

Western Australian Ombudsman

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New Child Death Review jurisdiction

The Western Australian Ombudsman recently commenced an important new jurisdiction - the review and investigation of the sudden or unexpected deaths of certain children known to the Department for Child Protection.

This new role commenced on 30 June following the passage of legislation to implement recommendations arising from a 2007 review of the former Department for Community Development by Prudence Ford.

Western Australian Ombudsman Chris Field said that the Ombudsman's role in undertaking child death reviews will strengthen the review and investigation of these cases and provide an opportunity for the consideration of improved practices aimed at preventing child deaths.

"I have wide powers of investigation and can examine a range of government departments that may have been involved in the life of a child. My office will act promptly and impartially to examine the involvement of government agencies in relation to the death of a child and, where appropriate, make recommendations for improvements to the practices of government agencies," said Mr Field.

The Ombudsman will not only seek to advance good decision making and practices in State Government agencies, but also to improve collaboration between government agencies.

"As we look across the whole government sector and the sector's relationships with the life of a child, an important feature of the Ombudsman's jurisdiction is to ensure that government agencies are working together collaboratively and effectively," said Mr Field.

To ensure that the Ombudsman's office has access to the most timely and expert advice on trends, issues, policy and practices relevant to the safety and well-being of children, the office has established the Child Death Review Advisory Panel.

"My office will act promptly and impartially to examine the involvement of government agencies in relation to the death of a child and, where appropriate, make recommendations for improvements to the practices of government agencies."

Chris Field, Ombudsman

Message from the Ombudsman

In this edition, we provide you with information about an important new jurisdiction for the Western Australian Ombudsman – the review and investigation of child deaths. Legislation to enable us to carry out the function came into effect on 30 June and we have now established our new Child Death Review Team.

You can also read about our latest Regional Awareness and Accessibility Program visit to Geraldton. This was the second visit in a series of three that are being undertaken in 2009. The visit gave us a first hand appreciation of the issues and challenges being faced in the Mid West region. The next visit will be held in Mandurah in November.

A recent review of the Energy Ombudsman Western Australia Scheme has found that the function is performing at a very high level. You can read more about this and also meet Wayne Mann, Director Energy Ombudsman – our staff profile - in this edition.



A handwritten signature in black ink, appearing to read 'Chris Field'.

Chris Field

Ombudsman's office wins W.S. Lonnie Award

At the recent W.S. Lonnie Awards, the Ombudsman's office was awarded a Silver Lonnie in the 'Less than 100 FTE' category. The awards recognise and celebrate excellence in annual reporting in the Western Australian public sector. All annual reports by public sector agencies are considered for a Lonnie Award. This is the third consecutive year that the Ombudsman's office has received an award in one or more of the Lonnie Award categories.

Ombudsman Chris Field said that it was very pleasing to be recognised for our annual report.

"Annual reporting in the public sector is a key way agencies can be accountable to the public," Mr Field said.

Ombudsman staff in leadership programs

Recently, three staff from the Ombudsman's office were accepted into leadership programs run by the Public Sector Commission.

Director, Research and Projects, Sarah Cowie and Principal Analyst, Belinda West were selected to undertake the Pathways to Leadership Program for Level 7 to 9 officers and Senior Investigating Officer, Amanda Nella also successfully secured a place in the Foundations of Leadership Program aimed at level 6 and 7 officers.

The programs aim to provide aspiring public sector leaders with access to professional leadership and development services. The Australian Institute of Management and the University of Western Australia Business School Alliance deliver the programs. Only 25 places are offered in each intake for each program.

Ombudsman reaches out to the Mid West

On 30 June and 1 and 2 July, staff from the Ombudsman's office held a series of seminars, workshops, meetings and clinics in the Mid West town of Geraldton.

Staff from the Ombudsman and Energy Ombudsman's office were joined by staff from the Office of Health Review, the Office of the Information Commissioner and the Office of the Public Sector Standards Commissioner as part of the Regional Awareness and Accessibility Program. The Program – coordinated by the Ombudsman's office – aims to:

- improve access to and understanding of the accountability agencies; and
- promote good administrative practice, effective complaint/dispute resolution, ethical conduct and appropriate access to information in the public sector.

Western Australian Ombudsman Chris Field said that strengthening relationships with the regions was a key priority for his office.

