use are factors associated with the fatality, and where there may be a history of alcohol use and/or drug use.

	ALCOHOL USE		DRUG USE	
	Associated with fatal event	Prior history	Associated with fatal event	Prior history
Person who died only	1	0	1	4
Suspected perpetrator only	2	8	4	6
Both person who died and suspected perpetrator	14	15	3	5
Total	17	23	8	15

The Ombudsman's reviews will continue to identify patterns and trends and consider improvements associated with co-occurring factors in relation to family and domestic violence.

Major own motion investigations

In addition to investigations of individual family and domestic violence fatalities, the Office identifies patterns and trends arising out of reviews to inform major own motion investigations that examine the practice of public authorities that provide services to children, their families and their communities. In 2014-15, the Office undertook significant work on a major own motion investigation into issues associated with Violence Restraining Orders and their relationship with family and domestic violence fatalities.

Other mechanisms to prevent or reduce family and domestic violence fatalities

In addition to reviews of individual family and domestic violence fatalities and major own motion investigations, the Office uses a range of other mechanisms to improve public administration with a view to preventing or reducing family and domestic violence fatalities. These include:

- Assisting public authorities by providing information about issues that have arisen from family and domestic violence fatality reviews, and enquiries and complaints received, that may need their immediate attention, including issues relating to the safety of other parties;
- Through the Panel, and other mechanisms, working with public authorities and communities where individuals may be at risk of family and domestic violence to consider safety issues and potential areas for improvement, and to highlight the critical importance of effective liaison and communication between and within public authorities and communities;
- Exchanging information, where appropriate, with other accountability and oversight agencies including Ombudsmen and family and domestic violence



fatality review bodies in other States to facilitate consistent approaches and shared learning;

- Undertaking or supporting research that may provide an opportunity to identify good practices that may assist in the prevention or reduction of family and domestic violence fatalities; and
- Taking up opportunities to inform service providers, other professionals and the community through presentations.

Stakeholder Liaison

Efficient and effective liaison has been established with WAPOL to develop and support the implementation of the process to inform the Ombudsman of family and domestic violence fatalities. Regular liaison occurs at senior officer level between the Office and WAPOL.

The Ombudsman's Advisory Panel

The Panel is an advisory body established to provide independent advice to the Ombudsman on:

- Issues and trends that fall within the scope of the family and domestic violence fatality review function;
- Contemporary professional practice relating to the safety and wellbeing of people impacted by family and domestic violence; and
- Issues that impact on the capacity of public authorities to ensure the safety and wellbeing of individuals and families.

The Panel met four times in 2014-15 and during the year the following members provided a range of expertise:

- Professor Steve Allsop (Director, National Drug Research Institute, Curtin University);
- Ms Jocelyn Jones (Health Sciences, Curtin University);
- Professor Donna Chung (Head of the Department of Social Work, Curtin University);
- Ms Dorinda Cox (Consultant);
- Ms Angela Hartwig (Women's Council for Domestic and Family Violence Services WA);
- Ms Victoria Hovane (Consultant); and
- Associate Professor Carolyn Johnson (School of Population Health, University of Western Australia).

Observers from WAPOL, DCPFS, DOH, Department of Education, DCS, DOTAG and the Department of Aboriginal Affairs also attended the meetings.

In 2014-15, among other things, the Panel provided advice to the Ombudsman regarding the first major own motion investigation in relation to family and domestic violence fatalities.



4th Australasian Conference on Child Death Inquiries and Reviews

The Office, together with DCPFS, hosted the 4th Australasian Conference on Child Death Inquiries and Reviews on 6 and 7 November 2014. This year the conference also considered inquiries and reviews of family and domestic violence fatalities.

The conference was officially opened by the Honourable Helen Morton MLC, Minister for Child Protection, and featured opening and closing addresses from the Ombudsman and Emma White, Director General of DCPFS.

This important biennial conference, hosted for the first time in Western Australia, provided a program of national and international leaders in reviews of child deaths, serious injuries to children, and family and domestic violence fatalities.

The conference's theme, 'Achieving Outcomes that Make a Difference', provided delegates with the opportunity to consider a range of topics critical to the success of child death and family and domestic violence fatality reviews. These topics included:

- Challenges and opportunities for enhancing child death review functions;
- Child death review: achieving outcomes that make a difference;
- Leading for learning following a child fatality;
- Creating a culture of learning in safeguarding following a crisis;
- Prevention of youth suicide;
- Child death: the impact of family and domestic violence on Aboriginal women, children and families; and
- Issues and challenges for family and domestic violence fatality review jurisdictions and child protection agencies.

Attendees had the opportunity to participate in discussions about innovations, challenges and future opportunities to strengthen child protection services and child death and family and domestic violence fatality review practices by achieving outcomes that make a difference.

During his opening address, the Ombudsman highlighted the importance of working collaboratively across professional and jurisdictional boundaries to develop expertise in conducting child death reviews and reviews of family and domestic violence fatalities in Australia and New Zealand.

The conference, which received very positive feedback, featured keynote addresses from Professor Donna Chung, Head of the Department of Social Work at Curtin University, and Victoria Hovane, Managing Director of Tjallara Consulting. Former Director General of DCPFS, Terry Murphy, and Jayne Forsdike, from Newcastle Children's Social Care, also gave presentations to delegates. Copies of all presentation slides are available on the [Ombudsman's website](#).

Other key stakeholder relationships

There are a number of public authorities and other bodies that interact with or deliver services to those who are at risk of family and domestic violence or who have experienced family and domestic violence. Important stakeholders, with which the



Office liaises as part of the family and domestic violence fatality review function, include:

- The Coroner;
- Relevant public authorities including:
 - Western Australia Police;
 - The Department of Health;
 - The Department of Education;
 - The Department of Corrective Services;
 - The Department for Child Protection and Family Support;
 - The Department of Housing;
 - The Department of the Attorney General;
 - The Department of Aboriginal Affairs; and
 - Other accountability and similar agencies including the Commissioner for Children and Young People;
- The Women's Council for Domestic and Family Violence Services WA and relevant non-government organisations; and
- Research institutions including universities.

Aboriginal and regional communities

Through the Panel and outreach activities, work was undertaken through the year to build relationships relating to the family and domestic violence fatality review function with Aboriginal and regional communities, including by communicating with:

- Key public authorities that work in metropolitan and regional areas;
- Non-government organisations that provide key services such as health services to Aboriginal people; and
- Aboriginal community leaders to increase the awareness of the family and domestic violence fatality review function and its purpose.

Building on the work already undertaken by the Office, as part of its other functions, including its child death review function, networks and contacts have been established to support effective and efficient family and domestic violence fatality reviews.





Own Motion Investigations and Administrative Improvement

A key function of the Office is to improve the standard of public administration. The Office achieves positive outcomes in this area in a number of ways including:

- Improvements to public administration as a result of:
 - The investigation of complaints;
 - Reviews of child deaths and family and domestic violence fatalities; and
 - Undertaking own motion investigations that are based on the patterns, trends and themes that arise from the investigation of complaints, and the review of certain child deaths and family and domestic violence fatalities;
- Providing guidance to public authorities on good decision making and practices and complaint handling through continuous liaison, publications, presentations and workshops;
- Working collaboratively with other integrity and accountability agencies to encourage best practice and leadership in public authorities; and
- Undertaking inspection and monitoring functions.

Improvements from Complaints and Reviews

In addition to outcomes which result in some form of assistance for the complainant, the Ombudsman also achieves outcomes which are aimed at improving public administration. Among other things, this reduces the likelihood of the same or similar issues which gave rise to the complaint occurring again in the future. Further details of the improvements arising from complaint resolution are shown in the [Complaint Resolution section](#).

Child death and family and domestic violence fatality reviews also result in improvements to public administration as a result of the review of individual child deaths and family and domestic violence fatalities. Further details of the improvements arising from reviews are shown in the [Child Death Review section](#) and the [Family and Domestic Violence Fatality Review section](#).

Own Motion Investigations

One of the ways that the Office endeavours to improve public administration is to undertake investigations of systemic and thematic patterns and trends arising from complaints made to the Ombudsman and from child death and family and domestic violence fatality reviews. These investigations are referred to as own motion investigations.

Own motion investigations are intended to result in improvements to public administration that are evidence-based, proportionate, practical and where the benefits of the improvements outweigh the costs of their implementation.

Own motion investigations that arise out of child death and family and domestic violence fatality reviews focus on the practices of agencies that interact with children

and families and aim to improve the administration of these services to prevent or reduce child deaths and family and domestic violence fatalities.

Selecting topics for own motion investigations

Topics for own motion investigations are selected based on a number of criteria that include:

- The number and nature of complaints, child death and family and domestic violence fatality reviews, and other issues brought to the attention of the Ombudsman;
- The likely public interest in the identified issue of concern;
- The number of people likely to be affected;
- Whether reviews of the issue have been done recently or are in progress by the Office or other organisations;
- The potential for the Ombudsman's investigation to improve administration across public authorities; and
- Whether investigation of the chosen topic is the best and most efficient use of the Office's resources.

Having identified a topic, extensive preliminary research is carried out to assist in planning the scope and objectives of the investigation. A public authority selected to be part of an own motion investigation is informed when the project commences and Ombudsman staff consult regularly with staff at all levels to ensure that the facts and understanding of the issues are correct and findings are evidence-based. The public authority is given regular progress reports on findings together with the opportunity to comment on draft conclusions and any recommendations.

Monitoring the implementation of recommendations

Recommendations for administrative improvements are based closely on evidence gathered during investigations and are designed to be a proportionate response to the number and type of administrative issues identified. Each of the recommendations arising from own motion investigations is actively monitored by the Office to ensure its implementation and effectiveness in relation to the observations made in the investigation.

In addition, significant work was undertaken during the year on a report in relation to the implementation of Ombudsman recommendations arising from own motion investigations.

Own Motion Investigations in 2014-15

In 2014-15, significant work was undertaken on an own motion investigation, regarding issues associated with Violence Restraining Orders and their relationship with family and domestic violence fatalities.

In 2014-15, the Ombudsman also commenced work on a major own motion investigation into ways to prevent or reduce child deaths by drowning.



Continuous Administrative Improvement

The Office maintains regular contact with staff from public authorities to inform them of trends and issues identified in individual complaints and the Ombudsman's own motion investigations with a view to assisting them to improve their administrative practices. This contact seeks to encourage thinking around the foundations of good administration and to identify opportunities for administrative improvements.

Where relevant, these discussions concern internal investigations and complaint processes that authorities have conducted themselves. The information gathered demonstrates to the Ombudsman whether these internal investigations have been conducted appropriately and in a manner that is consistent with the standards and practices of the Ombudsman's own investigations.

Guidance for public authorities

The Office provides publications, workshops, assistance and advice to public authorities regarding their decision making and administrative practices and their complaint handling systems. This educative function assists with building the capacity of public authorities and subsequently improving the standard of administration.

Publications

The Ombudsman has a range of guidelines available for public authorities in the areas of effective complaint handling, conducting administrative investigations and administrative decision making. These guidelines aim to assist public authorities in strengthening their administrative and decision making practices.

Workshops for public authorities

During the year, the Office continued to proactively engage with public authorities through presentations and workshops.

Workshops are targeted at people responsible for making decisions or handling complaints as well as customer service staff. The workshops are also relevant for supervisors, managers, senior decision and policy makers as well as integrity and governance officers who are responsible for implementing and maintaining complaint handling systems or making key decisions within a public authority.

The workshops are tailored to the organisation or sector by using case studies and practical exercises. Details of workshops conducted during the year are provided in the [Collaboration and Access to Services section](#).

Working collaboratively

The Office works collaboratively with other integrity and accountability agencies to encourage best practice and leadership in public authorities. Improvements to public administration are supported by the collaborative development of products and forums to promote integrity in decision making, practices and conduct. Details are provided in the [Collaboration and Access to Services section](#).



Inspection and Monitoring Functions

Telecommunications interception records

The [*Telecommunications \(Interception and Access\) Western Australia Act 1996*](#), the [*Telecommunications \(Interception and Access\) Western Australia Regulations 1996*](#) and the [*Telecommunications \(Interception and Access\) Act 1979 \(Commonwealth\)*](#) permit designated 'eligible authorities' to carry out telecommunications interceptions. The Western Australia Police and the Corruption and Crime Commission are eligible authorities in Western Australia. The Ombudsman is appointed as the Principal Inspector to inspect and report on the extent of compliance with the legislation.

Infringement Notices

The *Criminal Code Amendment (Infringement Notices) Act 2011* amended *The Criminal Code* to introduce a new scheme into Western Australia for the issue of Infringement Notices by Western Australia Police for certain offences. *The Criminal Code* requires the Ombudsman to scrutinise and report on the first 12 months of the operation of the scheme.

Criminal organisations control

Under the *Criminal Organisations Control Act 2012*, the Ombudsman scrutinises and reports on the exercise of certain powers by Western Australia Police, for a five year period commencing in November 2013.





Collaboration and Access to Services

Engagement with key stakeholders is essential to the Office's achievement of the most efficient and effective outcomes. The Office does this through:

- Working collaboratively with other integrity and accountability bodies – locally, nationally and internationally – to encourage best practice, efficiency and leadership;
- Ensuring ongoing accountability to Parliament as well as accessibility to its services for public authorities and the community; and
- Developing, maintaining and supporting relationships with public authorities and community groups.

Working Collaboratively

The Office works collaboratively with local, national and international integrity and accountability bodies to promote best practice, efficiency and leadership. Working collaboratively also provides an opportunity for the Office to benchmark its performance and stakeholder communication activities against other similar agencies, and to identify areas for improvement through the experiences of others.

Integrity Coordinating Group

Members:

Western
Australian
Ombudsman
Public Sector
Commissioner
Corruption and
Crime
Commissioner
Auditor General
Information
Commissioner

Background:

The Integrity Coordinating Group (**ICG**) was formed to promote and strengthen integrity in Western Australian public bodies.

The Office's involvement:

The Ombudsman participates as a member of the ICG and the Office has nominated senior representatives who sit on the ICG's joint working party.

2014-15 initiatives:

The ICG met four times in 2014-15.

The Office was involved in the ICG's graduate program, which involves a graduate working in each of the member agencies over a two year period in total.

Public Sector Commission's Induction: Your Guide to Ethics and Integrity in the Public Sector Program

Background:

As part of the induction process for all new public officers, the Public Sector Commission holds a half-day module on ethics and integrity in the public sector. The sessions are available to all new public officers. Staff from the Public Sector Commission, the office of the Ombudsman, the Corruption and Crime Commission and the Office of the Information Commissioner present at these sessions.

2014-15 initiatives:

The Office presented on five occasions during the year. The Office provides information to new public sector employees on *The Role of the Ombudsman* and how the Office may be able to assist them in their work. This program will continue into 2015-16.

International Ombudsman Institute

Background:

The International Ombudsman Institute (IOI), established in 1978, is the only global organisation for the cooperation of more than 170 Ombudsman institutions.

The Office's involvement:

The Office is a member of the IOI. The Ombudsman was elected to the position of IOI Treasurer and as a member of the Executive Committee of the Board of Directors of the IOI in March 2014. The Ombudsman previously served as the President of the Australasian and Pacific Ombudsman Region (APOR) of the IOI from November 2012 until March 2014.

2014-15 initiatives:

The Ombudsman attended the International Ombudsman Institute Executive Committee meeting on 26 October, followed by the International Ombudsman Institute Board meeting on 27-29 October 2014.

Information sharing with Ombudsmen from other jurisdictions

Background:

Where appropriate, the Office shares information and insights about its work with Ombudsmen from other jurisdictions, as well as with other accountability and integrity bodies.

2014-15 initiatives:

The Office exchanged information with a number of Parliamentary Ombudsmen and industry-based Ombudsmen during the year.



Australia and New Zealand Ombudsman Association

Members:

Parliamentary and industry-based Ombudsmen from Australia and New Zealand

Background:

The Australia and New Zealand Ombudsman Association (**ANZOA**) is the peak body for Parliamentary and industry-based Ombudsmen from Australia and New Zealand

The Office's involvement:

The Office is a member of ANZOA. The Office periodically provides general updates on its activities and also has nominated representatives who participate in interest groups in the areas of public relations, first contact teams, business improvement and communications.

2014-15 initiatives:

The Ombudsman participated in the ANZOA Annual General Meeting and Executive Committee meeting in November 2014.

Indonesian/Australian Ombudsman Linkages and Strengthening Program

Members:

Western Australian Ombudsman
Commonwealth Ombudsman
New South Wales Ombudsman
Ombudsman Republik Indonesia

Background:

The Indonesian/Australian Ombudsman Linkages and Strengthening Program (**Program**) aims to provide greater access across Indonesia to more effective and sustainable Ombudsman services.

The Office's involvement:

The Office has been involved with the Program since 2005 and supports the Program through staff placements in Indonesia and Australia.

2014-15 initiatives:

In December 2014, the Ombudsman hosted two staff from the Ombudsman Republik Indonesia for a one week internship. The interns met with senior Ombudsman staff and received training in the Office's complaint handling processes.

Ombudsman co-hosts the 4th Australasian Conference on Child Death Inquiries and Reviews

In November 2014, the Office co-hosted the 4th Australasian Conference on Child Death Inquiries and Reviews with the Department for Child Protection and Family Support. This important biennial conference, hosted for the first time in Western Australia, brought together a diverse range of professionals responsible for conducting reviews of child deaths, serious child injuries and family and domestic violence fatalities.

Further details about the Conference are in the [Child Death Review section](#), and copies of the Conference presentations are available on the [Ombudsman's website](#).

Providing Access to the Community

Communicating with complainants

The Office provides a range of information and services to assist specific groups, and the public more generally, to understand the role of the Ombudsman and the complaint process. Many people find the Office's enquiry service and complaint clinics held during regional visits assist them to make their complaint. Other initiatives in 2014-15 include:

- Regular updating and simplification of the Ombudsman's publications and website to provide easy access to information for people wishing to make a complaint and those undertaking the complaint process; and
- Ongoing promotion of the role of the Office and the type of complaints the Office handles through 'Ask the Ombudsman' on 6PR's Nightline Program.

Access to the Ombudsman's services

The Office continues to implement a number of strategies to ensure its complaint services are accessible to all Western Australians. These include access through online facilities as well as more traditional approaches by letter and through visits to the Office. The Office also holds complaints clinics and delivers presentations to community groups, particularly through the Regional Awareness and Accessibility Program. Initiatives to make services accessible include:

- Access to the Office through a toll free number for country callers;
- Access to the Office through email and online services. The importance of email and online access is demonstrated by its further increased use this year from 61% to 65% of all complaints received;
- Information on how to make a complaint to the Ombudsman is available in 15 languages and features on the homepage of the Ombudsman's website. People may also contact the Office with the assistance of an interpreter by using the Translating and Interpreting Service;
- The Office's accommodation, building and facilities provide access for people with disabilities, including lifts that accommodate wheelchairs and feature braille on the access buttons and people with hearing and speech impairments can contact the Office using the National Relay Service;
- The Office's Regional Awareness and Accessibility Program targets awareness and accessibility for regional and Aboriginal Western Australians as well as children and young people;
- The Office attends events to raise community awareness of, and access to, its service, such as the Financial Counsellors' Association conference in October 2014, and Homeless Connect in November 2014; and
- The Office's visits to adult prisons and juvenile custodial facilities provide an opportunity for adults and young people detained in custody to meet with representatives of the Office and lodge complaints in person.



