

Authority, accountability and performance

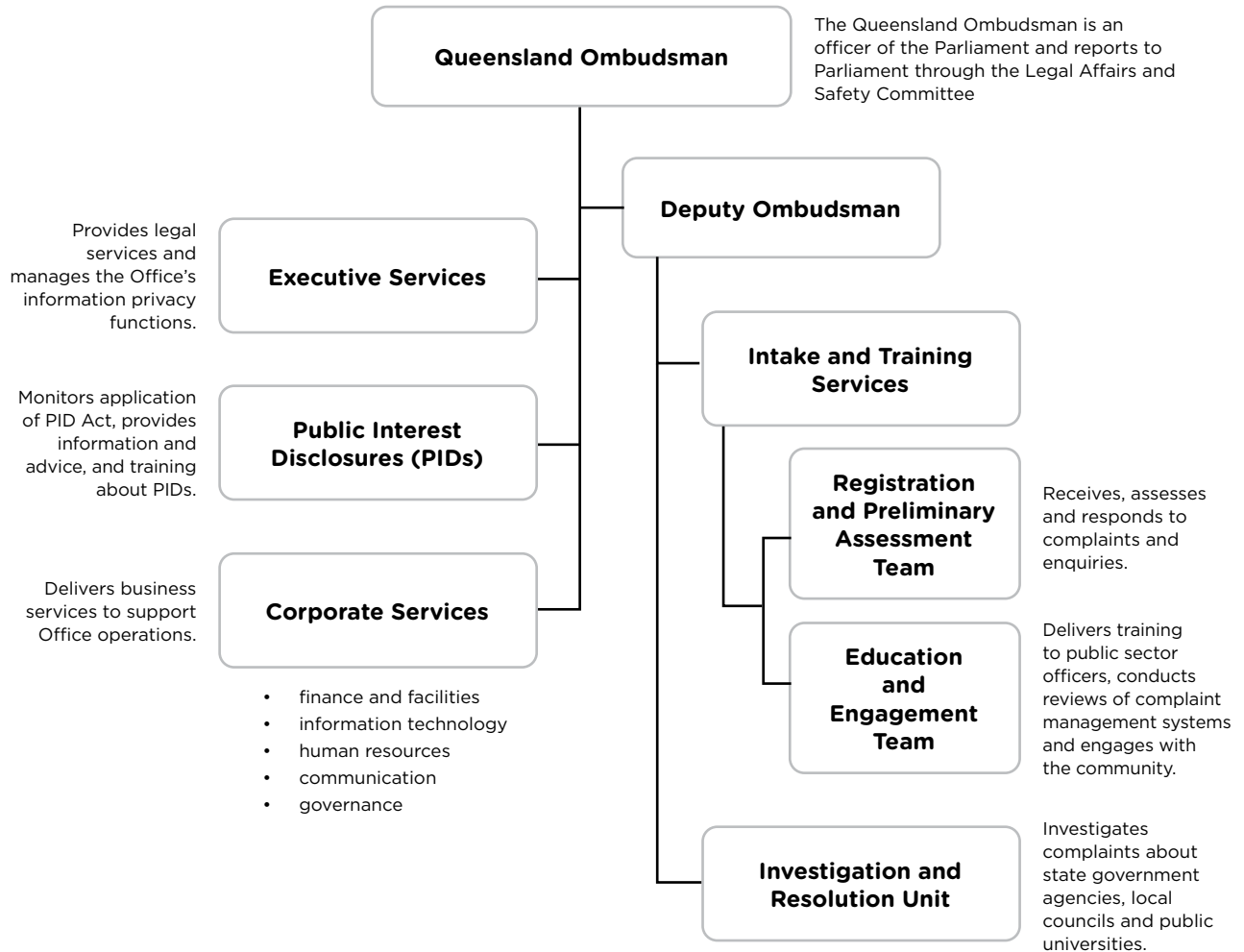
The Office of the Queensland Ombudsman is established under the *Ombudsman Act 2001*, and has oversight of the *Public Interest Disclosure Act 2010*.

Under s 8 of the *Financial Accountability Act 2009*, the Office is considered a department and has an obligation to ensure its performance is economic, effective and efficient.

