Ombudsman's report

The 2021–22 reporting year marks the 20th anniversary of commencement of the *Ombudsman Act 2001*. Replacing the *Parliamentary Commissioner Act 1974*, the significant changes ushered in by the new Act included extending the renamed Ombudsman's functions to include 'improving the quality of administrative practices and procedures' alongside the original function of review of administrative actions.

Learning from 20 years of investigations

To recognise the 20th anniversary of our 'improvement' function, we undertook an analysis of the rich seam of insights contained in the public reports of our major investigations since 2001. Comparing performance across time, contexts and sectors has been identified as a useful way for the public service to learn to improve from its successes and failures. Our aim was to identify focus areas for improvement. By being clear about the problems, we can find strategies to improve. The outcomes of investigations reported in our 2020 and 2022 casebooks show that these insights remain relevant today.

The most common causes of problems, and associated insights, were:

- policies and procedures – policies need to comprehensively address operational issues, be accessible and effectively communicated to staff, and be regularly reviewed
- performance monitoring – performance report information needs to be meaningful and utilised; and the performance of operational areas regularly reviewed
- information and records management – good information and records management is fundamental to quality, compliance and accountability
- workforce capacity – to achieve their objectives, agencies need well supported staff with the right knowledge and skills
- communication – good communication with stakeholders, clients and other agencies is vital. Pursuing strategies such as providing reasons for decisions, using human-centred design and improving governance arrangements with partner agencies is important.

I look forward to engaging with agencies in the year ahead about the above focus areas.

Review of culture and accountability in the Queensland public sector

The *Review of culture and accountability in the Queensland public sector* (the Coaldrake Review) undertook an examination of Queensland's integrity system, and made a number of recommendations for improvement. Recommendations of direct relevance to this Office, which was recognised in the review's final report as a core integrity agency, included:

- establishing a single clearing house for complaints
- reviewing public interest disclosure (PID) legislation
- enhancing integrity bodies' independence by involvement of parliamentary committees in setting their budgets and contributing to key appointments
- providing the Ombudsman with the authority to investigate complaints against private organisations carrying out functions on behalf of the government.

We have begun working with the government to implement these recommendations.

The Coaldrake Review report also made comment about our intake telephone message – which I have addressed in the following section.

Ensuring the accessibility of our services

One of our key aims is to ensure that we are as accessible as possible to Queenslanders. To this end, we provide a range of ways for people to send us their concerns – including telephone, letter, email or via our online form.

We regularly seek feedback from clients about their experience of our services to help us improve. For example, over the past year, we reviewed our online form from a customer experience perspective. This included feedback about the experiences of priority client groups. This process found opportunities to improve and we are implementing them.

In June 2022, the average waiting time for callers to our Office's intake phone service was only 46 seconds. While our client feedback had not previously raised concerns about our telephone message, the Coaldrake Review report commented that it was short of best practice. The concern about the use of automated telephone redirections differed to the 2017 strategic review of the Office which, in contrast, commended them. Following the Coaldrake Review, our Office took the opportunity to review the message and implemented a number of changes, including reducing its length and complexity.

Insights from our complaints data

Complaints provide a useful source of information for agencies about issues experienced by their clients, their operating environment and areas for improvement. Appendix B of this report contains statistics about complaints made to us about Queensland Government agencies, local councils and public universities.

As with all statistics, care should be exercised when interpreting this information without being apprised of the various factors that may lie behind the reported numbers.

For example, while COVID-19 responses caused complaints made to us about Queensland Health to rise, the pandemic was the most likely cause of a fall in complaints about public universities. In Queensland Health's case, the uplift in complaints received by us was attributable to Queensland Health's central role in the response to COVID-19, particularly the many decisions its officers made about exemptions from border restrictions. Conversely, the decline in the numbers of overseas students in Australia during the COVID-19 period is likely to have contributed to the decline in complaints made to us about public universities over the same period.