Ombudsman website

The [Ombudsman's website](#) provides a wide range of information and resources for:

- Members of the public on the complaint handling services provided by the Office as well as links to other complaint bodies for issues outside the Ombudsman's jurisdiction;
- Public authorities on decision making, complaint handling and conducting investigations;
- Access to the Ombudsman's investigation reports such as the *Investigation into ways that State Government departments and authorities can prevent or reduce suicide by young people*;
- The latest news on events and collaborative initiatives such as the Regional Awareness and Accessibility Program; and
- Links to other key functions undertaken by the Office such as the Energy and Water Ombudsman website and other related bodies including other Ombudsmen and other Western Australian accountability agencies.



The website continues to be a valuable resource for the community and public sector as shown by the increased use of the website this year. In 2014-15:

- The total number of visits to the website has increased by 11% to 80,445 page visits compared to 72,363 page visits in 2013-14.
- The top two most visited pages (besides the homepage and the Contact Us page) on the site were 'The role of the Ombudsman' and 'How to make a complaint'; and
- The Office's Guidelines on Complaint Handling, and Procedural Fairness Guidelines were the two most viewed documents.

The website content and functionality are continually reviewed and improved to ensure there is maximum accessibility to all members of the diverse Western Australian community. The site provides information in a wide range of [community languages](#) and is accessible to people with disabilities.

'Ask the Ombudsman' on Nightline

The Office continues to provide access to its services through the Ombudsman's regular appearances on Radio 6PR's *Nightline* program. Listeners who have complaints about public authorities or want to make enquiries have the opportunity to call in and speak with the Ombudsman live on air. The segment allows the public to communicate a range of concerns with the Ombudsman. The segment also allows the Office to communicate key messages about the State Ombudsman and Energy and Water Ombudsman jurisdictions, the outcomes that can be achieved for members of the public and how public administration can be improved. The Ombudsman appeared on the 'Ask the Ombudsman' segment in September 2014 and February and May 2015.



Regional Awareness and Accessibility Program

The Office continued the Regional Awareness and Accessibility Program (**the Program**) during 2014-15. Two regional visits were conducted, to Kalgoorlie-Boulder in July 2014 and Northam in May 2015, including such activities as:

- A seminar for regionally-based public authorities to discuss good administrative practice, effective complaint resolution and appropriate access to information;
- Complaints clinics, which provided an opportunity for members of the local community to raise their concerns face-to-face with the staff of the Office. The Office resolved many of the complaints made during the time of the visits;
- Meetings with Aboriginal community members to discuss government service delivery and where the Office may be able to assist;
- Training and workshops for regionally-based public authorities;
- Meetings and liaison with community service organisations, to provide information about the Office's services; and
- Meetings with community youth groups and a Youth Council.

The Program is an important way for the Office to raise awareness of, access to, and use of, its services for regional and Aboriginal Western Australians. While the Program is coordinated by the Office, the Office collaborates with other integrity and accountability agencies including the Health and Disability Services Complaints Office, the Office of the Information Commissioner, the Commissioner for Victims of Crime, and the Commonwealth Ombudsman's office.

The Program enables the Office to:

- Deliver key services directly to regional communities, particularly through complaints clinics;
- Increase awareness and accessibility among regional and Aboriginal Western Australians (who were historically under-represented in complaints to the Office); and
- Deliver key messages about the Office's work and services.

The Program also provides a valuable opportunity for staff to strengthen their understanding of the issues affecting people in regional and Aboriginal communities.



Participants engage in an activity as part of a Workshop on Effective Decision Making hosted by the Office.

The collaboration with other integrity and accountability agencies during regional visits and complaints clinics also assists in ensuring regional and Aboriginal Western Australians can be easily referred to the most appropriate body to assist them.



Speeches and Presentations

The Ombudsman and other staff delivered speeches and presentations throughout the year at local, national and international conferences and events.

Ombudsman's speeches and presentations

- Chaired the closing session of the 2014 Australian Institute of Administrative Law National Administrative Law Conference *Innovations in Administrative Law and Decision-Making* in July 2014;
- *The Role of the Ombudsman* to University of Western Australia Administrative Law Students in October 2014;
- Introductory address of the 4th Australasian Conference on Child Death Inquiries and Reviews in November 2014;
- *The Role of the Ombudsman* to Edith Cowan University Administrative Law Students in March 2015;
- *The Role of the Ombudsman in Good Decision Making* to the Legalwise Decision Making Principles and Good Practice Seminar in March 2015; and
- *The Role and Function of the Ombudsman* to the Department of Corrective Services Senior Leadership Team in March 2015.

Speeches by the Ombudsman are available on the [Ombudsman's website](#).

Speeches and presentations by other staff

- Presentations on the Ombudsman's report, *Investigation into ways that State Government departments and authorities can prevent or reduce suicide by young people* to a range of government agencies and non-government organisations – for further details see the [Own Motion Investigations and Administrative Improvement section](#);
- *The Role of the Ombudsman* to the Public Sector Management Program in July 2014;
- *The Role of the Ombudsman* to Curtin University staff in October 2014;
- *Reforming Complaint Resolution – Achieving Improved Timeliness and Effectiveness* to the National Investigation Symposium in Sydney in November 2014;
- *The Role of the Ombudsman* to Prison Superintendents at the Adult Justice Services Senior Managers Meeting in March 2015;
- *Good Decision Making and Effective Complaint Handling* to State Government departments and local governments in the Wheatbelt Region in April 2015;
- *The Role and Functions of the Ombudsman* to senior staff at the Department of Education in June 2015; and
- *The Role and Functions of the Ombudsman* to staff at Acacia Prison in June 2015.

Staff of the Office also regularly present on the role of the Ombudsman at the Public Sector Commission's *Induction to the Western Australian Public Sector* seminars for public sector employees.



Liaison with Public Authorities

Liaison relating to complaint resolution

The Office liaised with a range of other public authorities in 2014-15, including:

- The Department of Corrective Services;
- The Office of the Inspector of Custodial Services;
- The Corruption and Crime Commission;
- The Department of Housing;
- The Department of Transport;
- The Department of Education;
- The Department for Child Protection and Family Support;
- Western Australia Police;
- Various universities; and
- Various local governments.

Liaison relating to reviews and own motion investigations

The Office undertook a range of liaison activities in relation to its reviews of child deaths and family and domestic violence fatalities and its own motion investigations.

See further details in the [Child Death Review section](#), the [Family and Domestic Violence Fatality Review section](#), and [Own Motion Investigations section](#).

Publications

Western Australian Ombudsman newsletter

The *Western Australian Ombudsman Newsletter*, issued in July 2014, is a key publication used by the Office to communicate information to its stakeholders about the Office's performance, achievements, events and resources.

The newsletter is distributed electronically to Members of Parliament, public authorities and interested members of the public. The newsletter is published on the website after it is issued.



Collaboration and Access to Services

[illegible]



Significant Issues Impacting the Office

This section provides information on the significant issues impacting the Office.

- Timely Complaint Resolution
- Own Motion Investigations
- Providing Awareness of, and Access to, Ombudsman Services
- Diversity of Functions



Significant Issues Impacting the Office

The significant issues impacting the Office are:

- Timely complaint resolution is a significant factor in providing effective and efficient assistance to complainants and improvements to the standard of public administration. In 2014-15, 98% of complaints were resolved within three months, and, as at 30 June 2015, the average age of complaints was 21 days (compared to 173 days at 30 June 2007).
- The Office undertakes important roles in relation to the review of certain child deaths and family and domestic violence fatalities. In 2014-15, the Office undertook work on a major own motion investigation into issues associated with Violence Restraining Orders and their relationship with family and domestic violence fatalities and commenced work on a major own motion investigation into ways to prevent or reduce child deaths by drowning.
- The Office has continued with its program to enhance awareness of, and accessibility to, its services by Aboriginal and regional Western Australians through a range of strategies, including the Office's Regional Awareness and Accessibility Program. The Office also continues to engage effectively with public authorities to strengthen their capacity in complaint handling and decision making through a range of mechanisms.
- In addition to investigating complaints, reviewing certain child deaths and family and domestic violence fatalities, and undertaking own motion investigations, the Office undertakes a range of additional functions, including the inspection of telecommunication interception records and overseas student appeals. In recent years, the trend has been for an increasing range of functions to be undertaken by the Office, including the Ombudsman's functions under the *Criminal Organisations Control Act 2012*, commencing in 2013-14, and the Ombudsman's function to monitor the Infringement Notices provisions of *The Criminal Code*, commencing in 2014-15.

Timely Complaint Resolution

A principal function of the Ombudsman is to provide a means by which Western Australians can resolve their complaints about the actions of public authorities. Critical principles for the Ombudsman in undertaking complaint resolution are to provide timely, inexpensive and informal resolution processes that provide, where appropriate, remedies for complainants and identify and investigate systemic issues and create improvements in public administration.

In 2007-08, the Office introduced a major complaint handling improvement program with an initial focus on the elimination of aged complaints. Building on the program, the Office developed and commenced a new organisational structure and processes in 2011-12 to support the early resolution of complaints.

As a result of the program, the Office has reduced the average age of complaints from 173 days on 30 June 2007 to 21 days on 30 June 2015. At the same time, the average cost per finalised allegation has reduced by a total of 37% from \$2,941 in 2007-08 to \$1,857 in 2014-15.

Own Motion Investigations

One of the ways that the Office endeavours to improve public administration is to undertake investigations of systemic and thematic patterns and trends arising from complaints made to the Ombudsman and from child death and family and domestic violence fatality reviews. These investigations are referred to as own motion investigations.

Own motion investigations are intended to result in improvements to public administration that are evidence-based, proportionate, practical and where the benefits of the improvements outweigh the costs of their implementation. The Office is currently undertaking a number of investigations as shown in the [Own Motion Investigations and Administrative Improvement section](#) of the report.

Each of the recommendations arising from own motion investigations is actively monitored by the Office to ensure its implementation and effectiveness in relation to the observations made in the investigation.

Providing Awareness of, and Access to, Ombudsman Services

The Office continues to seek to ensure its services are accessible to all Western Australians, with a particular focus on regional and Aboriginal Western Australians, through a range of strategies including the Office's Regional Awareness and Accessibility Program. The Office also has a number of other strategies to promote awareness of, and access to, the Ombudsman's services, as shown in the [Collaboration and Access to Services section](#) of the report.

The Office is continuing to undertake a range of strategies to engage effectively with public authorities to strengthen their capacity in complaint handling and decision making through a range of mechanisms, as shown in the [Own Motion Investigations and Administrative Improvement section](#) of the report.

Diversity of Functions

In recent years the Office has increased the diversity of functions it undertakes. In addition to investigating complaints and undertaking own motion investigations, the Office undertakes a range of other functions, including reviewing certain child deaths, reviewing family and domestic violence fatalities, inspection of telecommunications interception records, overseas student appeals and undertaking the role of the Western Australian Energy and Water Ombudsman.

In the last two years, there has been an increased diversity of statutory inspection and monitoring functions, including:

- Functions under the [Criminal Organisations Control Act 2012](#); and
- Monitoring the Infringement Notices provisions of [The Criminal Code](#).



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This section provides details of the Office's audited financial statements and key performance indicators, along with information on other mandatory disclosures and legal compliance.

- [Independent Audit Opinion](#)
- [Financial Statements](#)
- [Key Performance Indicators](#)
- [Other Disclosures and Legal Compliance](#)
 - [Ministerial Directives](#)
 - [Other Financial Disclosures](#)
 - [Employee Information](#)
 - [Governance Disclosures](#)
 - [Other Legal Requirements](#)
 - [Government Policy Requirements](#)



Independent Audit Opinion



Auditor General

INDEPENDENT AUDITOR'S REPORT

To the Parliament of Western Australia

PARLIAMENTARY COMMISSIONER FOR ADMINISTRATIVE INVESTIGATIONS

Report on the Financial Statements

I have audited the accounts and financial statements of the Parliamentary Commissioner for Administrative Investigations.

The financial statements comprise the Statement of Financial Position as at 30 June 2015, the Statement of Comprehensive Income, Statement of Changes in Equity, Statement of Cash Flows, and Statement of Consolidated Account Appropriations and Income Estimates for the year then ended, and Notes comprising a summary of significant accounting policies and other explanatory information.

Parliamentary Commissioner's Responsibility for the Financial Statements

The Parliamentary Commissioner is responsible for keeping proper accounts, and the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards and the Treasurer's Instructions, and for such internal control as the Parliamentary Commissioner determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

As required by the Auditor General Act 2006, my responsibility is to express an opinion on the financial statements based on my audit. The audit was conducted in accordance with Australian Auditing Standards. Those Standards require compliance with relevant ethical requirements relating to audit engagements and that the audit be planned and performed to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Parliamentary Commissioner's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances. An audit also includes evaluating the appropriateness of the accounting policies used and the reasonableness of accounting estimates made by the Parliamentary Commissioner, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the financial statements are based on proper accounts and present fairly, in all material respects, the financial position of the Parliamentary Commissioner for Administrative Investigations at 30 June 2015 and its financial performance and cash flows for the year then ended. They are in accordance with Australian Accounting Standards and the Treasurer's Instructions.

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7th Floor, Albert Facey House 469 Wellington Street Perth MAIL TO: Perth BC PO Box 8499 Perth WA 6869 TEL: 08 6557 7500 FAX: 08 6557 7800



Report on Controls

I have audited the controls exercised by the Parliamentary Commissioner for Administrative Investigations during the year ended 30 June 2015.

Controls exercised by the Parliamentary Commissioner for Administrative Investigations are those policies and procedures established by the Parliamentary Commissioner to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with legislative provisions.

Parliamentary Commissioner's Responsibility for Controls

The Parliamentary Commissioner is responsible for maintaining an adequate system of internal control to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of public and other property, and the incurring of liabilities are in accordance with the Financial Management Act 2006 and the Treasurer's Instructions, and other relevant written law.

Auditor's Responsibility

As required by the Auditor General Act 2006, my responsibility is to express an opinion on the controls exercised by the Parliamentary Commissioner for Administrative Investigations based on my audit conducted in accordance with Australian Auditing and Assurance Standards.

An audit involves performing procedures to obtain audit evidence about the adequacy of controls to ensure that the Parliamentary Commissioner complies with the legislative provisions. The procedures selected depend on the auditor's judgement and include an evaluation of the design and implementation of relevant controls.

I believe that the audit evidence obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the controls exercised by the Parliamentary Commissioner for Administrative Investigations are sufficiently adequate to provide reasonable assurance that the receipt, expenditure and investment of money, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with legislative provisions during the year ended 30 June 2015.

Report on the Key Performance Indicators

I have audited the key performance indicators of the Parliamentary Commissioner for Administrative Investigations for the year ended 30 June 2015.

The key performance indicators are the key effectiveness indicators and the key efficiency indicators that provide information on outcome achievement and service provision.

Parliamentary Commissioner's Responsibility for the Key Performance Indicators

The Parliamentary Commissioner is responsible for the preparation and fair presentation of the key performance indicators in accordance with the Financial Management Act 2006 and the Treasurer's Instructions and for such controls as the Parliamentary Commissioner determines necessary to ensure that the key performance indicators fairly represent indicated performance.

Auditor's Responsibility

As required by the Auditor General Act 2006, my responsibility is to express an opinion on the key performance indicators based on my audit conducted in accordance with Australian Auditing and Assurance Standards.

An audit involves performing procedures to obtain audit evidence about the key performance indicators. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the key performance indicators. In making these risk assessments the auditor considers internal control relevant to the Parliamentary Commissioner's preparation and fair presentation of the key performance indicators in order to design audit procedures that are appropriate in the circumstances. An audit also includes evaluating the relevance and appropriateness of the key performance indicators for measuring the extent of outcome achievement and service provision.

I believe that the audit evidence obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the key performance indicators of the Parliamentary Commissioner for Administrative Investigations are relevant and appropriate to assist users to assess the Parliamentary Commissioner's performance and fairly represent indicated performance for the year ended 30 June 2015.

Independence

In conducting this audit, I have complied with the independence requirements of the Auditor General Act 2006 and Australian Auditing and Assurance Standards, and other relevant ethical requirements.

Matters Relating to the Electronic Publication of the Audited Financial Statements and Key Performance Indicators

This auditor's report relates to the financial statements and key performance indicators of the Parliamentary Commissioner for Administrative Investigations for the year ended 30 June 2015 included on the Parliamentary Commissioner's website. The Parliamentary Commissioner's management is responsible for the integrity of the Parliamentary Commissioner's website. This audit does not provide assurance on the integrity of the Parliamentary Commissioner's website. The auditor's report refers only to the financial statements and key performance indicators described above. It does not provide an opinion on any other information which may have been hyperlinked to/from these financial statements or key performance indicators. If users of the financial statements and key performance indicators are concerned with the inherent risks arising from publication on a website, they are advised to refer to the hard copy of the audited financial statements and key performance indicators to confirm the information contained in this website version of the financial statements and key performance indicators.



COLIN MURPHY
AUDITOR GENERAL
FOR WESTERN AUSTRALIA
Perth, Western Australia
31 July 2015



Financial Statements

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Financial Statements

Certification of Financial Statements

For the year ended 30 June 2015

The accompanying financial statements of the Parliamentary Commissioner for Administrative Investigations have been prepared in compliance with the provisions of the *Financial Management Act 2006* from proper accounts and records to present fairly the financial transactions for the financial year ended 30 June 2015 and the financial position as at 30 June 2015.

At the date of signing we are not aware of any circumstances which would render the particulars included in the financial statements misleading or inaccurate.



