



COMMONWEALTH  
**OMBUDSMAN** 

# 2019–20

## ANNUAL REPORT





## Credits

Date of publication: October 2020

Publisher: Commonwealth Ombudsman, Canberra Australia

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ISSN: 0814 –7124

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## Transmittal Letter

1 October 2020

The Hon Christian Porter MP  
Attorney-General  
Parliament House  
CANBERRA ACT 2600

Dear Attorney-General

I am pleased to present the 43rd Commonwealth Ombudsman Annual Report for the year ending 30 June 2020.

The report has been prepared for the purposes of s 46 of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), which requires that I prepare an annual report to you for presentation to the Parliament.

The Annual Performance Statement has been prepared as required by paragraph 39(1)(a) of the PGPA Act. This Annual Performance Statement accurately reflects my Office's performance for the 2019–20 financial year, and complies with subsection 39(2) of the PGPA Act.

The report includes the audited financial statements for my Office, prepared in accordance with the Public Governance, Performance and Accountability (Financial Reporting) Rule 2015.

The report includes specific annual reporting information, prepared in accordance with the legislative requirements under the *Ombudsman Act 1976*.

In addition, I certify that I am satisfied my Office has appropriate fraud control mechanisms in place which meet our needs and comply with the PGPA Act, PGPA Rule and associated framework.

Yours sincerely



Michael Manthorpe PSM  
Commonwealth Ombudsman

## Guide to the report

This report provides information on the activities, achievements and performance of the Office of the Commonwealth Ombudsman (the Office) for the 2019–20 financial year.

### **Part 1—Review by the Ombudsman**

The Commonwealth Ombudsman Michael Manthorpe’s review of the year and the outlook for 2020–21.

### **Part 2—Overview of the Office**

This outlines the roles, functions and organisational structure of the Office.

### **Part 3—Report on performance**

An overview of our performance and financial performance for the 2019–20 financial year.

### **Part 4—Public Interest Disclosures**

### **Part 5—Specific Ombudsman roles—annual reports**

Our Act establishes five specific Ombudsman roles designating that each role is to be performed by the Commonwealth Ombudsman. The Act requires an annual report on each role. We report publicly on each of the functions throughout the year, and these reports, combined with the content in this report constitutes the annual reports required.

### **Part 6—Management and accountability**

This outlines the Office’s governance and accountability arrangements including external scrutiny, management of human resources, procurement and asset management.

### **Part 7—Appendices**

This includes statistics on the number of contacts and complaints received by the Office, Financial Statements, a report on compliance with the information publication scheme, entity resource statement, ecologically sustainable development and environmental performance for the Office and correction of material errors in the previous annual report.

### **Part 8—References**

This includes a glossary, a compliance index and an alphabetical index.



## Contacting the Ombudsman

Enquiries about this report should be directed to the Communication Manager, Office of the Commonwealth Ombudsman (by email to [media@ombudsman.gov.au](mailto:media@ombudsman.gov.au)).

If you would like to make a complaint, or obtain further information about the Ombudsman, you can contact us:

### Online

[ombudsman.gov.au](http://ombudsman.gov.au)

### By phone

Call: **1300 362 072** between 10.30am to 3.00pm Monday to Friday. (Note: this is not a toll-free number and calls from mobile phones are charged at mobile phone rates).

Indigenous Line: 1800 060 789

### In writing

GPO Box 442

Canberra ACT 2601

### Services available to help you

If you are a non-English speaking person, we can help you through the Translating and Interpreting Service (TIS) on 131 450. If you are hearing, sight or speech impaired, a teletypewriter (TTY) Service is available through the National Relay Service on 133 677.

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# Review by the Ombudsman

## Review by the Ombudsman



I am pleased to present the annual report for the Office of the Commonwealth Ombudsman for 2019–20.

At the time of drafting this report, Australia and indeed the world was continuing to grapple with the health crisis of COVID-19 and the resultant economic crisis. COVID-19 has also changed the way in which we operate as an Office and has required us to change what we do.

In terms of how we work, we moved quickly to establish working from home arrangements which, as the reporting year came to an end, has enabled most staff to be working from home for most of the time in a manner that is both productive and safe.

In terms of what we do, at the commencement of the pandemic we immediately paused some activities, such as our work to support like institutions in the Pacific and Indonesia, and our on-site inspection work at immigration detention facilities and law enforcement agencies. We ceased face to face stakeholder engagement which meant that education and awareness raising activities were placed on hold. Along with many agencies, we deployed people to help Services Australia manage the large number of newly unemployed income support claimants.

Indeed, in addition to Services Australia, many of the agencies we oversee were grappling with unprecedented challenges, including Australia Post, the Department of Home Affairs, Defence and law enforcement agencies. The challenges confronted by those agencies also had an impact on the types of complaints we received in this Office, although overall complaint numbers fell this year compared to last. Although there is no room for complacency, I acknowledge the great work of so many staff in these and other agencies. We also remain alert to complaints arising from the administration of the response to the pandemic.

In the ensuing months we have been able to bring most of our activities back to something approaching “normal”. We have resumed inspection activities in a modified form and we, like many others, have improved our ability to engage with stakeholders by virtual means. We are dealing with people who complain to the Office through increased on-line engagement and are keeping up with complaint volumes and issues.

This year, we received 33,964 complaints that fell within our jurisdiction which is a decrease of 10 per cent on last year. Complaints comprise the majority of, but not all, contacts to the Office. This year we received 50,808 contacts from members of the public, which continues an upward trend over recent years, and is once again a record number of contacts for our Office.

We received more complaints about Services Australia than any other agency (11,222), although this was a decrease of 3.7 per cent compared to last year. Complaints that fell within our Vocational Education and Training (VET) Student Loans role rose, as did complaints about Australia Post, while complaints about Private Health Insurers and from overseas students fell. In some areas, the topic of complaints took on a different character following the outbreak of COVID-19, as operational agencies grappled with the urgent need to respond.

As well as receiving and responding to individual complaints, we conduct other activities, all designed to improve administration in the agencies and organisations we oversee.

For the first time this year we published a specific report about the Office's activities in overseeing immigration detention. This Office has conducted inspections of immigration detention facilities since 2011. While we previously provided a summary of this work in our annual report, I decided to commence what I intend to become a regular series of publicly available reports on our inspections of places of detention. This is consistent with the principles of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), which Australia ratified in 2017 and for which my Office has implementation responsibilities.

We have been particularly focussed on how the Department of Home Affairs responded to and managed the risk of COVID-19 across the immigration detention network. While COVID-19 required the temporary suspension of in-person inspections of immigration detention facilities, we resumed limited inspections with a focus on how the COVID-19 risk was being managed in facilities. I released a public statement on my findings from these inspections.

As the Defence Force Ombudsman we published two reports on abuse in the Australian Defence Force and a report on our investigation into the Defence Force Retirement and Death Benefits Scheme. We also continued our role of assessing reports of abuse and making recommendations to Defence for reparation payments where appropriate.

My Office, along with the Office of the Australian Information Commissioner, the Attorney-General's Department and other agencies, published an updated version of our Automated Decision-Making Better Practice Guide. The guide provides practical advice for agencies aimed to ensure compliance with administrative law and privacy principles, and best practice administration. It draws on the experience of integrity agencies in overseeing the rollout of digital programs, and includes references to useful complementary resources. A number of other Commonwealth departments and agencies provided comments on the updated guide and we thank them for their assistance.

As the Private Health Insurance Ombudsman (PHIO), the Office provided voluntary mediation for a contract dispute between a hospital provider and a group of health insurers. If left unresolved close to 2 million consumers were potentially impacted. An agreement was reached post mediation which was a positive result for the stakeholders and consumers. The Office consulted on new PHIO inspection powers with all insurers, insurer peak bodies and major intermediaries to develop 'A quick guide to PHIO's inspection powers' in 2019. Feedback was positive and the finalised guideline was published on the Office's website in January 2020.

We continued our work as the VET Student Loans Ombudsman. We made 7,249 recommendations about VET FEE-HELP loan debts which resulted in the Department of Education, Skills and Employment re crediting \$102.46 million of unfair VET FEE-HELP debts. This work continues to provide material relief to thousands of Australians.

We concluded numerous inspections and reports about law enforcement agencies' use of covert and intrusive powers. This work has expanded in recent years as Parliament has provided agencies with new tools to pursue organised crime and other threats. However, expanded powers which impact on peoples' privacy and other rights need to be carefully monitored to maintain public trust.

While our international program was impacted by the pandemic, during the first part of the year we provided considerable support to our colleagues in Papua New Guinea, Indonesia, the Solomon Islands and Samoa, through aid funding provided by the Department of Foreign Affairs and Trade.

As a result of a longstanding arrangement between the Commonwealth and ACT Governments, my Office also fulfils the role of ACT Ombudsman, which also brings with it a disparate set of functions. I report on these matters in a separate annual report to the ACT Legislative Assembly.

We oversee and take complaints about many organisations and the services they provide. In a sense, we too are a service provider to the people who contact us. This year, as part of a renewed performance

measurement framework and to ensure that we are holding ourselves to a high level of account, we surveyed complainants to find out what they thought about our engagement with them. Given that people who contact us are, almost by definition, unhappy about an issue before they reach us, and given that in some cases our ability to solve complainants' problems is constrained, I was pleased with the results of the survey. Around two thirds of people were satisfied with how we handled their complaint, and three quarters were satisfied with our independence. We identified areas for improvement around managing expectations and timeliness, and will aim to build on these positive results in coming years.

If we are to influence the practice of administration, and given that our powers to change practices or decisions are only recommendatory, it is also important that we build and maintain the confidence of the agencies we oversee. For this reason, and to complement the survey of complainants, we also surveyed the 15 agencies with which we have the most extensive dealings. The results of this survey were also pleasing, including that all agencies recognised the professionalism of our work and the independence and impartiality of our role.

Looking forward, we have another busy year ahead. The COVID-19 pandemic continues, as will government and industry responses. Done well, these responses have the potential to help many people in our community, or – if things don't go to plan – create queues, complaints and confusion. We will continue to deliver the functions of the Office to influence good administration, in an effective and safe manner. Given the very large number of Australians who are reliant on forms of government assistance as a result of the pandemic, good administration, effective oversight and an accessible and responsive complaints body are more important than ever, as are the values we seek to uphold – such as fairness, transparency and integrity.

Of course none of our work, last year or in the year ahead, would be delivered without the commitment and dedication of our hard-working staff. I thank them sincerely for their efforts, I am exceptionally proud of how they conducted themselves and their work during the pandemic and indeed the bushfires before that, and I am grateful for their positive attitude throughout a challenging year for us all.

Michael Manthorpe PSM



**Commonwealth Ombudsman**



## Overview of the Office

### Roles and functions

The Office of the Commonwealth Ombudsman is a non-corporate Commonwealth entity established under the [Ombudsman Act 1976](#) (the Act). The Commonwealth Ombudsman has the following major functions:

- complaint management
- oversight of Commonwealth agencies
- oversight of prescribed private sector organisations
- oversight of the Commonwealth Public Interest Disclosure Scheme
- responding to reports of serious abuse within Defence
- Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) National Preventive Mechanism (NPM) Coordinator and NPM for places of detention under the control of the Commonwealth
- inspections of certain covert and intrusive powers by law enforcement bodies.

The Commonwealth Ombudsman has jurisdiction over all Commonwealth entities and their contracted service providers, subject to some specific statutory exclusions (i.e. the Australian Taxation Office and intelligence agencies).

The Office also oversees the activities of a range of private sector organisations, including:

- private health insurers
- postal operators that elect to register with the Postal Industry Ombudsman scheme
- some providers of education services.

The Commonwealth Ombudsman has the following separate titles that describe specific functions and powers:

- **Defence Force Ombudsman (DFO)**—to investigate actions arising from the service of a member of the Australian Defence Force (ADF). The DFO can investigate complaints from current or former members of the ADF about administrative matters relating to Defence agencies. Since 1 December 2016, the DFO's functions were expanded to provide an independent mechanism to report serious abuse in Defence.
- **Postal Industry Ombudsman (PIO)**—to investigate complaints about Australia Post and private postal operators that elect to register with the Postal Industry Ombudsman Scheme.
- **Overseas Students Ombudsman (OSO)**—to investigate complaints from overseas students about private education providers in Australia. The OSO also gives private registered providers advice and training on best practice for handling complaints from overseas students.
- **Private Health Insurance Ombudsman (PHIO)**—to protect the interests of private health insurance consumers. This is done in a number of ways, including dispute resolution, identifying systemic issues within the practices of private health funds and providing advice and recommendations to government and industry. The PHIO can deal with complaints from health fund members, health funds, private hospitals or medical practitioners. However, complaints must be about a health insurance arrangement. PHIO also manages [PrivateHealth.gov.au](#), Australia's leading source of independent information about private health insurance for consumers.
- **VET Student Loans Ombudsman (VSLO)**—to investigate complaints from students studying a diploma, advanced diploma, graduate certificate or graduate diploma course and who have accessed

the VET FEE-HELP or the VET Student Loans programs to cover the cost of their studies in full or in part. The VSLO also provides vocational education and training providers with advice and training on best practice complaint handling.

The Commonwealth Ombudsman is also the ACT Ombudsman. The ACT Ombudsman's role is delivered by the Office of the Commonwealth Ombudsman under an agreement between the ACT Government and the Commonwealth Ombudsman. The Ombudsman can deal with most complaints involving the administrative actions of the ACT government agencies and police. The legislation governing the Ombudsman authorises us to investigate complaints about or issues related to:

- ACT government agencies
- ACT Policing
- Reportable Conduct Scheme
- Freedom of Information
- Public Interest Disclosures

Additional information is available in the ACT Ombudsman Annual Report 2019–20.

### Accountable authority

TABLE 1—ACCOUNTABLE AUTHORITY

Name	Position held	Period as the Accountable Authority	
		Date of Commencement	Date of Cessation
Michael Manthorpe PSM	Commonwealth Ombudsman	8 May 2017	-

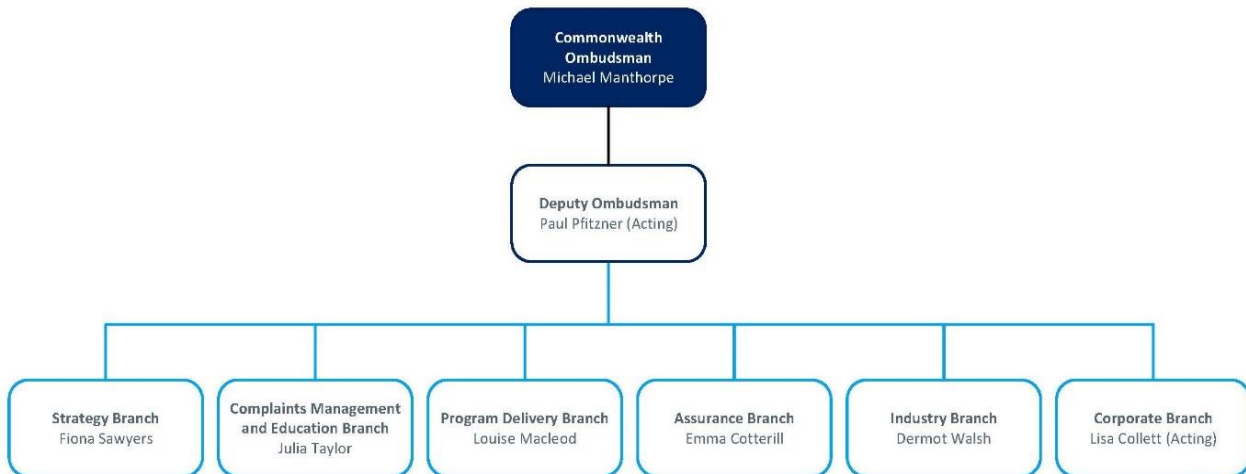
### Organisational structure

The Office is located in Adelaide, Brisbane, Canberra, Melbourne, Perth and Sydney.

The Ombudsman and Deputy Ombudsman are statutory officers appointed under the *Ombudsman Act 1976*. Employees are engaged pursuant to the *Public Service Act 1999*. The Senior Assistant Ombudsman and Chief Operating Officer are Senior Executive Service Band 1 employees. The Executive and Senior Management structure is provided at Figure 1.