Some of our complaints statistics may also have been affected by the weather. For example, while complaints made to us about local councils were relatively stable compared to the previous year, there was a noticeable rise in complaints received by us about sewerage and drainage issues – possibly reflecting the impacts of damaging rainfall events across many areas of Queensland over the past year.

Improving administrative processes and decision-making

In 2021–22, the Office finalised 1,108 investigations of administrative actions and made 180 recommendations for improvement – 80 of which were systemic recommendations. The wide range of agencies and issues investigated by our Office is reflected in our *Casebook 2022,* which contains a selection of investigation case studies.

Over the course of the year, we provided training to 3,145 public sector officers – a large increase compared to 2020–21. The growth in the number of training participants gives us confidence that our greater use of online training has helped to improve the accessibility of our training program to public sector officers across Queensland. I am pleased to report that 97% of participants who provided feedback considered that the training improved their decision-making. While we are making greater use of online methods, I remain committed to connecting with regional Queensland. As a small office serving a large state, we are continuing to reach outside of South East Queensland. In 2022–23, our engagement program will include visits to regional centres.

We continue to innovate the ways in which we provide other help to agencies. Our new *Good decisions* short video and checklist, both released in late 2021, aim to improve the availability of quick, free resources about good decision-making to public sector officers. 2021–22 was also the first full year for our new Complaints Handlers Network, which provides state government and local government agencies with a collaborative platform for the improvement of complaint handling practice. As noted above, we also released the second of our investigation casebooks, *Casebook 2022*. These new activities complement our quarterly *Perspectives* e-newsletter to agencies, advice service and other resources.

Improving public interest disclosure management

Another important component of our work is the oversight of PIDs under the *Public Interest Disclosure Act 2010*. As required by that Act, we have attached a separate report to this annual report. In 2021, 197 agencies participated in the second self-assessment audit process for analysing compliance with the PID Act and PID Standards. We also provided 236 advices to agencies about PID management, provided PID training to 1,450 participants, conducted quarterly Public Interest Disclosure Agency Network Training meetings and published *PIDmail* e-newsletters.

An accountable, sustainable and capable organisation

The Ombudsman is an officer of the Queensland Parliament whose performance is monitored and reviewed by parliament's Legal Affairs and Safety Committee. We appreciated the opportunity to brief the committee at a public hearing on 9 May 2022 and to provide feedback on a range of issues raised by committee members.

Our Audit Committee also provides independent assurance and assistance. I would like to take this opportunity to extend my appreciation to our outgoing chair Ms Terry Campbell, and to welcome her replacement Mr Mark Nix to the role. I also welcome our new independent member Ms Margot Richardson.

In 2022 we completed our *Strategic Workforce Plan 2022–25*. The plan will provide us with a roadmap for continuing to improve our employees' capability and build on the positive results of our 2021 Working for Queensland survey.

In March 2022, the building in which our Office is located was flooded, causing a short shutdown of our services. I would like to thank our staff for how professionally they implemented our business recovery plans and overcame this significant disruption to our work. Particular thanks go to our corporate services staff for getting our systems up and running again.

The year ahead

Looking forward, the year ahead promises to be one of growth and change for our Office.

In the 2022–23 Queensland Budget, the Queensland Government provided net increased funding of $2 million over four years, with $585,000 ongoing funding from 2025–26 onwards to ensure the sustainability and independence of our services. Among other things, the additional funding will support us to improve the storage of our electronic data and so be more resilient to the impact of events such as floods.

On 30 August 2022, the Inspector of Detention Services Bill 2021 was passed by the Legislative Assembly. The 2022–23 Queensland Budget allocated additional funding for the Office of $9.4 million over four years and $3 million per annum ongoing to establish the new function. I look forward to working with stakeholders to undertake this important role.

The recommendations from the Coaldrake Review report will also augur in change for the Office – particularly the recommendation that the Ombudsman be provided with the authority to investigate complaints against private organisations.

Before I conclude, I would like to extend a big thank you to our senior management team for continuing to manage the Office so capably during a disrupted year, and to all of our staff for their enthusiasm and commitment to the Office and its objectives.

Anthony Reilly
Ombudsman