Mary White
Chief Finance Officer

30 July 2015



Chris Field
Accountable Authority

30 July 2015



Statement of Comprehensive Income

For the year ended 30 June 2015

	Note	2015 \$	2014 \$
COST OF SERVICES			
Expenses			
Employee benefits expense	<u>6.</u>	7,511,626	7,595,856
Supplies and services	<u>7.</u>	1,050,440	1,224,528
Depreciation and amortisation expense	<u>8.</u>	309,089	275,299
Accommodation expenses	<u>9.</u>	1,431,465	1,427,151
Other expenses	<u>10.</u>	28,150	28,500
Total cost of services		10,330,770	10,551,334
Income			
<i>Revenue</i>			
Other revenue	<u>11.</u>	2,463,316	2,506,130
Total Revenue		2,463,316	2,506,130
<i>Gains</i>			
Net gain on disposal of non-current assets	<u>12.</u>	64	-
Total Gains		64	-
Total income other than income from State Government		2,463,380	2,506,130
NET COST OF SERVICES		7,867,390	8,045,204
Income from State Government			
	<u>13.</u>		
Service appropriation		8,204,000	7,334,000
Services received free of charge		434,884	459,162
Total income from State Government		8,638,884	7,793,162
SURPLUS/(DEFICIT) FOR THE PERIOD		771,494	(252,042)
OTHER COMPREHENSIVE INCOME		-	-
TOTAL COMPREHENSIVE INCOME FOR THE PERIOD		771,494	(252,042)

The Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

Statement of Financial Position

As at 30 June 2015

	Note	2015 \$	2014 \$
ASSETS			
Current Assets			
Cash and cash equivalents	<u>23.</u>	1,647,443	836,469
Restricted cash and cash equivalents	<u>14. 23.</u>	299,940	2,103
Prepayments	<u>33.</u>	102,798	93,669
Receivables	<u>15.</u>	62,784	15,760
Amounts receivable for services	<u>16.</u>	208,000	196,000
Total Current Assets		2,320,965	1,144,001
Non-Current Assets			
Restricted cash and cash equivalents	<u>14. 23.</u>	-	235,352
Amounts receivable for services	<u>16.</u>	1,917,000	1,827,000
Plant and equipment	<u>17.</u>	116,521	116,888
Intangible assets	<u>18.</u>	165,003	307,279
Total Non-Current Assets		2,198,524	2,486,519
TOTAL ASSETS		4,519,489	3,630,520
LIABILITIES			
Current Liabilities			
Payables	<u>20.</u>	340,653	267,894
Provisions	<u>21.</u>	1,487,431	1,347,618
Other current liabilities	<u>34.</u>	925	45,951
Total Current Liabilities		1,829,010	1,661,463
Non-Current Liabilities			
Provisions	<u>21.</u>	387,592	437,664
Total Non-Current Liabilities		387,592	437,664
TOTAL LIABILITIES		2,216,602	2,099,127
NET ASSETS		2,302,887	1,531,393
EQUITY			
	<u>22.</u>		
Contributed equity		1,206,000	1,206,000
Accumulated surplus/(deficit)		1,096,887	325,393
TOTAL EQUITY		2,302,887	1,531,393

The Statement of Financial Position should be read in conjunction with the accompanying notes.

Statement of Changes in Equity

For the year ended 30 June 2015

	Note	Contributed equity \$	Reserves \$	Accumulated surplus/(deficit) \$	Total equity \$
Balance at 1 July 2013	<u>22</u>	1,206,000	-	577,435	1,783,435
Surplus/(deficit)		-	-	(252,042)	(252,042)
Total comprehensive income for the year		-	-	(252,042)	(252,042)
Balance at 30 June 2014		1,206,000	-	325,393	1,531,393
Balance at 1 July 2014		1,206,000	-	325,393	1,531,393
Surplus/(deficit)		-	-	771,494	771,494
Total comprehensive income for the year		-	-	771,494	771,494
Balance at 30 June 2015		1,206,000	-	1,096,887	2,302,887

The Statement of Changes in Equity should be read in conjunction with the accompanying notes.

Statement of Cash Flows

For the year ended 30 June 2015

	Note	2015 \$	2014 \$
CASH FLOWS FROM STATE GOVERNMENT			
Service appropriation		7,906,000	7,202,000
Capital appropriations		-	-
Holding account drawdown		196,000	157,000
Net cash provided by State Government		8,102,000	7,359,000
Utilised as follows:			
CASH FLOWS FROM OPERATING ACTIVITIES			
Payments			
Employee benefits		(7,439,375)	(7,503,237)
Supplies and services		(914,624)	(1,178,953)
Accommodation		(1,084,166)	(1,086,451)
GST payments on purchases		(221,374)	(256,589)
GST payments to taxation authority		(28,844)	(25,148)
Other payments		(24,000)	(23,000)
Receipts			
User charges and fees		2,455,024	2,494,362
GST receipts on sales		238,562	252,859
GST receipts from taxation authority		1,664	90,893
Net cash provided by/(used in) operating activities	<u>23.</u>	(7,017,133)	(7,235,264)
CASH FLOWS FROM INVESTING ACTIVITIES			
Payments			
Purchase of non-current physical assets		(211,172)	(189,035)
Payment for disposal of non-current assets		(236)	-
Net cash provided by/(used in) investing activities		(211,408)	(189,035)
Net increase/(decrease) in cash and cash equivalents		873,459	(65,299)
Cash and cash equivalents at the beginning of the period		1,073,924	1,139,223
CASH AND CASH EQUIVALENTS AT THE END OF THE PERIOD	<u>23.</u>	1,947,383	1,073,924

The Statement of Cash Flows should be read in conjunction with the accompanying notes.

Statement of Consolidated Account Appropriations and Income Estimates

For the year ended 30 June 2015

	2015 Estimate \$	2015 Actual \$	Variance \$	2015 Actual \$	2014 Actual \$	Variance \$
Delivery Services						
Item 4 Net amount appropriated to deliver services	7,570,000	7,556,000	(14,000)	7,556,000	6,686,000	870,000
Amount Authorised by Other Statutes						
- <i>Parliamentary Commissioner Act 1971</i>	648,000	648,000	-	648,000	648,000	-
Total appropriations provided to deliver services	8,218,000	8,204,000	(14,000)	8,204,000	7,334,000	870,000
Capital						
Item 118 Capital appropriations	-	-	-	-	-	-
GRAND TOTAL	8,218,000	8,204,000	(14,000)	8,204,000	7,334,000	870,000
Details of Expenses by Service						
Resolving complaints about decision making of public authorities and improving the standard of public administration	11,218,000	10,330,770	(887,230)	10,330,770	10,551,334	(220,564)
Total Cost of Services	11,218,000	10,330,770	(887,230)	10,330,770	10,551,334	(220,564)
Less Total Income	(2,560,000)	(2,463,316)	96,684	(2,463,316)	(2,506,130)	42,814
Net Cost of Services	8,658,000	7,867,454	(790,546)	7,867,454	8,045,204	(177,750)
Adjustment ^(a)	(440,000)	336,546	776,546	336,546	(711,204)	1,047,750
Total appropriations provided to deliver services	8,218,000	8,204,000	(14,000)	8,204,000	7,334,000	870,000
Capital Expenditure						
Purchase of non-current physical assets	196,000	211,172	15,172	211,172	189,035	22,137
Adjustments for other funding sources	(196,000)	(211,172)	(15,172)	(211,172)	(189,035)	(22,137)
Capital appropriations	-	-	-	-	-	-

(a) Adjustments comprise movements in cash balances and other accrual items such as receivables, payables and superannuation.

[Note 27 'Explanatory statement'](#) provides details of any significant variations between estimates and actual results for 2015 and between the actual results for 2015 and 2014.

Notes to the Financial Statements

For the year ended 30 June 2015

Note 1. Australian Accounting Standards

General

The Office's financial statements for the year ended 30 June 2015 have been prepared in accordance with Australian Accounting Standards. The term 'Australian Accounting Standards' includes Standards and Interpretations issued by the Australian Accounting Standards Board (**AASB**).

The Office has adopted any applicable new and revised Australian Accounting Standards from their operative dates.

Early adoption of standards

The Office cannot early adopt an Australian Accounting Standard unless specifically permitted by *TI 1101 Application of Australian Accounting Standards and Other Pronouncements*. There has been no early adoption of Australian Accounting Standards that have been issued or amended (but not operative) by the Office for the annual reporting period ended 30 June 2015.

Note 2. Summary of significant accounting policies

(a) General statement

The Office is a not-for-profit reporting entity that prepares general purpose financial statements in accordance with Australian Accounting Standards, the Framework, Statements of Accounting Concepts and other authoritative pronouncements of the AASB as applied by the Treasurer's instructions. Several of these are modified by the Treasurer's instructions to vary application, disclosure, format and wording.

The *Financial Management Act 2006* and the Treasurer's Instructions impose legislative provisions that govern the preparation of financial statements and take precedence over Australian Accounting Standards, the Framework, Statements of Accounting Concepts and other authoritative pronouncements of the AASB.

Where modification is required and has had a material or significant financial effect upon the reported results, details of that modification and the resulting financial effect are disclosed in the notes to the financial statements.

(b) Basis of preparation

The financial statements have been prepared on the accrual basis of accounting using the historical cost convention.

The accounting policies adopted in the preparation of the financial statements have been consistently applied throughout all periods presented unless otherwise stated.

The financial statements are presented in Australian dollars and all values are rounded to the nearest dollar.



Note 3 'Judgements made by management in applying accounting policies' discloses judgements that have been made in the process of applying the Office's accounting policies resulting in the most significant effect on amounts recognised in the financial statements.

Note 4 'Key sources of estimation uncertainty' discloses key assumptions made concerning the future, and other key sources of estimation uncertainty at the end of the reporting period, that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year.

(c) Reporting entity

The reporting entity comprises the Office of the Parliamentary Commissioner for Administrative Investigations, generally known as the Ombudsman Western Australia **(the Office)**.

Mission

The mission of the Ombudsman Western Australia is to serve Parliament and Western Australians by:

- Resolving complaints about decision making of public authorities; and
- Improving the standard of public administration.

The Office is predominantly funded by Parliamentary appropriation. The Ombudsman Western Australia also performs the functions of the Energy and Water Ombudsman Western Australia (**EWOWA**) under a services agreement with the Board of Energy and Water Industry Ombudsman (Western Australia) Limited, the governing body of EWOWA. The Office recoups the costs for EWOWA from the Board. The financial statements encompass all funds through which the Office controls resources to carry on its functions.

Services

The Office provides the following service:

Service 1: Resolving complaints about decision making of public authorities and improving the standard of public administration

Investigating and resolving complaints from members of the public about Western Australian public authorities and improving the standard of public administration by identifying and investigating concerns that affect the broader community, making recommendations for improvement and identifying and promoting good decision making and practices.

The Office does not administer assets, liabilities, income and expenses on behalf of Government which are not controlled by, nor integral to, the function of the Office.

(d) Contributed equity

AASB Interpretation 1038 *Contributions by Owners Made to Wholly-Owned Public Sector Entities* requires transfers in the nature of equity contributions, other than as a result of a restructure of administrative arrangements, to be designated by the Government (the owner) as contributions by owners (at the time of, or prior to transfer) before such transfers can be recognised as equity contributions. Capital appropriations have been designated as contributions by owners by TI 955

Contributions by Owners made to Wholly Owned Public Sector Entities and have been credited directly to Contributed equity.

(e) Income

Revenue recognition

Revenue is recognised and measured at the fair value of consideration received or receivable. Revenue is recognised for the major business activities as follows:

Provision of services

Revenue is recognised by reference to the stage of completion of the transaction.

Service appropriations

Service appropriations are recognised as revenues at fair value in the period in which the Office gains control of the appropriated funds. The Office gains control of appropriated funds at the time those funds are deposited to the bank account or credited to the 'Amounts receivable for services' (holding account) held at Treasury.

Net Appropriation Determination

The Treasurer may make a determination providing for prescribed receipts to be retained for services under the control of the Office. In accordance with the determination specified in the 2014-2015 Budget Statements, the Office retained **\$2,463,380** in 2015 (**\$2,506,130** in 2014) from the following:

- GST Input Credits;
- Proceeds from fees and charges; and
- Other Office receipts.

Grants, donations, gifts and other non-reciprocal contributions

Revenue is recognised at fair value when the Office obtains control over the assets comprising the contributions, usually when cash is received.

Other non-reciprocal contributions that are not contributions by owners are recognised at their fair value. Contributions of services are only recognised when a fair value can be reliably determined and the services would be purchased if not donated.

Gains

Realised or unrealised gains are usually recognised on a net basis. These include gains arising on the disposal of non-current assets and some revaluations of non-current assets.

(f) Plant and equipment

Capitalisation/expensing of assets

Items of plant and equipment costing \$5,000 or more are recognised as assets and the cost of utilising assets is expensed (depreciated) over their useful lives. Items of plant and equipment costing less than \$5,000 are immediately expensed direct to the Statement of Comprehensive Income.

Initial recognition and measurement

Plant and equipment are initially recognised at cost.

For items of plant and equipment acquired at no cost or for nominal cost, the cost is the fair value at the date of acquisition.

Subsequent measurement

Subsequent to initial recognition of an asset, the cost model is used for plant and equipment. All items of plant and equipment are stated at historical cost less accumulated depreciation and accumulated impairment losses.

Depreciation

All non-current assets having a limited useful life are systematically depreciated over their estimated useful lives in a manner that reflects the consumption of their future economic benefits.

Depreciation is calculated using the straight line method, using rates which are reviewed annually. Estimated useful lives for each class of depreciable asset are:

Furniture and fittings	10 years
Plant and machinery	10 years
Computer hardware	3 years
Office equipment	5 years

(g) Intangible assets

Capitalisation/expensing of assets

Acquisitions of intangible assets costing \$5,000 or more and internally generated intangible assets costing \$50,000 or more are capitalised. The cost of utilising the assets is expensed (amortised) over their useful lives. Costs incurred below these thresholds are immediately expensed directly to the Statement of Comprehensive Income.

Intangible assets are initially recognised at cost. For assets acquired at no cost or for nominal cost, the cost is their fair value at the date of acquisition.

The cost model is applied for subsequent measurement requiring the asset to be carried at cost less any accumulated amortisation and accumulated impairment losses.

Amortisation for intangible assets with finite useful lives is calculated for the period of the expected benefit (estimated useful life which is reviewed annually) on the straight line basis. All intangible assets controlled by the Office have a finite useful life and zero residual value.

The expected useful lives for each class of intangible asset are:

Software (a) 3 years

(a) Software that is not integral to the operation of any related hardware.

Computer software

Software that is an integral part of the related hardware is recognised as plant and equipment. Software that is not an integral part of the related hardware is recognised as an intangible asset. Software costing less than \$5,000 is expensed in the year of acquisition.

(h) Impairment of assets

Plant and equipment and intangible assets are tested for any indication of impairment at the end of each reporting period. Where there is an indication of impairment, the recoverable amount is estimated. Where the recoverable amount is less than the carrying amount, the asset is considered impaired and is written down to the recoverable amount and an impairment loss is recognised. Where an asset measured at cost is written down to recoverable amount, an impairment loss is recognised in profit and loss. Where a previously revalued asset is written down to recoverable amount, the loss is recognised as a revaluation decrement in other comprehensive income. As the Office is a not-for-profit entity, unless an asset has been identified as a surplus asset, the recoverable amount is the higher of an asset's fair value less costs to sell and depreciated replacement cost.

The risk of impairment is generally limited to circumstances where an asset's depreciation is materially understated, where the replacement cost is falling or where there is a significant change in useful life. Each relevant class of assets is reviewed annually to verify that the accumulated depreciation/amortisation reflects the level of consumption or expiration of the asset's future economic benefits and to evaluate any impairment risk from falling replacement costs.

Intangible assets with an indefinite useful life and intangible assets not yet available for use are tested for impairment at the end of each reporting period irrespective of whether there is any indication of impairment.

The recoverable amount of assets identified as surplus assets is the higher of fair value less costs to sell and the present value of future cash flows expected to be derived from the asset. Surplus assets carried at fair value have no risk of material impairment where fair value is determined by reference to market-based evidence. Where fair value is determined by reference to depreciated replacement cost, surplus assets are at risk of impairment and the recoverable amount is measured. Surplus assets at cost are tested for indications of impairment at the end of each reporting period.

(i) Leases

The Office holds operating leases for its Office buildings and motor vehicles. Operating leases are expensed on a straight line basis over the lease term as this represents the pattern of benefits derived from the leased property.

(j) Financial instruments

In addition to cash, the Office has two categories of financial instrument:

- Receivables; and
- Financial liabilities measured at amortised cost.

Financial instruments have been disaggregated into the following classes:

- Financial Assets
 - Cash and cash equivalents
 - Restricted cash and cash equivalents
 - Receivables
 - Amounts receivable for services
- Financial Liabilities
 - Payables

Initial recognition and measurement of financial instruments is at fair value which normally equates to the transaction cost or the face value. Subsequent measurement is at amortised cost using the effective interest method.

The fair value of short-term receivables and payables is the transaction cost or the face value because there is no interest rate applicable and subsequent measurement is not required as the effect of discounting is not material.

(k) Cash and cash equivalents

For the purpose of the Statement of Cash Flows, cash and cash equivalent (and restricted cash and cash equivalent) assets comprise cash on hand and short-term deposits with original maturities of three months or less that are readily convertible to a known amount of cash and which are subject to insignificant risk of changes in value.

(l) Accrued salaries

Accrued salaries (see [Note 20 'Payables'](#)) represent the amount due to staff but unpaid at the end of the financial year. Accrued salaries are settled within a fortnight of the financial year end. The Office considers the carrying amount of accrued salaries to be equivalent to its fair value.

The accrued salaries suspense account (see [Note 14 'Restricted cash & cash equivalents'](#)) consists of amounts paid annually into a suspense account over a period of 10 financial years to largely meet the additional cash outflow in each eleventh year when 27 pay days occur instead of the normal 26. No interest is received on this account.

(m) Amounts receivable for services (holding account)

The Office receives funding on an accrual basis. The appropriations are paid partly in cash and partly as an asset (holding account receivable). The accrued amount receivable is accessible on the emergence of the cash funding requirement to cover leave entitlements and asset replacement.

(n) Receivables

Receivables are recognised at original invoice amount less an allowance for any uncollectible amounts (i.e. impairment). The collectability of receivables is reviewed on an ongoing basis and any receivables identified as uncollectible are written-off against the allowance account. The allowance for uncollectible amounts (doubtful debts) is raised when there is objective evidence that the Office will not be able to

collect the debts. The carrying amount is equivalent to fair value as it is due for settlement within 30 days.

(o) Payables

Payables are recognised at the amounts payable when the Office becomes obliged to make future payments as a result of a purchase of assets or services. The carrying amount is equivalent to fair value, as settlement is generally within 30 days.

(p) Provisions

Provisions are liabilities of uncertain timing or amount and are recognised where there is a present legal or constructive obligation as a result of a past event and when the outflow of resources embodying economic benefits is probable and a reliable estimate can be made of the amount of the obligation. Provisions are reviewed at the end of each reporting period.

Provisions - employee benefits

All annual leave and long service leave provisions are in respect of employees' services up to the end of the reporting period.

Annual leave

Annual leave is not expected to be settled wholly within 12 months after the end of the reporting period and is therefore considered to be 'other long-term employee benefits'. The annual leave liability is recognised and measured at the present value of amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

When assessing expected future payments consideration is given to expected future wage and salary levels including non-salary components such as employer superannuation contributions, as well as the experience of employee departures and periods of service. The expected future payments are discounted using market yields at the end of the reporting period on national government bonds with terms to maturity that match, as closely as possible, the estimated future cash outflows.

The provision for annual leave is classified as a current liability 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.

Long service leave

Long service leave is not expected to be settled wholly within 12 months after the end of the reporting period and is therefore recognised and measured at the present value of amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

When assessing expected future payments consideration is given to expected future wage and salary levels including non-salary components such as employer superannuation contributions, as well as the experience of employee departures and periods of service. The expected future payments are discounted using market yields at the end of the reporting period on national government bonds with terms to maturity that match, as closely as possible, the estimated future cash outflows.

Unconditional long service leave provisions are classified as current liabilities 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. Pre-conditional and conditional long service leave provisions are classified as non-current liabilities because the Office has an unconditional right to defer the settlement of the liability until the employee has completed the requisite years of service.