Figure 1—Executive and Senior Management structure as at 30 June 2020



### Senior leadership group

#### Michael Manthorpe Commonwealth Ombudsman

Michael Manthorpe PSM was appointed by the Australian Government to the role of Commonwealth Ombudsman for a five year term commencing on 8 May 2017. He is the 10th Commonwealth Ombudsman since the Office's inception in 1977.

Prior to his appointment, Michael was a career Australian public servant. He is a generalist, who studied journalism and history at the University of Queensland in the 1980s, and worked for different governments on a variety of public policy and program issues over the years. Most recently, he held Deputy Secretary level positions at the then Department of Immigration and Border Protection, where he was responsible for the global delivery of Australia's visa, citizenship and refugee programs. For 25 years he worked in the Education, Employment and Workplace Relations portfolios.

He was awarded the Public Service Medal in 2010 for his leadership of the government's handling of the insolvency of ABC Learning childcare centres.

Michael is on the executive of the Australia New Zealand Ombudsman Association (ANZOA), and is a Deputy President and councillor of the ACT Branch of the Institute of Public Administration Australia (IPAA).

#### Paul Pfitzner Acting Deputy Ombudsman

Paul Pfitzner joined the Office in September 2016. He has held various senior executive roles across the Office, including delivering the program responding to reports of serious abuse within Defence, executive responsibility for the work of the ACT Ombudsman, leading the Office's complaints management and education functions and a period as the Chief Operating Officer. He has been acting as the Deputy Ombudsman since February 2020.

Paul is a lawyer by training and has been in the Commonwealth public service since 2003. Prior to joining the Office, he held senior roles in the Attorney-General's Department in legal policy relating to human rights, legal services, national security and criminal justice.

**Fiona Sawyers**

**Senior Assistant Ombudsman, Strategy Branch**

Fiona Sawyers joined the Office in July 2017. Prior to joining the Office, Fiona held leadership roles in a variety of Commonwealth agencies and departments, including most recently in Indigenous education at the Department of the Prime Minister and Cabinet.

Fiona has over 20 years' experience in social policy and program management, primarily at the Department of Social Services and its predecessors, where she has worked on welfare and family payments, disability policy and housing support. Fiona's experience spans program management and implementation, research and evaluation and policy development.

Fiona has lived and worked in rural NSW and in Canberra, and studied English literature and politics at the University of New South Wales.

**Louise Macleod**

**Senior Assistant Ombudsman, Program Delivery Branch**

Louise joined the Office in July 2016 and has held various senior leadership roles across the Office, including leading the complaints management and education functions and the former social services, Indigenous and disability functions. Her public service career has involved a variety of leadership roles, conducting investigations, compliance monitoring and dispute resolution in agencies such as the Administrative Appeals Tribunal, the Australian Competition and Consumer Commission, the Energy and Water Ombudsman Victoria, the Queensland Justice and Attorney-General's Dispute Resolution Centres and the Family Court of Australia. Prior to this, Louise spent seven years as an officer in the Australian Army and served on operations in East Timor. Louise is a lawyer and mediator by training.

**Julia Taylor**

**Senior Assistant Ombudsman, Complaints Management and Education Branch**

Julia Taylor joined the Office in 2019. She is currently responsible for the Office's complaints management and education functions and prior to joining the branch Julia held leadership roles across a range of areas within the strategy function of the Office.

Julia has extensive experience relating to strategic change and project management, business process design, ICT and Telecommunications, service delivery and workload/workforce management. Julia's leadership experience has been gained through working in a range of roles, including the private sector, prior to joining the Australian Taxation Office, Services Australia, Department of Home Affairs and now the Commonwealth Ombudsman's Office. Julia has a diploma in professional and executive coaching and is a mentor and coach for people both within and external to the public service.

**Emma Cotterill**

**Senior Assistant Ombudsman, Assurance Branch**

Emma Cotterill joined the Office in 2004. She is currently responsible for the Office's oversight of law enforcement and integrity agencies' use of certain covert, coercive and intrusive powers, as well as the Office's role as the National Preventive Mechanism for places of detention under the control of the Commonwealth, under the UN Optional Protocol to the Convention Against Torture and other Cruel, Inhuman and Degrading Treatment.

Before joining the Assurance Branch, Emma held leadership roles in the Office's Strategy branch, specialising in social services, Indigenous service delivery and the National Disability Insurance Scheme.

**Dermot Walsh**

**Senior Assistant Ombudsman, Industry Branch**

Dermot Walsh joined the Office in 2014 and has held various leadership roles across the Office, including responsibility for: finance, governance and property, corporate services and his current role leading the private health insurance, postal industry, overseas students and VET student loans ombudsman functions.

Before joining the Office, Dermot held leadership roles in both the Commonwealth and ACT Public Service, in a diverse range of organisations including: the ACT Land Development Agency, the ACT Economic Development Directorate, Comcare, the National Gallery of Australia, the Defence Service Homes Insurance Scheme and the Department of Veterans' Affairs.

Dermot has a Bachelor of Commerce, is a Fellow member of CPA Australia and a member of the Australian Institute of Company Directors.

**Lisa Collett**

**Acting Chief Operating Officer, Corporate Branch**

Lisa Collett has worked for the Commonwealth Public Service for over 20 years in a variety of program, policy and business improvement roles across a number of public service agencies. Before joining the Corporate Branch, Lisa held leadership roles in the Office's Complaint Management and Education Branch.

As well as being admitted as a legal practitioner in the Australian Capital Territory, Lisa holds a Masters in Public Administration from the Australian New Zealand School of Management and a Bachelor of Social Sciences.



# Report on Performance

## Annual Performance Statement

### Statement of preparation

I, Michael Manthorpe, as the accountable authority of the Office of the Commonwealth Ombudsman, present the 2019–20 Annual Performance Statement of the Office, as required under paragraph 39(1)(a) of the Public Governance, Performance and Accountability Act 2013 (PGPA Act). In my opinion, this annual performance statement is based on properly maintained records, accurately reflects the performance of the entity, and complies with subsection 39(2) of the PGPA Act.



Michael Manthorpe PSM  
**Commonwealth Ombudsman**

## 2019–20 Performance Analysis

2019–20 has been a difficult year for Australia, and indeed across the globe. While the early months of the year seem in hindsight to have been benign, they were followed by terrible fires and then, of course, the COVID-19 pandemic.

Inevitably, the pandemic has impacted on the way in which we do our work at the Office of the Commonwealth Ombudsman (the Office). To some extent it has impacted on our performance of certain functions. Overwhelmingly, however, as is true of so many workplaces, we have adjusted and continue to deliver our diverse and important functions.

Indeed, as the months have gone by it has become clearer that the values of good administration which we uphold—such as the need for transparency, fairness, good communication, the right to complain about or seek review of unfavourable decisions, timeliness in service delivery, and lawful exercise of power—are more important than ever. Millions of Australians who have hitherto had limited engagement with Government services have found themselves in receipt of JobKeeper, JobSeeker or other assistance, so effective oversight and the provision of assurance about how services are delivered for the people of Australia is critical.

Despite the current circumstances, this report contains evidence of many positive achievements in 2019–20.

For 2019–20, we improved the way we measure performance and hold ourselves to account. We implemented a new performance framework to better measure our performance. Most importantly, we conducted surveys to seek feedback from both the people who complain to us, and the agencies and organisations we oversee, to objectively test our performance.

The results of these surveys were largely positive, reflecting the public's confidence in our complaint handling service and agencies' understanding of our impartiality and independence. Indeed, recognising the nature of our complaint handling role (i.e. that by the time a person comes to us they are already unhappy with a service or a decision), our powers (i.e. that we are limited by our statutory jurisdiction and we can generally only recommend change, not overturn decisions of agencies) and our engagement with agencies and organisations (to ask probing questions and to hold them to account), the results of the surveys were strong. People who complained to us were generally pleased with the outcomes we were able to help them achieve and the way we dealt with them. Agencies we oversee were positively disposed to our professional and constructive approach, while recognising our independence.

More broadly, an overall assessment against all of our performance criteria, including both quantitative and qualitative analysis, shows that we are providing an efficient, effective and accessible service to the public. A majority of the performance measures where a target was established were met. Reasons for missing the target in a minority of areas are described in the performance statement.

As we adopted a new performance framework this year, some measures establish a benchmark against which progress will be measured in subsequent years.

In our oversight role with agencies and organisations we are satisfied that we were able to influence improvements and systemic change in public administration. While harder to measure directly, we are confident we continue to maintain the confidence of Parliament, based on our regular engagement with parliamentarians, both directly and through the parliamentary committee system.

One performance target we were unable to meet in 2019–20 was the delivery of all of our Australian Aid activities, which were significantly curtailed by the COVID-19 travel restrictions. Prior to the pandemic, we

were on track to provide 100 per cent of our activities. We are exploring options to continue to work with our International colleagues in a changed environment in 2020–21.

Although some of our activities and way of working might change during 2020–21, we look forward to another successful year.

**Our performance framework— Outcome, Purpose and Objectives**

This annual performance statement provides details of the Office’s performance against

pages 191-192 of the 2019–20 Portfolio Budget Statement (PBS) Outcome: ‘Fair and accountable administrative action by Australian Government entities and prescribed private sector organisations, by investigating complaints, reviewing administrative action and statutory compliance inspections and reporting’.

Pages 4-8 of our 2019–20 Corporate Plan outlined how we will deliver our outcome by:

- Providing assurance that the Australian Government entities and prescribed private sector organisations that the Office oversees act with integrity and treat people fairly.
- Influencing enduring systemic improvement in public administration in Australia and the region.

In 2019–20 we refined our performance framework, to better capture what we do, and what we achieve in our efforts to meet our outcome and fulfil our purpose. We now measure our outcome performance against five strategic objectives underpinned by seven specific performance criteria. The following framework describes the alignment of our outcome, our strategic objectives and our performance criteria.

<b>Outcome Statement of Purpose</b>	
<ul style="list-style-type: none"> <li>• Providing assurance that the Australian Government entities and prescribed private sector organisations that the Office oversees act with integrity and treat people fairly.</li> <li>• Influencing enduring systemic improvement in public administration in Australia and the region.</li> </ul>	
<b>Strategic Objective 1</b>	
Influence Australian and Australian Capital Territory government entities to improve public administration and complaint handling systems through public reports, recommendations and direct engagement	
<b>Performance Criteria</b>	
	We influence improvements in public administration and practices of the agencies and organisations we oversee
	We are responsive in our dealings with agencies
	We maintain the confidence of the Parliament
<b>Strategic Objective 2</b>	
Provide an efficient, effective and accessible government complaint handling service	
<b>Performance Criteria</b>	
	We assist the public to resolve issues with agencies and organisations we oversee
	We are responsive to the public when they contact our Office
	We improve public awareness of our role in influencing public administration and industry practice

<b>Strategic Objective 3</b>	
Undertake oversight and assurance activities relating to the integrity of Australian government entities, Australian Capital Territory government entities and prescribed private sector organisations	
<b>Performance Criteria</b>	
	We influence improvements in public administration and practices of the agencies and organisations we oversee
	We are responsive in our dealings with agencies
	We maintain the confidence of the Parliament
<b>Strategic Objective 4</b>	
Provide effective and impartial industry complaint handling services and provision of consumer information	
<b>Performance Criteria</b>	
	We assist the public to resolve issues with agencies and organizations we oversee
	We are responsive to the public when they contact our Office
	We improve public awareness of our role in influencing public administration and industry practice
<b>Strategic Objective 5</b>	
Deliver capacity building programs under the Australian Aid arrangements to support ombudsmen and allied integrity bodies improve governance and accountability	
<b>Performance Criteria</b>	
	We effectively deliver our capacity building programs for the Ombudsman and allied integrity bodies under the Australian Aid arrangements
	We maintain the confidence of the Parliament

## Our 2019–20 Detailed Performance

The table below outlines our end of 2019–20 financial year performance results.

<b>Performance Measure</b>		<b>Target</b>	<b>Results</b>
<b>Performance Criteria 1—We assist the public to resolve issues with agencies and organisations we oversee</b>			
<b>1a</b>	Percentage of complainants satisfied with our services	2019–20 will set a benchmark	<b>66%</b>
<b>1b</b>	Percentage of complainants satisfied with our independence	2019–20 will set a benchmark	<b>76%</b>
<b>1c</b>	<b>Privatehealth.gov.au</b> user satisfaction survey	80%	<b>72%</b>
<b>Other Supporting Material</b>	<b>Other information which demonstrates how we assist the public to resolve issues</b>		
	Defence Abuse reporting function—Client satisfaction feedback survey	80%	<b>94%</b>
	Private Health Insurance Ombudsman services—satisfaction surveys	80%	<b>81%</b>
<b>Performance Criteria 2—We are responsive to the public when they contact our Office</b>			



Performance Measure		Target	Results
2a	Complaints finalised within Service Standards	75%	88%
<b>Performance Criteria 3—We improve public awareness of our role in influencing public administration and industry practice</b>			
3a	Increase contact with the Office	2019–20 will set a benchmark	54,633 contacts
3b	Increase website hits	2019–20 will set a benchmark	1,258,178 website hits
<b>Performance Criteria 4—We influence improvements in public administration and practices of the agencies and organisations we oversee</b>			
4a	Percentage of recommendations in public reports accepted by agencies and organisations	75%	89%
4b	Number of recommendations for Defence abuse reparation payments and number of recommendations for VET Student Loan re-credits accepted	90%	99%
<b>Performance Criteria 5—We are responsive in our dealings with agencies</b>			
5a	Satisfaction of agencies and organisations with quality of our work—15 agencies surveyed	2019–20 will set a benchmark	100%
5b	Responses to agencies within timeframes or service standards	85%	60%
5c	Participant satisfaction feedback regarding education and other events—733 participants surveyed	90%	98%
<b>Performance Criteria 6—We effectively deliver our capacity building programs for the Ombudsmen and allied integrity bodies under the Australian Aid Arrangements</b>			
6a	Outputs delivered under Australian Aid Arrangements	80%	42%
<b>Performance Criteria 7—We maintain the confidence of the Parliament</b>			
7a	Number of reports published	Annual Count of total number of reports published	41
7b	Reports delivered within Legislative Requirements and Commonwealth Ombudsman statutory obligations	100%	100%
7c	Other reports delivered to Parliament within service standards	90%	27%
7d	Parliamentary Committee Process—submissions and appearances	Annual Count of submissions and appearances	21

## **Assessment of Performance Criteria One—We assist the public to resolve issues with agencies and organisations we oversee**

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Our Office has daily interactions with the public through various functions. While we receive occasional unsolicited feedback (both positive and negative), we did not have a firm grasp on what the public thought of our services. In 2019–20 we made the conscious decision to understand their perspective on our performance, and our effectiveness. We did this by seeking external assessment of our performance through surveys.

At the same time, we have continued work commenced in previous years to improve our internal business processes to enable us to better resolve issues for the public and the agencies we oversee.

Our quantitative data against our performance demonstrates public satisfaction level of between 66 per cent and 94 per cent.

### Our Satisfaction Surveys

In 2019–20 we engaged Customer Service Benchmarking Australia (CSBA) to conduct a telephone survey of people who contacted the Office to make a complaint. Specifically, we wanted to know whether people were satisfied with our services and our independence.

Respondents were asked to provide their ratings and views on:

- overall satisfaction with their experience with the Office
- ease of dealing with the Office
- whether they trust the Office to act independently
- how likely they would recommend the Office to others
- several performance attributes.

Overall satisfaction with the assistance we provided in resolving issues with the agencies we oversee was 66 per cent. People who were also satisfied with our independence, an important hall mark of an oversight agency, was 76 per cent. Recognising that sometimes we are unable to achieve the outcome a complainant seeks—for example because the decision at issue was lawful—we consider that these results are strong. The survey did identify some issues where we can do better around timeliness, expectation management and clarity of communication and we will work on these issues in 2020–21.

In addition, we continued the existing surveys we have run for some years relating to three of our particular functions: user satisfaction with the quality of information provided by **privatehealth.gov.au** (overall satisfaction 72 per cent), our Private Health Insurance Ombudsman services (overall satisfaction 81 per cent) and our Defence Abuse program (overall satisfaction 94 per cent).

### Continuous Business improvement

We also assess our performance through ways other than direct feedback. Improvements to our processes also contribute to us providing a better service to the public. For example, in 2019–20 we established an early resolution process for complaints received over the phone about Centrelink. This process allows staff to often resolve complaints about Centrelink in one phone call, leading to faster outcomes for people and greater efficiency. We will consider expanding this process to complaints about other agencies.

