



# Appendices

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# Appendix 1 – Complaints Received and Finalised

	Total Complaints Received in 2015-16	Complaints finalised at assessment				Complaints finalised at investigation			Total Complaints Finalised in 2015-16	
		Issue not in jurisdiction	More appropriate body to handle complaint	Referred back to the public authority	Investigation not warranted	Resolved	Not sustained or cannot be determined	Discontinued		Withdrawn
<b>PUBLIC SECTOR</b>										
Aboriginal Affairs, Department of	1				1					1
Assessor of Criminal Injuries Compensation	1				2					2
Attorney General, Department of the	24	1	5	2	6	8	1		1	24
Central Regional TAFE	1								1	1
Child Protection and Family Support, Department for	61	7	5	18	4	23	2			59
Commerce, Department of	17	1	1	4	4	6			1	17
Construction Industry Long Service Leave Payments Board	3		1	2						3
Corrective Services, Department of	214	2	19	37	49	93			9	209
Culture and the Arts, Department of	1									
Disability Services Commission	5				1	3				4
Education Services, Department of	1									
Education, Department of	30		5	3	7	11	2			28
Environment Regulation, Department of	1					1				1
Environmental Protection Authority, Office of the	1	1								1
Finance, Department of	5		1	2						3
Fire and Emergency Services, Department of	2		1			1				2
Fisheries, Department of	2				1					1
Gold Corporation	1					1				1
Government Employees Superannuation Board	3	1		1		1				3
Health and Disability Services Complaints Office	4			1		3				4
Health, Department of	29	5	10	3	10	2			1	31
Housing Authority	133		9	14	23	68	1	1	1	117
Insurance Commission of Western Australia	5		2			2				4
Keep Australia Beautiful Western Australia	1		1							1
Land Surveyors Licensing Board	1					1				1
Landcorp (WA Land Authority)	1						1			1
Landgate	4				1	1				2
Lands, Department of	3	1			1	1				3
Legal Aid WA	10	1			5	4				10
Legal Practice Board	1				1					1
Legal Profession Complaints Committee	2				1	1				2
Local Government and Communities, Department of	4		1		1	3				5

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Lotteries Commission	1		1							1
Main Roads Western Australia	7		1	1	3	2				7
Metropolitan Cemeteries Board	3					3	1			4
Metropolitan Redevelopment Authority	1					1	2			3
North Metropolitan TAFE	12		3	2	3	2	3			13
Planning, Department of	3	1	1			1	1			4
Potato Marketing Corporation	1									
Premier and Cabinet, Department of the	3				1	1				2
Prisoners Review Board	2				1					1
Public Advocate, Office of the	5	1	1		1	2				5
Public Sector Commission	3		2				2			4
Public Transport Authority	27		11	3	4	6			2	26
Public Trustee	31	1	3	3	10	14	1			32
Racing, Gaming and Liquor, Department of	1				1					1
Regional Development, Department of	1				1					1
Rottneest Island Authority	1		1							1
School Curriculum and Standards Authority	7					1	6			7
SERCO - Acacia Prison	67	1	5	10	18	35				69
South Metropolitan TAFE	4	1				4				5
South Regional TAFE	1				1					1
South West Development Commission	1									
Sport and Recreation, Department of	2							1		1
Teacher Registration Board	2					2				2
Training Accreditation Council	2		1			1				2
Training and Workforce Development, Department of	9		1			2	4	1		8
Transport, Department of	77	2	11	19	6	28			2	68
Veterinary Surgeons' Board						1				1
Water Corporation	2		1							1
Western Australia Police	131	7	27	32	24	36				126
Western Australian Planning Commission	1				1					1
Workcover	2					1				1
<b>TOTAL PUBLIC SECTOR COMPLAINTS</b>	<b>982</b>	<b>34</b>	<b>131</b>	<b>157</b>	<b>193</b>	<b>377</b>	<b>27</b>	<b>3</b>	<b>18</b>	<b>940</b>





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<b>LOCAL GOVERNMENT</b>										
Albany, City of	3					2				2
Armadale, City of	5			4	1	1				6
Bassendean, Town of	1									
Bayswater, City of	6	1	1		2	2				6
Belmont, City of	6			3		4				7
Boddington, Shire of	1									
Bridgetown-Greenbushes, Shire of						1				1
Broome, Shire of	2				1	1				2
Bunbury, City of	4		1			2			1	4
Busselton, City of	4		2							2
Cambridge, Town of	2					2				2
Canning, City of	6		2			1			1	4
Capel, Shire of	1					1				1
Carnarvon, Shire of	1					1				1
Chittering, Shire of	2		3			1				4
Christmas Island, Shire of	2									
Claremont, Town of	3		2		1	1	1			5
Cockburn, City of	7	1			1	2			1	5
Cocos (Keeling) Islands, Shire of	5								1	1
Collie, Shire of	1					1				1
Coolgardie, Shire of	1									
Coorow, Shire of	1									
Cottesloe, Town of	2		1			1				2
Cunderdin, Shire of					1					1
Dardanup, Shire of	3		1		1	1				3
Denmark, Shire of	2	1			1					2
Donnybrook-Balingup, Shire of	2				1	1				2
Dumbleyung, Shire of	1					1				1
East Pilbara, Shire of	1									
Esperance, Shire of	1			1						1
Fremantle, City of	5			1	2	2				5
Gingin, Shire of	3	1				1				2
Gosnells, City of	10	1	4	2	1	3				11
Harvey, Shire of	3					3				3
Joondalup, City of	19	1	3	4	1	9				18
Kalamunda, Shire of	7			3	2	2				7
Kalgoorlie-Boulder, City of			1							1
Karratha, City of	5		1							1
Kojonup, Shire of	1									
Kwinana, City of	1			1						1
Mandurah, City of	9		3	1	2	1	1			8
Melville, City of	15	1	2	2	4	4	1			14
Mingenew, Shire of	1				1					1
Mosman Park, Town of	1					1				1
Mt. Marshall, Shire of	1	1								1
Mundaring, Shire of	8		2	2	1	1				6