Superannuation

The Government Employees Superannuation Board (**GESB**) and other fund providers administer public sector superannuation arrangements in Western Australia in accordance with legislative requirements. Eligibility criteria for membership in particular schemes for public sector employees varies according to commencement and implementation dates.

Eligible employees contribute to the Pension Scheme, a defined benefit pension scheme closed to new members since 1987, or the Gold State Superannuation Scheme (**GSS**), a defined benefit lump sum scheme closed to new members since 1995.

Employees commencing employment prior to 16 April 2007 who were not members of either the Pension Scheme or the GSS became non-contributory members of the West State Superannuation Scheme (WSS). Employees commencing employment on or after 16 April 2007 became members of the GESB Super Scheme (GESBS). From 30 March 2012, existing members of the WSS or GESBS and new employees have been able to choose their preferred superannuation fund provider. The Office makes contributions to GESB or other fund providers on behalf of employees in compliance with the *Commonwealth Government's Superannuation Guarantee (Administration) Act 1992*. Contributions to these accumulation schemes extinguish the Office's liability for superannuation charges in respect of employees who are not members of the Pension Scheme or GSS.

The GSS is a defined benefit scheme for the purposes of employees and whole-of-government reporting. However, it is a defined contribution plan for agency purposes because the concurrent contributions (defined contributions) made by the Office to GESB extinguishes the agency's obligations to the related superannuation liability.

The Office has no liabilities under the Pension Scheme or the GSS. The liabilities for the unfunded Pension Scheme and the unfunded GSS transfer benefits attributable to members who transferred from the Pension Scheme, are assumed by the Treasurer. All other GSS obligations are funded by concurrent contributions made by the Office to the GESB.

The GESB makes all benefit payments in respect of the Pension Scheme and GSS, and is recouped from the Treasurer for the employer's share.

Provisions - other

Employment on-costs

Employment on-costs, including workers' compensation insurance, are not employee benefits and are recognised separately as liabilities and expenses when the employment to which they relate has occurred. Employment on-costs are included as part of 'Other expenses' and are not included as part of the Office's 'Employee benefits expense'. The related liability is included in 'Employment on-costs provision'.

(q) Superannuation expense

Superannuation expense is recognised in the profit or loss of the Statement of Comprehensive Income and comprises employer contributions paid to the GSS (concurrent contributions), the WSS, the GESBS, or other superannuation funds. The employer contribution paid to the GESB in respect of the GSS is paid back into the Consolidated Account by the GESB.

(r) Asset and services received free of charge or for nominal cost

Assets or services received free of charge or for nominal cost, that the Office would otherwise purchase if not donated, are recognised as income at the fair value of the assets or services where they can be reliably measured. A corresponding expense is recognised for services received. Receipts of assets are recognised in the Statement of financial Position.

Assets or services are received from other State Government agencies are separately disclosed under Income from State Government in the Statement of Comprehensive Income.

(s) Comparative Figures

Comparative figures are, where appropriate, reclassified to be comparable with the figures presented in the current financial year.

Note 3. Judgements made by management in applying accounting policies

The preparation of financial statements requires management to make judgements about the application of accounting policies that have a significant effect on the amounts recognised in the financial statements. The Office evaluates these judgements regularly.

Operating lease commitments

The Office has entered into a lease for a building used for office accommodation. It has been determined that the lessor retains substantially all the risks and rewards incidental to ownership. Accordingly, this lease has been classified as an operating lease.

Note 4. Key sources of estimation uncertainty

Key estimates and assumptions concerning the future are based on historical experience and various other factors that have a significant risk of causing a material adjustment to the carrying amount of assets and liabilities within the next financial year.

Long Service Leave

Several estimations and assumptions used in calculating the Office's long service leave provision include expected future salary rates, discount rates, employee retention rates and expected future payments. Changes in these estimations and assumptions may impact on the carrying amount of the long service leave provision.



Note 5. Disclosure of changes in accounting policy and estimates

Initial application of an Australian Accounting Standard

The Office has applied the following Australian Accounting Standards effective for annual reporting periods beginning on or after 1 July 2014 that impacted on the Office.

<i>AASB 1031</i>	<i>Materiality</i> This Standard supersedes AASB 1031 (February 2010), removing Australian guidance on materiality not available in IFRSs and refers to guidance on materiality in other Australian pronouncements. There is no financial impact.
<i>AASB 1055</i>	<i>Budgetary Reporting</i> This Standard requires specific budgetary disclosures in the general purpose financial statements of not-for-profit entities within the General Government Sector. The Office will be required to disclose additional budgetary information and explanations of major variances between actual and budgeted amounts, though there is no financial impact.
<i>AASB 2012-3</i>	<i>Amendments to Australian Accounting Standards – Offsetting Financial Assets and Financial Liabilities [AASB 132]</i> This Standard adds application guidance to AASB 132 to address inconsistencies identified in applying some of the offsetting criteria, including clarifying the meaning of “currently has a legally enforceable right of set-off” and that some gross settlement systems may be considered equivalent to net settlement. There is no financial impact.
<i>AASB 2013-3</i>	<i>Amendments to AASB 136 – Recoverable Amount Disclosures for Non-Financial Assets</i> This Standard introduces editorial and disclosure changes. There is no financial impact.
<i>AASB 2013-9</i>	<i>Amendments to Australian Accounting Standards – Conceptual Framework, Materiality and Financial Instruments</i> Part B of this omnibus Standard makes amendments to other Standards arising from the deletion of references to AASB 1031 in other Standards for periods beginning on or after 1 January 2014. It has no financial impact.

AASB 2014-1

Amendments to Australian Accounting Standards

Part A of this Standard consists primarily of clarifications to Accounting Standards and has no financial impact for the Office.

Part B of this Standard has no financial impact as the Office contributes to schemes that are either defined contribution plans, or deemed to be defined contribution plans.

Part C of this Standard has no financial impact as it removes references to AASB 1031 Materiality from a number of Accounting Standards.

Future impact of Australian Accounting Standards not yet operative

The Office cannot early adopt an Australian Accounting Standard unless specifically permitted by TI 1101 *Application of Australian Accounting Standards and Other Pronouncements*. Consequently, the Office has not applied early any of the following Australian Accounting Standards that have been issued that may impact the Office. Where applicable, the Office plans to apply these Australian Accounting Standards from their application date.

		Operative for reporting periods beginning on/after
AASB 9	<i>Financial Instruments</i> This Standard supersedes AASB 139 <i>Financial Instruments: Recognition and Measurement</i> , introducing a number of changes to accounting treatments. The mandatory application date of this Standard is currently 1 January 2018 after being amended by AASB 2012-6, AASB 2013-9 and AASB 2014-1 <i>Amendments to Australian Accounting Standards</i> . The Office has not yet determined the application or the potential impact of the Standard.	1 Jan 2018
AASB 15	<i>Revenue from Contracts with Customers</i> This Standard establishes the principles that the Office shall apply to report useful information to users of financial statements about the nature, amount, timing and uncertainty of revenue and cash flows arising from a contract with a customer. The Office has not yet determined the application or the potential impact of the Standard.	1 Jan 2017

**Operative for
reporting
periods
beginning
on/after**

AASB 2010-7	<i>Amendments to Australian Accounting Standards arising from AASB 9 (December 2010) [AASB 1, 3, 4, 5, 7, 101, 102, 108, 112, 118, 120, 121, 127, 128, 131, 132, 136, 137, 139, 1023 & 1038 and Int 2, 5, 10, 12, 19 & 127]</i> This Standard makes consequential amendments to other Australian Accounting Standards and Interpretations as a result of issuing AASB 9 in December 2010. The mandatory application date of this Standard has been amended by AASB 2012-6 and AASB 2014-1 to 1 January 2018. The Office has not yet determined the application or the potential impact of the Standard.	1 Jan 2018
AASB 2013-9	<i>Amendments to Australian Accounting Standards Conceptual Framework, Materiality and Financial Instruments.</i> Part C of this omnibus Standard defers the application of AASB 9 to 1 January 2017. The application date of AASB 9 was subsequently deferred to 1 January 2018 by AASB 2014-1. The Office has not yet determined the application or the potential impact of AASB 9.	1 Jan 2015
AASB 2014-1	<i>Amendments to Australian Accounting Standards</i> Part E of this Standard makes amendments to AASB 9 and consequential amendments to other Standards. It has not yet been assessed by the Office to determine the application or potential impact of the Standard.	1 Jan 2018
AASB 2014-4	<i>Amendments to Australian Accounting Standards—Clarification of Acceptable Methods of Depreciation and Amortisation [AASB 116 & 138]</i> The adoption of this Standard has no financial impact for the Office as depreciation and amortisation is not determined by reference to revenue generation, but by reference to consumption of future economic benefits.	1 Jan 2016



		Operative for reporting periods beginning on/after
AASB 2014-5	<i>Amendments to Australian Accounting Standards arising from AASB 15</i> This Standard gives effect to the consequential amendments to Australian Accounting Standards (including Interpretations) arising from the issuance of AASB 15. The Office has not yet determined the application or the potential impact of the Standard.	1 Jan 2017
AASB 2014-7	<i>Amendments to Australian Accounting Standards arising from AASB 9 (December 2014)</i> This Standard gives effect to the consequential amendments to Australian Accounting Standards (including Interpretations) arising from the issuance of AASB 9 (December 2014). The Office has not yet determined the application or the potential impact of the Standard.	1 Jan 2018
AASB 2014-8	<i>Amendments to Australian Accounting Standards arising from AASB 9 (December 2014) – Application of AASB 9 (December 2009) and AASB 9 (December 2010) [AASB 9 (2009 & 2010)]</i> This Standard makes amendments to AASB 9 <i>Financial Instruments</i> (December 2009) and AASB 9 <i>Financial Instruments</i> (December 2010), arising from the issuance of AASB 9 <i>Financial Instruments</i> in December 2014. The Office has not yet determined the application or the potential impact of the Standard.	1 Jan 2015
AASB 2014-9	<i>Amendments to Australian Accounting Standards – Equity Method in Separate Financial Statements [AASB 1, 127 & 128]</i> This Standard amends AASB 127, and consequentially amends AASB 1 and AASB 128, to allow entities to use the equity method of accounting for investments in subsidiaries, joint ventures and associates in their separate financial statements. The Office has not yet determined the application or the potential impact of the Standard.	1 Jan 2016

**Operative for
reporting
periods
beginning
on/after**

AASB 2015-1	<i>Amendments to Australian Accounting Standards – Annual Improvements to Australian Accounting Standards 2012–2014 Cycle [AASB 1, 2, 3, 5, 7, 11, 110, 119, 121, 133, 134, 137 & 140]</i> These amendments arise from the issuance of International Financial Reporting Standard Annual Improvements to IFRSs 2012–2014 Cycle in September 2014, and editorial corrections. The Office has not yet determined the application or the potential impact of the Standard.	1 Jan 2016
AASB 2015-2	<i>Amendments to Australian Accounting Standards – Disclosure Initiative: Amendments to AASB 101 [AASB 7, 101, 134 & 1049]</i> This Standard amends AASB 101 to provide clarification regarding the disclosure requirements in AASB 101. Specifically, the Standard proposes narrow-focus amendments to address some of the concerns expressed about existing presentation and disclosure requirements and to ensure entities are able to use judgement when applying a Standard in determining what information to disclose in their financial statements. There is no financial impact.	1 Jan 2016
AASB 2015-3	<i>Amendments to Australian Accounting Standards arising from the Withdrawal of AASB 1031 Materiality</i> This Standard completes the withdrawal of references to AASB 1031 in all Australian Accounting Standards and Interpretations, allowing that Standard to effectively be withdrawn. There is no financial impact.	1 Jul 2015

Note 6. Employee benefits expense

	2015 \$	2014 \$
Wages and salaries ^(a)	6,631,081	6,800,652
Superannuation - defined contribution plans ^(b)	671,333	642,693
Other related expenses	209,212	152,511
	7,511,626	7,595,856

(a) Includes the value of the fringe benefit to the employee plus the fringe benefit tax component and leave entitlements including superannuation contribution component.

(b) Defined contribution plans include West State, Gold State, GESB Super Scheme and other eligible funds.

Employment on-costs expenses, such as workers' compensation insurance are included at [Note 10 'Other expenses'](#).

Employment on-costs liability is included in [Note 21 'Provisions'](#).

Note 7. Supplies and services

	2015 \$	2014 \$
Communications	82,353	77,852
Consumables	152,272	152,388
Other	246,629	213,228
Services and contracts	453,984	611,300
Services received free of charge	88,246	118,695
Travel	26,956	51,065
	1,050,440	1,224,528

Note 8. Depreciation and amortisation expense

	2015 \$	2014 \$
<u>Depreciation</u>		
Furniture fixtures and fittings	681	681
Computer hardware	31,016	18,618
Communications	32,245	37,702
Office equipment	10,575	10,340
Total depreciation	74,517	67,341
<u>Amortisation</u>		
Intangible assets	234,572	207,958
Total amortisation	234,572	207,958
Total depreciation and amortisation	309,089	275,299

Note 9. Accommodation expenses

	2015 \$	2014 \$
Lease rentals	1,082,498	1,085,049
Repairs and maintenance	2,329	1,635
Services received free of charge ^(a)	346,638	340,467
	1,431,465	1,427,151

(a) Relates to the notional value of the depreciation of the fit-out of office accommodation provided through Building Management and Works.

Note 10. Other expenses

	2015 \$	2014 \$
Employment on-costs ^(a)	50	-
Audit fee	24,600	25,000
Other miscellaneous expenses	3,500	3,500
	28,150	28,500

(a) Includes workers' compensation insurance and other employment on-costs. The on-costs liability associated with the recognition of annual and long service leave liability is included at [Note 21 'Provisions'](#). Superannuation contributions accrued as part of the provision for leave are employee benefits and are not included in employment on-costs.

Note 11. Other revenue

	2015 \$	2014 \$
Other revenue - general	78,779	43,906
Other recoup	2,384,537	2,462,224
	2,463,316	2,506,130

Note 12. Net gain/(loss) on disposal of non-current assets

	2015 \$	2014 \$
<u>Proceeds from disposal of non-current assets</u>		
Plant and equipment	300	-
<u>Carrying amount of non-current assets disposed</u>		
Plant and equipment	-	-
<u>Costs of disposal of non-current assets</u>		
Plant and equipment	(236)	-
Net gain/(loss)	64	-

Note 13. Income from State Government

	2015 \$	2014 \$
Appropriation received during the period:		
Service appropriations ^(a)		
- Recurrent	7,556,000	6,686,000
- Special Acts	648,000	648,000
	8,204,000	7,334,000
Services received free of charge from other State Government Agencies during the period: ^(b)		
State Solicitor's Office	2,449	5,206
Department of the Premier and Cabinet	85,797	113,489
Department of Finance	346,638	340,467
	434,884	459,162
	8,638,884	7,793,162

(a) Service appropriations fund the net cost of services delivered. Appropriation revenue comprises a cash component and a receivable (asset). The receivable (holding account) comprises the budgeted depreciation expense for the year and any agreed increase in leave liabilities during the year.

(b) Assets or services received free of charge or for nominal cost are recognised as revenue at fair value of the assets and/or services that can be reliably measured and which would have been purchased if they were not donated. Contributions of assets or services in the nature of contributions by owners are recognised direct to equity.

Note 14. Restricted cash and cash equivalents

	2015 \$	2014 \$
<u>Current</u>		
Accrued salaries suspense account ^(a)	258,551	-
Indian Ocean Territories ^(b)	41,389	2,103
	299,940	2,103
<u>Non-Current</u>		
Accrued salaries suspense account ^(a)	-	235,352
	-	235,352

(a) Funds held in the suspense account for the purpose of meeting the 27th pay in a financial year that occurs every 11 years.

(b) Funds held in restricted cash for the purpose of providing services to the Indian Ocean Territories. See [Note 31 'Indian Ocean Territories'](#).

Note 15. Receivables

	2015 \$	2014 \$
<u>Current</u>		
Receivables	31,517	14,097
GST receivable	22,752	1,663
Purchased leave receivable	8,515	-
Total current	62,784	15,760

There were no allowances made in the current year for the impairment of receivables (2013/14: nil).

The Office does not hold any collateral or other credit enhancements as security for receivables.

Note 16. Amounts receivable for services (Holding Accounts)

	2015 \$	2014 \$
Current	208,000	196,000
Non-Current	1,917,000	1,827,000
	2,125,000	2,023,000

Represents the non-cash component of service appropriations. It is restricted in that it can only be used for asset replacement or payment of leave liability. See [Note 2\(m\) 'Amounts receivable for services \(Holding Account\)'](#).

Note 17. Plant and equipment

	2015 \$	2014 \$
<u>Furniture fixtures and fittings</u>		
At cost	6,814	6,814
Accumulated depreciation	(2,213)	(1,532)
Accumulated impairment losses	-	-
	4,601	5,282
<u>Computer Hardware</u>		
At cost	257,561	211,677
Accumulated depreciation	(191,123)	(165,130)
Accumulated impairment losses	-	-
	66,438	46,547
<u>Office equipment</u>		
At cost	55,487	75,993
Accumulated depreciation	(16,493)	(39,839)
Accumulated impairment losses	-	-
	38,994	36,154

	2015 \$	2014 \$
Communications		
At cost	213,050	203,222
Accumulated depreciation	(206,562)	(174,317)
Accumulated impairment losses	-	-
	6,488	28,905
	116,521	116,888

Reconciliation

Reconciliations of the carrying amounts of plant and equipment at the beginning and end of the reporting period are set out in the table below:

	Furniture and Fittings	Computer Hardware	Office Equipment	Communications	Total
2015	\$	\$	\$	\$	\$
Carrying amount at start of period	5,282	46,547	36,154	28,905	116,888
Additions	-	50,908	13,415	9,828	74,150
Transfers	-	-	-	-	-
Retirements	-	-	-	-	-
Correction prior period error	-	-	-	-	-
Depreciation	(681)	(31,016)	(10,575)	(32,245)	(74,517)
Carrying amount at end of period	4,601	66,438	38,994	6,488	116,521

2014	\$	\$	\$	\$	\$
Carrying amount at start of period	5,963	39,564	34,555	57,055	137,137
Additions	-	25,601	11,939	9,552	47,092
Transfers	-	-	-	-	-
Retirements	-	-	-	-	-
Correction prior period error	-	-	-	-	-
Depreciation	(681)	(18,618)	(10,340)	(37,702)	(67,341)
Carrying amount at end of period	5,282	46,547	36,154	28,905	116,888

Note 18. Intangible assets

	2015 \$	2014 \$
<u>Computer Software</u>		
At cost	1,116,417	1,024,121
Accumulated amortisation	(951,414)	(716,842)
Accumulated impairment losses	-	-
Total intangible assets	165,003	307,279

Reconciliation:

	2015 \$	2014 \$
<u>Computer Software</u>		
Carrying amount at start of period	307,279	420,254
Additions	92,296	94,983
Transfers	-	-
Amortisation expense	(234,572)	(207,958)
Carrying amount at end of period	165,003	307,279

Note 19. Impairment of assets

There were no indications of impairment to plant and equipment or intangible assets as at 30 June 2015.