**Case study**

A complainant's disability support pension (DSP) was cancelled as a result of a staff error and while seeking a review of this error they received an inheritance.

A trustee acting on behalf of the complainant contacted Services Australia however was unable to have the DSP payments reinstated, despite payments not being made in excess of 12 months.

As a result of the Office's engagement with Services Australia during an investigation, the complainant's circumstances were reviewed and they were back-paid over \$45,000 for the entire period since their DSP was cancelled. Additionally, Services Australia provided feedback to the officer who made the initial error to improve future service.

## Assessment against Performance Criteria Two—We are responsive to the public when they contact our Office

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One of the main functions of the Office is to receive and assess complaints and other contacts about the actions of Commonwealth Government and ACT Government agencies and prescribed private sector organisations we oversee. The Office established complaint handling [service standards](#) for each of the functions we provide, both to assess our performance and to give people who contact us a better idea of how long they can expect our processes to take.

This year, we were able to meet our service standards 88 per cent of the time, eclipsing the target listed in the PBS, 80 per cent. As part of our commitment to continuous improvement, we have established a higher target for 2020–21 of 90 per cent.

We are also continually seeking to improve the quality of our engagement with the public. During 2019–20, we completed a comprehensive suite of internal procedures on handling parliamentary complaints to provide greater consistency and guidance for staff. We also introduced a quality assurance process where monthly audits are conducted on closed parliamentary complaints, to ensure appropriate outcomes are being reached and procedures are followed. Quarterly reports are provided to the senior leadership group on these audits as well as feedback to staff managing complaints.

We are also looking for ways to improve our online engagement, through the use of 'smart forms' to streamline the complaint reporting process.

While there is always room to improve and we are committed to doing so, we are satisfied we have demonstrated we are responsive to the public.

## Assessment of Performance Criteria Three—We improve public awareness of our role in influencing public administration and industry practice

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The Office is committed to providing high quality and professional service to members of the public. We are focused on timely resolution and providing regular, easy to understand information. As an oversight agency it is important that people are aware of our Office and our functions.

We measure our achievement of this through total number of contacts with our Office, including complaints, enquiries or program specific matters, and website hits.

Contact with our Office is done through various channels, but mainly via phone and the website. In 2019-20 we had:

- 54,633 contacts via our phone, online, email and mail channels

- 1.2 million hits on the Commonwealth Ombudsman, ACT Ombudsman, VET Student Loans Ombudsman websites and **Privatehealth.gov.au** website.

These numbers establish a benchmark which we will use as a basis for measurement over the coming years. Growth in this number may indicate an increase in public awareness of our role and that we are effective in provision of consumer information.

In 2019–20 we also commenced work on a Channel Management Strategy, to improve public access to our services. It will include better identification of how the public would prefer to contact us, how we can most efficiently respond to them and what information people need to more effectively resolve their complaints.

#### Case Study—COVID-19

In 2019–20 as a result of COVID-19 we made some changes to our services for health and safety reasons.

After the pandemic began, we ceased all face-to-face contact with the public as part of our response, to ensure both the safety of our staff, but also that of members of the public.

We also introduced changes to our phone service. We reduced our phone hours to 9am to Midday AEST in response to the restrictions in place to contain the virus and the need for many of our staff to work from home. While the number of phone calls decreased following the reduced phone hours, we closely monitored our servicing and saw an increase in the proportion of complaints received online.

### Performance Criteria Four—We influence improvements in public administration and practices of the agencies and organisations we oversee

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In 2019–20 we maintained the confidence of government agencies and private sector organisations we oversaw through report publishing and making recommendations to agencies and organisations.

#### Published Reports

During the 2019–20 financial year the Office published a number of reports relating to our activities. More detailed information about our report types and the ones we published is available on the [Commonwealth Ombudsman](#) and [ACT Ombudsman](#) websites.

We published three investigation reports, three relating to Defence’s policies for receiving and responding to reports of abuse, the historical administration of military retirement schemes, and the actions of the NDIA to support a person transitioning out of prison. All fourteen recommendations in these reports were accepted.

We published our Immigration Detention Monitoring Report which draws on observations from our inspections of immigration detention centres, as well as other aspects of the Office’s oversight, including handling complaints and assessing the circumstances of people in long-term detention. We made sixteen recommendation in this report of which fifteen were accepted.

We also influence law enforcement and investigatory agencies’ compliance with relevant legislation on their use of certain covert and intrusive powers, by inspecting and reporting on their activities. Where appropriate, we make recommendations for improvement. In 2019–20 we made five formal recommendations to agencies, along with a number of further suggestions for improvement. While we do formally seek a response to our recommendations, we monitor and report on action taken to implement our findings at subsequent inspections.

The Office also makes recommendations to the Department of Defence for Defence Abuse Reparation payments, and to the Department of Education, Skills and Employment (DESE) for VET Student Loan re-credits. Close to 100 per cent of all recommendation were accepted across both agencies. This was a

positive result for the members of the public who contacted our Office in relation to these functions and demonstrated the confidence these agencies have in our work and the recommendations we provide. In addition to our recommendations on individual matters, we also provided analysis and support for Secretary Initiated Actions (SIA), which allowed the Secretary of DESE to re credit groups of students.

Through our public reporting, investigations and program delivery, as well as less formal engagement with agencies and organisations, the Office seeks to influence agencies and organisations towards continuous improvement.

This year too we conducted an investigation into whether recommendations we had made to agencies in earlier reports had been implemented by them. Although, at the time of writing, the report from this project has not been published, it reveals that the overwhelming majority of our recommendations are implemented, in whole or in part, over time.

## **Assessment of Performance Criteria Five—We are responsive in our dealings with agencies**

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The Office has daily interactions with the agencies and organisations we oversee, so it is important to understand their perspective on our performance. We assessed our performance against this criteria through:

- an agency satisfaction survey
- our timeliness of our oversight reports to agencies
- our engagement and education functions

### Agency Satisfaction Survey

In 2019–20 we commissioned Market and Communications Research (MCR) to undertake surveys with representatives of the 15 Australian Government entities and private sector organisations with which we interact the most.

Respondents were asked a series of questions to assess their satisfaction levels with the quality of our work and to identify potential areas for improvement and innovation. This was the first time we had sought feedback from agencies against our whole of agency performance and results were largely positive.

Agency and organisation representatives described our Office as operating in a proactive, transparent and effective way when interacting with them. Importantly, agencies and organisations understood and respected our independence, while still describing our relationships as open and collaborative.

Our staff were described as being competent and knowledgeable. Our positive impacts on systemic, policy and governance issues were recognised. The survey confirmed we have strong standing among the agencies with whom we engage.

There were some opportunities for improvement identified through the survey, including being more timely in communicating the outcomes of our investigations with agencies. We are considering ways to improve in 2020–21 on our processes for requests for information from agencies and our accessibility. We will conduct another agency survey in early 2021 to assess our performance and monitor our improvements.

### Reporting to agencies on the results of oversight activities

The Office has set targets to provide our reports on law enforcement and immigration detention oversight activities to agencies. In 2019–20 we were not as timely as we would like, only meeting our target deadline in 60 per cent of cases against a target of 85 per cent. The Office was impacted by significant staff attrition towards the end of 2019, although made significant progress in reducing the backlog between 1 April and 30 June 2020.

For 2020–21, we will take steps to address our performance, including through streamlining of reporting processes.

## Education and Engagement

In 2019–20 the Office delivered a number of education and other stakeholder events. We sought feedback from participants through formal surveys on participant satisfaction. Across the Office, we achieved 98 per cent satisfaction rating with 719 of the 733 participants attending various education or outreach events being satisfied with the event. The Office did not conduct any education or outreach events from February 2020 due to COVID-19.

Some of the education and other events we delivered or facilitated included:

- Oversight of Coercive and Intrusive Powers Forum
- 'Better Practice in Managing Complaints' workshops
- Public Interest Disclosure forums
- ACT Freedom of Information (FOI) practitioner forums.

We are re-focusing our activities to virtual stakeholder engagement and education in 2020–21. To support this, we have commenced the development of web based content as we look for options to continue our outreach. Two avenues where we feel we can continue to connect with agencies is through webinars and podcasts and work is underway to deliver our first webinar in August 2020.

### **Case Study—Best Practice Complaint Handling Project**

During 2019–20 we worked with agencies to assess complaint handling best practice, as part of our Complaint Assurance Program. It is a collaborative process involving the agency to complete a self-assessment, the Office assessing a sample of complaints and then providing feedback to the agency on our findings.

The report on the results can be found [here](#). The CAP received positive feedback particularly in relation to our self-assessment tool.

"I think the document was very straightforward and allowed us to discuss a number of facets of our work that might not have been top of mind. It was helpful to spend some time dissecting our role in terms of the larger departmental view. I think it's easy for us to get wrapped up in our operational issues and the day to day emotions that the unit deals with. It has been beneficial to re-evaluate and clarify our role." *Agency representative*

We also continue to work with agencies to increase awareness of, and provide education about compliance requirements including reviewing and providing advice to agencies when developing new policies, procedures or templates. In certain circumstances we also help entities solve difficult disputes. An example of this is our effort in May 2020 to address an emerging issue between a large hospital group and a group of private health insurers. In accordance with our powers as the Private Health Insurance Ombudsman, we arranged voluntary mediation for a contract dispute between these parties, and they were able to subsequently reach agreement. This is a positive outcome for the close to 2 million consumers who were at risk of being negatively impacted by failed contractual arrangements between the parties.

## **Assessment of Performance Criteria Six—We effectively delivered our capacity building programs for the Ombudsmen and allied integrity bodies under the Australian Aid Arrangements**

Our Office works with our peers across the Pacific region and Indonesia as part of our capacity building programs under the Australian Aid arrangement. We currently have partnership arrangements with:

- Ombudsman Commission Papua New Guinea (OCPNG)
- Ombudsman Republik Indonesia (ORI)
- Ombudsman Office of the Solomon Islands (OOSI) and the Leadership Code Commission (LCC)

- Ombudsman Office of Samoa (OOS) and the Samoa Audit Office (SAO)

Our international partnerships with our Ombudsman peers, particularly in Papua New Guinea and Indonesia, represent two of the longest continual Australian Government partnerships in any thematic area supported by Australian Aid arrangements. Our partnership with Indonesia has been active for the last 20 years, and our program with Papua New Guinea has been one of the most enduring partnerships of its type.

Our International activities are developed closely with our International peers. They are developed based on a shared understanding of need and are respectful of cultural requirements which can impact on activity timing.

Our activities with our partners are developed according to the following criteria—needs based, cost effective, maximum.

The activities delivered in 2019–20 included:

- Monitoring and evaluation visit to Port Moresby, Papua New Guinea
- Senior leadership engagement in Jakarta, Indonesia
- Complaint handling system project/workshop in the Solomon Islands

During the 2019–20 financial year a total of 43 activities were due to be delivered across our international programs between 1 July 2019 and 30 June 2020. Prior to COVID–19, we were on track to deliver 100 per cent of our outcomes across the Pacific region and Indonesia.

COVID-19 curtailed our activities, many of which involve international travel. Overall, we delivered 18 activities but were unable to deliver 25 activities planned for the second half of the year. We have already commenced work with our peers to consider how we might continue to engage and provide support in a significantly changed international context.

## Assessment of Performance Criteria Seven—We maintain the confidence of the Parliament

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Maintaining the confidence of Parliament is hard to measure directly. While we do not survey parliamentarians on our performance directly, we use proxy indicators such as our delivery of legislatively required reports to Parliament, and the extent to which parliamentarians seek our assistance with their work by inviting submissions and appearances before inquiries. We consider that continued requests for our advice and insight is a useful indicator that we maintain the confidence of Parliament.

While COVID-19 has impacted the Office’s ability to carry out certain functions (i.e. physical inspections of some law enforcement agencies), we have used the opportunity to prioritise the completion and submission of a back-log of reports. We anticipate further improvement in 2020–21.

### Reports

In 2019–20, the Office published **41** reports covering a breadth of topics. These reports include investigation and oversight reports, quarterly updates on various functions and reports on our inspections of immigration detention and law enforcement powers. See our websites for more information on the reports we published during 2019–20.

As an oversight agency, we understand the importance of timely advice and recommendations. Some reports have a legislative deadline, and we met 100 per cent of these deadlines in 2019–20. For other reports, the statutory deadline is ‘as soon as practicable’ after a given date. We have set ourselves the target of providing these reports within six months of that date. We recognise that we have some further work to do, with only three of 11 reports delivered to Parliament in 2019–20 within six months. Staff attrition in late 2019 was a contributing factor, although recent recruitment has assisted us to reduce the backlog of outstanding reports in the final quarter of 2019–20.

Submissions and inquiries

In 2019–20 we made 21 submissions to and appearances before Parliamentary committee processes (both the Australian Parliament and the ACT Legislative Assembly). These appearances and submissions speak to both our enduring role and the value parliamentarians place on our impartial advice across a very diverse array of subject matter. For example, we made submissions or engaged in hearings or briefings on topics as diverse as the planning arrangements used by the National Disability Insurance Agency, matters pertaining to Centrelink debts, our oversight of the Australian Federal Police and other law enforcement agencies' use of covert powers, the operation of the Public Interest Disclosure Act and various pieces of legislation in which our Office has an interest.



## Financial reporting

In 2019–20 the Office recorded an operating surplus of \$0.7 million, compared to operating surplus of \$1.4 million (excluding depreciation, amortisation and write down of assets, and including principal payments on leases) in 2018–19. The 2019–20 operating surplus was broadly consistent with the balanced outcome estimate reported in the 2019–20 Portfolio Budget Statements.

### **Expenses**

Total expenses increased from \$43 million in 2018–19 to \$48 million in 2019–20. This increase was mainly due to the additional contractor and support costs incurred for the measure improving integrity of the Vocational and Education Training System.

### **Income**

Appropriation revenue increased from \$39.1 million in 2018–19 to \$42.4 million in 2019–20, an increase of \$3.3 million. This was due to the additional funding received for:

- the VET Student Loan Ombudsman function, including the new measure, net increase of \$4.9 million
- the NDIS Participant Service Guarantee—monitoring timeline performance, an increase of \$0.5 million.

This was offset by decreased funding for:

- the Private Health Insurance Ombudsman (\$0.8 million)
- the Defence Force Ombudsman (\$0.8 million).

Rendering of services revenue of \$4.2 million is consistent with the 2018–19 outcome. This mainly consists of revenue received from the ACT Government (\$3.0 million) and the Department of Foreign Affairs and Trade (\$0.7 million).

### **Assets**

Total assets increased by \$10.2 million, mainly due to:

- implementation of AASB 16 Leases, recognition of Right of Use asset (net increase \$10.7 million)
- acquisition of leasehold improvements, plant and equipment and computer software classes, (\$1.0 million), which was offset by depreciation and amortisation (\$1.6 million)
- revaluation of the asset classes leasehold improvements and plant and equipment (net increase of \$0.1 million).

The Office acquired \$1.0 million in new assets in 2019–20, funded through the departmental capital appropriation and the operating surplus. This included new ICT infrastructure, purchase of new software, refurbishment of offices and enhancements to core existing ICT systems. Assets were checked for impairment, a stock take undertaken during the year to ensure completeness and asset classes leasehold improvements and plant and equipment were revalued as at the 30 June 2020. Assets are maintained and kept in good working order by the Office.

***Liabilities***

Total liabilities increased by \$4.6 million, which was mainly due to:

- implementation of AASB 16 Leases, recognition of leases as a liability (net increase \$9.4 million)
- trade creditors reduction (\$5.0 million)
- employee provisions increase (\$0.2 million).

## Public Interest Disclosure Scheme

### Public Interest Disclosure Scheme

This part comprises our annual report on the operation of the *Public Interest Disclosure Act 2013* (PID Act) as required by s 76 of the PID Act.

The Office oversees the operation of the Public Interest Disclosure (PID) Scheme (the scheme), established under the PID Act. The scheme promotes the integrity of the Commonwealth public sector by providing for the reporting and investigation of wrongdoing and the protection of whistleblowers.

The Office has three primary functions under the scheme:

- allocation of disclosures and investigation of complaints
- delivery of educational and awareness programs
- annual reporting on the scheme's operation.

The Inspector-General of Intelligence and Security (IGIS) has oversight of the six intelligence agencies subject to the scheme<sup>1</sup> and has the same allocation, investigative and educational functions.

