

## **Colin Neave – Commonwealth Ombudsman**

### **ANZOA Member dot points January 2015**

#### **Investigation report – programs delivered by more than one agency**

Early in the new year my office published a report of an investigation of a complaint about the Pharmacy Location Program, jointly administered by the Department of Health and the Department of Human Services. The report highlights issues of sharing information between agencies that jointly administer a program.

The report – *Avoiding, acknowledging and fixing mistakes: investigation of a complaint about the Australian Community Pharmacy Authority* – concerns a complaint about the Pharmacy Location Program. The failure by the agencies involved to work together to either fix the mistake or, after it could not be fixed; to deal openly with the complainant was disappointing. However, both agencies have responded positively to our recommendations.

#### **Twinning program with the Ombudsman Commission of PNG**

The Commonwealth Ombudsman (CO)/Ombudsman Commission of PNG's (OCPNG) Twinning Program, delivered by my office's International team, had one of its most productive six-month periods to the end of December 2014. Achievements included:

- three OCPNG officers completed the Certificate IV in Training and Assessment
- 12 OCPNG officers and three Public Service Commission officers completed three of the four weeks Certificate IV in Government (Investigation) course with all students on track to graduate in February 2015
- the Deputy Commonwealth Ombudsman, Richard Glenn, visited PNG for the first time and attended a roundtable with OCPNG's senior management
- OCPNG Secretary, Joe Molita, travelled to Australia for two weeks in the first of three management level placements. Among other activities, Mr Molita attended the National Investigation Symposium; undertook training through the Institute of Public Administration Australia in monitoring and evaluation and met with the Attorney General's office to discuss proposed PNG legislation that will impact the oversight of the Royal Papua New Guinea Constabulary by the OCPNG
- a senior investigator from OCPNG's Complaints and Administrative Investigations Division (CAID) police team, came to Australia to attend the National Investigation Symposium and the follow-up Pacific Ombudsman Alliance workshop.

## **Norfolk Island Ombudsman opens for business**

The office of the Norfolk Island Ombudsman is now open for business with the gazettal of the agreement between the Administrator of Norfolk Island and the Commonwealth Ombudsman on 19 December 2014. As well as providing a service to the Norfolk Island community to receive, assess and investigate complaints about public sector administration on the island, the office has an oversight role to inspect the records of the Norfolk Island Complaints Officer. The website for the Norfolk Island Ombudsman is at [www.nio.gov.au](http://www.nio.gov.au).

## **Function changes**

### FOI

My office began handling complaints about the processing of requests under the *Freedom of Information Act 1982* from 1 November 2014, following the Government's decision to disband the Office of the Australian Information Commissioner by 1 January 2015. Reviews of FOI decisions are handled by the Administrative Appeals Tribunal from 1 January 2015 and the Privacy Commissioner remains responsible for handling complaints under the *Privacy Act 1988*.

### Tax

The Tax and Superannuation Laws Amendment (2014 Measures No.7) Bill was introduced to Parliament in early December 2014, seeking to amend the *Inspector-General of Taxation Act 2003*, the *Ombudsman Act 1976* and other associated legislation to provide for the transfer of the tax complaint-handling role from this office to the Inspector-General of Taxation.

If the Bill is passed in its current form, the Inspector-General's tax complaint-handling role will start on 1 May 2015 or the 14<sup>th</sup> day after the Act receives the Royal Assent (whichever is later). In the meantime, my office continues to deal with complaints about the Australian Taxation Office.

### Private Health Insurance

Discussions are well under way in support of the transition of the Private Health Insurance Ombudsman to this office, which is expected to take effect from mid-year.