The Office held no goodwill or intangible assets with an indefinite useful life during the reporting period. At the end of the reporting period there were no intangible assets not yet available for use.

All surplus assets as at 30 June 2015 have either been classified as assets held for sale or written-off.

Note 20. Payables

	2015 \$	2014 \$
<u>Current</u>		
Trade payables	60,069	-
Accrued expenses	58,356	82,315
Accrued salaries	197,982	169,283
Accrued superannuation	20,355	16,286
Other payables	3,891	10
Total current	340,653	267,894

Note 21. Provisions

	2015 \$	2014 \$
Current		
<i>Employee benefits provision</i>		
Annual leave ^(a)	531,357	540,596
Long service leave ^(b)	948,250	787,908
Purchased leave scheme ^(c)	7,150	18,509
	1,486,756	1,347,013
<i>Other provisions</i>		
Employment on-costs ^(d)	675	605
	675	605
	1,487,431	1,347,618
	2015 \$	2014 \$
Non-current		
<i>Employee benefits provision</i>		
Long service leave ^(b)	387,415	437,467
	387,415	437,467
<i>Other provisions</i>		
Employment on-costs ^(d)	177	197
	177	197
	387,592	437,664

- (a) Annual leave liabilities have been classified as current as there is no unconditional right to defer settlement for at least 12 months after the reporting period. Assessments indicate that actual settlement of the liabilities is expected to occur as follows:

	2015 \$	2014 \$
Within 12 months of the end of the reporting period	347,634	337,526
More than 12 months after the end of the reporting period	183,723	203,070
	531,357	540,596

- (b) Long service leave liabilities have been classified as current where there is no unconditional right to defer settlement for at least 12 months after the reporting period. Assessments indicate that actual settlement of the liabilities is expected to occur as follows:

	2015 \$	2014 \$
Within 12 months of the end of the reporting period	297,307	261,795
More than 12 months after the end of the reporting period	1,038,358	963,580
	1,335,665	1,225,375

- (c) Purchased leave liabilities have been classified as current as they must be cleared or paid out within 12 months.
- (d) The settlement of annual and long service leave liabilities gives rise to the payment of employment on-costs including workers' compensation insurance. The provision is the present value of expected future payments. The associated expense, apart from the unwinding of the discount (finance cost), is disclosed in [Note 10 'Other Expenses'](#).

Movement in other provisions

Movements in each class of provisions during the financial year, other than employee benefits, are set out below.

	2015 \$	2014 \$
<u>Employment on-cost provision</u>		
Carrying amount at start of period	802	802
Additional provisions recognised	50	-
Carrying amount at end of period	852	802

Note 22. Equity

The Western Australian Government holds the equity interest in the Office on behalf of the community. Equity represents the residual interest in the net assets of the Office.

Contributed equity

	2015 \$	2014 \$
Balance at start of period	1,206,000	1,206,000
<u>Contributions by owners</u>		
Capital appropriation	-	-
Total contributions by owners	-	-
Balance at end of period	1,206,000	1,206,000

Accumulated surplus/(deficit)

	2015 \$	2014 \$
Balance at start of period	325,393	577,435
Result for the period	771,494	(252,042)
Balance at end of period	1,096,887	325,393
Total Equity at the end of period	2,302,887	1,531,393

Note 23. Notes to the Statement of Cash Flows

Reconciliation of cash

Cash at the end of the financial year as shown in the Statement of Cash Flows is reconciled to the related items in the Statement of Financial Position as follows:

	2015 \$	2014 \$
Cash and cash equivalents	1,647,443	836,469
Restricted cash and cash equivalents (Note 14 'Restricted cash and cash equivalents')	299,940	237,455
	1,947,383	1,073,924

Reconciliation of net cost of services to net cash flows provided by/(used in) operating activities

	2015 \$	2014 \$
Net cost of services	(7,867,390)	(8,045,204)
<u>Non-cash items:</u>		
Depreciation and amortisation expense	309,089	275,299
Services received free of charge	434,884	459,162
Net (gain)/loss on disposal of non-current assets	(64)	-
<u>(Increase)/decrease in assets:</u>		
Current receivables ^(a)	(25,433)	38,786
Other current assets	(9,129)	747
<u>Increase/(decrease) in liabilities:</u>		
Accrued salaries	28,699	14,139
Accrued superannuation	4,069	884
Accrued expenses	(23,959)	37,129
Current payables ^(a)	63,950	(91,847)
Current provisions	139,813	(47,849)
Non-current provisions	(50,072)	52,500
Net GST (payments)/receipts ^(b)	(21,089)	70,830
Change in GST in receivables/payables ^(c)	(502)	160
Net cash (used in) operating activities	(7,017,133)	(7,235,264)

(a) Note that the Australian Taxation Office (**ATO**) receivable/payable in respect of Good and Services Tax (**GST**) and the receivable/payable in respect of the sale/purchase of non-current assets are not included in these items as they do not form part of the reconciling items.

(b) This is the net GST paid/received, i.e. cash transactions.

(c) This reverses out the GST in receivables and payables.

Note 24. Commitments

The commitments below are inclusive of GST where relevant.

Lease commitments

Commitments in relation to leases contracted for at the end of the reporting period but not recognised in the financial statements are payable as follows:

Non-cancellable operating leases commitments

	2015 \$	2014 \$
Commitments for minimum leases payments are payable as follows:		
Within 1 year	977,584	964,124
Later than 1 year and not later than 5 years	1,915,993	28,179
	2,893,576	992,303

The Office has entered into a memorandum of understanding with the Department of Finance's Building Management and Works division for leasing floor space at Albert Facey House. The memorandum of understanding is not a legally binding agreement, however, it has been agreed that all parties will comply with the terms and conditions as if they were legally enforceable obligations. The memorandum of understanding covers a three year occupancy period from 2011-12 with an option to renew occupancy for an additional three years. Rent is payable monthly in arrears. In 2014-15 the Office renewed its occupancy for an additional three years to 30 June 2018. Contingent rent provisions within the memorandum of understanding require that the lease payments shall be subject to market indices each financial year.

The motor vehicle lease is a non-cancellable lease with a three year term, with lease payments payable monthly. New vehicle leases are negotiated at the end of this period, the number of vehicle leases being subject to the Office's operational needs.

Note 25. Contingent liabilities and contingent assets

The Office is not aware of any contingent liabilities or contingent assets at the end of the reporting period.

Note 26. Events occurring after the end of the reporting period

The Office is not aware of any events after the end of the reporting period that may have an impact on the financial statements.

Note 27. Explanatory statement

Significant variations between estimates and actual results and between actual and prior year actual results for line items as presented in the financial statements are shown below. Major variances are considered to be those greater than 10% or \$10 million.

	Variance Note	Original Budget 2015 \$	Actual 2015 \$	Actual 2014 \$	Variance between estimate and actual \$	Variance between actual results for 2015 and 2014 \$
Statement of Comprehensive Income (Controlled Operations)						
Employee benefits expense		7,733,000	7,511,626	7,595,856	(221,374)	(84,230)
Supplies and services	1, A	1,292,000	1,050,440	1,224,528	(241,560)	(174,088)
Depreciation and amortisation expense	2, B	235,000	309,089	275,299	74,089	33,790
Accommodation expenses	1	1,230,000	1,431,465	1,427,151	201,465	4,314
Other expenses	3	728,000	28,150	28,500	(699,850)	(350)
Total cost of services		11,218,000	10,330,770	10,551,334	(887,230)	(220,564)
Income						
<i>Revenue</i>						
Other revenue		2,560,000	2,463,316	2,506,130	(96,684)	(42,814)
Total Revenue		2,560,000	2,463,316	2,506,130	(96,684)	(42,814)
<i>Gains</i>						
Net gain on disposal of non-current assets		-	64	-	64	64
Total Gains		-	64	-	64	64
Total income other than income from State Government		2,560,000	2,463,380	2,506,130	(96,620)	(42,750)
NET COST OF SERVICES		8,658,000	7,867,390	8,045,204	(790,610)	(177,814)
Income from State Government						
Service appropriation	C	8,218,000	8,204,000	7,334,000	(14,000)	870,000
Services received free of charge		440,000	434,884	459,162	(5,116)	(24,278)
Total income from State Government		8,658,000	8,638,884	7,793,162	(19,116)	845,722
SURPLUS/(DEFICIT) FOR THE PERIOD		-	771,494	(252,042)	771,494	1,023,536
OTHER COMPREHENSIVE INCOME						
TOTAL COMPREHENSIVE INCOME FOR THE PERIOD		-	771,494	(252,042)	771,494	1,023,536

	Variance Note	Original Budget 2015 \$	Actual 2015 \$	Actual 2014 \$	Variance between estimate and actual \$	Variance between actual results for 2015 and 2014 \$
Statement of Financial Position						
(Controlled Operations)						
ASSETS						
Current Assets						
Cash and cash equivalents	4, D	674,000	1,647,443	836,469	973,443	810,974
Restricted cash and cash equivalents	5, E	-	299,940	2,103	299,940	297,837
Prepayments		94,000	102,798	93,669	8,798	9,129
Receivables	6, F	126,000	62,784	15,760	(63,216)	47,024
Amounts receivable for services		208,000	208,000	196,000	-	12,000
Total Current Assets		1,102,000	2,320,965	1,144,001	1,218,965	1,176,964
Non-Current Assets						
Restricted cash and cash equivalents	5, E	255,000	-	235,352	(255,000)	(235,352)
Amounts receivable for services		1,917,000	1,917,000	1,827,000	-	90,000
Plant and equipment		110,000	116,521	116,888	6,521	(367)
Intangible assets	7, B	412,000	165,003	307,279	(246,997)	(142,276)
Total Non-Current Assets		2,694,000	2,198,524	2,486,519	(495,476)	(287,995)
TOTAL ASSETS		3,796,000	4,519,489	3,630,520	723,489	888,969
LIABILITIES						
Current Liabilities						
Payables	8, G	92,000	340,653	267,894	248,653	72,759
Provisions		1,350,000	1,487,431	1,347,618	137,431	139,813
Other current liabilities	8, H	277,000	925	45,951	(276,075)	(45,026)
Total Current Liabilities		1,719,000	1,829,010	1,661,463	110,010	167,547
Non-Current Liabilities						
Provisions	I	377,000	387,592	437,664	10,592	(50,072)
Other non-current liabilities	9	72,000	-	-	(72,000)	-
Total Non-Current Liabilities		449,000	387,592	437,664	(61,408)	(50,072)
TOTAL LIABILITIES		2,168,000	2,216,602	2,099,127	48,602	117,475
NET ASSETS		1,628,000	2,302,887	1,531,393	674,887	771,494
EQUITY						
Contributed equity		1,206,000	1,206,000	1,206,000	-	-
Accumulated surplus/(deficit)		422,000	1,096,887	325,393		
TOTAL EQUITY		1,628,000	2,302,887	1,531,393	674,887	771,494

	Variance Note	Original Budget 2015	Actual 2015	Actual 2014	Variance between estimate and actual	Variance between actual results for 2015 and 2014
		\$	\$	\$	\$	\$
Statement of Cash Flows						
(Controlled Operations)						
CASH FLOWS FROM STATE GOVERNMENT						
Service appropriation		7,920,000	7,906,000	7,202,000	(14,000)	704,000
Capital appropriations		-	-	-	-	-
Holding account drawdown	J	196,000	196,000	157,000	-	39,000
Net cash provided by State Government		8,116,000	8,102,000	7,359,000	(14,000)	743,000
CASH FLOWS FROM OPERATING ACTIVITIES						
Payments						
Employee benefits		(7,650,000)	(7,439,375)	(7,503,237)	210,625	63,862
Supplies and services	A	(852,000)	(914,624)	(1,178,953)	(62,624)	264,329
Accommodation	10	(1,230,000)	(1,084,166)	(1,086,451)	145,834	2,285
GST payments on purchases	K	-	(221,374)	(256,589)	(221,374)	35,215
GST payments to taxation authority	K	-	(28,844)	(25,148)	(28,844)	(3,696)
Other payments	3	(999,000)	(24,000)	(23,000)	975,000	(1,000)
Receipts						
User charges and fees		2,560,000	2,455,024	2,494,362	(104,976)	(39,338)
GST receipts on sales	11, K	271,000	238,562	252,859	(32,438)	(14,297)
GST receipts from taxation authority	K	-	1,664	90,893	1,664	(89,229)
Net cash provided by/(used in) operating activities		(7,900,000)	(7,017,133)	(7,235,264)	882,867	218,131
CASH FLOWS FROM INVESTING ACTIVITIES						
Payments						
Purchase of non-current physical assets	J	(196,000)	(211,172)	(189,035)	(15,172)	(22,137)
Payment for disposal of non-current assets		-	(236)	-	(236)	(236)
Net cash provided by/(used in) investing activities		(196,000)	(211,408)	(189,035)	(15,408)	(22,373)
Net increase/(decrease) in cash and cash equivalents		20,000	873,459	(65,299)	853,459	938,758
Cash and cash equivalents at the beginning of the period		909,000	1,073,924	1,139,223	164,924	(65,299)
CASH AND CASH EQUIVALENTS AT THE END OF THE PERIOD		929,000	1,947,383	1,073,924	1,018,383	873,459

Major Variance Narratives (Controlled Operations)

Variances between estimate and actual

Note - Some variances between the estimate and actual results relate to differences in the way costs are assigned to the various categories in the budget papers compared to the financial statements.

- 1) The variance in supplies and services and accommodation expenses is primarily due to services received free of charge for the depreciation of the fit-out of office accommodation (provided through the Department of Finance - Building Management and Works), included in supplies and services for the estimate, being included in accommodation for the actual.
- 2) The variance in depreciation and amortisation is primarily due to fluctuations in the value and timing of asset purchases and associated depreciation and amortisation in line with the Office's scheduled replacement of assets.
- 3) The variance in other expenses and other payments is primarily due to actual non-salary related expenses for the first year of the function to monitor the Infringement Notices provisions of *The Criminal Code*, being less than the estimate due to the change in the commencement of the function to March 2015. In addition, some expenses, included as other expenses for the estimate are included in supplies and services for the actual, and payments for GST are included in other payments for the estimate, and in GST payments on purchases or GST payments to the ATO in the actual.
- 4) The variance in cash and cash equivalents is primarily due to lower than expected payments due to the change in the commencement of the function to monitor the Infringement Notices provisions of *The Criminal Code* to March 2015, expenses incurred during 2014-15 but paid in 2015-16, and temporary vacancies arising from staff movements during the year.
- 5) The variance in restricted cash is primarily due to the reclassification of funds, held in suspense for the purpose of meeting the 27th pay in 2015-16, from a non-current asset to a current asset.
- 6) The variance is due to fluctuations from year to year in the actual outstanding amounts receivable.
- 7) The variance is primarily due to the final year of amortisation of the finance system, commissioned in early 2013 to support the financial operations of the Office following the decommissioning of the Office of Shared Services, not being included in the budget, and fluctuations in the value and timing of asset purchases and associated depreciation and amortisation in line with the Office's scheduled replacement of assets.
- 8) The variance is primarily due to accrued salaries, included in other current liabilities for the estimate, being included in payables for the actual.
- 9) The variance in other liabilities primarily relates to the scheduled payment in 2014-15 under contracts for software enhancements, which meant there was no remaining actual liability at the end of the year.

- 10) The variance is primarily due to some costs, such as electricity and parking, included in accommodation for the estimate, being included in supplies and services for the actual.
- 11) The variance is primarily due to the user fees and charges and the associated GST receipts on sales being lower than anticipated.

Variances between actual results for 2015 and 2014

- A) The variance is primarily due to a reduction in contracted services.
- B) The variance in depreciation and amortisation, and in intangible assets, is primarily due to fluctuations in the value and timing of asset purchases and associated depreciation and amortisation, in line with the Office's scheduled replacement of assets.
- C) The variance in service appropriation is primarily due to the commencement of the function to monitor the Infringement Notices provisions of *The Criminal Code*.
- D) The variance in cash and cash equivalents is primarily due to unspent funds received for the function to monitor the Infringement Notices provisions of *The Criminal Code*, and temporary vacancies arising from staff movements during the year.
- E) The variance in restricted cash is primarily due to the reclassification of funds, held in suspense for the purpose of meeting the 27th pay in 2015-16, from a non-current asset to a current asset.
- F) The variance in receivables is primarily due to an increase in GST receivable and movement in staff purchased leave balances.
- G) The variance in payables is primarily due to credit card expenses being incurred during 2014-15 but paid in 2015-16. In the prior year, credit card expenses were incurred and paid in the same period.
- H) The variance in other liabilities primarily relates to a reduced liability due to the scheduled payment in 2014-15 under contracts for software enhancements.
- I) The variance in non-current provisions is primarily due to a reduction in long service leave provisions as a result of staff movements during the year and long service leave falling due.
- J) The variance in holding account drawdowns and purchase of non-current physical assets reflects the fluctuations in approved funding for the Office's ongoing asset replacement program, based on scheduled asset replacement.
- K) The variance reflects changes in GST due to fluctuations in purchases and revenue, and the associated net amount paid or received from the ATO.

Note 28. Financial instruments

(a) Financial risk management objectives and policies

Financial instruments held by the Office are cash and cash equivalents, restricted cash and cash equivalents, receivables and payables. The Office has limited exposure to financial risks. The Office's overall risk management program focuses on managing the risks identified below.

Credit risk

Credit risk arises when there is the possibility of the Office's receivables defaulting on their contractual obligations resulting in financial loss to the Office.

The maximum exposure to credit risk at the end of the reporting period in relation to each class of recognised financial assets is the gross carrying amount of those assets inclusive of any allowance for impairment, as shown in the table at [Note 28\(c\) 'Financial instruments disclosures'](#) and [Note 15 'Receivables'](#).

Credit risk associated with the Office's financial assets is minimal because the main receivable is the amounts receivable for services (holding accounts). For receivables other than government, the Office trades only with recognised, creditworthy third parties. The Office has policies in place to ensure that services are made to customers with an appropriate credit history. In addition, receivable balances are monitored on an ongoing basis with the result that the Office's exposure to bad debts is minimal. At the end of the reporting period there were no significant concentrations of credit risk.

Liquidity risk

Liquidity risk arises when the Office is unable to meet its financial obligations as they fall due. The Office is exposed to liquidity risk through its trading in the normal course of business. The Office has appropriate procedures to manage cash flows including drawdowns of appropriations by monitoring forecast cash flows to ensure that sufficient funds are available to meet its commitments.

Market risk

Market risk is the risk that changes in market prices such as foreign exchange rates and interest rates will affect the Office's income or the value of its holdings of financial instruments. The Office does not trade in foreign currency and is not materially exposed to other price risks.

(b) Categories of financial instruments

The carrying amounts of each of the following categories of financial assets and financial liabilities at the end of the reporting period are:

	2015 \$	2014 \$
Financial Assets		
Cash and cash equivalents	1,647,443	836,469
Restricted cash and cash equivalents	299,940	237,455
Receivables ^(a)	40,032	14,097
Amount receivable for services	2,125,000	2,023,000
Financial Liabilities		
Financial liabilities measured at amortised cost	340,653	267,894
Other liabilities	925	45,951

(a) The amount of receivables excludes GST recoverable from the ATO (statutory receivable).