This report has been prepared with the assistance of 172 agencies covered by the PID Act. We would like to acknowledge their efforts in collecting the data required for this report.

### ***Elements of the scheme***

The scheme is designed to be accessible. The low threshold for making a disclosure is intended to encourage public officials to come forward and report wrongdoing. The protections under the PID Act apply to disclosures that:

- are made by a current or former public official
- are to an authorised recipient
- involve 'disclosable conduct'.

'Public official' is broadly defined and includes contracted service providers and subcontractors. Similarly, 'disclosable conduct' captures a broad range of conduct, such as the breach of a law or of the Australian Public Service (APS) Code of Conduct. These broad definitions mean the scheme attracts reports of wrongdoing across a wide cross section of agencies and activities. Agencies must investigate a PID unless certain circumstances apply, such as the matter having previously been dealt with through another process. At the conclusion of an investigation, agencies must provide disclosers with an investigation report that explains the findings of the investigation, and any actions taken or recommendations made. Disclosers can make a complaint to the Office or IGIS if they are dissatisfied with an agency's handling of their PID.

### ***PIDs at a glance***

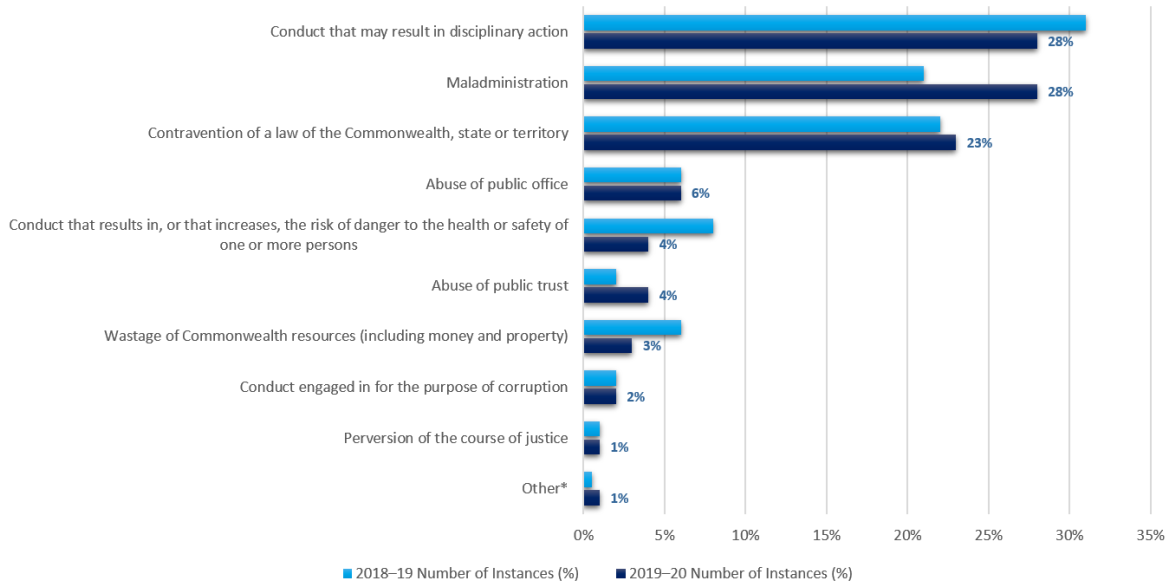
In 2019–20, there were 359 PIDs received across the Commonwealth, compared with 457 in 2018–19. A further 357 disclosures were assessed as not meeting the PID threshold, representing a small increase on (last year's) 342.

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<sup>1</sup> Australian Security Intelligence Organisation, Australian Secret Intelligence Service, Australian Signals Directorate, Australian Geospatial-Intelligence Organisation, Defence Intelligence Organisation and Office of National Assessments.

A single PID may involve multiple allegations of disclosable conduct. Of the PIDs made this year there were 657 alleged instances of disclosable conduct.<sup>2</sup> As in previous years, the most common types of alleged disclosable conduct were ‘conduct that may result in disciplinary action’, ‘maladministration’ and ‘contravention of a law’.

FIGURE 2—ALLEGATIONS OF DISCLOSABLE CONDUCT FY COMPARISON

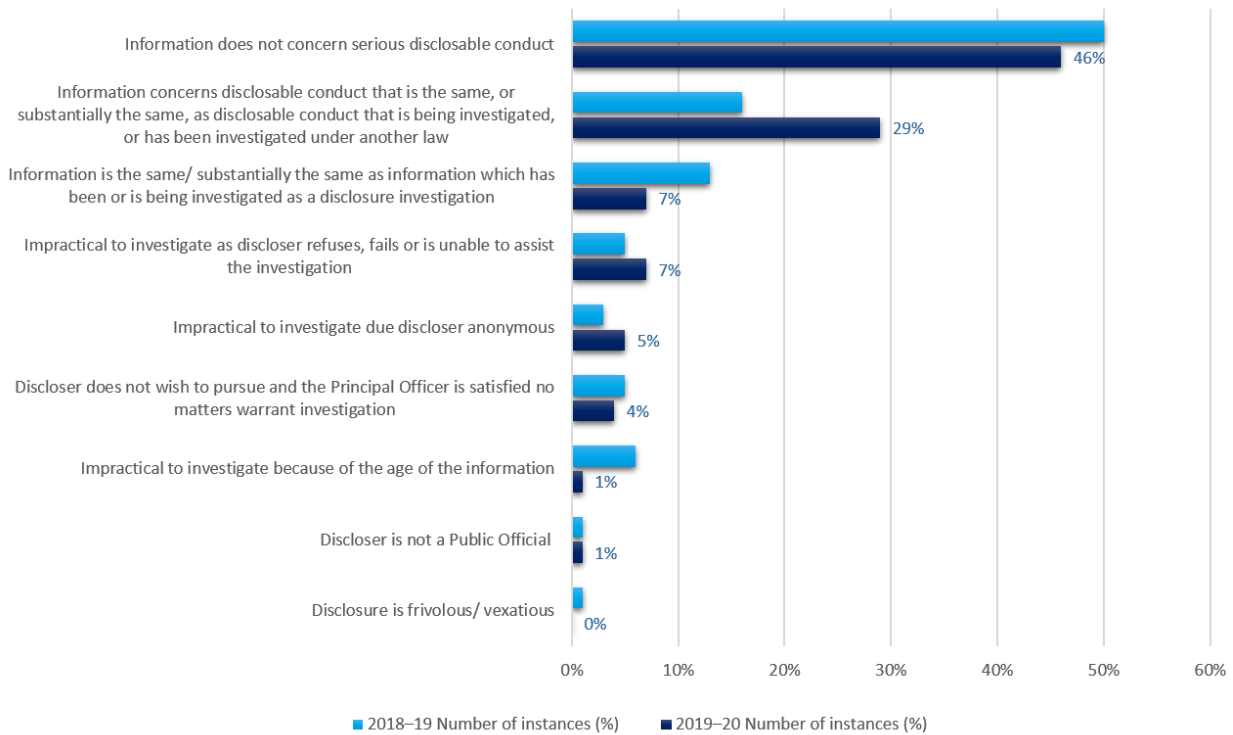


\*Conduct in a foreign country that contravenes a law; fabrication, falsification, plagiarism or deception in relation to scientific research; and conduct that endangers, or risks endangering the environment.

Agencies may decline to investigate a PID, or decline to further investigate, for a range of reasons. This year agencies declined to investigate (in full or part) 117 PIDs. The most common reason was because the PID did not concern serious disclosable conduct.

<sup>2</sup> This refers to allegations of disclosable conduct prior to an investigation being undertaken.

FIGURE 3—S48 - DECLINED TO INVESTIGATE DECISION - FY COMPARISON

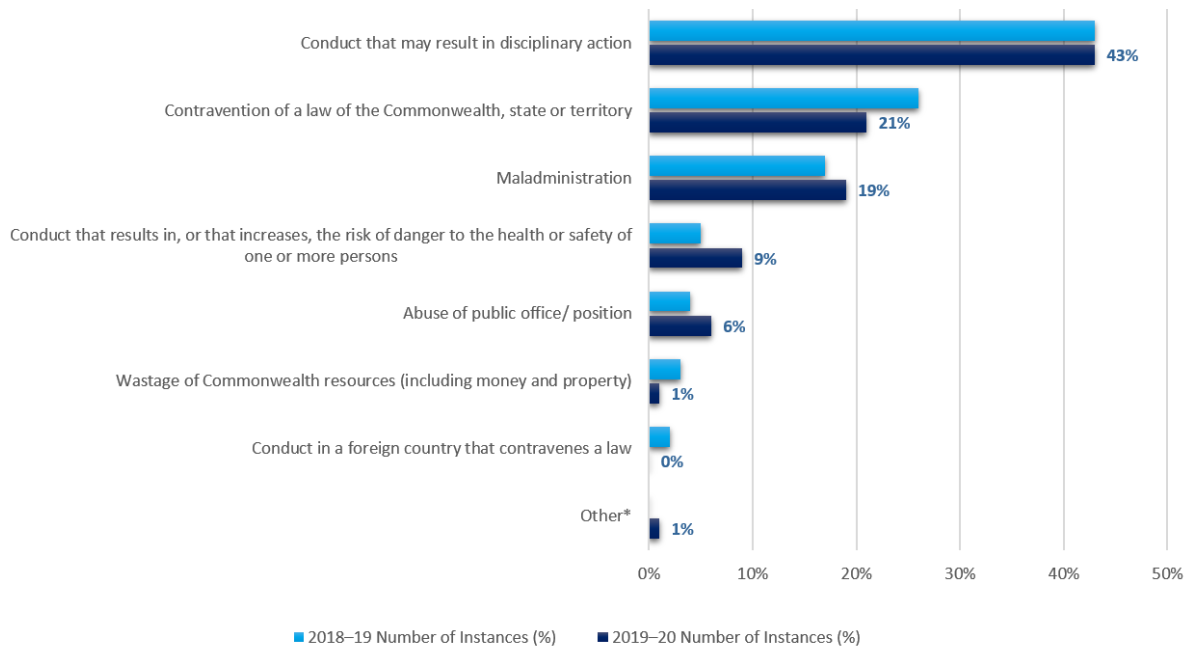


**Investigation outcomes**

A total of 228 PID investigations were finalised this year. Sixty-three investigations resulted in one or more findings of disclosable conduct, and 159 resulted in at least one recommendation that particular action be taken.

We remind agencies at our regular PID forums that a PID investigation that does not result in a finding of disclosable conduct, may nonetheless identify an opportunity to mitigate potential risks of wrongdoing or improve agency practice and procedure.

FIGURE 4—FINDINGS OF DISCLOSABLE CONDUCT FY COMPARISON



\*Conduct engaged in for the purpose of corruption; fabrication, falsification, plagiarism or deception in relation to scientific research; perversion of the course of justice; abuse of public trust and conduct that endangers, or risks endangering the environment

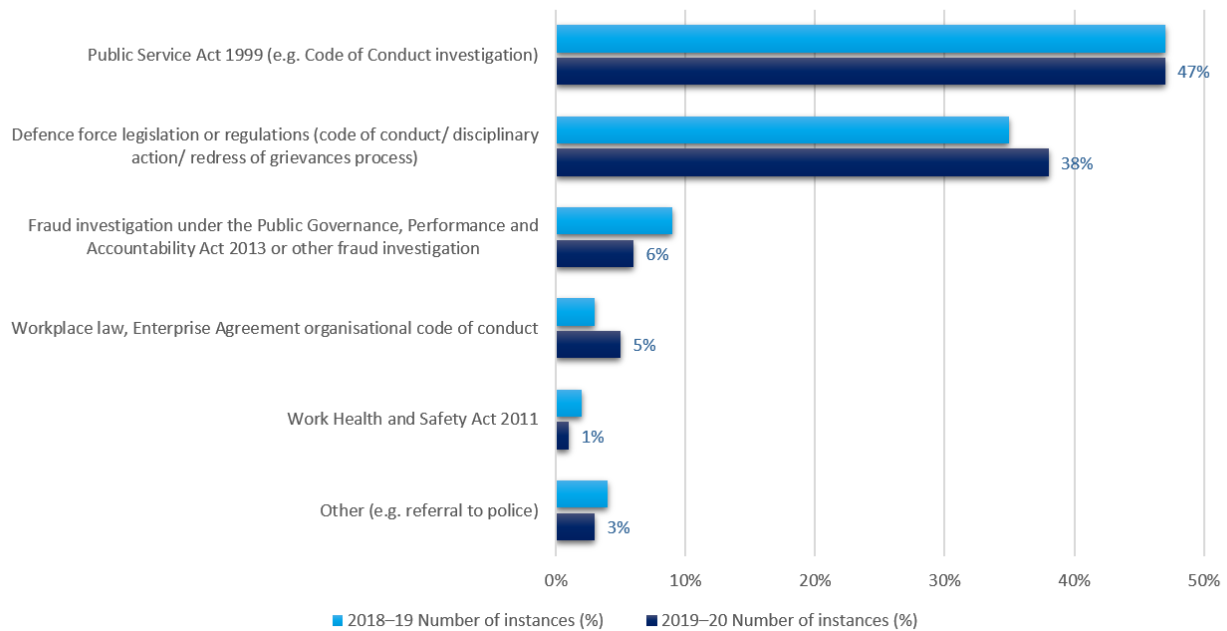
Agencies reported a range of outcomes and actions following investigation, including:

- staff training on bullying and harassment and renewed advice on how to escalate concerns in the workplace
- management interventions to monitor and improve workplace culture and communication
- review and refresh of internal policies and procedures, including conflict of interest policies and procedures
- external audit and investigation
- disciplinary action for formal counselling of staff and issuing of warnings
- termination or removal of staff from particular roles.

On two occasions agencies contacted the police because there were reasonable grounds to suspect that a disclosure included evidence of an offence.

The PID Act also enables agencies to recommend investigation of a PID under another law. Common areas for referral include the *Public Service Act 1999* (for investigation of Code of Conduct matters), Defence Force legislation, *Public Governance Performance and Accountability Act 2013* (for fraud matters) and Workplace Health and Safety legislation. This year, 75 recommendations for referral were made. Consistent with last year’s results, the majority involved a referral for investigation under the Public Service Act.

FIGURE 5—REFERRALS TO OTHER INVESTIGATIVE MECHANISMS FY COMPARISON



For full details of the number of PIDs received, the kinds of disclosable conduct alleged, the number of disclosure investigations and the actions taken in response to recommendations, see Appendix 8.

**Who is using the scheme?**

The majority of PIDs were made by current or former public officials, with a slight decrease in the number of PIDs made by this cohort (87 per cent this year compared with 91 per cent last year). The number of disclosures made by contracted service providers remained relatively constant at four per cent of disclosures, and there was an increase in the number of disclosures from deemed public officials<sup>3</sup> (nine per cent this year compared with four per cent last year).

Given the broad use of contracted service providers across the Commonwealth it is possible that they remain under-represented in the overall numbers of disclosures.

**Awareness raising and training**

Agencies reported providing a variety of PID-related information and training including mandatory induction programs, intranet or employee handbook materials, and all staff communications. Around 29 per cent of agencies provide formal training to their employees on a yearly basis, with around 70 per cent of agencies providing either no formal training or providing training only upon request.

Many agencies however report providing PID information to contracted service providers via other means, such as during the procurement and contracting process, via access to the agency’s intranet, or through informal distribution of information. Since the number of disclosures from this cohort was again relatively

<sup>3</sup> Agencies may deem a person to be a public official in certain circumstances. Agencies generally use this approach to investigate PIDs from non-public officials who may have special or inside information about wrongdoing in an agency.

low at just four per cent, lack of awareness may be a barrier to reporting. We will continue to remind agencies of the need to ensure awareness of the PID scheme among this group.

**Authorised officers**

A public official may only make a disclosure to an authorised officer<sup>4</sup>, to their supervisor or to the agency’s principal officer. As with last year, most disclosures were made to authorised officers, however the proportion decreased slightly (76 per cent, compared with 80 per cent in the previous year). The proportion of disclosures made to either supervisors (11 per cent) or directly to principal officers (13 per cent) remained comparable to last year.