External accountability

Activity	Description
Legal Affairs and Safety Committee	The Ombudsman is an officer of the Parliament and reports through this committee. The Ombudsman meets annually with the committee after the tabling of the Office's annual report. A transcript of the hearing is published on the Parliamentary website. The Ombudsman last met with the committee in June 2021.
Estimates hearing	The Ombudsman attends the hearing as chief executive of the Office. Briefings are prepared in consultation with the Department of Justice and Attorney-General.
Service Delivery Statement	Annual financial and non-financial performance information is published as part of the state budget papers.
Annual report	A full and complete disclosure of financial and non-financial performance information is tabled in the Queensland Parliament.
Strategic review of the Office	Under s 83 of the <i>Ombudsman Act 2001</i> , an independent strategic review of the Office is to be conducted at least every seven years. The last strategic review report was tabled in parliament on 15 February 2018.
External audit - Queensland Audit Office	The Queensland Audit Office (QAO) undertakes an external audit role for the Office and monitors compliance with financial management requirements in accordance with the revised auditing standard ISA 720 The Auditor's Responsibilities to Other Information. A final version of the annual report will be reviewed by QAO before being tabled to ensure no material inconsistency between the other information and the financial report. The Ombudsman met the timeframes for the preparation of financial reports for 2020-21. See Appendix C: Audited financial statements.

Organisational structure



Internal accountability

During 2020–21, the Office operated under its Strategic Plan 2018–22, which frames the Office’s strategic vision, purpose, objectives, key performance indicators, and identified strategic risk and opportunities. The Office’s Operational Plan 2020–21 incorporated these performance indicators and aligned core business and special projects to responsible officers.

Governance structure

The corporate governance framework is the system by which the Office:

- meets statutory responsibilities, including legislative and other compliance obligations
- ensures outcomes contribute to public value
- delivers better service and improves performance
- balances risk management and service delivery.

In 2020–21, the Ombudsman revised the Office’s governance arrangements. The Office moved from a single internal oversight committee, the Ombudsman Management Group, to a two-tiered structure made up of a small Executive Leadership Team and a larger group, the Senior Management Team.

Executive Leadership Team (ELT)

The ELT monitors strategic direction, budget, performance and strategic and operational risks. Membership is: Ombudsman, Deputy Ombudsman and Director, Corporate Services. This group usually meets fortnightly.

Senior Management Team (SMT)

The SMT is a cross-organisational oversight group that advises the ELT on strategic direction and priorities, monitors operational performance and risk, and significant activity. This group usually meets quarterly and is also convened for special purposes, such as strategic and operational planning and risk management.

The SMT comprises:

- Ombudsman (Chair)
- Deputy Ombudsman
- Director, Corporate Services
- Assistant Ombudsman, Intake and Training Services
- Assistant Ombudsman, Investigation and Resolution Unit (local government)
- Assistant Ombudsman, Investigation and Resolution Unit (state government)
- Manager, Registration and Preliminary Assessment Team
- Principal Advisor, Public Interest Disclosures
- Manager, Education and Engagement Team
- General Counsel
- Principal Officer, Information Services
- Chief Financial Officer
- Communication Officer.

ELT members

Anthony Reilly

Ombudsman

Mr Reilly commenced duties as Queensland Ombudsman on 10 July 2020.

He is an experienced lawyer and public administrator. Prior to his current appointment, He served as CEO of Legal Aid Queensland, leading the delivery of legal services to financially disadvantaged people across Queensland. He has also held key leadership roles in a number of government departments and agencies, including Queensland Health, Department of the Premier and Cabinet and the Public Safety Business Agency. As a lawyer, Mr Reilly worked in community legal centres such as the Refugee and Immigration Legal Service and Basic Rights Queensland. Mr Reilly holds Bachelor of Arts, Bachelor of Laws and a Master of Business Administration. He is admitted as a solicitor.

Angela Pyke

Deputy Ombudsman

Ms Pyke joined the Office in August 2018 as Deputy Ombudsman.

Before being appointed Deputy Ombudsman, she was Director of Financial Investigations with the Crime and Corruption Commission. Her career in the public sector spans more than 20 years. She commenced work in the Department of Primary Industries before undertaking roles in law enforcement as a financial investigator, working for the Queensland Crime Commission, and the Australian Crime Commission. Ms Pyke holds a Bachelor of Commerce, majoring in Accounting. She is a Certified Practising Accountant and a Graduate of the Australian Institute of Company Directors.

Leanne Robertson

Director, Corporate Services

Ms Robertson has more than 30 years' experience in the Queensland public sector, across a range of agencies. In previous work for the Office, she managed the Public Interest Disclosure Act oversight role and undertook senior roles in communication, research and governance. Ms Robertson holds a Bachelor of Business, a Graduate Diploma in Business Administration and a Graduate Certificate in Professional Legal Studies.