(c) Financial instrument disclosures

Credit risk

The following table details the Office's maximum exposure to credit risk and the ageing analysis of financial assets. The Office's maximum exposure to credit risk at the end of the reporting period is the carrying amount of financial assets as shown below. The table discloses the ageing of financial assets that are past due but not impaired and impaired financial assets. The table is based on information provided to senior management of the Office.

The Office does not hold any collateral as security or other credit enhancements relating to the financial assets it holds.

The Office does not hold any financial assets that had to have their terms renegotiated that would have otherwise resulted in them being past due or impaired.

Aged analysis of financial assets									
	Carrying amount \$	Not past due and not impaired \$	Past due but not impaired					More than 5 Years \$	Impaired financial assets \$
			Up to 1 month \$	1 – 3 months \$	3 – 12 months \$	1 – 2 Years \$	2 – 5 Years \$		
2015									
Cash and cash equivalents	1,647,443	1,647,443	-	-	-	-	-	-	-
Restricted cash and cash equivalents	299,940	299,940	-	-	-	-	-	-	-
Receivables ^(a)	40,032	29,606	-	-	10,426	-	-	-	-
Amount receivable for services	2,125,000	2,125,000	-	-	-	-	-	-	-
	4,112,415	4,101,989	-	-	10,426	-	-	-	-
2014									
Cash and cash equivalents	836,469	836,469	-	-	-	-	-	-	-
Restricted cash and cash equivalents	237,455	237,455	-	-	-	-	-	-	-
Receivables ^(a)	14,097	14,097	-	-	-	-	-	-	-
Amount receivable for services	2,023,000	2,023,000	-	-	-	-	-	-	-
	3,111,021	3,111,021	-	-	-	-	-	-	-

(a) The amount of receivables excludes GST recoverable from the ATO (statutory receivable).

Liquidity risk and interest rate exposure

The following table details the Office's interest rate exposure and the contractual maturity analysis of financial assets and financial liabilities. The maturity analysis section includes interest and principal cash flow. The interest rate exposure section analyses only the carrying amounts of each item.

Interest rate exposure and maturity analysis of financial assets and financial liabilities										
2015	Interest rate exposure				Nominal Amount	Maturity date				
	Weighted average effective interest rate %	Carrying Amount	Fixed interest rate	Variable interest rate		Up to 1 month	1 – 3 months	3 – 12 Months	1 – 5 Years	More than 5 Years
	€	€	€	€	€	€	€	€	€	€
Financial Assets										
Cash and cash equivalents		1,647,443	-	-	1,647,443	1,647,443	-	-	-	-
Restricted cash and cash equivalents		299,940	-	-	299,940	7,466	-	292,474	-	-
Receivables ^(a)		40,032	-	-	40,032	29,606	-	10,426	-	-
Amount receivable for service		2,125,000	-	-	2,125,000	-	-	208,000	832,000	1,085,000
		4,112,415	-	-	4,112,415	1,684,515	-	510,900	832,000	1,085,000
Financial Liabilities										
Payables		340,653	-	-	340,653	340,653	-	-	-	-
Other liabilities		925	-	-	925	925	-	-	-	-
		341,578	-	-	341,578	341,578	-	-	-	-

(a) The amount of receivables excludes GST recoverable from the ATO (statutory receivable).

Interest rate exposure and maturity analysis of financial assets and financial liabilities										
2014	Weighted average effective interest rate %	Interest rate exposure			Nominal Amount	Maturity date				
		Carrying Amount	Fixed interest rate	Variable interest rate		Non-interest bearing	Up to 1 month	1 – 3 months	3 – 12 Months	1 – 5 Years
	€	€	€	€	€	€	€	€	€	€
Financial Assets										
Cash and cash equivalents	836,469	-	-	836,469	836,469	836,469	-	-	-	-
Restricted cash and cash equivalents	237,455	-	-	237,455	237,455	2,103	-	-	235,352	-
Receivables ^(a)	14,097	-	-	14,097	14,097	14,097	-	-	-	-
Amount receivable for service	2,023,000	-	-	2,023,000	2,023,000	-	-	196,000	624,000	1,203,000
	3,111,021	-	-	3,111,021	3,111,021	852,669	-	196,000	859,352	1,203,000
Financial Liabilities										
Payables	267,894	-	-	267,894	267,894	267,894	-	-	-	-
Other liabilities	45,951	-	-	45,951	45,951	-	-	45,951	-	-
	313,845	-	-	313,845	313,845	267,894	-	45,951	-	-

(a) The amount of receivables excludes GST recoverable from the ATO (statutory receivable).

Interest rate sensitivity analysis

None of the Office's financial assets and liabilities at the end of the reporting period are sensitive to movements in interest rates. Movements in interest rates would therefore have no impact on the Office's surplus or equity.

Fair values

All financial assets and liabilities recognised in the Statement of Financial Position, whether they are carried at cost or fair value, are recognised at amounts that represent a reasonable approximation of fair value unless otherwise stated in the applicable notes.

Note 29. Remuneration of senior officers

The number of senior officers whose total fees, salaries, superannuation, non-monetary benefits and other benefits for the financial year fall within the following bands are:

\$	2015	2014
1 - 10,000	1	-
110,001 - 120,000	1	-
150,001 - 160,000	1	1
170,001 - 180,000	-	2
180,001 - 190,000	-	1
200,001 - 210,000	1	-
210,001 - 220,000	1	-
220,001 - 230,000	-	2
280,001 - 290,000	1	-
420,001 - 430,000	1	-
430,001 - 440,000	-	1
	\$	\$
Base remuneration and superannuation	1,271,003	1,518,000
Annual leave and long service leave accruals	27,520	(53,103)
Other benefits	97,861	109,591
Total remuneration of senior officers	1,396,384	1,574,488

Total remuneration includes superannuation expense incurred by the Office in respect of senior officers. The reduction in the total remuneration of senior officers and the variation in bands between 2015 and 2014 is primarily due to senior officer movements during the year.

Note 30. Remuneration of auditor

Remuneration paid or payable to the Auditor General in respect of the audit for the current financial year is as follows:

	2015 \$	2014 \$
Auditing the accounts, financial statements and key performance indicators	24,600	24,000
	24,600	24,000

Note 31. Indian Ocean Territories

The Indian Ocean Territories Reimbursement Fund was established in March 1996 and became operational in July 1996. The purpose of the Fund is to meet the cost of the services of the Office in relation to complaints involving the Indian Ocean Territories. The balance of the Fund at the end of the financial year is included in the Office's Operating Account. The figures presented below for the Fund have been prepared on a cash basis.

	2015 \$	2014 \$
Opening Balance	2,103	3,995
Receipts	65,006	27,992
Payments	(25,720)	(29,884)
Closing Balance^(a)	41,389	2,103

- (a) An amount of \$33,923 will be used for approved travel to the Indian Ocean Territories in 2015-16 as part of the Office's Regional Awareness and Accessibility program.

Note 32. Supplementary financial information

(a) Write-offs

There was no write-off during the period.

(b) Losses through theft, defaults and other causes

There were no losses of public money and public and other property during the period.

(c) Gifts of public property

There were no gifts of public property provided by the Office during the period.

Note 33. Other assets

	2015 \$	2014 \$
<u>Current</u>		
Prepayments	102,798	93,669
	102,798	93,669

Note 34. Other liabilities

	2015 \$	2014 \$
<u>Current</u>		
Contracts software	925	45,951
Total current	925	45,951



Key Performance Indicators

Certification of Key Performance Indicators

For year ended 30 June 2015

We hereby certify that the key performance indicators are based on proper records, are relevant and appropriate for assisting users to assess the Parliamentary Commissioner for Administrative Investigation's performance, and fairly represent the performance of the Parliamentary Commissioner for Administrative Investigations for the financial year ended 30 June 2015.

Mary White
Chief Finance Officer

30 July 2015

Chris Field
Accountable Authority

30 July 2015



Key Performance Indicators

Key Effectiveness Indicators

The desired outcome for the Parliamentary Commissioner for Administrative Investigations (**the Ombudsman**) is:

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

Key Effectiveness Indicators	2010-11	2011-12	2012-13	2013-14	2014-15 Target	2014-15 Actual
Where the Ombudsman made recommendations to improve practices or procedures, the percentage of recommendations accepted by agencies (a)	100%	100%	100%	100%	100%	100%
Number of improvements to practices or procedures as a result of Ombudsman action (b)	57	96	72	152	100	99

- (a) For public authority responses each year, the percentage of recommendations and suggestions relating to improved practices and procedures that were accepted by the public authority.
- (b) For public authority responses each year, the number of recommendations and suggestions relating to improved practices and procedures that were accepted by the public authority.

Comparison of Actual Results and Budget Targets

Public authorities have accepted every recommendation made by the Ombudsman, matching the actual results of the past four years and meeting the 2014-15 target.

In 2007-08, the office of the Ombudsman (**the Office**) commenced a program to ensure that its work increasingly contributed to improvements to public administration. Consistent with this program, the number of improvements to practices and procedures of public authorities as a result of Ombudsman action has, in 2014-15, almost doubled since 2010-11. There may, however, be fluctuations from year to year, related to the number and nature of complaints and reviews finalised by the Office in any given year. In 2014-15 the actual result is comparable to the 2014-15 target.



Key Efficiency Indicators

The Ombudsman's key efficiency indicators relate to the following service:

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

Key Efficiency Indicators	2010-11	2011-12	2012-13	2013-14	2014-15 Target	2014-15 Actual
Percentage of allegations finalised within three months	78%	72%	83%	98%	95%	98%
Percentage of allegations finalised within 12 months	96%	99%	99%	100%	100%	100%
Percentage of allegations on hand at 30 June less than three months old	68%	45%	94%	98%	90%	96%
Percentage of allegations on hand at 30 June less than 12 months old	98%	99%	96%	100%	100%	100%
Average cost per finalised allegation (a)	\$1,899	\$1,866	\$1,821	\$1,858	\$1,820	\$1,857
Average cost per finalised notification of death (b)	\$9,651	\$10,410	\$12,281	\$18,407	\$12,325	\$18,983
Cost to monitor the Infringement Notices provisions of <i>The Criminal Code</i> (c)	N/A	N/A	N/A	N/A	\$723,000	\$413,586

- (a) This is the net cost of complaint resolution services divided by the number of allegations finalised.
- (b) This is the net cost of undertaking the death review function divided by the number of notifications finalised.
- (c) This is the net cost of the function to monitor the Infringement Notices provisions of *The Criminal Code* in the relevant year.

New Key Efficiency Indicator

A new Key Efficiency Indicator, the 'Cost to monitor the Infringement Notices provisions of *The Criminal Code*', has been developed and comprises the net cost of the function to monitor the Infringement Notices provisions of *The Criminal Code* for the relevant year, commencing in 2014-15. As 2014-15 is the first year of the function, there is no comparable data in prior years.

Comparison of Actual Results and Budget Targets

The 2014-15 actual results for each of the key efficiency indicators relating to allegations on hand and allegations finalised matched or exceeded the 2014-15 target. Overall, all 2014-15 actual results represented significant improvement in the efficiency of complaint resolution over the last five years.

The average cost per finalised allegation in 2014-15 is comparable to the 2013-14 actual result (\$1,858) and the 2014-15 target (\$1,820). Since 2007-08, the efficiency of complaint resolution has improved significantly with the average cost per finalised allegation reduced by a total of 37% from \$2,941 in 2007-08 to \$1,857 in 2014-15.

The average cost per finalised notification of death (\$18,983) is consistent with the 2013-14 actual result (\$18,407) and exceeds the 2014-15 target (\$12,235), reflecting the staffing required for:

- The investigation of complex reviews undertaken in 2014-15; and
- The commencement in 2012-13, and development during 2013-14 and 2014-15, of an important new initiative to review family and domestic violence fatalities.

The 2015-16 target has been adjusted to \$18,950 accordingly.

The cost to monitor the Infringement Notices provisions of *The Criminal Code* (\$413,586) is lower than the 2014-15 target (\$723,000) due to the change in the commencement of the function to March 2015.



Other Disclosures and Legal Compliance

Ministerial Directives

The Ombudsman reports directly to the Western Australian Parliament rather than to the government of the day, or a particular Minister, and Ministers cannot issue directives to the Ombudsman.

Other Financial Disclosures

Pricing policies of services provided

The Office currently receives revenue for the following functions:

- Costs for the Energy and Water Ombudsman functions are recouped from the Energy and Water Ombudsman (Western Australia) Limited on a full cost recovery basis. These costs are determined by the actual staffing costs involved in delivering the service plus an allowance for overheads and costs of particular operational expenses.
- Under an arrangement with the Australian Government, the Office handles enquiries and complaints from the Indian Ocean Territories (**the Territories**) about local government and Western Australian public authorities delivering services to the Territories. Each year the Office recoups costs from the Australian Government for any complaints received from the Territories. Cost recovery is based on the average cost per complaint in the last two years as published in the Office's annual reports. Administrative costs and the costs of any travel to the Territories by the Ombudsman or staff and any promotional materials are also recouped in full.
- The Office is a partner in a program with the Commonwealth Ombudsman and the New South Wales Ombudsman (funded by the Department of Foreign Affairs and Trade), the principal goal of which is to provide greater access across Indonesia to more effective and sustainable Ombudsman services. The Office recoups costs for these activities from the Commonwealth Ombudsman's Office in accordance with the Australia Indonesia Partnership for Reconstruction and Development Government Partnership Fund Guidelines.

Capital works

There were no major capital projects undertaken during 2014-15.

Employee Information

Employment of staff

As at 30 June 2015 there were 64 people (60.43 full-time equivalent positions (FTEs)) directly employed by the Office, including 54 full-time employees and 10 part-time employees. This includes people on unpaid leave, contract staff providing short term expertise and backfilling staff during extended leave periods and people seconded out of the Office. After adjusting for people seconded into and out of the Office, staff on unpaid leave, and people employed through a recruitment agency to cover short term vacancies, there were 63 staff (60.43 FTEs) undertaking the work of the Office.

All employees are public sector employees operating in executive, policy, enquiry, investigation and administrative roles. The following table provides a breakdown of the categories of employment for staff directly employed by the Office as at 30 June in 2013-14 and 2014-15.

Staff numbers as at 30 June 2015

Employee Category	2013-14	2014-15
Full-time permanent	46	42
Full-time contract	9	12
Part-time permanent	10 (7 FTEs)	10 (6.43 FTEs)
Part-time contract	1 (0.5 FTEs)	0 (0 FTEs)
TOTAL	66 (62.5 FTEs)	64 (60.43 FTEs)

Human Resources Strategies

The Office continued with the implementation of its human resources strategies during the year. These strategies aim to support the attraction and retention of staff and staff development through performance management and continuous professional development, through:

- **Recruitment, retention and engagement of high quality staff**

Recruitment practices continue to prove successful in attracting staff to apply for positions with the Office, with high numbers of quality applications received for positions advertised during the year. The Office provides benefits for staff such as flexible work options and part-time arrangements and this is promoted in all job advertisements. Staff have access to flexible work options, including part-time or purchased leave arrangements and work from home arrangements.

- **Accounting for performance**

The Office's performance management system includes identifying expectations as well as performance-based recognition. Managers and staff annually formalise a performance agreement that provides a framework to:

- Identify and acknowledge the contribution employees make in the achievement of the Office's operational and strategic goals; and





- Develop and retain skilled employees and assist employees to achieve their professional and personal career goals.

- **Continual learning**

The Office is committed to providing a high quality Induction Program for new employees to the Office. The Online Induction mini-site and the Induction Reference Book are provided to all new employees to the Office. They contain useful information on the Office's strategic direction, structure and roles, policies and procedures and facilities.

Staff recruited in 2014-15 have provided feedback that the induction process is welcoming and useful in assisting new employees to understand the Office's direction, expectations and processes. The product has also proved valuable for existing staff members to keep them informed and updated about policy and governance issues within the Office.

The Office also provides continual learning for staff through a range of training sessions and continuous professional development sessions. Where appropriate the sessions use the expertise of senior staff of the Office to deliver the material. To supplement this in-house development, staff are encouraged to attend external training, conferences and seminars to improve their skills and knowledge in areas relevant to their work. These opportunities are facilitated through development plans as part of staff annual performance reviews and the continual learning assists with positioning the Office as an employer of choice.

Workforce and Diversity Plan

In 2014-15, the Office developed its *Workforce and Diversity Plan 2015-2020* in accordance with the *Public Sector Commissioner's Circular 2011-02: Workforce Planning And Diversity In The Public Sector*, Part IX of the *Equal Opportunity Act 1984*, and *Strategic Directions for the Public Sector Workforce 2009-14*. The Office's key focus areas for 2015-20 are to continue to:

- Implement effective practices to recruit high quality staff, in particular for new functions;
- Attract and retain high quality staff, including by providing innovative flexible working arrangements and through graduate, intern and seasonal clerk programs;
- Provide staff development through quality induction, performance management, our Continuous Professional Development Program, training and study assistance;
- Implement strategies to improve diversity in the workforce for people from diverse cultural backgrounds;
- Implement the strategies in the Office's *Disability Access and Inclusion Plan (DAIP)*; and
- Provide Corporate Executive with workforce reporting to support evaluation and ongoing review of the strategies in the Workforce and Diversity Plan.

Human Resource Policies

The Office has a broad range of human resource policies that are regularly updated in line with the Office's strategies and guidance provided by external agencies. They include policies in the key areas of:

- Classification, filling positions and employee movements;
- Payroll, conditions of employment and leave;
- Performance management, training and development;
- Employee relations, grievances and discipline; and
- Occupational safety and health.

Governance Disclosures

Shares in statutory authorities

This is not relevant as the Office is not a statutory authority and does not have shares.

Shares in subsidiary bodies

This is not relevant as the Office does not have any subsidiary bodies.

Interests in contracts by senior officers

The Office's *Code of Conduct* and *Conflict of Interest Policy* define conflict of interest and appropriate action to take where a conflict arises between the employee's public duty and their private interests, including during tender and purchasing processes.

Employees are aware through the *Code of Conduct* that they have an obligation to disclose interests that could reasonably create a perception of bias, or an actual conflict of interest, and members of the Executive Management Group and Corporate Executive Group are asked to declare any interests at each meeting of these Groups.

The Office's policy on identifying and addressing conflict of interest includes any interest of a senior officer, or an organisation of which a senior officer is a member, or an entity in which the senior officer has a substantial financial interest, in any existing or proposed contract made with the Office.

There have been no declarations of an interest in any existing or proposed contracts by senior officers and, at the date of reporting, other than normal contracts of employment, no senior officers or firms of which a senior officer is a member, or entities in which a senior officer has any substantial interests, had any interests in existing or proposed contracts with the Office.



**Benefits to senior officers through contracts**

This is not applicable as no senior officers have received any benefits.

Insurance paid to indemnify directors

This is not applicable as the Office does not have any directors as defined in Part 3 of the [*Statutory Corporations \(Liability of Directors\) Act 1996*](#).