TABLE 2—AVERAGE NUMBER OF AUTHORISED OFFICERS IN AN AGENCY, BY AGENCY STAFF SIZE

Staff numbers	Average number of authorised officers
< 50	2
50–250	2
251–1,000	5
1,001–10,000	8
Over 10,000	16

We encourage agencies to appoint authorised officers at a range of levels. However, the substantive level of most authorised officers remains high with 49 per cent of authorised officers at senior executive level and 42 per cent at executive level. Eleven agencies reported having no authorised officers other than their principal officer. We will continue to encourage agencies to consider the relative seniority of authorised officers noting that it may create a barrier to reporting.

**Timeliness**

The PID Act imposes a 90 day timeframe on investigations, subject to possible extension from the Office or IGIS where there are reasonable grounds. If an investigation is not completed in time and an extension is not granted, the discloser may in certain circumstances seek redress by disclosing the information externally. Most investigations were completed within 90 days (61 per cent) with 25 per cent taking between 90-180 days and 14 per cent taking more than 180 days.

The Office received 171 requests for extension of time, of which 164 were granted. Disruptions attributed to COVID-19 were mentioned as at least one of the reasons for an agency needing additional time in 15 extension requests.

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<sup>4</sup> A person appointed by an agency's principal officer to receive disclosures. Principal Officers are required to ensure there are sufficient numbers of authorised officers to ensure they are readily accessible to public officials in their agency.



TABLE 3—INVESTIGATION TIMEFRAMES

Timeframe	% of Investigations
< 90 days	61%
91-180 days	25%
>180 days	14%

### **Reprisal**

Disclosers who believe they have been subject to reprisal are encouraged to raise the issue with their agency. Agencies are expected to investigate claims of reprisal and, if appropriate, refer the matter to the police or other oversight agency. Disclosers may also contact the Office if they are dissatisfied with the agency’s handling of their reprisal claim.

In 2019–20, Commonwealth agencies reported a total of 36 claims of reprisal, more than double the number reported in 2018–19 (17 claims). The types of conduct alleged included bullying and harassment and unreasonable management or performance management action. Agencies reported that, following investigation, one reprisal claim was substantiated. The Office also received 14 enquiries or complaints directly from disclosers raising concerns about reprisal. Disclosers variously elected to make a PID regarding the reprisal action, make a complaint to our Office or await the outcome of the agency’s investigation report. The Office is continuing to consider available guidance to agencies about managing the risk of and investigating concerns about reprisal.

### **Complaints**

The Ombudsman and IGIS can review agencies’ handling of PIDs to assess whether their actions are reasonable and whether agencies are complying with the PID Act and their own PID procedures.

In 2019–20 the Ombudsman received 51 complaints about agencies’ handling of PIDs, which was comparable to the 52 complaints received in the previous year. Common complaint themes were:

- dissatisfaction with the findings or recommendations of an investigation, or agencies’ consideration of evidence or selection of witnesses
- delays in completing an investigation
- decisions not to investigate because the conduct is not serious or because the matter is already being, or has already been, investigated
- decisions not to allocate disclosures for investigation because they do not concern disclosable conduct
- agencies’ handling of reprisal allegations
- agencies’ communication with disclosers.

We decided to investigate 23 of the 51 complaints we received this year. We finalised 30 complaint investigations and made formal comments or suggestions about improving agency processes in 15 matters.

### CASE STUDY

A discloser complained that an agency had not assessed their disclosure in accordance with the PID Act. During our investigation of the complaint, the agency advised us that an authorised officer had decided not to allocate the disclosure because the requirements in s 26 of the PID Act had not been met.

Our investigation revealed that the agency had commissioned an external investigation of the discloser's allegations before an allocation decision had been made by an authorised officer. The authorised officer then decided not to allocate the disclosure based on the outcome of that investigation.

In our comments to the agency, we noted that this approach was inconsistent with the PID Act. We observed that the threshold for allocation of a disclosure is intentionally low, and that it is not an authorised officer's role to gather evidence or to reach a conclusion about whether the alleged conduct occurred when determining whether to allocate the disclosure to an agency for investigation.

We also observed that the authorised officer's notification to the discloser did not set out the reasons why the disclosure could not be considered an internal disclosure. We reminded the agency of the requirement in the PID Standard for authorised officers to keep appropriate records of their decision and reasons, and of their notification to the discloser.

### CASE STUDY

Concerns about agencies' communication with disclosers arose in a number of the complaints we finalised this year.

In one case, a discloser complained to us that they had made a number of attempts to contact an agency about their disclosure, but had not received a response. One of the discloser's concerns was that the agency had not adequately explained how it had assessed the allegations in the disclosure.

As a result of our investigation, we reiterated our expectation that agencies keep disclosers reasonably informed of the progress of their PID, and acknowledge and respond to correspondence from disclosers within a reasonable timeframe.

The agency acknowledged that its communication with the discloser could have been better and undertook to provide feedback and further training to its PID staff. The agency also acknowledged that some of the issues raised in the complaint could have been addressed earlier through improved communication with the discloser.

### ***Ombudsman investigations***

The PID Act enables disclosers to make a disclosure directly to the Office if they have reasonable grounds to believe the Office should investigate. Generally speaking we consider the agency to which the disclosure relates is best placed to investigate a disclosure. However, the Office may consider investigating a matter directly if satisfied that the agency is unable to properly investigate or respond to the disclosure. This year, the Office received 56 disclosures about other Commonwealth agencies, down from 63 in 2018–19. Of the 56 disclosures, 38 were assessed as PIDs. Thirty-three were allocated to the relevant agency for investigation. We accepted three PIDs for investigation by our Office and allocated a further two to the Australian Public Service Commission as the disclosures fell within its jurisdiction under the Public Service Act.

We completed two disclosure investigations this year, both of which commenced in the previous reporting period. Of the investigations completed, one resulted in two findings of disclosable conduct. The Office's recommendations focused on governance and oversight, the agency's monitoring of the ongoing risk of reprisal, PID training and a review of the agency's policy documentation.

### ***IGIS investigations and complaints***

Throughout the year the IGIS provided assistance and advice to officials within the intelligence agencies. Our Office assisted the IGIS where needed on the performance of its functions under s 63 of the Act.

The IGIS received two direct disclosures, both of which related to Australian intelligence agencies. One was investigated by the IGIS under the *Inspector General of Intelligence and Security Act 1986* (IGIS Act) and no evidence was found to substantiate the claims. In the second case, the IGIS exercised discretion not to investigate, or investigate further, under s 48(1)(h) of the PID Act.

The six agencies which form the Australian Intelligence Community, received three PIDs. Discretion not to investigate was exercised in each case, the first in accordance with s 48(1)(c) of the PID Act, the second in accordance with s 48(1)(g) and the third in accordance with s 48(1)(h)(i)(iii).

The IGIS did not receive any complaints about the handling of PIDs this financial year.

### ***Education and awareness***

In the first half of this year we ran two PID forums. One was specifically for Investigation Officers and the second brought together the diverse range of agency personnel who may be involved in handling PIDs from receipt through to finalisation. While in previous years our events have been largely role-specific, strong attendance at the second forum indicated the value of the new initiative as an ongoing component of our engagement strategy. Cumulatively, a total of 121 representatives from a large cross-section of agencies attended the two forums and provided positive feedback.

Trust, communication and action continued to be the central themes we promoted as pivotal to the successful operation of the scheme. Drawing on insights obtained through our complaint investigation function, we have encouraged agencies to be more attuned to the need for disclosers to be regularly updated about the progress of an investigation and provided with clear explanations of the PID process and possible outcomes.

With the onset of the COVID-19 pandemic in 2020, the Office made early contact with agencies to remind them of their ongoing statutory obligations under the PID Act and to seek information as to how agencies' PID operations may be impacted by changed working arrangements. We advised on the continued importance of maintaining adequate resources in this area, as the scheme provides a vital mechanism for public officials to raise concerns about integrity and accountability within the public service, particularly during times of rapid and unprecedented government action.

Given COVID-19 restrictions and our resultant inability to convene further ‘in person’ forums in 2020, we offered our first PID webinar to agencies with a specific focus on their annual reporting requirements. This session was attended by 29 representatives. Until such time as large gatherings are feasible again, we will continue to explore the use of online platforms to meet agencies’ continued education and awareness needs in 2020–21.

In 2019–20 the Office responded to 374 enquiries from agencies and disclosers, a 58 per cent increase from last year, and we received 13,365 visits to the PID section on our website.

The Office made a submission on the operation of the PID Act to the Senate Economics Legislation Committee in relation to its inquiry into the performance of the Inspector-General of Taxation.

## Specific Ombudsman roles—annual reports

### Introduction

Our Act establishes five specific Ombudsman roles designating that each role is to be performed by the Commonwealth Ombudsman. The Act also requires an annual report on each role as per Table 4. We report publicly on each of the functions throughout the year, and these reports, combined with the below, constitutes the annual report required.

**TABLE 4—ANNUAL REPORTING REQUIREMENTS UNDER THE ACT**

Title	Requirement
Defence Force Ombudsman	Section 19FA(1) of the Ombudsman Act
Postal Industry Ombudsman	Section 19X(1) of the Ombudsman Act
Overseas Students Ombudsman	Section 19ZS(1) of the Ombudsman Act
Private Health Insurance Ombudsman	Section 20ZG(1) of the Ombudsman Act
VET Student Loans Ombudsman	Section 20ZX(1) of the Ombudsman Act

### Defence Force Ombudsman

Our role as the Defence Force Ombudsman involves two main functions. We provide an independent complaints mechanism for serving and former members of the Australian Defence Force (ADF). Since 2016, we can receive reports of serious abuse from serving and former members of the ADF who feel they are unable to access the ADF's internal mechanisms.

#### ***Complaints function***

As the Defence Force Ombudsman, we receive and investigate complaints about administrative action taken by Defence agencies, including the three services (Navy, Army and Air Force), the Department of Defence (Defence) and Defence Housing Australia. We also receive and investigate complaints about the Department of Veterans' Affairs (DVA).

#### *Defence complaints overview*

In 2019–20 we received 332 complaints about Defence agencies and finalised 342. This is a 12.4 per cent decrease<sup>5</sup> in comparison to complaints received in 2018–19. Complaints about Defence agencies raised concerns about issues such as:

- unacceptable behaviour
- pay and conditions
- Defence Force recruiting
- redress of grievance.

<sup>5</sup> From 2019–20 the Department of Veteran's Affairs (DVA) is no longer included as a Defence agency for the purpose of our statistical reporting. The 12.4 per cent decrease excludes DVA from the 2018–19 and 2019–20 figures.

During 2019–20 we received 118 complaints and finalised 110 about the Department of Veterans' Affairs. Complaints included issues such as:

- disability pension/compensation
- service delivery
- health care and medical services
- financial remedies.

### *Investigations*

#### *Defence Force Retirement and Death Benefits Scheme—own motion investigation*

In December 2019, the Ombudsman published a report on our Investigation into the administration of the Defence Force Retirement and Death Benefits (DFRDB) scheme and the information provided to DFRDB scheme members about the long term impact commutation would have on retirement pay.

The report found the information provided to some DFRDB scheme members was incorrect, and this amounted to defective administration.

The Ombudsman recommended the Secretary of the Department of Defence and the Chief of the Defence Force apologise. The report also contained recommendations to ensure communication provided to DFRDB scheme members by the Commonwealth Superannuation Corporation (CSC) clearly explain the long term financial implications of commutation.

The findings and recommendations contained in the report were accepted by Defence and the CSC. Defence published an apology on its website and the CSC advised it will implement the recommendations.

#### ***Abuse reporting function***

Since 1 December 2016, the Ombudsman has been able to receive reports of contemporary and historical abuse within Defence. This provides an independent and confidential mechanism to report abuse for those who feel unable to access Defence's internal mechanisms.

Our delivery of the abuse reporting program is based around three functions:

- We provide a supportive, trauma-informed liaison role to those who report abuse to the Office.
- We assess all reports of abuse to determine whether they are within our jurisdiction and, if requested by the reportee, whether they meet the government's reparation payment framework.
- We deliver available responses including a recommendation for a reparation payment where available, participation in the Office's Restorative Engagement Program, or a facilitated referral for counselling.

In 2019–20, we received 500 reports of abuse compared to 482 in 2018–19. Of the 1601 reports received between 1 December 2016 and 30 June 2020, we have assessed 1,179 reports. 988 of those were found to be in jurisdiction and 191 were out of jurisdiction. 422 reports are still to be assessed.

The recent growth in reports of abuse could be in part due to knowledge of the scheme and also awareness of the end of the scheme on 30 June 2021.

FIGURE 6—REPORTS OF ABUSE RECEIVED

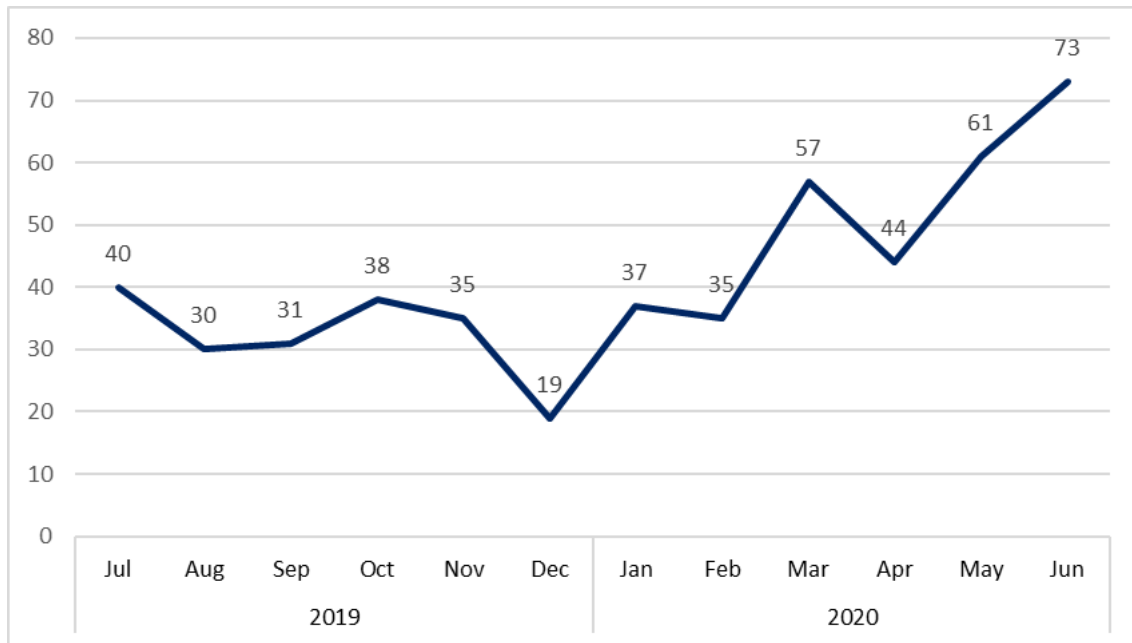
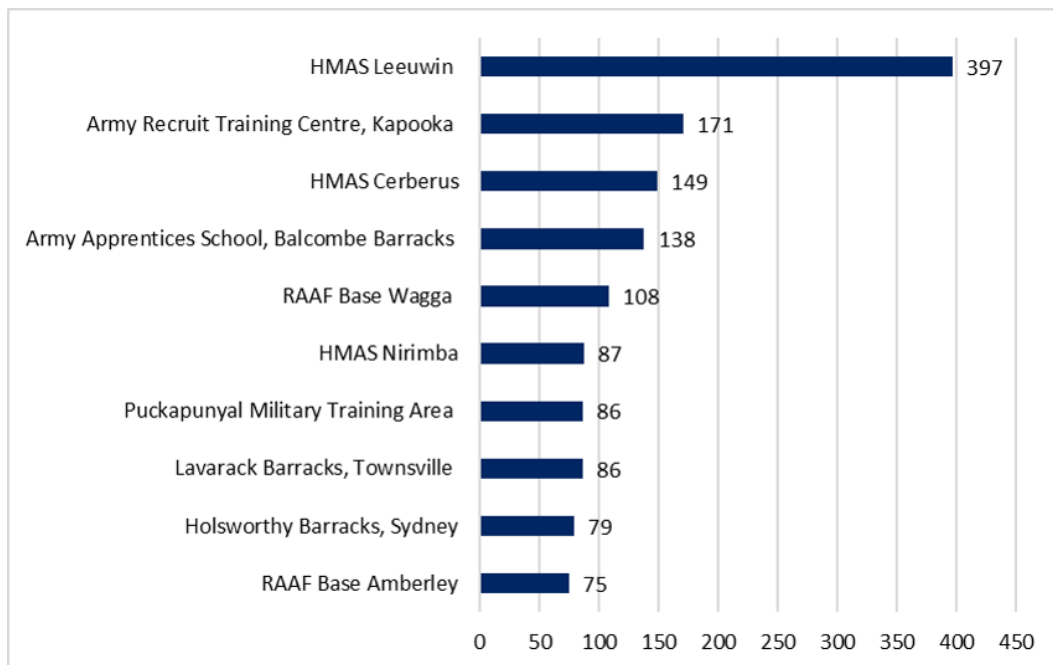


Figure 8 shows the most reported locations for reports assessed as in jurisdiction. As in previous years, the trend has continued with the same locations for reports of abuse, and with RAAF Base Amberley featuring in the top ten for the first time.