Audit Committee

The Audit Committee provided independent assurance and assistance to the Ombudsman on the risk, control and compliance frameworks and external accountability and responsibilities as prescribed in the *Financial Accountability Act 2009* and the Financial Accountability Regulation 2019.

In 2020–21, the committee oversaw the audits of the Office’s recruitment and selection processes, and records management. The committee also oversaw the implementation of the recommendations of the audit of the risk management framework.

No audit recommendations were received from the Queensland Audit Office (QAO) during the year, however, the QAO was represented at each meeting and provided information on issues to help improve practices.

The committee, which met five times in 2020–21, complied with the terms of its charter and had due regard to the Queensland Treasury Audit Committee Guidelines and overviewed the finalisation of the annual financial statements of the Office.

At 30 June 2021, the committee comprised two independent external members and an internal member:

- Ms Terry Campbell, Chair and External Member
- Mr Mark Nix, External Member
- Ms Angela Pyke, Deputy Ombudsman.

Only external members are eligible to receive payment. In 2020–21, Ms Campbell was paid \$3,380 and Mr Nix was paid \$1,200.

Internal audit

The purpose of the Office’s internal audit function is to provide independent, objective assurance and consulting services to add value and improve operations.

In 2020–21, internal audit delivered two reports:

- a review of the recruitment and selection processes
- a review of records management.

During the year, the Office’s Head of Internal Audit resigned. The Ombudsman is working with the Audit Committee to establish a new contract arrangement for audit services in 2021–22.

Risk management

The Office’s risk management framework was informed by its Strategic Plan 2018–22, which guided the identification and mitigation of risk.

In 2019–20, the Office undertook an internal audit of its risk management framework and most of the recommendations were implemented in 2020–21.

The reviewed risk management framework comprises an updated policy and procedures and risk appetite, as well as team-specific and office-wide risk management.

These elements provide the core structure for identifying, treating and monitoring risk through the ELT and SMT, with additional oversight from the Audit Committee.

The Office will continue to develop the Office’s risk management maturity in 2021–22.

Business continuity risk management

The Office continued to deliver services with minimal disruption from the COVID-19 pandemic. Lessons learned from the activation of the Office’s Business Continuity Plan in 2019–20 meant the disruptions related to lockdowns and movement restrictions did not significantly impact the Office’s work.

Actions to further the objects of the *Human Right Act 2019* (HR Act)

The Office undertook a number of activities to implement the HR Act. Many of these were ongoing in 2020–21 including:

- referral arrangements between this Office and the Queensland Human Rights Commission (QHRC), with Mr Scott McDougall, Human Rights Commissioner
- new officers completed the QHRC’s online training ‘Public entities and the Queensland *Human Rights Act 2019*’, and an internal training session on the rights protected under the Act
- further training for decision-makers within the Office.

Workforce policy and performance

Workforce

The Office's ELT and SMT reviewed workforce requirements as part of the planning process. Key drivers of workforce planning included protecting health, safety and wellbeing, attracting and retaining suitably skilled officers, and developing skills to support delivery of the Office's services.

Ombudsman officers are employed under the *Ombudsman Act 2001*. The terms and conditions of officers are set by the Governor-in-Council and are generally aligned to public service standards.

As of the last payroll of 2020–21, 59 officers were employed on a full-time, part-time, or casual basis, equating to 54.2 full-time equivalent (FTE) positions.

Women held 67% of senior roles, and made up two-thirds of officers overall. The Office's equal employment opportunity census showed 14% of officers identified as having a disability and 6% identified as having a language other than English as their first language. No officers identified as Aboriginal or Torres Strait Islander.

Officers are encouraged to find an appropriate work-life balance. During the year, the Office continued to offer flexible working options including accessing accrued time, leave, working part-time, job sharing, telecommuting and purchased leave arrangements, study arrangements, and a widened spread of working hours to accommodate changes resulting from COVID-19. The Office also provides facilities for nursing parents.

In 2020–21, each officer took an average of 8 days of unplanned leave, of which 7.6 days were recorded as sick leave. The Office's permanent separation rate was 13% (8 permanent separations). No early retirement, redundancy or retrenchment packages were paid during the reporting period.

Officer engagement is measured by participating in the Working for Queensland survey. The last survey was in 2019 as it was undertaken biennially. However, the Office will participate annually commencing in 2021.

Health and safety

The Workplace Health and Safety Committee continued to oversee general workplace health, safety and wellbeing, and also provided support as officers moved to a remote work model and returned to the Office.

The Office also provided free flu vaccines, workstation ergonomic assessments and access to a free Employee Assistance Program.