Other Legal Requirements

Expenditure on Advertising, Market Research, Polling and Direct Mail and Media Advertising

During 2014-15, the Office incurred the following expenditure in relation to advertising, market research, polling, direct mail and media advertising that requires disclosure under s.175ZE of the [*Electoral Act 1907*](#).

Total expenditure for 2014-15 was \$4,612 for advertising vacant positions and promoting regional visits, and was incurred in the following areas.

Category of Expenditure	Total	Company
Advertising agencies	Nil	Nil
Media advertising organisations	\$4,612	Adcorp
Market research organisations	Nil	Nil
Polling organisations	Nil	Nil
Direct mail organisations	Nil	Nil

Disability Access and Inclusion Plan Outcomes

The Office is committed to providing optimum access and service to people with a disability, their families and carers. In 2014-15 the Office developed its *Disability Access and Inclusion Plan 2015-2020 (DAIP)*. Current initiatives to address desired DAIP outcomes are shown below.

Outcome 1: People with a disability have the same opportunities as other people to access the services of, and any events organised by, the Office.

People can access the complaint handling services provided by the Office by lodging a complaint in various ways including by post, email, online and in person. The online option is available through the Office's website, which meets the website accessibility requirements set out in the *Public Sector Commissioner's Circular 2011-03: Website Accessibility*. The Office is accessible for people with a disability who attend in person, and enquiries can be made by telephone using the National Relay Service for people with voice or hearing impairments. Venues for events and meetings are assessed for suitable access for people with a disability. A notice regarding disclosure of 'special access or dietary requirements' is added to all invitations for events coordinated by the Office.

Outcome 2: People with a disability have the same opportunities as other people to access the buildings and other facilities of the Office.

The Office's accommodation, building and facilities provide access for people with a disability, including lifts that accommodate wheelchairs and feature braille on the access buttons. Accessible and ambulant toilets are located on all floors used by the Office (the Ground Floor, Level 2 and Level 3), and a low reception desk on Level 2 accommodates wheelchair access. The building also includes electronic doors at the entrance and through to the lifts, a ramp at the front of the building, and a disabled parking bay beneath the building.

Outcome 3: People with a disability receive information from the Office in a format that will enable them to access the information as readily as other people are able to access it.

All Office documents are in plain English and publications are available in alternative formats on request. The Office's website meets the website accessibility requirements set out in the *Public Sector Commissioner's Circular 2011-03: Website Accessibility*. Information published on the website can be viewed and printed in alternative sizes and online documents are published in PDF format compatible with screen readers as required. Phone access is available through the National Relay Service for people with voice or hearing impairments calling the Office, and signs are provided in the reception area to assist visitors who have a hearing impairment. The Office also provides suitable equipment to enable employees with vision impairments to access electronic information.

Outcome 4: People with a disability receive the same level and quality of service from the staff of the Office as other people receive from the staff of the Office.

The services provided by the Office have been adapted to reduce access barriers for people with a disability and information is available in various formats on request. The Office has an internal guideline for staff on *Assisting complainants with vision, hearing or speech impairments*. The document is part of the internal Complaint Handling Toolkit and provides useful information, contacts and procedures for all staff when dealing with a complainant with a disability. Information about the Office's DAIP is included in induction training for all new staff.





Outcome 5: People with a disability have the same opportunities as other people to make complaints to the Office.

A key role of the Office is to handle complaints about public authorities and anyone with a disability has an equal opportunity to make a complaint. Where necessary, the complaint process is modified to meet the needs of a person with a disability. This includes meeting people outside the Office and modifying communication strategies, for example, by using a translator (such as the National Relay Service or Auslan interpreter) where required. Information on reviews of decisions in relation to complaints to the Ombudsman and making a complaint about the Ombudsman's other services is accessible from the website and is available in alternative formats.

Outcome 6: People with a disability have the same opportunities as other people to participate in any public consultation by the Office.

Staff and members of the public with a disability have an equal opportunity to participate in any consultation process. In 2014-15 the Office undertook consultation on the development of its 2015-2020 DAIP, which included feedback from staff with a disability and inviting comment from the public. Most consultation is handled electronically, and the website meets disability access requirements. Documents can be made available in alternative formats to meet the needs of people with a disability.

Outcome 7: People with a disability have the same opportunities as other people to obtain and maintain employment with the Office.

The Office's accommodation, building and facilities provide access for people with a disability, including lifts and walkways that accommodate wheelchairs and feature braille on the access buttons. Accessible and ambulant toilets are located on all floors used by the Office. The Office also provides suitable equipment to enable employees with vision impairments to access electronic information. People with a disability are encouraged to apply for positions in the Office and recruitment processes are modified as required to enable people with a disability to have the same opportunity as other people to compete on merit for advertised positions. Appropriate modifications are made to the duties undertaken, hours of work and/or equipment required to enable employees with disabilities, or who acquire a disability, to maintain productive employment with the Office.

Compliance with Public Sector Standards and Ethical Codes

In the administration of the Office, the Ombudsman has complied with the *Public Sector Standards in Human Resource Management*, the *Code of Ethics* and the Office's *Code of Conduct*.

Procedures, designed to ensure such compliance, have been put in place, and appropriate internal assessments are conducted to satisfy the Ombudsman that the above statement is correct.

The following table identifies action taken to monitor and ensure compliance with public sector standards and ethical codes.

Significant action to monitor and ensure compliance with Western Australian Public Sector Standards

Managers and staff are aware of, and are required to comply with, the *Public Sector Standards in Human Resource Management (the Standards)*. This is supported by policies and procedures relating to the Standards, regular professional development for managers and staff about the Standards and related policies, and the inclusion of the policies in the induction process. Monitoring provisions include:

- For recruitment, selection and appointment, an individual review of each process is undertaken prior to the final decision to ensure compliance with the *Employment Standard*;
- A review process to ensure that, for acting opportunities and secondments, a merit-based process is used and there are no inadvertent extensions that result in long-term opportunities without expressions of interest or a full merit selection process;
- A monitoring process to ensure there are current performance management processes in place for all employees; and
- The continuous development of policies and procedures in accordance with the Standards to ensure compliance and relevancy.

Compliance issues: Internal reviews have shown compliance with the Standards is achieved before any final decision is made. There have been no breaches found of the public sector standards.





Significant action to monitor and ensure compliance with the *Code of Ethics* and the Office's *Code of Conduct*

The *Code of Ethics* and the Office's *Code of Conduct* (**Ethical Codes**) are available on the Office's intranet and are part of the Online Induction for new staff. *Guidelines for Ethical and Accountable Decision Making* have been developed as a ready reference for staff when dealing with a difficult situation related to the Ethical Codes. The Guidelines are based on the *Accountable and Ethical Decision Making in the WA Public Sector* training materials provided by the Public Sector Commissioner.

The Office's *Code of Conduct* supports the *Code of Ethics* and links the Office's corporate values with expected standards of personal conduct. All staff, contractors and consultants who carry out work for, or on behalf of, the Office are required to comply with the spirit of the *Code of Conduct*. On appointment, all staff sign the *Code of Conduct* to confirm their understanding of its application in the workplace and swear an oath or make an affirmation about maintaining appropriate confidentiality.

Ethics and conduct related policies have been developed, including policies and procedures for declaring and managing conflicts of interest and gifts. The ethical codes and related policies are included in the induction process and there is regular professional development for managers and staff about the ethical codes and related policies.

The Office has procedures in place for reporting unethical behaviour and misconduct. The Office also has a policy and internal procedures relating to *Public Interest Disclosures* and strongly supports disclosures being made by staff.

Monitoring provisions for ethical codes include:

- High level review, and Ombudsman sign off, for management of conflicts of interest and gifts, benefits and hospitality;
- High level consideration and sign off of requests for review of the Office's handling of a complaint and any complaints about the conduct of staff; and
- Seeking opportunities to improve current practices through internal audits and reviewing policies and procedures to ensure compliance and relevancy. Internal audits conducted each year are referred to the Office's Audit and Risk Management Committee.

Compliance issues: There has been no evidence of non-compliance with the ethical codes.

Corporate Governance Framework

The Office's corporate governance framework is based on the Public Sector Commissioner's *Good Governance Guide*.

Principle 1: Government and public sector relationship (The organisation's relationship with the government is clear)

The Ombudsman is an independent officer appointed by the Governor of Western Australia. The Ombudsman is responsible directly to the Parliament rather than to the government of the day or a particular Minister. The [*Parliamentary Commissioner Act 1971*](#) regulates the operations of the Office.

Delegations for communication and interaction between Ministers and other Parliamentary representatives are identified in the Office's instruments of delegation, in particular those relating to external communications, and staff are aware of these delegations.

Principle 2: Management and oversight (The organisation's management and oversight are accountable and have clearly defined responsibilities)

The Office's *Strategic Plan 2013-15 (Strategic Plan)* provides a framework for the strategic direction of the Office with identifiable key measures of success. The Office's operational planning identifies how the key strategies in the Strategic Plan will be achieved through a detailed list of key projects, measures and targets.

Chief Executive Officer delegations are set out in the Office's *Instrument of Delegation – Chief Executive Officer Functions*. Statutory delegations under the *Parliamentary Commissioner Act 1971* and administrative arrangements for statutory roles are set out in the *Ombudsman Western Australia, Statutory Delegations and Administrative Arrangements* document.

The Office has a strong organisational policy framework covering governance, conduct, communications, information technology, human resources, finance and procurement. Policies and guidelines are available to staff through the Office's intranet and as part of the Online Induction.

The Office has an Internal Audit and Risk Management Charter and Committee. An external quality assurance review of the Office's internal audit function has been undertaken to ensure the Office conforms with the Institute of Internal Auditors international standards for the professional practice of internal auditing.





Principle 3: Organisational structure **(The organisation's structure services its operations)**

Decision making responsibilities for the Office lie with the Executive Management Group, comprising the Ombudsman, Deputy Ombudsman and the Principal Assistant Ombudsman Investigations and Legal Services. The Office's Corporate Executive also includes the leaders of the Complaint Resolution, Administrative Improvement and Monitoring teams.

The Office's organisational structure has been created in line with its operations and reflects its key strategic direction. The Office undertakes continuous improvement to the structure to ensure it remains relevant and effective with changes linked to the Strategic Plan and redirection of resources within the structure to respond to workload priorities. A detailed organisational chart provides a reference for staff on the intranet.

Principle 4: Operations **(The organisation plans its operations to achieve its goals)**

The organisational structure, operational planning, business processes and key performance indicators are linked to the strategic goals and outcomes in the Strategic Plan. Progress toward key performance indicators and major strategic projects is monitored through reports to the Executive Management Group and the Corporate Executive and is reported in the annual report each year.

Effective achievement of goals is supported by an Online Complaint Handling Toolkit, available to all enquiry and investigating staff for the purpose of achieving consistent, efficient and effective complaint handling. In addition, a Panel provides independent advice to the Ombudsman on matters relevant to child deaths and family and domestic violence fatalities and, for the role of Energy and Water Ombudsman, the Office prepares a Business Plan and Budget for approval by the Board of the governing body each year.

Principle 5: Ethics and integrity **(Ethics and integrity are embedded in the organisation's values and operations)**

The Office's values are to be fair, independent and accountable (including being rigorous, responsible and efficient). In line with these values, the Ombudsman observes an independent and impartial approach to the conduct of investigations as well as observing procedural fairness at all times. Ethics and integrity are contained within the *Code of Conduct* and *Guidelines for Ethical and Accountable Decision Making*. Staff are required to sign a Conduct Agreement to confirm their understanding of the application of the Code.

Staff are made aware of the [Public Interest Disclosure Act 2003](#), the Office's Public Interest Disclosure Officers and the protections that apply during induction and through the Office's intranet and noticeboards. Staff are also made aware of the Office's *Conflict of Interest and Gift Policies* and registers and how they should be declared. When declarations are made, the Ombudsman assesses the appropriate action to be taken.

Principle 6: People

(The organisation's leadership in people management contributes to individual and organisational achievements)

It is a strategic direction of the Office to attract, develop and retain a skilled and valued workforce with a culture that supports high quality, responsive and efficient service; and to treat people professionally, courteously and with appropriate sensitivity.

The Office continues to implement human resource strategies, which focus on the recruitment, retention and engagement of high quality staff; accounting for individual performance and development; and continual learning. The *Workforce and Diversity Plan 2015-2020* provides a strong workforce planning framework to support the achievement of these strategies.

The Office has a strong human resources policy framework covering employment of staff, conditions of employment, flexible work arrangements, staff development, study assistance, employee relations (including grievance resolution) and occupational safety and health.

Principle 7: Finance

(The organisation safeguards financial integrity and accountability)

The Office produces an annual budget which is approved by the Ombudsman. The monitoring of actual versus budget along with financial integrity and accountability is secured through reporting to the Executive Management Group. The Office also has a *Financial Management Manual (the Manual)*, designed to assist employees to perform their tasks efficiently and effectively. The processes in the Manual are consistent with relevant Treasurer's Instructions and State Supply Commission policies.

An Internal Audit and Risk Management Committee reviews an audit of financial management, including procurement, each year against the policies and procedures in the Manual. The 2014-15 audit concluded that good controls exist to ensure compliance with relevant legislation and policy requirements.

Principle 8: Communication

(The organisation communicates with all parties in a way that is accessible, open and responsive)

To ensure services are accessible, open and responsive, the Office communicates with its key stakeholders using a range of communication channels, adapted to suit the audience. Further information is included in the [Collaboration and Access to Services section](#) of the report. The Office also provides guidance for dealing with people with a disability and people from culturally and linguistically diverse backgrounds. Policies covering record keeping, records management and communications ensure the Office safeguards the confidentiality and integrity of information, preventing unauthorised or false disclosure.

Bi-monthly staff meetings and separate team meetings provide a forum for sharing information internally and the Staff Consultative Committee has input into Office policies and procedures that affect staff. The Committee is made up of management and staff representatives from all teams in the Office.





Principle 9: Risk management (The organisation identifies and manages its risks)

The Office identifies and manages its risk through a *Risk Management Plan* that is considered by the Office's Audit and Risk Management Committee as part of the Committee's regular meetings. The *Risk Management Plan* continues to be relevant and consistent with the Office's Strategic Plan. The Office also has a *Business Continuity Plan* to ensure it can respond to, and recover from, any business disruption.

Under the *Risk Management Plan*, controls have been identified for significant risks and any action required is assigned to a relevant member of Corporate Executive. The internal audit plan is based on the areas of risk identified in the *Risk Management Plan* and the Audit and Risk Management Committee oversees these audits and the audit plan for each year.

In 2014-15, internal audits were conducted of the Office's recruitment and selection processes, and financial management and procurement practices. The audits showed a good level of internal control is being maintained to ensure compliance with relevant legislation and policies.

Recordkeeping Plans

The Office is committed to maintaining a strong records management framework and aims for best practice recordkeeping practices. The Office is continuously improving recordkeeping practices to ensure they are consistent with the requirements of the [State Records Act 2000](#) and meet the needs of the Office for high quality recordkeeping. The Office's framework includes:

- A Recordkeeping Plan, a Retention and Disposal Schedule, a Records Management Policy, a Records Classification Plan and Security Framework and a Records Disaster Recovery Plan;
- An electronic document records management system (**EDRMS**) called Tower Records Information Management (**TRIM**), which was implemented in 2005 and upgraded in 2011-12;
- The Office's case management databases; and
- A series of guidelines and a user manual for staff.

Electronic Document Records Management System

All incoming, outgoing and significant internal documents are saved electronically into the EDRMS. Staff are required to save their final electronic documents and correspondence, including electronic mail and facsimiles directly into the EDRMS.

The Office utilises an electronic case management system (**RESOLVE**) for the management of complaints in the Ombudsman and Energy and Water Ombudsman jurisdictions, and in the review of child deaths and family and domestic violence fatalities. RESOLVE is directly integrated with the EDRMS, allowing records and related cases to be saved and accessed through RESOLVE.

Evaluation and review of efficiency and effectiveness of systems and training

During 2014-15, as part of the scheduled review of the Office's Recordkeeping Plan in 2015-16, the Office's recordkeeping processes were reviewed to ensure compliance with the Records Management Framework and promote best practice recordkeeping. The efficiency and effectiveness of the recordkeeping training program is reviewed regularly through monitoring staff use of the EDRMS to ensure that staff are following the recordkeeping requirements of the Office.

In 2014-15, an internal audit was commenced on information security for the records of the Office and the report will be available in 2015-16.

Induction and training

All records related plans, policies, guidelines and manuals are available on the Office's intranet to assist staff to comply with their recordkeeping requirements and include user friendly guides for training staff. The Office's Online Induction mini-site, developed in 2010-11, includes a section on recordkeeping. This is part of the induction process for new staff and is also available as a resource for existing staff members. The induction process also includes individual training sessions with new staff members conducted by the Customer Service and Records Manager soon after appointment. Follow up training and help desk assistance are provided as required. Recordkeeping roles and responsibilities are also included in accountability and ethical decision making training and the Office's *Code of Conduct*, which is signed by all staff on appointment.

In 2014-15, the Office commenced the development and implementation of online training to further strengthen staff recordkeeping practices.

Government Policy Requirements

Substantive Equality

The Office does not currently have obligations under the Framework for Substantive Equality. However, the Office is committed to the intent and substance of the policy, including the elimination of systemic racial discrimination in the delivery of public services, and the promotion of sensitivity to the different needs of key stakeholders.





Needs assessment

The Office is committed to understanding the needs of Aboriginal people and people from culturally and linguistically diverse backgrounds and setting objectives to overcome barriers in service delivery for these groups. The Office regularly assesses the impact of our service delivery practices on Aboriginal people and people from culturally and linguistically diverse backgrounds.

In particular, the Office recognised a historical under-representation of Aboriginal people accessing our services and established a Regional Awareness and Accessibility Program which focuses on access for Aboriginal and regional Western Australians. The Program is an important way for the Office to:

- Raise awareness of, and access to, its services for Aboriginal Western Australians in regional and remote locations; and
- Provide a valuable opportunity for the Office to strengthen its understanding of the issues affecting Aboriginal people.

The Office has also identified a range of other strategies to meet their needs and overcome barriers to service delivery, including:

- Involvement in outreach activities in metropolitan areas to raise community awareness of, and access to, the Office's services, such as Homeless Connect in November 2014;
- Attending adult prisons and Banksia Hill Detention Centre to meet with prisoners and juvenile detainees, and prisoner representative groups, to understand their specific needs and be available to take complaints. An Aboriginal consultant attends these meetings to assist staff to understand the issues involved and to facilitate cross cultural communication;
- Providing information on our services in 15 languages on our website. All publications are available in alternative formats and can be translated into other languages on request;
- Promoting details for Translating and Interpreting Services on the website and in publications for people with English as a second language. Interpreters and translators are regularly used when resolving complaints;
- Complaints can be written in the person's first language and the Office arranges translators for the incoming complaint and outgoing response and staff use interpreters, either face to face or by telephone, when discussing complaints; and
- Involving Aboriginal consultants in relevant own motion investigations and as part of the Ombudsman's Advisory Panel to provide independent advice on issues and trends and contemporary professional practice within the scope of the child death and family and domestic violence fatality review functions.