FIGURE 7—MOST REPORTED LOCATIONS



Reportees are assigned a single Liaison Officer where possible. Liaison Officers have the training, skills and experience to communicate with people who have experienced trauma and find the reporting abuse process difficult. Liaison Officers work closely with the reportees to establish rapport and encourage trust.

Reports of abuse are assessed under the *Ombudsman Regulations 2017* (the Regulations). If a report is not accepted, the reportee can request a review of the decision. Most reports of abuse made to our Office relate to conduct and behaviour that occurred many years ago. Of the total 1,601 reports received, only four per cent of reports relate to abuse alleged to have occurred after 30 June 2014.

### *Reparation Payments*

For the most serious forms of abuse and/or sexual assault, the Ombudsman may recommend Defence make a reparation payment. There are two possible payments which we may recommend:

- A payment of up to \$45,000 to acknowledge the most serious forms of abuse.
- A payment of up to \$20,000 to acknowledge other abuse involving unlawful interference, accompanied by some element of indecency.

If the Office recommends one of these payments, an additional payment of \$5,000 may also be recommended where the Ombudsman is satisfied that Defence did not respond appropriately to the report of abuse. Not all reports of abuse meet the parameters set out in the framework for a payment.

Since the commencement of the reparation framework, the Office has sent 788 reparation payment recommendations to Defence. As at 30 June 2020, Defence had considered and accepted 767 recommendations, totalling \$31,636,000.

### *Restorative Engagement Program*

The Restorative Engagement Program is designed to support a reportee to tell their personal story of abuse to a senior representative from Defence in a private, facilitated meeting called a Restorative Engagement Conference. The conference provides the opportunity for Defence to acknowledge and respond to an individual's personal account of abuse.

A secondary objective of the program is to enable a broader level of insight into the impact of abuse and its implications for Defence, which is critical to informing and building cultural change strategies.

In 2019–20, the Office convened individual Restorative Engagement Conferences for 46 people who experienced serious abuse while a member of the Australian Defence Force. From March 2020, the program was postponed due to COVID-19. In June 2020, we resumed the program and managed to convene conferences in some locations as COVID-19 restrictions started to ease.

Participation in the program is a choice made by reportees. Feedback from reportees demonstrates they are motivated to participate in a conference to:

- achieve healing in some way
- receive an apology
- contribute to preventing future abuse in Defence
- contribute to cultural change
- have their story of abuse meaningfully acknowledged by Defence
- to reconnect with Defence.

The majority of reportees strongly agreed that Defence meaningfully acknowledged their story of abuse, strongly agreed the Defence representative was accountable for the abuse and expressed strong disapproval for what happened.

Defence representatives also told us that participating in the Restorative Conference was beneficial. The majority said the experience affirmed their resolve to implement cultural change to eliminate abuse, and positively impacted on their role as a Defence member.



### ***Defence inquiries and reports***

In addition to receiving reports of abuse from members of Defence, the Office conducts periodic inquiries into Defence policy and procedures relating to complaints of abuse. In 2019, we published a report relating to our inquiry function which examined Defence’s policies and procedures for making and responding to reports of abuse. We formed the view that Defence’s policies were generally appropriate but made six recommendations to assist Defence to strengthen its collective approach to abuse prevention. Defence accepted our recommendations.

We also published a report on the Office’s experience administering the Defence Abuse reporting program and reflected on our progress up to 30 June 2019. Our experiences have been used to inform changes to our internal processes to ensure we continue to provide a trauma-informed service for reportees.

Our latest inquiry reviewed the training Defence provides to new recruits in relation to unacceptable behaviour across the three services. The report was published in July 2020.

The Office will monitor Defence’s ongoing work to implement recommendations from both inquiries.

### **Postal Industry Ombudsman**

The function of the Postal Industry Ombudsman (PIO) is to investigate complaints about postal and similar services provided by Australia Post and Private Postal Operators. Australia Post is the only mandatory member of the PIO scheme. Private operators join voluntarily. Currently registered are: StarTrack, FedEx Australia (Federal Express Australia), Cheque-Mates and D and D Mailing Services.

During 2019–20 we received 3,185 postal industry complaints, which represented an increase of 20 per cent compared to the previous year when 2,653 complaints were received. The increase in complaints can be attributed to the disruption of postal services as a result of the summer bushfires and COVID-19.

During 2019–20 we commenced 26 investigations and finalised 18 under s 19M(2)(a). Eight investigations are still ongoing and will be finalised in 2020–21.

We did not complete any own motion investigations under s19M(2)(b).

We did not issue any s 9 notices to require information from a postal operator.

More information can be found in [our quarterly updates](#).<sup>6</sup>

### **Overseas Students Ombudsman**

The Office of the Commonwealth Ombudsman investigates complaints from prospective, current and former international students about problems with private education providers.

We have three main functions in our Overseas Students Ombudsman role. They are to:

- assess and investigate complaints about actions taken by private registered education providers in connection with student visa holders
- give private registered providers advice and training about best practice complaint-handling for international student complaints
- report on trends and systemic issues arising from our complaint investigations.

In 2019–20 we received 1,526 complaints and finalised 1,563, which represented a 15.2 per cent increase in complaints received compared to 2018–19. The increase in complaints can largely be attributed to COVID-19 related issues, particularly about written agreements (fees and refunds) which was the most complained

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<sup>6</sup> <https://www.ombudsman.gov.au/publications/industry/postal-industry-ombudsman>

about issue. This is because some providers made significant changes to how courses were delivered, including converting to online formats without also amending fees. COVID-19 also led to some financial stress for students and some made the decision to not continue with their study.

During 2019–20, we commenced 352 investigations and finalised 369 investigations which included 408 issues.

During 2019–20 we did not complete any own motion investigations under s 19ZJ(2)(b).

We did not use our s 9 powers under the Act to obtain information or documents in 2019–20.

More information can be found in [our quarterly updates](#).<sup>7</sup>

### Private Health Insurance Ombudsman

In 2019–20 we received 3,706 complaints, which represented an 8.3 per cent decrease in complaints received compared to 2018–19. We finalised 3,801 complaints in 2019–20 compared to 4,086 in 2018–19.

In 2019–20, 74 per cent of complaints were finalised as 'assisted referrals'. In these cases we refer a complaint directly to a nominated representative of the insurer or service provider, on behalf of the complainant. Our assisted referral process ensures a quicker resolution of the complaint and client satisfaction survey responses show that complainants have a high satisfaction rate with this method of complaint resolution.

Nine per cent of complaints were finalised through a 'standard referral'—that is, the complainant received advice from our Office and then lodged their complaint directly with the appropriate body themselves.

Approximately five per cent of complaints were classified as 'grievances'. These complaints are finalised by considering the issue and providing more information or a clearer explanation directly to the complainant, without the need to contact or seek additional information from the health insurer or health care provider.

About 11 per cent of complaints were classified as 'disputes' (a slight decrease from 13 per cent in 2018–19). In these cases, we request a detailed report from the health insurer or other subject of the complaint. The report is then reviewed and a decision is made on whether the initial response was satisfactory or if further investigation is warranted.

Of disputes handled by our Office, 89 per cent were resolved by giving a more detailed explanation to the complainant, 6 per cent were resolved by a payment and 5 per cent by another satisfactory outcome (for example, backdating a change to a policy).

No complaints were referred to another body under s 20L in 2019–20.

No inspections or audits were conducted under s 20SA in 2019–20.

No investigations were conducted under s 20T in 2019–20.

More information can be found in [our quarterly bulletins](#).<sup>8</sup>

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<sup>7</sup> <https://www.ombudsman.gov.au/publications/industry/overseas-students>

<sup>8</sup> <https://www.ombudsman.gov.au/publications/industry/private-health-insurance>

## VET Student Loans Ombudsman

Our Office investigates disputes between students and their Vocational Education and Training (VET) loan scheme providers under the VET Student Loans Ombudsman function.

We also deliver best practice complaint handling advice and training to VET loan scheme providers to help improve their ability to manage complaints, which results in better outcomes for students and providers.

In 2019–20 we received 8,363 complaints from students disputing their debts or other issues with their VET loan scheme provider and finalised 11,976.

During 2019–20, the Office recommended the re-credit of VET FEE-HELP debts for 7,249 complaints, comprising 44,430 units of study. The total value of this debt was \$110.71 million, including \$92.34 million in tuition fees and \$18.37 million in loan fees.

The remaining finalised complaints were either resolved via an SIA re-credit, were a recommendation from 2018–19 or were withdrawn.

The Office commenced 11 VET Student Loan complaint investigations and finalised nine. As of 30 June 2020, two investigations were still ongoing.

We did not commence any own motion investigations under 20ZO(b).

During this period we issued four s 9 notices for information at the agency's request.

More information can be found in [our quarterly updates](#).<sup>9</sup>

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<sup>9</sup> <http://https://www.ombudsman.gov.au/publications/industry/vet-student-loans>

## Management and accountability

### Corporate Governance

As required by the Commonwealth’s Enhanced Performance Framework, the Office developed and publicly released its 2019–20 Corporate Plan in August 2019. The plan framed the Office’s strategic vision, objectives, deliverables and key performance indicators for the next four years.

**FIGURE 8—COMMITTEE STRUCTURE**



#### **Senior Leadership Group**

The Senior Leadership Group (SLG) is the Office's leadership and management committee and provides continuous oversight of the Office’s operational functions. It meets monthly to make decisions in relation to corporate governance, performance, compliance and resource allocation to ensure the Office meets its legislative functions and purpose. The SLG is comprised of the Ombudsman, Deputy Ombudsman, Senior Assistant Ombudsman (SAO) and the Chief Operating Officer (COO).

#### **Strategic Policy Board**

The Strategic Policy Board is comprised of the Ombudsman, Deputy Ombudsman, SAOs and the COO. The board meets monthly to consider the strategic priorities of the Office, such as consideration of public interest issues and business intelligence to inform the selection, prioritisation, scoping, resourcing, timing and delivery of strategic projects. Such projects include own motion investigations, issues papers, submissions, products and targeted engagement activities by the Office in fulfilment of its statutory mandate.

#### **Audit and Risk Committee**

The Office has an Audit and Risk Committee in compliance with s 45 of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) and PGPA Rule s 17 (Audit Committees for Commonwealth Entities).

The role of the committee is to provide independent assurance to the Ombudsman on the Office’s financial and performance reporting responsibilities, risk oversight and management and systems of internal control. A copy of the Audit and Risk Committee charter is available on our [website](#).

Regular observers at committee meetings included representatives from the Australian National Audit Office (ANAO), the Office's internal auditors RSM Australia and the Office’s Chief Operating Officer (COO) and Chief Financial Officer (CFO).

The Audit and Risk Committee met four times during the year and comprised of the following membership during the reporting period.

TABLE 5—AUDIT AND RISK COMMITTEE MEMBERS

Member name	Position	Qualifications, knowledge, skills or experience (include formal and informal as relevant)	Period of membership during the year	Number of meetings attended / total number of meetings	Total annual remuneration
Will Laurie	External independent member and Chair	Formal finance and economics qualifications. Substantial experience in corporate and professional management at Price Waterhouse; Boyce Chartered Accountants and birdsnest.com. Twenty years’ experience on Commonwealth and ACT audit and risk committees.	1 July 2019 to 30 June 2020	4/4	\$18,000
Alfred Bonggi	External independent member	Formal accounting, economics and mediator qualifications. Graduate of the Australian Institute of Company Directors. Thirty-six years’ experience in the Australian Public Service including 13 years as a Senior Executive. Over 10 years’ experience in Commonwealth governance, fraud, audit and risk committees.	1 July 2019 to 30 June 2020	4/4	\$16,600
Joanna Stone <sup>10</sup>	External independent member	Formal finance qualifications. Substantial public and private sector management experience. Experience across several audit committees as member and chair	1 July 2019 to 30 June 2020	4/4	-
Jaala Hinchcliffe	Internal member and Deputy Ombudsman	Formal legal qualifications, including being admitted to practice in the Supreme Court of ACT, the Supreme Court of NSW and the High Court of Australia. Member of the Australian Institute of Company Directors. Substantial public sector management experience.	1 July 2019 to 7 February 2020	2/2	-
Paul Pfitzner	Internal member and Acting Deputy Ombudsman	Formal legal qualifications, including being admitted to practice in the Supreme Court of ACT. Substantial public sector management experience. Experience as Chief Audit Executive and member of the Attorney-General’s Department’s audit committee.	10 February 2020 to 30 June 2020	2/2	-

<sup>10</sup> Officials of Commonwealth entities are not remunerated.

### **Management Committees**

Management committees assist the Ombudsman with governance and decision-making.

#### **Work Health and Safety Committee**

The Office's Work Health and Safety Committee is made up of elected staff representatives from each of our offices and is chaired by the SAO of the Program Delivery Branch. The committee meets on a quarterly basis throughout the year. It has a strategic role in reviewing work health and safety matters and procedures to ensure we meet the terms of the *Work Health and Safety Act 2011*.

#### **Workplace Relations Committee**

The COO chairs the Workplace Relations Committee. It is comprised of employee, management and union representatives and is the forum for regular exchange of information on Office employment and workplace relations matters, including the implementation and operation of the Office's Enterprise Agreement.

#### **Information and Technology Governance Committee**

The Information and Technology Governance Committee (ITGC) is chaired by the Deputy Ombudsman. It oversees the management of the Office's information and technology resources and assets. The Committee provides strategic oversight of the development and implementation of information and technology policy, processes and systems across the Office.

The ITGC is the committee for the Office's compliance with legislation, standards and requirements of the National Archives of Australia. It oversees and monitors the Office's progress against the Digital Continuity 2020 policy and targets to implement the Australian Government's digital transformation and e-Government initiatives.

#### **Protective Security Governance Committee**

The Office of the Commonwealth Ombudsman (the Office) established a Protective Security Governance Committee in 2019–20. The purpose of the committee is to support the Accountable Authority (Commonwealth Ombudsman) to implement the intent of, and monitor the Office's performance and compliance with the mandatory and supporting requirements of the Protective Security Policy Framework.

## **Corporate Governance Practices**

### **Risk management**

In 2019–20, the Office undertook a comprehensive internal review and update of its risk management policy and Framework, risk appetite statement, risk assessment matrix and associated resources. The revised policy and Framework will be implemented during the early stages of the 2020–21 period.

Our risk management framework comprises a formal policy and framework, identified enterprise risks which are addressed in a strategic risk register and risk appetite statement. Strategic risk reporting is undertaken quarterly.

The SLG regularly reviews strategic and operational risks as part of the business planning process. The Office also participates in the annual Comcover Risk Management Benchmarking Survey, which independently assesses the Office's risk management maturity.

Additional oversight of our risk management is provided by the Audit and Risk Committee who provide the Ombudsman and SLG with independent practical guidance and support regarding risk management strategies and review of the office's risk management policy and framework.

### ***Business Resilience Management***

In September 2019, Deloitte Australia completed an independent review of the Office's previous Business Continuity Framework and Plan. An outcome of the review is that the Office adopted an integrated business resilience governance model that provides streamlined control processes for managing the various events that may impact its ability to perform critical functions, staff safety and technology systems.

This approach is captured in the Office's overarching Business Resilience Policy and Framework and operational Enterprise Response Plan. The Senior Leadership Group is responsible for the oversight and review of these documents.

The Enterprise Response Plan was implemented to address the impact of the 2020 COVID-19 pandemic on the Office's core functions and staff safety. The Office will continue to build upon its business resilience capabilities in response to this event.

### ***Accessibility***

In developing and maintaining the Office's websites, we use the World Wide Web Consortium (W3C) Web Content Accessibility Guidelines (WCAG) 2.0 as the benchmark.

