

Western Australian Ombudsman

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Overseas students get access to external appeals

A recent initiative by the Ombudsman's office is working with educational institutions to implement an independent appeal process for international student visa holders who have made a complaint to their school, college or university.

A new national Code of Practice, introduced in July 2007, gives international students the right to an external appeal if they are unhappy with the way their complaints have been dealt with internally. In these cases, they can appeal to the Ombudsman who will look at whether the institution followed its own policies and procedures and if the handling of the case was fair and reasonable.

This happened in the case of a student from Korea studying commerce at a Perth university. The student began studying at the university in 2004 but because of poor marks her enrolment was terminated in 2006. She appealed and was given another chance but failed all four of her units the next semester, and again her enrolment was terminated. She appealed against this latest decision through the university's internal appeals process and this time her appeal failed but she was mistakenly informed that it had succeeded.

As she believed her appeal was successful, the student re-enrolled and paid fees for the next semester. When she was advised in writing that her appeal had been lost, she believed the university's appeal process was flawed and the decision had been 'changed'. As a result, she appealed to the Ombudsman.

Under the new code, the Ombudsman investigated the case, and found the university's decision to terminate her study was consistent with its policies. However the university agreed to improve its appeals processes by providing staff training in documenting appeals and giving more details on the reasons for decisions. This meant that, while the appeal by this student failed, the involvement of the Ombudsman resulted in improved practices by the university.

The Ombudsman is also working with educational institutions to assist them to carry out their obligations under the Code. These include notifying overseas students of their right to an external appeal and delaying notification to immigration authorities of a student's termination until the external appeals process has been exhausted.

Message from the Ombudsman

Welcome to the second edition of our newsletter. Through this newsletter we aim to keep our valued stakeholders informed of our work, including introducing you to our staff, setting out new functions to be undertaken by the office, presenting case studies of our complaint resolution, detailing new approaches to the way we undertake our work and providing helpful information about good administrative practice. In this edition, we launch a new 'A Day in the Life' series which gives an insight into the day-to-day work of our staff.



Chris Field

Our award winning Annual Report

At the recent Lonnie Awards, recognising achievements in annual reporting, the Western Australian Ombudsman was awarded three Lonnie Awards for our 2006-07 Annual Report including a Gold Lonnie and the Allan Skinner Trophy for the best Annual Report for the general government sector.

In the second half of last year, the Ombudsman's Office undertook a full revision of our Annual Report based on a commitment to clear, concise language, strong use of case studies and extensive hyperlinks. We were therefore pleased that in awarding the Allan Skinner Trophy, the judges made the following comments:

"the Annual Report made excellent use of plain English for easy readability to effectively highlight objectives and report on performance. The report also included impressive use of case studies, graphs and charts to communicate performance. Helpful links were employed throughout the electronic document allowing readers to navigate between specific pieces of information with ease."

The recognition of the Annual Report reflects the achievements of a dedicated staff, committed to resolving complaints and to improving public administration.



Sarah Cowie, Director Research & Projects with Allan Skinner

To read about the WA Lonnie Awards 2007, go to the [IPAA website](#).

To read our Annual Report 2006-07 visit our website [Ombudsman Western Australia](#).

WA Ombudsman plays key role in forging stronger links with Indonesia

Indonesia is one of Australia's closest neighbours and major trading partners, and the WA Ombudsman is playing a key role in helping it develop better complaint handling systems.

We are working in partnership with the National Ombudsman Commission of Indonesia, the Commonwealth Ombudsman, and the NSW Ombudsman as part of an AusAID program.

The program is called the Indonesian-Australian Ombudsman Linkages and Strengthening Program.

With Perth being so close to Indonesia, the WA Ombudsman's office in Perth is playing a central role in helping drive the program. The overall goal of the program is to provide greater access across a larger portion of Indonesia to more effective and sustainable Ombudsman and other complaint management services. It also builds the capacity of staff in both countries through staff exchanges.



Indonesian visitors ... Ms Iem Brown (facilitator) with Mr Muhadjirin and Ms Oki Aldebaria during their staff exchange in Perth in August

Developing relationships

As part of the program, three Indonesian staff from the National Ombudsman Commission of Indonesia travelled to Australia and spent time in the office of the WA Ombudsman learning how the office worked and developing relationships with some of our key stakeholders.

In return, Sarah Cowie, our Director of Research and Projects, last year visited the three offices of the National Ombudsman Commission of Indonesia to share and exchange information about complaint handling and investigation methodology. This followed an earlier visit by our Investigating Officer, Joyce Wolfe, and former Investigating Officer, Thaedra Frangos, in 2006.

In Western Australia, our visitors worked closely with Ombudsman staff, but were also introduced to the activities of some of our stakeholders. We are particularly fortunate to have had the assistance of agencies such as the Department of Corrective Services, the Corruption and Crime Commission, the City of Joondalup, WA Police and the Department of Local Government and Regional Development. During the placement, the National Ombudsman Commission of Indonesia staff met with the former Consul of the Republic of Indonesia, Dr Aloysius Lele Madja, and his staff

The program was launched in Perth in May 2006 and will conclude in 2009. It is funded by AusAID under the five-year Australia Indonesia Partnership for Reconstruction and Redevelopment program. This wider partnership program aims to strengthen Indonesia's economic growth and public sector management capabilities following the December 2004 tsunami.

Did you know...?

The role of the Western Australian Ombudsman

In addition to our complaint handling and investigation responsibilities, the role of the Ombudsman includes:

- Our Energy Ombudsman scheme whose role is to receive, investigate and resolve complaints about electricity and gas services in Western Australia;
- Auditing the use of telecommunications intercept powers by the Corruption and Crime Commission and WA Police; and
- Handling complaints from people detained under WA's terrorism laws.