Monitoring

The Office monitors whether services respond to the different needs of Aboriginal people and people from culturally and linguistically diverse backgrounds, including:

- Seeking demographic information from people who make complaints to enable the Office to monitor whether its services are used by all of the Western Australian community, particularly those who may find it difficult to access services;
- Collecting demographic data relating to reviews of child deaths and family and domestic violence fatalities to identify patterns and trends in relation to these deaths; and
- Seeking advice of specialist consultants in relation to the relevance and appropriateness of reports relating to own motion investigations.

Organisational performance appraisal

The Office undertakes ongoing performance appraisal of access to services and appropriate service delivery for Aboriginal people and people from culturally and linguistically diverse backgrounds.

In 2014-15, the Office's complaint resolution services were accessed by people from a diverse range of backgrounds, comparable to the Western Australian population. In particular, for people whose complaints were received in 2014-15:

- 9.7% of people identified as Aboriginal, compared to 3.6% of the population;
- 33% of people were born overseas compared to 31% of the population; and
- 19% of people were born in a country where English is not the main language, compared to 15% of the population.

Learning and development

The Office promotes learning and development to ensure that its employees are equipped with the skills and knowledge necessary to understand and meet the needs of Aboriginal people and people from culturally and linguistically diverse backgrounds, including:

- Training staff in identifying language related barriers to communication, including utilising the Office of Multicultural Interests' *Diverse WA* online cultural competency training module;
- Appropriately engaging with interpreters and telephone translators to ensure equitable access to our services; and
- Aboriginal cross-cultural awareness training, including utilising the Public Sector Commission's *Sharing Culture* online Aboriginal cultural awareness training module.



Occupational Safety, Health and Injury Management

Commitment to occupational safety, health and injury management

The Office is committed to ensuring a safe and healthy workplace. The goal is for a workplace that is free from work-related injuries and diseases by developing and implementing safe systems of work and by continuing to identify hazards and control risks as far as practicable.

The Office maintains an Occupational Safety and Health (**OSH**) framework that includes:

- Safe work practices;
- Managing and reporting workplace hazards, incidents and injuries;
- Injury management, including a Return to Work Program that extends to non-work related injuries;
- Emergency procedures; and
- General employee health and wellbeing, including an Employee Assistance Program.

All employees and contractors are made aware of their OSH responsibilities through an Online Induction that includes a component on OSH as well as safe work practices in an office environment. This is also used as an information source for existing staff. The Office's policies and guidelines are also accessible to employees through the Office's intranet.

There is a strong executive commitment to the health and safety of staff. Hazards and other issues relating to health and safety can be raised with elected OSH representatives or directly with the Deputy Ombudsman, and key issues are brought to the attention of the Ombudsman, who is committed to their prompt and effective resolution.

Consultation

The Office promotes a consultative environment in which management, staff and other stakeholders work together to continually improve OSH practices. Formal mechanisms for consultation with employees and others on OSH matters include:

- The Office has OSH responsibilities within its tenancy and also works closely with the building management at Albert Facey House to ensure a safe working environment is maintained;
- The Office has two elected OSH Representatives who act as an important link between management and staff, so that they can work together and arrive at solutions to make the workplace safe;
- The Staff Consultative Committee has OSH responsibilities and the Office's OSH Representatives are standing members of the Committee. OSH matters are a standing item on the agenda to allow Committee members to refer matters raised by staff to the Committee for resolution and inform their team of issues and safe working practices raised at Committee meetings;



- There is dissemination of OSH information and discussion at regular staff and team meetings; and
- There is regular training on OSH matters for both management and staff. In 2014-15, an OSH session was held for Managers in which they were briefed on how to respond to mental health challenges in the workplace and allegations of inappropriate workplace behaviour and a further session was conducted on their injury management responsibilities. During the year an OSH session was held for staff on ergonomic principles and practices appropriate for an office-based environment which was followed by an assessment of individual workspaces conducted by a suitability qualified consultant.

Statement of compliance

The Office complies with the injury management requirements of the [Workers' Compensation and Injury Management Act 1981](#) and is committed to providing injury management support to all workers who sustain a work related injury or illness with a focus on a safe and early return to their pre-injury/illness position. Rehabilitation support is also provided to employees with non-work related injuries or when recovering from a protracted illness.

As part of this approach, the Office encourages early intervention in injury management, and ensures there is early and accurate medical assessment and management of each injury, work related or not.

Assessment of OSH systems

An assessment of the Office's OSH systems was conducted internally in 2013 against the elements of the WorkSafe Plan and all (100%) of the agreed actions have been completed. The results of the assessment were also used to develop an OSH Management Plan and update associated guidelines detailing OSH roles and responsibilities within the Office and outlining the approach taken to identifying, assessing and controlling hazards and the associated risks.

Internal evaluation of the accommodation at Albert Facey House is ongoing and workplace inspections are undertaken regularly by the Office's elected OSH Representatives. Any OSH changes identified are promptly addressed.

There is ongoing review of the Office's emergency procedures for dealing with unreasonable conduct by visitors to the Office and, during 2014-15, there was a trial evacuation of Albert Facey House, where fire alarms were activated and all staff within the building were evacuated for drill purposes.



Annual performance

During 2014-15, two workers' compensation claims were recorded.

The Office's OSH and injury management statistics for 2014-15 are shown below.

	Actual Results		Results Against Target	
Measure	2012-13 Actual	2014-15 Actual	2014-15 Target	Comment on Result
Number of fatalities	0	0	0	Target achieved
Lost time injury/disease (LTI/D) incidence rate	0	3.3	0	The Office had two lost time injuries which increased the incidence rate slightly above target
Lost time injury/disease severity rate	0	0	0	Target achieved
Percentage of injured workers returned to work within (i) 13 weeks; and (ii) 26 weeks.	Not Applicable	i) 100% ii) 100%	Greater than or equal to 80% return to work within 26 weeks	Target exceeded
Percentage of managers and supervisors trained in occupational safety, health and injury management responsibilities.	83%	100%	>80%	Target exceeded





[Appendix 1 – Complaints Received and Finalised](#)

[Appendix 2 – Legislation](#)

[Appendix 3 - Publications](#)



Appendix 1 – Complaints Received and Finalised

		Complaints finalised at assessment				Complaints finalised at investigation					
	Total Complaints Received in 2014-15	Issue not in jurisdiction	More appropriate body to handle complaint	Referred back to the public authority	Investigation not warranted	Resolved	Sustained	Not sustained or cannot be determined	Discontinued	Withdrawn	Total Complaints Finalised in 2014-15
PUBLIC SECTOR											
Aboriginal Affairs, Department of	1				1						1
Agriculture and Food, Department of	3	1	1		1	1					4
Attorney General, Department of the	32	3	5	6	8	8					30
C .Y. O'Connor Institute	1				1						1
Central Institute of Technology	8		1	3	1	2				1	8
Challenger Institute of Technology	3					1	1				2
Child Protection and Family Support, Department for	61	5	6	11	13	20		2			57
Commerce, Department of	22	1	6	4		10		1			22
Corrective Services, Department of	234	8	14	52	53	102		2		5	236
Culture and the Arts, Department of	2		1	1							2
Disability Services Commission	2		1					1			2
Economic Regulation Authority	1					1					1
Education Services, Department of	1	1									1
Education, Department of	22	1	2	3	6	9		1		1	23
Environment Regulation, Department of						1					1
Finance, Department of	5		1		1	3					5
Fire and Emergency Services, Department of	1	1									1
Fisheries, Department of	3			1	1	1					3
Forest Products Commission	4		2		2						4
Gold Corporation	1					1					1
Government Employees Superannuation Board	1		1								1
Great Southern Institute of Technology	1					1					1
Health and Disability Services Complaints Office	4		1		1	2					4
Health, Department of	51	5	23	5	9	9	1				52
Housing, Department of	126	2	11	17	33	63		2		3	131
Insurance Commission of Western Australia	7		3			3					6
Landgate	4			1	2	1					4
Lands, Department of	1				1						1
Legal Aid Western Australia	6		3	2	2	2					9
Legal Practice Board	3				3						3
Local Government and Communities, Department of	3	1				1					2
Lotteries Commission	1				1	1					2
Main Roads Western Australia	5	1	1	1	2	1					6
Metropolitan Cemeteries Board	4	1				2					3
Metropolitan Redevelopment Authority	2										

		Complaints finalised at assessment				Complaints finalised at investigation					
	Total Complaints Received in 2014-15	Issue not in jurisdiction	More appropriate body to handle complaint	Referred back to the public authority	Investigation not warranted	Resolved	Sustained	Not sustained or cannot be determined	Discontinued	Withdrawn	Total Complaints Finalised in 2014-15
Mid West Ports Authority	1		1								1
Mines and Petroleum, Department of	1									1	1
Parks and Wildlife, Department of	1				1						1
Planning, Department of	7	3			2			1			6
Prisoners Review Board	4	1			2			1			4
Public Advocate, Office of the	10		2		4	4					10
Public Sector Commission	1										
Public Transport Authority	15	3	4	2	4	4					17
Public Trustee	26	1	1	4	10	10					26
Racing, Gaming and Liquor, Department of						1					1
School Curriculum and Standards Authority	4				1			3			4
SERCO - Acacia Prison	42		1	9	9	19		1		2	41
Swan River Trust	1					1					1
Teacher Registration Board	4					3				1	4
Training Accreditation Council	2				1						1
Training and Workforce Development, Department of	5					3		2			5
Transport, Department of	75	4	11	12	19	25		1		3	75
Veterinary Surgeons' Board	1										
Water Corporation	3		2	1							3
West Coast Institute of Training	1									1	1
Western Australia Police	132	15	26	41	29	25				1	137
Western Australian Planning Commission	4	1			1	2					4
Western Power	2		1		1						2
Workcover	4	1	1	1		1					4
TOTAL PUBLIC SECTOR COMPLAINTS	972	60	133	177	226	344	2	18		19	979





	Total Complaints Received in 2014-15	Complaints finalised at assessment				Complaints finalised at investigation				Total Complaints Finalised in 2014-15	
		Issue not in jurisdiction	More appropriate body to handle complaint	Referred back to the public authority	Investigation not warranted	Resolved	Sustained	Not sustained or cannot be determined	Discontinued		Withdrawn
LOCAL GOVERNMENT											
Albany, City of	1					1					1
Armadale, City of	5			2	1	1					4
Ashburton, Shire of	1				1						1
Bassendean, Town of	3					2				1	3
Bayswater, City of	6			1	2	1		1			5
Belmont, City of	2		1								1
Boddington, Shire of	2			1		1					2
Bridgetown / Greenbushes, Shire of	2			1							1
Broome, Shire of	1		1			1					2
Busselton, City of	5		1		1	3					5
Cambridge, Town of	4		2		1	1					4
Canning, City of	8	1	2	2	3	2					10
Carnarvon, Shire of					1						1
Chittering, Shire of	7		1	1		3					5
Claremont, Town of	6	1	2			2					5
Cockburn, City of	6		2	2		3					7
Coolgardie, Shire of	2		2								2
Coorow, Shire of	1					1					1
Cottesloe, Town of	3		1		1	1					3
Cue, Shire of			1								1
Cunderdin, Shire of	1										
Dandaragan, Shire of	1							1			1
Donnybrook / Balingup, Shire of	2				1	1					2
Dowerin, Shire of	2		2								2
Dumbleyung, Shire of	4			1	2	1					4
East Fremantle, Town of						1					1
Esperance, Shire of	2			1		1					2
Exmouth, Shire of	1					1					1
Fremantle, City of	4			1		4					5
Gingin, Shire of	4		2		1						3
Gosnells, City of	12	1	2	2	2	6					13
Greater Geraldton, City of	6		1	2	1	3					7
Halls Creek, Shire of	1		1								1
Harvey, Shire of	1									2	2
Joondalup, City of	22		6	1	2	12				1	22
Kalamunda, Shire of	3				1	3					4
Kalgoorlie / Boulder, City of	1										
Karratha, City of	75	1	74								75
Katanning, Shire of	2				2						2
Kellerberin, Shire of	1					1					1
Kent, Shire of	1		1								1
Kojonup, Shire of	1		1								1
Kwinana, City of	2				1	1		1			3
Mandurah, City of	6		1			5				1	7

	Total Complaints Received in 2014-15	Complaints finalised at assessment				Complaints finalised at investigation				Withdrawn	Total Complaints Finalised in 2014-15
		Issue not in jurisdiction	More appropriate body to handle complaint	Referred back to the public authority	Investigation not warranted	Resolved	Sustained	Not sustained or cannot be determined	Discontinued		
Melville, City of	15	1	4	1	2	6					14
Merredin, Shire of	1		1								1
Mindarie Regional Council	1					1					1
Moora, Shire of			1								1
Mundaring, Shire of	4					3					3
Murchison, Shire of	1				1						1
Murray, Shire of	1		1								1
Narrogin, Shire of	2				1	1					2
Nedlands, City of	1		1								1
Northam, Shire of	3				1						1
Northampton, Shire of	1			1							1
Perth, City of	17		12	1	2	2					17
Plantagenet, Shire of	2				1	1					2
Rockingham, City of	10		1		3	6					10
Serpentine / Jarrahdale, Shire of	9		3		3	1	1				8
South Perth, City of	7		1	1	1	4					7
Stirling, City of	21		5	4	2	12					23
Subiaco, City of	9		2		3	3					8
Swan, City of	7	2		1		4					7
Toodyay, Shire of	3		2								2
Victoria Park, Town of	11		5	3	1	1				1	11
Vincent, City of	10		3	1		6					10
Wanneroo, City of	8		3		2	3					8
Waroon, Shire of	1			1		1					2
Woodanilling, Shire of	1					1					1
Wyndham / East Kimberley, Shire of	6	1	2		1	2					6
York, Shire of										1	1
TOTAL LOCAL GOVERNMENT COMPLAINTS	372	8	154	32	48	121	1	3		7	374



	Total Complaints Received in 2014-15	Complaints finalised at assessment				Complaints finalised at investigation				Total Complaints Finalised in 2014-15	
		Issue not in jurisdiction	More appropriate body to handle complaint	Referred back to the public authority	Investigation not warranted	Resolved	Sustained	Not sustained or cannot be determined	Discontinued		Withdrawn
UNIVERSITIES											
Curtin University	30		3	6	1	11		8		1	30
Edith Cowan University	18		1	4	4	6		6			21
Murdoch University	13	1	2	4	4	3				1	15
University of Western Australia	4		1			2		1			4
TOTAL UNIVERSITIES	65	1	7	14	9	22		15		2	70

AGENCIES OUT OF JURISDICTION											
Organisation not identified	5	2	1		2						5
Agencies out of jurisdiction	633	125	500	1	3					3	632
TOTAL AGENCIES OUT OF JURISDICTION	638	127	501	1	5					3	637

TOTAL COMPLAINTS											
Total complaints about agencies in jurisdiction	1409	69	294	223	283	487	3	36		28	1423
Total complaints about agencies out of jurisdiction	638	127	501	1	5					3	637
GRAND TOTAL	2047	196	795	224	288	487	3	36		31	2060



Appendix 2 – Legislation

Principal Legislation

- Parliamentary Commissioner Act 1971

Legislation and Other Instruments Governing Other Functions

Complaints and appeals by overseas students	• <u>National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007</u>
Public Interest Disclosures	• <u>Public Interest Disclosure Act 2003</u>
Complaints from residents of the Indian Ocean Territories	• <u>Indian Ocean Territories (Administration of Laws) Act 1992</u> • <u>Christmas Island Act 1958 (Commonwealth)</u> • <u>Cocos (Keeling) Islands Act 1955 (Commonwealth)</u>
Complaints from persons detained under terrorism legislation	• <u>Terrorism (Preventative Detention) Act 2006</u>
Inspection of Telecommunications Interception records	• <u>Telecommunications (Interception and Access) Act 1979 (Commonwealth)</u> • <u>Telecommunications (Interception and Access) Western Australia Act 1996</u>
Monitoring functions under the <i>Criminal Organisations Control Act</i>	• <u>Criminal Organisations Control Act 2012</u>
Monitoring of the Infringement Notices provisions of <i>The Criminal Code</i>	• <u>The Criminal Code</u>
Energy and Water Ombudsman	• <u>Economic Regulation Authority Act 2003</u> • <u>Electricity Industry Act 2004</u> • <u>Energy Coordination Act 1994</u> • <u>Water Services Act 2012</u> • <u>Constitution of the Energy and Water Ombudsman (Western Australia) Limited</u> • <u>Charter of the Energy and Water Ombudsman (Western Australia) Limited</u>

Other Key Legislation Impacting on the Office's Activities

- *Auditor General Act 2006;*
- *Children and Community Services Act 2004;*
- *Corruption, Crime and Misconduct Act 2003;*
- *Disability Services Act 1993;*
- *Equal Opportunity Act 1984;*
- *Financial Management Act 2006;*
- *Industrial Relations Act 1979;*
- *Minimum Conditions of Employment Act 1993;*
- *Occupational Safety and Health Act 1984;*
- *Public Sector Management Act 1994;*
- *Royal Commissions Act 1968;*
- *Salaries and Allowances Act 1975;*
- *State Records Act 2000;* and
- *State Supply Commission Act 1991.*





Appendix 3 – Publications

The following publications are available electronically on the Ombudsman's website at www.ombudsman.wa.gov.au and in hard copy by request to mail@ombudsman.wa.gov.au. Publications can also be made available in alternative formats to meet the needs of people with a disability.

Brochures and Posters

About the Ombudsman

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

Guidelines and Information Sheets for Members of the Public

Making a Complaint

- How to complain to the Ombudsman (translated into 15 community languages)
- Making a complaint to the Ombudsman (summary information sheet)
- Complaining to the Ombudsman - Information for prisoners
- Complaints by overseas students
- Making a complaint to a State Government agency

How Complaints are Handled

- Overview of the complaint resolution process - Information for complainants
- How we assess complaints
- Assessment of complaints checklist
- Being interviewed by the office of the Ombudsman
- Requesting a review of a decision about a complaint to the Ombudsman

Guidelines and Information Sheets for Public Authorities

General Information

- Overview of the complaint resolution process - Information for public authorities
- Information for boards and tribunals



Information Packages for Public Authorities

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

Decision Making

- Exercise of discretion in administrative decision making
- Procedural fairness (natural justice)
- Giving reasons for decisions
- Good record keeping

Effective Complaint Handling

- The principles of effective complaint handling
- Effective handling of complaints made to your organisation – An overview
- Complaint handling systems Checklist
- Making your complaint handling system accessible
- Guidance for Complaint Handling Officers
- Investigation of complaints
- Procedural fairness (natural justice)
- Good record keeping
- Remedies and Redress
- Dealing with unreasonable complainant conduct
- Managing unreasonable complainant conduct: Practice manual

Conducting Investigations

- Conducting administrative investigations
- Investigation of complaints
- Procedural fairness (natural justice)
- Giving reasons for decisions
- Good record keeping

Management of Personal Information

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

Integrity Coordinating Group Publications

The following publications have been produced by the Integrity Coordinating Group and are available at www.icg.wa.gov.au and via links from the [Ombudsman's website](#):

- Integrity in decision making
- Conflicts of interest
- Gifts, benefits and hospitality
- Raising concerns - taking action on integrity issues

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