Our online services are compliant with WCAG 2.0. Management of the website includes authoring tools to check for accessibility issues and compliance reporting, and graphic design which uses high contrast and a simple presentation of content to assist readability.

### ***Ethical standards***

Our Office promotes high ethical standards and behaviours by our staff. We provide information to our staff on the Australian Public Service Commission's Ethics Advisory Service and we have an Ethics Contact Officer available to staff. Our Intranet contains information about:

- APS Values and Code of Conduct
- workplace discrimination, bullying and harassment
- conflict of interest
- acceptance of gifts and hospitality
- procedures for determining breaches of the Code of Conduct
- procedures for facilitating and dealing with public interest disclosures relating to the Office.

Employee Performance Development Agreements contain the following mandatory behaviour: 'In undertaking my duties I will act in accordance with the APS Values, Employment Principles and APS Code of Conduct.'

The induction handbook for new starters provides appropriate information on the APS Values, Employment Principles and APS Code of Conduct, including information on the Australian Public Service Commission's Ethics Advisory Service.

### ***Fraud Control***

The Office's fraud control strategies comply with the *Commonwealth Fraud Control Framework 2017* and the legislative requirements of the PGPA Act.

The Fraud and Corruption Control Plan and the Accountable Authority instructions provide the foundations of the Office's fraud control framework. The Office conducted its biennial review of its fraud control framework in 2019–20 to ensure that the Office's Fraud and Corruption Control Plan and Fraud Risk

Assessment are current, support and inform staff behaviours and minimise the risks of fraud within the Office.

The Fraud and Corruption Control Plan identifies the Office's fraud risks and details the measures in place to prevent, detect and respond to fraud and corruption against the Office.

All fraud allegations are reported to the Ombudsman and the Audit and Risk Committee and fraud investigations are outsourced as required. An investigation into one incident of potential fraud was finalised in 2019–20. While the investigation did not proceed on the basis of available evidence, the Office has reviewed and strengthened processes and procedures to mitigate the potential for similar incidents in the future.

Throughout October and November 2019, compulsory fraud and corruption awareness training sessions were delivered to ensure staff awareness and understanding of their fraud and corruption responsibilities, liabilities and reporting requirements. Fraud and corruption resources and references are available to all staff on the Office intranet.

## External scrutiny

### ***Court and tribunal litigation***

No decisions of courts or administrative tribunals made in 2019–20 had, or may have, a significant effect on the operations of the Office.

### ***Office of the Australian Information Commissioner***

During the reporting period, the Office of the Australian Information Commissioner (OAIC) advised our Office of three matters where the applicant sought review of our decision, and one matter where the applicant complained about action taken by our Office in relation to requests received under the *Freedom of Information Act 1982* (the FOI Act). At the time of reporting all of these matters remain under consideration by the Information Commissioner.

The Office received three decisions from the OAIC in relation to reviews that commenced in 2018–19. The OAIC finalised these matters under s 54W(a)(i) of the FOI Act.

The Office received one decision from the OAIC in relation to a complaint that was received in 2018–19. The OAIC finalised this matter under s 73(e) of the FOI Act.

The Office is subject to the *Privacy Act 1988*. During the reporting period, the Privacy Commissioner received two complaints about our Office. In the first matter, the complaint was withdrawn. The second matter remains under consideration by the Privacy Commissioner. A complaint received during the previous reporting period also remains under consideration by the Privacy Commissioner.

### ***Australian Human Rights Commission***

The Office is subject to the jurisdiction of the Australian Human Rights Commission. During the reporting period, the Commission received and investigated one complaint about our Office. The complaint was finalised following conciliation.



## Management of Human Resources

### **Overview**

Our people are our greatest asset and investment in their capability ensures the Office continues to deliver high quality work. The Office's 2018–19 Corporate Plan outlined capability investments that the agency would make to ensure it continues to deliver on its purpose.

### **People**

The Office Learning and Development Strategy 2018–2020 sets a framework that delivers greater understanding of our learning and development investment priorities.

The strategy is linked to the Strategic Workforce Plan to ensure employees have the capabilities to meet the Office's objectives, now and into the future. The strategy is flexible in addressing learning and development needs in a diverse and changing environment.

The strategy focuses on the following three priority areas:

- Core corporate capabilities
- Functional or role-based capabilities
- Leadership development and succession planning

During 2019–20 we delivered the following learning and development initiatives:

- Clear writing workshops
- Leadership workshops targeting future leaders
- Core corporate, functional and role-based offerings, including privacy matters, managing unreasonable complainant conduct, executive level procurement, disability confident managers and recruiters, and working with Indigenous language interpreters
- In response to COVID-19 an increase of elearning offerings, including a suite of offerings targeting working well from home
- Implemented LearnHub 2.0 (Learning Management System) to manage elearning as well as face-to-face learning and other educational resources
- Trialled and delivered Mental Health First Aid workshops and other mental wellbeing programs (Vicarious Trauma, Managing Team Wellbeing) to promote mental health and wellbeing in the Office

### **Work Health and Safety**

The Office is committed to maintaining a safe and healthy workplace for all employees, contractors and visitors. We acknowledge our employer responsibilities under the *Work Health and Safety Act 2011*, the *Safety Rehabilitation and Compensation Act 1988* and relevant anti-discrimination legislation.

Health and safety initiatives undertaken in 2019–20 included:

- the Office-wide Wellbeing Program which presented four themes across the year: mindfulness, physical activity, nutrition and staying connected
- working Well from Home initiative and streamlined Home-Based-Work due to the COVID-19 pandemic
- resources to support staff through COVID-19 including comprehensive Frequently Asked Questions, a secondment pack for APS employees that were redeployed

- expansion and refinement of specialised wellbeing service for areas identified as ‘high risk’ due to the nature of the work, including one-on-one wellbeing check sessions with staff
- employee Assistance Program (EAP) provider to deliver counselling and coaching services to employees
- free flu vaccinations for employees. This year’s program was rolled out with additional hygiene, social distancing and COVID-safe precautionary measures
- ongoing support under the Office’s Early Intervention Policy
- workplace safety inspections
- staff representative training and refresher training for Health and Safety Representatives, Harassment Contact Officers and First Aid Officers.

During the reporting period there were two notifiable incidents, one of which was an incident resulting in a minor injury. These were both caused by maintenance issues within a new tenancy which were quickly rectified without further incidents.

### ***Employment arrangements***

The Office’s Enterprise Agreement 2017–2020 came into effect on 31 August 2017.

As at 30 June 2020, a total of 224 employees were covered under the current agreement. The Agreement does not make provision for performance pay. Salary advancement within each of the non-SES classifications is linked to performance. Six employees had an Individual Flexibility Arrangement in place under the provisions contained in the agreement.

Conditions are provided for SES staff under s 24(1) of the *Public Service Act 1999* (Public Service Act). Determinations under s 24(1) of the Public Service Act provide SES annual salary advancement based on performance and do not make provision for performance pay.

The Office does not have any staff employed under Australian Workplace Agreements or common law contracts.

The Office offers non-salary benefits to our employees under the agreement and other individual industrial instruments. These benefits incorporate various types of leave, such as annual, personal and long service leave, as well as flexible working arrangements, access to salary packaging, lifestyle reimbursement and eyewear reimbursement for screen-based work.

### ***Diversity and inclusion***

The Office values a diverse workforce and strives to foster an inclusive workplace. The Office’s Diversity and Inclusion Strategy ensures we value and respect the diversity of our employees, stakeholders and partners.

Actions taken in 2019–20 revolved around the themes of recruitment, cultural competence and retention and engagement of diverse groups. Recruitment initiatives included disability and Indigenous rounds and Indigenous graduate recruitment. Cultural competence and diversity training was mandated for all existing and new staff through the use of e-learning and face-to-face training. Retention and engagement was encouraged through the establishment of diversity employee networks and the celebration of important cultural events such as NAIDOC week.

### ***Workforce profile***

As at 30 June 2020 there were 232 staff (219.07 full time equivalent) employed across the Office. These figures include the Ombudsman and Deputy Ombudsman who are statutory office holders.

Women made up 67 per cent of the Office’s workforce. 22 per cent of employees worked part-time. Staff who identified as Indigenous made up 3.5 per cent of our workforce and 6 per cent of staff identified as living with a disability.

TABLE 6—WORKFORCE PROFILE AS AT 30 JUNE 2020

Category	At 30 June 2019			At 30 June 2020		
	Ongoing	Non-ongoing	Total	Ongoing	Non-ongoing	Total
<b><u>APS Classification</u></b>						
APS2	0	1	<b>1</b>	0	0	<b>0</b>
APS3	5	2	<b>7</b>	3	1	<b>4</b>
APS4	19	2	<b>21</b>	27	0	<b>27</b>
APS5	46	11	<b>57</b>	43	7	<b>50</b>
APS6	47	2	<b>49</b>	50	1	<b>51</b>
Executive Level 1	64	6	<b>70</b>	65	3	<b>68</b>
Executive Level 2	25	0	<b>25</b>	24	0	<b>24</b>
SES Band 1	6	0	<b>6</b>	6	0	<b>6</b>
Statutory Officers	2	0	<b>2</b>	2	0	<b>2</b>
<b>Total</b>	<b>214</b>	<b>24</b>	<b>238</b>	<b>220</b>	<b>12</b>	<b>232</b>
<b><u>Location</u></b>						
ACT	131	14	<b>145</b>	119	11	<b>130</b>
NSW	9	4	<b>13</b>	11	0	<b>11</b>
QLD	24	1	<b>25</b>	30	0	<b>30</b>
SA	23	1	<b>24</b>	30	0	<b>30</b>
VIC	24	1	<b>25</b>	25	0	<b>25</b>
WA	3	3	<b>6</b>	5	1	<b>6</b>
<b>Total</b>	<b>214</b>	<b>24</b>	<b>238</b>	<b>220</b>	<b>12</b>	<b>232</b>
<b><u>Gender and Diversity</u></b>						
Female	148	18	<b>166</b>	148	6	<b>154</b>
Male	66	6	<b>72</b>	72	6	<b>78</b>
Indigenous	7	0	<b>7</b>	8	0	<b>8</b>
People with disability	11	1	<b>12</b>	14	0	<b>14</b>
<b><u>Employment Status</u></b>						
Full-time	181	20	<b>201</b>	169	10	<b>179</b>
Part-time	33	4	<b>37</b>	51	2	<b>53</b>

## Purchasing

The Office is committed to achieving the best value for money in procurement activities and manages this using procurement practices that are consistent with the Commonwealth Procurement Rules. This includes the use of the Commonwealth Contracting Suite to prepare approaches to market and to formalise contracts. The procurement practices are supported by the Accountable Authority Instructions and internal policies and guidelines.

To improve efficiency in procurement, the Office accesses established procurement panels where possible. The Office of the Commonwealth Ombudsman supports small business participation in the Commonwealth government procurement market. Small and Medium Enterprises (SME) and Small Enterprise participation statistics are available on the Department of Finance’s website. The Office’s procurement methods do not discriminate against small and medium-sized enterprises.

Our policies and processes include a requirement to visit the Supply Nation website first, to check whether any Indigenous businesses can provide the goods or services required. We seek to enter into engagements with Indigenous businesses where possible, ensuring that the arrangement adheres to the value for money and best fit principles. All procurements entered into by the Office are done on the basis of value for money and best fit.

All procurements that are in excess of \$10,000 are published on AusTender as soon as practicable.

## Consultants

The Office engages consultancy services in circumstances when particular expertise is not available internally or when independent advice is required. Consultancy services include financial services, IT development and mediation services.

Annual reports contain information about actual expenditure on reportable consultancy contracts. Information on the value of reportable consultancy contracts is available on the AusTender website.

No contracts were let containing provisions that do not allow the Auditor-General to have access to the contractor’s premises, and no contracts were entered into that were exempt from publication on AusTender.

The Office does not administer any grant programs.

During 2019–20, six new reportable consultancy contracts were entered into involving total actual expenditure of \$149,000. In addition, five ongoing reportable consultancy contracts were active during the period, involving total actual expenditure of \$211,000.

TABLE 7—NUMBER AND EXPENDITURE ON CONSULTANTS CURRENT REPORT PERIOD (2019–20)

	Total
No. of New contracts entered into during the period	6
Total actual expenditure during the period on new contracts (inc. \$GST)	149,000
No. of Ongoing contracts engaging consultants that were entered into during a previous period	5
Total actual expenditure during the period on ongoing contracts (inc. \$GST)	\$211,000

## Advertising campaigns

The Office did not undertake any advertising campaigns.

## Exempt contracts

There were no contracts over \$10,000 exempt from reporting on AusTender.

## Compliance reporting

There were no significant issues reported to the responsible minister under paragraph 19 (1) (e) of the PGPA Act, which relates to non-compliance with finance law by the Office.

An internal compliance process is undertaken throughout the year and the results considered by the Senior Leadership Group and the Audit and Risk Committee.

## Asset management

The assets managed by our Office include information and communication technology (ICT) assets, plant and equipment, property, and intangible assets such as software. With the exception of the property assets, all of these assets are handled internally and the five year capital replacement and capital investment plans predict our requirements.

Our ICT assets are managed in-house. Our property plant and equipment assets are primarily ICT assets and are supported by maintenance agreements and warranties. Intangible assets comprise software and websites, which are either supported internally or through a support contract. The other major asset is property leasehold fit out. We currently have offices in Adelaide, Brisbane, Canberra, Melbourne, Perth and Sydney.

## Disability Reporting

Since 1994, non-corporate Commonwealth entities have reported on their performance as policy adviser, purchaser, employer, regulator and provider under the Commonwealth Disability Strategy. In 2007–08, reporting on the employer role was transferred to the Australian Public Service Commission's State of the Service reports and the APS Statistical Bulletin. These reports are available at [apsc.gov.au](http://apsc.gov.au). From 2010–11, entities have no longer been required to report on these functions.

The Commonwealth Disability Strategy has been overtaken by the National Disability Strategy 2010–2020, which sets out a 10-year national policy framework to improve the lives of people with disability, promote participation and create a more inclusive society. A high-level, two-yearly report will track progress against each of the six outcome areas of the strategy and present a picture of how people with disability are faring. The first of these progress reports was published in 2014, and can be found at [dss.gov.au](http://dss.gov.au).

## Appendices

## Appendix 1—All public contacts

TABLE 8—ALL PUBLIC CONTACTS 2019–20 AS AT 30 JUNE 2020

	Received	Finalised
<b>Commonwealth</b>		
Agriculture, Water and the Environment	28	29
Attorney-General's	456	450
Infrastructure, Transport, Regional Development, Communications	157	156
Defence	332	342
Department of Veterans' Affairs	118	110
Education, Skills and Employment	372	374
Finance	61	65
Foreign Affairs and Trade	83	86
Health	194	196
Home Affairs	1,621	1,612
Industry, Innovation and Science	23	22
Parliamentary Departments	1	1
Prime Minister and Cabinet	61	46
Social Services (including Services Australia)	12,794	12,822
Treasury	363	354
<b>SUBTOTAL: Commonwealth Complaints</b>	<b>16,664</b>	<b>16,665</b>
<b>Industry</b>		
Overseas Student Ombudsman	1,526	1,563
Private Health Insurance Ombudsman	3,706	3,801
Postal Industry Ombudsman	3,185	3,167
VET Student Loans Ombudsman	8,363	11,976
<b>SUBTOTAL: Industry Complaints</b>	<b>16,780</b>	<b>20,507</b>
<b>Program Specific Matters</b>		
ACT FOI Access Application	6	4
ACT Reportable Conduct Notifications	177	161
DFO Report	491	523
DFO Report OOJ	9	49
FOI Deemed Decision	20	19
FOI Extension Request	11	11
FOI Request	121	118
FOI Review Request	38	36
PID Complaint	51	61
PID Extension	171	172
<b>SUBTOTAL: Program specific matters</b>	<b>1,095</b>	<b>1,154</b>
<b>Enquiries</b>		
PHIO enquiries	2,049	2,054
Out of Jurisdiction	11,575	11,584
ACT FOI Enquiry	39	40
ACT General Enquiry	15	15
ACT Inspector General Enquiry	2	2
ACT Reportable Conduct	159	160
DFO Enquiry	268	288
Ombudsman General Enquiry	1,050	1,048
Ombudsman Service Delivery	224	229
PID Enquiry	368	366
<b>SUBTOTAL: Enquiries</b>	<b>15,749</b>	<b>15,786</b>
<b>ACT Ombudsman Complaints</b>	<b>520</b>	<b>521</b>
<b>TOTAL: Complaints</b>	<b>33,964</b>	<b>37,693</b>
<b>GRAND TOTAL: Public Contacts</b>	<b>50,808</b>	<b>54,633</b>

## Appendix 2—Financial statements

**INDEPENDENT AUDITOR'S REPORT****To the Attorney-General****Opinion**

In my opinion, the financial statements of the Office of the Commonwealth Ombudsman (the Entity) for the year ended 30 June 2020:

- (a) comply with Australian Accounting Standards – Reduced Disclosure Requirements and the *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015*; and
- (b) present fairly the financial position of the Entity as at 30 June 2020 and its financial performance and cash flows for the year then ended.