"We want to ensure that regional Western Australia is aware of the services we provide and that these services are as accessible as they can possibly be to Western Australians living and working in the regional areas of the State," Mr Field said.

The visit involved seminars for government agencies, local government, and community and Indigenous groups.

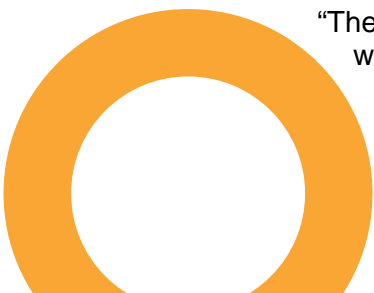
A key issue for government agencies and local governments is dealing with unreasonable complainant conduct. In response to requests for sessions detailing how to manage unreasonable complainant conduct, a specialised complaint handling workshop was held during the Geraldton visit. The session was well attended and well received.

There was a positive response from members of the public who attended several complaint clinics run during the visit. Discussions held during the clinics revealed that complainants appreciated being able to raise their concerns face-to-face.

"The services that governments deliver affect most Western Australians in their daily lives. I was encouraged that the Geraldton community were aware of our services and how we can help them. The Geraldton Community also provided valuable information on how we can continue to build relationships and networks in the region," Mr Field said.



L-R: Information Commissioner Sven Bluemmel, Gary Savill, Treasury and Finance, Ombudsman Chris Field, Beverley Hills, Advocare and Roslyn Miller, Shire of Carnamah.



Our performance

Review of Energy Ombudsman Western Australia shows outstanding performance

The Energy Ombudsman Western Australia resolves disputes between residential and small business customers and their electricity or gas provider.

The Energy Ombudsman was formed in 2005 after the Gas and Electricity Industry Ombudsman Schemes combined. The Western Australian Ombudsman Chris Field concurrently holds the role of Energy Ombudsman Western Australia.

The Energy Ombudsman is governed by an independent Board and is funded by industry members - Western Australia's electricity and gas providers. As part of the legislative framework of the Energy Ombudsman, the

Board conducts a review every two years. This process includes extensive consultation with key stakeholders and the provision of a report to the Economic Regulation Authority – the independent regulator of the electricity and gas industry.

The review looks at the Energy Ombudsman's objectives and a set of benchmarks outlined under the Federal Government's *Benchmarks for Industry-Based Customer Dispute Resolutions Schemes*. The Energy Ombudsman is assessed against the criteria of accessibility, independence, fairness, accountability, efficiency and effectiveness.

The review concluded that overall, the Energy Ombudsman Scheme is operating at a very high level.

Ombudsman's regional visit to Mandurah

After successful regional trips to Kalgoorlie and Geraldton earlier in the year, the Ombudsman is heading to Mandurah on 10 to 12 November 2009 as part of the Regional Awareness and Accessibility Program.

The events taking place as part of the Peel regional visit include:

- Complaints clinics which provide an opportunity for the public to raise concerns face-to-face with staff from the Western Australian Ombudsman, Energy Ombudsman and other accountability agencies;
- A seminar for regionally-based public sector agencies and local governments to discuss good administrative practice, effective complaint/dispute resolution, ethical conduct and access to information;
 - A seminar for community groups to discuss the role of accountability agencies and how they can assist in complaint/dispute resolution;
 - A workshop with Indigenous community groups on issues of interest to them and ways to improve accessibility to accountability agencies; and
 - Individual meetings with key regional stakeholders.

A full program of events is available on the Ombudsman's website at www.ombudsman.wa.gov.au To register your interest, phone the Program Coordinator on 9220 7555 or 1800 117 000 (toll free for country callers) or email outreach@ombudsman.wa.gov.au

Key findings of the Energy Ombudsman Review

- There was a very high level of awareness of the Energy Ombudsman and the complaint areas it covers.
- Agreement that complaints were dealt with in a timely manner.
- There was a high level of agreement among all groups surveyed that the Energy Ombudsman is independent, impartial, observes the rules of procedural fairness and that its process are confidential.

Case Study

Boat owner gets refund for overpaid fees

A private boat owner recently realised that he had been paying higher registration fees on his boat for several years. While reviewing his documentation, the complainant noticed that the boat was registered as a five metre vessel, when in fact, it was a smaller boat. Since he purchased the boat he had been paying registration for a larger boat.

He took his paperwork to an office of the public authority involved, but was told he was not entitled to a reimbursement for the error. He then contacted the Ombudsman's office for assistance as he did not believe this mistake to be his fault.