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Murray, Shire of	2				1					1
Nedlands, City of	4					3				3
Northam, Shire of	6					5		1	1	7
Perth, City of	14	1	8	1	1	1				12
Port Hedland, Town of	4	1			2					3
Rockingham, City of	11	1	2			7				10
Serpentine Jarrahdale, Shire of	3			1		2				3
South Perth, City of	8		2	1		5				8
Stirling, City of	32	4	2	2	7	12				27
Subiaco, City of	1					2				2
Swan, City of	12				4	7				11
Toodyay, Shire of	7		3		2	2				7
Trayning, Shire of	1					1				1
Victoria Park, Town of	5		1	2		2				5
Vincent, City of	7		1			4	1			6
Wagin, Shire of	1									
Wanneroo, City of	12		2	4	2	2				10
Waroona, Shire of	2					1				1
Wyndham-East Kimberley, Shire of	1									
Yilgarn, Shire of	1			1						1
York, Shire of	1					1				1
<b>TOTAL LOCAL GOVERNMENT COMPLAINTS</b>	<b>300</b>	<b>15</b>	<b>50</b>	<b>36</b>	<b>43</b>	<b>111</b>	<b>4</b>	<b>1</b>	<b>5</b>	<b>265</b>



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<b>UNIVERSITIES</b>										
Curtin University	48		3	10	11	11	6		3	44
Edith Cowan University	22		1	5	4	8	2	1	2	23
Murdoch University	10	1	1	1	2	6	1			12
University of Western Australia	6				3	3				6
<b>TOTAL UNIVERSITIES</b>	<b>86</b>	<b>1</b>	<b>5</b>	<b>16</b>	<b>20</b>	<b>28</b>	<b>9</b>	<b>1</b>	<b>5</b>	<b>85</b>

<b>AGENCIES OUT OF JURISDICTION</b>										
Organisation not identified	3	1							2	3
Agencies out of jurisdiction	592	124	470							594
<b>TOTAL AGENCIES OUT OF JURISDICTION</b>	<b>595</b>	<b>125</b>	<b>470</b>						<b>2</b>	<b>597</b>

<b>TOTAL COMPLAINTS</b>										
Total complaints about agencies in jurisdiction	1368	50	186	209	256	516	40	5	28	1290
Total complaints about agencies out of jurisdiction	595	125	469						2	597
<b>GRAND TOTAL</b>	<b>1963</b>	<b>175</b>	<b>656</b>	<b>209</b>	<b>256</b>	<b>516</b>	<b>40</b>	<b>5</b>	<b>30</b>	<b>1887</b>





## Appendix 2 – Legislation

### Principal Legislation

- [Parliamentary Commissioner Act 1971](#)

### Legislation and Other Instruments Governing Other Functions

Complaints and appeals by overseas students	<ul style="list-style-type: none"> <li>• <u><a href="#">National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007</a></u></li> </ul>
Public Interest Disclosures	<ul style="list-style-type: none"> <li>• <u><a href="#">Public Interest Disclosure Act 2003</a></u></li> </ul>
Complaints from residents of the Indian Ocean Territories	<ul style="list-style-type: none"> <li>• <u><a href="#">Indian Ocean Territories (Administration of Laws) Act 1992</a></u></li> <li>• <u><a href="#">Christmas Island Act 1958 (Commonwealth)</a></u></li> <li>• <u><a href="#">Cocos (Keeling) Islands Act 1955 (Commonwealth)</a></u></li> </ul>
Complaints from persons detained under terrorism legislation	<ul style="list-style-type: none"> <li>• <u><a href="#">Terrorism (Preventative Detention) Act 2006</a></u></li> </ul>
Inspection of Telecommunications Interception records	<ul style="list-style-type: none"> <li>• <u><a href="#">Telecommunications (Interception and Access) Act 1979 (Commonwealth)</a></u></li> <li>• <u><a href="#">Telecommunications (Interception and Access) Western Australia Act 1996</a></u></li> <li>• <u><a href="#">Telecommunications (Interception and Access) Western Australia Regulations 1996</a></u></li> </ul>
Monitoring functions under the <i>Criminal Organisations Control Act</i>	<ul style="list-style-type: none"> <li>• <u><a href="#">Criminal Organisations Control Act 2012</a></u></li> </ul>
Monitoring of the Infringement Notices provisions of <i>The Criminal Code</i>	<ul style="list-style-type: none"> <li>• <u><a href="#">The Criminal Code</a></u></li> <li>• <u><a href="#">Criminal Code Amendment (Infringement Notices) Act 2011</a></u></li> <li>• <u><a href="#">Criminal Code (Infringement Notices) Regulations 2015</a></u></li> </ul>

## Energy and Water Ombudsman

- [Economic Regulation Authority Act 2003](#)
- [Electricity Industry Act 2004](#)
- [Energy Coordination Act 1994](#)
- [Water Services Act 2012](#)
- [Constitution of the Energy and Water Ombudsman \(Western Australia\) Limited](#)
- [Charter of the Energy and Water Ombudsman \(Western Australia\) Limited](#)

## 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](http://www.ombudsman.wa.gov.au) and in hard copy by request to [mail@ombudsman.wa.gov.au](mailto: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 Poster
- Ombudsman Western Australia Summary Flyer
- It's OK to complain – Poster for Young People
- It's OK to complain – Postcard for Young People aged 5 – 10
- It's OK to complain – Postcard for Young People aged 10+

### 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](http://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