We are also working towards taking on several new responsibilities. These include:

- Assuming responsibility for reviewing child deaths; and
- Expanding our Energy Ombudsman role to cover water complaints.

Our responsibilities, as well as the way we do things, are changing, but what will not change is our core commitment to resolve complaints from Western Australians in an effective, efficient and timely manner and to work with the public sector to improve the administration of public services.

Helpful information about keeping good records

If you are a public sector employee, creating and looking after records is essential.

Government agencies have responsibilities under the *State Records Act 2000* to keep records according to an agency's record keeping plan.

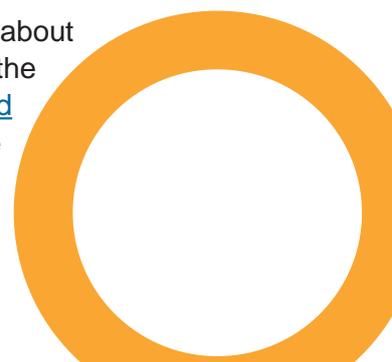
While your agency's Director General and its corporate records section are responsible for meeting the requirements of the *State Records Act 2000*, effective record keeping ultimately depends on all of us.

Record keeping can include:

- Taking minutes of meetings;

- Making notes of telephone conversations or face-to-face meetings;
- Documenting decisions or recommendations; and
- Copying correspondence into your agency's official records system.

For more information about good record keeping, see the Ombudsman's fact sheet [Good Record Keeping](#) or visit the website of the [State Records Office](#).



A day in the life of an Enquiry Officer

Who you can turn to for helpful, impartial advice

The Ombudsman's office receives nearly 4,000 enquiries each year, and the first point of contact is generally an Enquiry Officer. As the name suggests, the role of our Enquiry Officers is to respond to people's telephone and face-to-face enquiries and screen all new written complaints. Enquiry Officers are an important part of our Access and Resolution Team.

Being an Enquiry Officer involves special skills. Many people contacting the office are distressed or angry about their circumstances and may feel they have not been properly dealt with or taken seriously.

Our Enquiry Officers are trained to be impartial, helpful, open and honest. They'll listen carefully to the situation and evaluate whether it can be dealt with through the Ombudsman's complaints process.

If a complaint is outside the Ombudsman's investigative powers, the Enquiry Officer will explain to the person why this is the case and outline the various options available. This may include having their concerns addressed by the agency involved, or being referred to another appropriate complaint-handling body (for full details on how we make such evaluations, you can view our factsheet [How we assess your complaint](#)).

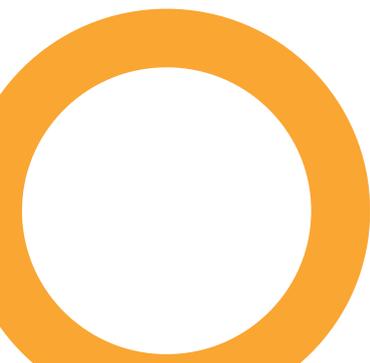
'Many people contacting the office are distressed or angry ... our Enquiry Officers are trained to be impartial, helpful, open and honest.'

Where the issue is within the Ombudsman's jurisdiction and appears straightforward, the Enquiry Officer may make enquiries with the agency in question.

If the issue is more complicated or cannot be resolved in the space of one or two calls, the Enquiry Officer will advise the complainant how to proceed with a written complaint to the Ombudsman.

If a more detailed investigation is required, the matter will be referred to our Investigations and Resolution Team.

Learn more about the work of the Investigations and Resolution Team in the next article in this series which will appear in the October edition of the Western Australian Ombudsman Newsletter.





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Our staff: Mary White

Mary White was recently appointed as the Executive Director of Corporate and Strategic Services within the Ombudsman's office. This role leads a newly created team that brings together the key corporate functions of the office including strategic research and development projects, communications, corporate governance and business services.

The new team will focus on good governance and the future development of the office, including strategic research to improve the way we resolve complaints and the introduction of new functions such as child deaths reviews. It will also support improved efficiency of business and administrative services.



Mary brings many relevant qualities to this position. Her 25 years of experience in the public sector has included strategic and corporate leadership roles in independent statutory offices that provide her with insight and understanding of the key issues facing our office. This is combined with experience in the education and infrastructure sectors that enables her to understand the issues facing front line service delivery. Mary has also undertaken a number of strategic projects at a whole of government level that have built strong relationships with individual leaders in independent offices, central agencies and public authorities.

Mary believes that independent offices such as the Ombudsman play an important role in strengthening integrity and improving public administration. "This is an exciting time of change for the office as it increases its focus on systemic change to improve public administration and takes on new roles," said Mary.

"The new team, with its diverse skills of strategic, communications and business services, will play an important part in ensuring these changes are well researched, meet their intended purpose and are implemented well."

Give us your feedback ...

Our quarterly electronic newsletter is part of our commitment to keep you up-to-date on our activities, as well giving details on how we resolve complaints that might involve you.

Our key stakeholders include the Western Australian Parliament, Western Australian public sector agencies, local government, universities and the people of Western Australia.

If you would like more information regarding any of our articles, or would like to provide feedback, you can contact us on mail@ombudsman.wa.gov.au

Link to us on your intranet, it's easy!

We like to spread the news about things that are important to our stakeholders, as well as make it easy for you to find out what we do.

That's why we encourage Western Australian public sector agencies, local governments and universities to make this newsletter and our other publications available to their staff by either forwarding this PDF copy or posting it to their Intranet site. That way, public sector staff can view the newsletters when it's convenient and subscribe to our mailing list if they wish.