Code of Conduct

The Office's Code of Conduct guides its officers on appropriate ethical standards for work-related behaviour.

The code is based on the ethical principles and values contained in the *Public Sector Ethics Act 1994* (the PSE Act) and was developed in consultation with the officers. All officers are subject to the code and any relevant policies including the Office's Service Delivery Charter, Prevention and management of fraud and corruption control plan, Discipline policy, and Public Interest Disclosure policy.

The Office undertakes a number of practices to promote ethical conduct including:

- pre-employment screening
- discussing the code and relevant policies with new officers
- requiring officers to complete a comprehensive independence declaration and identify any potential conflicts of interest
- requiring refresher courses in public sector ethics and the Office's Code of Conduct, and ethical decision-making
- having regard to the code and relevant documents in the preparation of administrative procedures and planning.

Values

The Office's values of 'integrity', 'impartiality', and 'diligence' are communicated as part of the Strategic Plan 2018-22. These values are reflected in staff induction, the development of policies and procedures, and staff development.

Capability

Providing learning and development opportunities is significant to workforce satisfaction and to service delivery.

New officers undertook mandatory training and were provided information regarding health and safety, code of conduct, achievement planning, discipline, entitlements, and business processes.

The Office's capability development program in 2020-21 provided a schedule of training and development skills including leadership, technical, and health and wellbeing.

The Ombudsman's annual awards program acknowledged excellence for a person or team for upholding the Office's values of impartiality, diligence, and integrity. There were also a number of long service awards received ranging from 5 to 15 years of service.

Industrial relations

The Office operates under the Office of the Queensland Ombudsman Certified Agreement 2019, with an operative date of 27 July 2020.

Information systems and recordkeeping

The Office is committed to creating full and accurate records. The *Public Records Act 2002* informed the Office's Records management policy and procedures and recordkeeping manual. Records are retained and disposed of in line with the appropriate retention and disposal requirements and legislation.

All officers receive records management induction on commencement. Corporate records are managed in an electronic document and records management system (eDOCS) and complaint/investigation records are managed in a complaints management system (Resolve).

In 2020-21, the Office continued to improve record and information management by:

- undertaking an internal audit of records management resulting in a number of recommendations which have been identified as priority projects for 2021-22
- digitising processes such as making digital signatures the standard procedure, using digital forms for training feedback, and ensuring records that are born digital are not printed unless necessary
- using Archives Gateway to see the catalogue of Office records at Queensland State Archives, initiate transfer proposals, retrieve files, and create reading room requests.

This year, the Office continued to develop information technology and management systems to support service delivery including:

- supporting the entire workforce to be capable of remote work
- improved security of business systems and remote connections
- enhanced facilities to better deliver online training and online meetings
- installation of secure wi-fi.

Open data

This annual report includes information about the work of the Office and statistics about complaints and complaint handling.

Additional details of expenditure on consultancies and interpreters are available on the Office's website (www.ombudsman.qld.gov.au).

No overseas travel was undertaken in 2020-21.

Client satisfaction with our services

The Office regularly seeks feedback from clients about their experience in dealing with the Office's assessment and investigation service and uses this feedback to improve services.

Late in 2020-21, the Office implemented a new process for measuring client satisfaction following a review of past methodology. The process is in its early stages.

The Office continued to seek feedback on its training services. Results showed that 93% of participants reported training improved their decision-making capability.

Managing complaints about the Office

Complaints about the Office and requests for an internal review of decisions are a valuable source of feedback, and a means of identifying areas for improvement.

The Office's complaints management system (CMS) allows complaints about the Office to be managed in a fair, objective and timely way.

The CMS is supported by a policy and procedures, and appropriate recordkeeping. The policy is consistent with the Strategic Plan 2018-22, Service delivery charter, s 219A of the *Public Service Act 2008*, and s 97 of the *Human Rights Act 2019* (HR Act).

In 2020-21, 22 service delivery complaints were received, none of which were relevant to the HR Act.

Complaints related to poor customer service, inaccurate information, unfair treatment or tone. All complaints received were closed during the year. Five matters were substantiated.

Internal review of decisions

A complainant may request an internal review if they are unsatisfied with a decision made by the Office. An internal review is conducted by an officer who was not the original decision-maker.

A review of a complaint may:

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

In 2020-21, 164 internal review requests were received and 180 finalised:

- the original decision was confirmed in 137 cases
- reviews were withdrawn by the complainant or declined by the Office in 30 cases
- decisions were not upheld in 13 cases.

No significant systemic improvements were identified or implemented during the year as a result of internal reviews.