Our staff contacted the public authority involved to seek an explanation. The authority wrote back to the complainant offering reimbursement for the current year's fees, but no arrears.

The complainant was dissatisfied with this solution as the boat had been registered incorrectly throughout the period of his ownership. Our staff then had further discussions with the public authority.

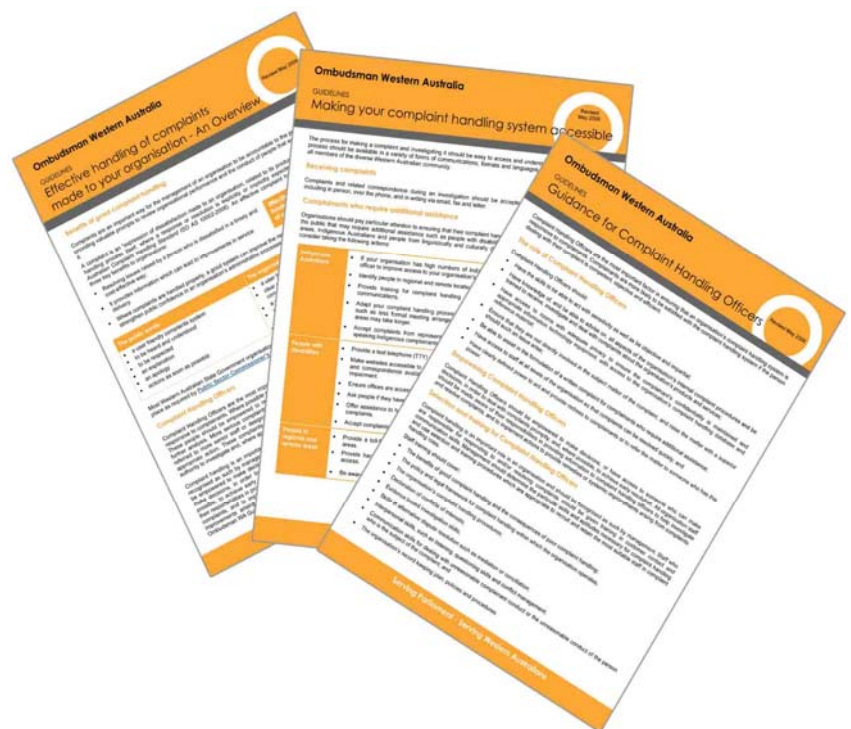
Since the administrative error went undiscovered for several years, the public authority agreed to reimburse the complainant for overpaid fees backdated to 2001. When advised of his refund, the complainant was pleased and appreciative that the office had been able to assist him.

Helpful Information

New complaint handling guidelines will provide further help for public authorities

We have recently reviewed the accessibility of advice and information provided to public authorities on complaint handling. As a result, several new guidelines have been produced including *Effective handling of complaints made to your organisation*, *Making your complaint handling system accessible*, *Guidance for Complaint Handling Officers* and *Dealing with unreasonable complainant conduct*.

All Ombudsman Western Australia Guidelines and Information sheets are available in the Publications section of the Ombudsman's website at www.ombudsman.wa.gov.au



Staff Profile

Wayne Mann Director, Energy Ombudsman



Wayne Mann joined the Ombudsman's office in 2002. Wayne has a wealth of experience working in both line and central agencies and a range of senior roles during his 40 year Western Australian public sector career.

Wayne was an integral part of the implementation of the Gas Industry Ombudsman in 2004. In 2005 Wayne played a key role in the working party that added the electricity industry to the gas scheme, which formed what is now known as the Energy Ombudsman Western Australia. Wayne was appointed as Director, Energy Ombudsman in March 2006.

"Establishing the Energy Ombudsman function was challenging but very rewarding," Wayne observed.

In 2008-09, 98 per cent of gas cases and 96 per cent of electricity cases handled by the Energy Ombudsman were resolved within 10 working days – Australian best practice.

"Speedy resolution and informality are hallmarks of industry Ombudsman schemes like the Energy Ombudsman. We aim to make prompt and clear decisions which benefit complainants and the providers," said Wayne.

Contact the Energy Ombudsman

Phone (08) 9220 7588, freecall 1800 754 004 or email energy@ombudsman.wa.gov.au
Visit the website at www.ombudsman.wa.gov.au/energy

Ombudsman Western Australia

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