The financial statements of the Entity, which I have audited, comprise the following as at 30 June 2020 and for the year then ended:

- Statement by the Accountable Authority and Chief Financial Officer;
- Statement of Comprehensive Income;
- Statement of Financial Position;
- Cash Flow Statement;
- Statement of Changes in Equity; and
- Notes to and forming part of the financial statements, comprising a summary of significant accounting policies and other explanatory information.

**Basis for opinion**

I conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the Entity in accordance with the relevant ethical requirements for financial statement audits conducted by the Auditor-General and his delegates. These include the relevant independence requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) to the extent that they are not in conflict with the *Auditor-General Act 1997*. I have also fulfilled my other responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

**Accountable Authority's responsibility for the financial statements**

As the Accountable Authority of the Entity, the Commonwealth Ombudsman is responsible under the *Public Governance, Performance and Accountability Act 2013* (the Act) for the preparation and fair presentation of annual financial statements that comply with Australian Accounting Standards – Reduced Disclosure Requirements and the rules made under the Act. The Commonwealth Ombudsman is also responsible for such internal control as the Commonwealth Ombudsman determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Commonwealth Ombudsman is responsible for assessing the ability of the Entity to continue as a going concern, taking into account whether the Entity's operations will cease as a result of an administrative restructure or for any other reason. The Commonwealth Ombudsman is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the assessment indicates that it is not appropriate.



**Auditor’s responsibilities for the audit of the financial statements**

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor’s report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian National Audit Office Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with the Australian National Audit Office Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control;
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity’s internal control;
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Accountable Authority;
- conclude on the appropriateness of the Accountable Authority’s use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity’s ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor’s report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor’s report. However, future events or conditions may cause the Entity to cease to continue as a going concern; and
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Accountable Authority regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Australian National Audit Office



Ron Wah  
Audit Principal

Delegate of the Auditor-General

Canberra  
6 October 2020

OFFICE OF THE COMMONWEALTH OMBUDSMAN

STATEMENT BY THE ACCOUNTABLE AUTHORITY AND CHIEF FINANCIAL OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2020 comply with subsection 42(2) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), and are based on properly maintained financial records as per subsection 41(2) of the PGPA Act.

In our opinion, at the date of this statement, there are reasonable grounds to believe that the Office of the Commonwealth Ombudsman will be able to pay its debts as and when they fall due.



Michael Manthorpe PSM  
Commonwealth Ombudsman

6 October 2020



Therese Anderson  
Chief Financial Officer

6 October 2020

OFFICE OF THE COMMONWEALTH OMBUDSMAN  
Statement of Comprehensive Income

for the period ended 30 June 2020

	Notes	2020 \$'000	2019 \$'000	Original Budget \$'000
<b>NET COST OF SERVICES</b>				
<b>Expenses</b>				
Employee benefits	1.1A	25,679	26,232	26,180
Suppliers	1.1B	17,482	15,641	12,979
Depreciation and amortisation	2.2A	4,476	1,248	970
Finance costs	1.1D	120	-	-
Write-down and impairment of assets	1.1C	49	171	-
<b>Total expenses</b>		<b>47,806</b>	<b>43,292</b>	<b>40,129</b>
<b>Own-Source Income</b>				
<b>Own-source revenue</b>				
Revenue from contracts with customers	1.2A	4,172	4,164	3,377
Other revenue	1.2B	54	54	54
<b>Total own-source revenue</b>		<b>4,226</b>	<b>4,218</b>	<b>3,431</b>
<b>Total own-source income</b>		<b>4,226</b>	<b>4,218</b>	<b>3,431</b>
<b>Net (cost of) services</b>		<b>(43,580)</b>	<b>(39,074)</b>	<b>(36,698)</b>
Revenue from government	1.2C	42,394	39,100	35,728
<b>(Deficit)/Surplus from continuing operations</b>		<b>(1,186)</b>	<b>26</b>	<b>(970)</b>
<b>OTHER COMPREHENSIVE INCOME</b>				
<b>Items not subject to subsequent reclassification to net cost of services</b>				
Changes in asset revaluation surplus		125	-	-
<b>Total other comprehensive income</b>		<b>125</b>	<b>-</b>	<b>-</b>
<b>Total Comprehensive (loss) / income</b>		<b>(1,061)</b>	<b>26</b>	<b>(970)</b>

The above statement should be read in conjunction with the accompanying notes.

**Budget Variances Commentary**

Explanations are provided where the variance to Original budget (budget) greater than 10 per cent or \$0.5m.

**Expenses**

Suppliers expense exceeded budget by \$4.5m (35 per cent) mainly due to the additional activity associated with the VET FEE-HELP Debts Additional Student Protection measure (VET FEE-HELP), not included in the budget.

Depreciation and amortisation expense exceeded budget by \$3.5m (362 per cent) largely due to the impact of Right of Use (ROU) Asset depreciation for AASB16 not included at the time of the budget (\$3.0m).

Finance costs exceeded budget by \$0.2m (100 per cent) due to the impact of AASB16 not included at the time of the budget.

**Own-Source Income and Revenue from Government**

Other revenue is \$0.8m (24 per cent) higher than budget due an increase from the Department of Foreign Affairs and Trade (DFAT) grants for international programs (\$0.4m) and the Department of Defence (Defence) funded Defence Force Retirement and Death Benefits (DFRDB) scheme investigation (\$0.4m) not known at time of the budget.

Revenue from government is \$6.6m (19 per cent) higher than budget due largely to the Section 74 receipts transferred to the Official Public Account (OPA) and additional appropriation drawdown for VET FEE-HELP Debts Student Protection supplier payments which were not included in the budget.

OFFICE OF THE COMMONWEALTH OMBUDSMAN  
Statement of Financial Position  
as at 30 June 2020

	Notes	2020 \$'000	2019 \$'000	Original Budget \$'000
<b>ASSETS</b>				
<b>Financial assets</b>				
Cash and cash equivalents	2.1A	242	1,531	141
Trade and other receivables	2.1B	11,901	12,501	10,457
Other financial assets	2.1C	-	1,829	-
<b>Total financial assets</b>		<b>12,143</b>	<b>15,861</b>	<b>10,598</b>
<b>Non-financial assets<sup>1</sup></b>				
Buildings and leasehold improvements	2.2A	13,918	2,999	2,501
Plant and equipment	2.2A	829	1,103	1,600
Computer software	2.2A	1,102	1,515	498
Prepayments		562	543	565
<b>Total non-financial assets</b>		<b>16,411</b>	<b>6,160</b>	<b>5,164</b>
<b>Total assets</b>		<b>28,554</b>	<b>22,021</b>	<b>15,762</b>
<b>LIABILITIES</b>				
<b>Payables</b>				
Suppliers	2.3A	1,409	3,565	389
Other payables	2.3B	1,084	3,880	2,737
<b>Total payables</b>		<b>2,493</b>	<b>7,445</b>	<b>3,126</b>
<b>Interest bearing liabilities</b>				
Leases	2.4A	10,788	1,379	1,301
<b>Total interest bearing liabilities</b>		<b>10,788</b>	<b>1,379</b>	<b>1,301</b>
<b>Provisions</b>				
Employee provisions	4.1A	6,878	6,709	5,949
Other provisions	2.5A	241	220	220
<b>Total provisions</b>		<b>7,119</b>	<b>6,929</b>	<b>6,169</b>
<b>Total liabilities</b>		<b>20,400</b>	<b>15,753</b>	<b>10,596</b>
<b>Net assets</b>		<b>8,154</b>	<b>6,268</b>	<b>5,166</b>
<b>EQUITY</b>				
Contributed equity		10,906	10,089	10,895
Reserves		1,194	1,069	1,069
(Accumulated deficit)		(3,946)	(4,890)	(6,798)
<b>Total equity</b>		<b>8,154</b>	<b>6,268</b>	<b>5,166</b>

The above statement should be read in conjunction with the accompanying notes.

1. Right-of-use assets are included in leasehold improvements.

**Budget Variances Commentary**

*Cash and cash equivalents* exceeded budget by \$0.1m (72 per cent) due to timing differences between the funds drawn down from the Consolidated Revenue Fund and the payments to suppliers.

*Trade and other receivables* exceeded budget by \$1.4m (14 per cent) due to additional appropriation received for VET FEE-HELP Debts Student Protection and timing of associated payments.

*Buildings and leasehold improvements* has a budget variance of \$11.4m (456 per cent) largely due to the impact of AASB 16 which was not included at the time of the budget.

*Plant and equipment* is \$0.7m (47 per cent) less than the budget. This is due to capitalisations of leasehold improvements included in plant and equipment in the budget but capitalised to buildings and leasehold improvements in the financial statements.

*Intangibles* exceeded budget by \$0.6m (121 per cent) due to capitalisations late in financial year 2018-19, not known at the time of the budget.

*Suppliers* exceeded budget by \$1.0m (262 per cent), supplier payables increase is due to timing of payments and is in line with an increase in cash and cash equivalents.

*Leases* exceeded budget by \$9.5m (729 per cent) as the initial application of AASB 16 was not included at the time of the budget.

*Employee provisions* exceeded budget by \$0.9m (16 per cent) primarily due to a decrease in the long term Government bond rate used for valuing employee provisions.

OFFICE OF THE COMMONWEALTH OMBUDSMAN  
Cash Flow Statement  
for the period ended 30 June 2020

	Notes	2020 \$'000	2019 \$'000	Original Budget \$'000
<b>OPERATING ACTIVITIES</b>				
<b>Cash received</b>				
Appropriations		47,905	41,878	35,943
Rendering of services		4,456	5,699	3,378
Net GST received		1,710	1,030	-
Other		619	847	-
<b>Total cash received</b>		<b>54,690</b>	<b>49,454</b>	<b>39,321</b>
<b>Cash used</b>				
Employees		25,560	25,443	26,144
Suppliers		21,222	15,970	12,930
Interest payments on lease liabilities		120	-	-
Section 74 receipts transferred to OPA		6,273	5,323	-
Other		-	-	183
<b>Total cash used</b>		<b>53,175</b>	<b>46,736</b>	<b>39,257</b>
<b>Net cash from operating activities</b>		<b>1,515</b>	<b>2,718</b>	<b>64</b>
<b>INVESTING ACTIVITIES</b>				
<b>Cash used</b>				
Purchase of property, plant and equipment		877	1,112	816
Purchase of Intangibles		127	1,150	-
<b>Total cash used</b>		<b>1,004</b>	<b>2,262</b>	<b>816</b>
<b>Net cash (used by) investing activities</b>		<b>(1,004)</b>	<b>(2,262)</b>	<b>(816)</b>
<b>FINANCING ACTIVITIES</b>				
<b>Cash received</b>				
Departmental Capital Budget		816	934	816
<b>Total cash received</b>		<b>816</b>	<b>934</b>	<b>816</b>
<b>Cash used</b>				
Principal payments of lease liabilities		2,616	-	-
Dividends paid		-	-	-
<b>Total cash used</b>		<b>2,616</b>	<b>-</b>	<b>64</b>
<b>Net cash from financing activities</b>		<b>(1,800)</b>	<b>934</b>	<b>752</b>
<b>Net (decrease) / increase in cash held</b>		<b>(1,289)</b>	<b>1,390</b>	<b>-</b>
Cash and cash equivalents at the beginning of the reporting period		1,531	141	141
<b>Cash and cash equivalents at the end of the reporting period</b>	2.1A	<b>242</b>	<b>1,531</b>	<b>141</b>

The above statement should be read in conjunction with the accompanying notes.

<b>Budget Variances Commentary</b>	the budget due to the unpredictable nature of these items.
<b>Operating Activities</b>	
<b>Cash received</b>	
<i>Appropriations</i> exceeded budget by \$11.9m (32 per cent) due largely to the Section 74 receipts transferred to the Official Public Account (OPA) and additional appropriation drawdown for VET FEE-HELP supplier payments which were not included in the budget.	<i>Interest payments on lease liabilities</i> is due to the initial application of AASB 16, not included at the time of the budget.
<i>Rendering of services</i> exceeded budget by \$1.1m (32 per cent). This variance is largely due to funds received from Defence for the DFRDB scheme investigation and DFAT not included in the budget.	<b>Investing Activities</b>
<i>Net GST received</i> and <i>Other cash received</i> are not included in the budget due to the unpredictable nature of these items.	<b>Cash used</b>
<b>Cash used</b>	In the budget, DCB was applied against the purchase of property, plant and equipment.
The increase in <i>Suppliers</i> of \$8.0m (62 per cent) against the budget is mainly due to VET FEE-HELP activities.	<i>Purchase of intangibles</i> exceeded budget \$0.1m (100%) as enhancements to for various websites owned by the Office was not planned for at the time of the budget.
<i>Section 74 receipts transferred to the OPA</i> are not included in	<b>Financing Activities</b>
	<i>Principal payments of leases</i> (\$2.6m) was not included in the budget as the impact of the initial application of AASB 16 was not known at the time.

OFFICE OF THE COMMONWEALTH OMBUDSMAN  
Statement of Changes in Equity  
for the period ended 30 June 2020

	Notes	2020 \$'000	2019 \$'000	Original Budget \$'000
<b>CONTRIBUTED EQUITY</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		10,089	9,262	10,079
Adjustment for rounding	1	-	-	-
<b>Adjusted opening balance</b>		<b>10,090</b>	<b>9,262</b>	<b>10,079</b>
<b>Comprehensive income</b>				
<b>Transactions with owners</b>				
Departmental capital budget		816	817	-
Other		-	10	-
<b>Total transactions with owners</b>		<b>816</b>	<b>827</b>	<b>-</b>
<b>Closing balance as at 30 June</b>		<b>10,906</b>	<b>10,089</b>	<b>10,079</b>
<b>RETAINED EARNINGS</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		(4,890)	(4,916)	(5,828)
Adjustment on initial application of AASB 16		2,130	-	-
<b>Adjusted opening balance</b>		<b>(2,760)</b>	<b>(4,916)</b>	<b>(5,828)</b>
<b>Comprehensive income</b>				
(Deficit) / Surplus for the period		(1,186)	26	(970)
<b>Closing balance as at 30 June</b>		<b>(3,946)</b>	<b>(4,890)</b>	<b>(6,798)</b>
<b>ASSET REVALUATION RESERVE</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		1,069	1,069	1,069
<b>Comprehensive income</b>				
Other comprehensive income		125	-	-
<b>Closing balance as at 30 June</b>		<b>1,194</b>	<b>1,069</b>	<b>1,069</b>
<b>TOTAL EQUITY</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		6,268	5,415	5,320
Adjustment for changes in accounting policies		2,130	-	-
<b>Adjusted opening balance</b>		<b>8,399</b>	<b>5,415</b>	<b>5,320</b>
<b>Comprehensive income</b>				
(Deficit)/ Surplus for the period		(1,186)	26	(970)
Other comprehensive income - changes in asset revaluation surplus		125	-	-
<b>Total comprehensive income</b>		<b>(1,061)</b>	<b>26</b>	<b>(970)</b>
<b>Transactions with owners</b>				
<b>Contributions by owners</b>				
Departmental capital budget		816	817	816
Other		-	10	-
<b>Total transactions with owners</b>		<b>816</b>	<b>827</b>	<b>816</b>
<b>Closing balance as at 30 June</b>		<b>8,154</b>	<b>6,268</b>	<b>5,166</b>

(1) 2015-16 Appropriation Act 1 has been repealed resulting in the reversal of a \$10k quarantined for the 2014-15 Mid-Year Economic and Fiscal Outlook measure Public Sector Superannuation Accumulation Plan administration fees. This reversal is included in the comparative figure.

The above statement should be read in conjunction with the accompanying notes.

**Accounting Policy**

*Equity Injections*

Amounts appropriated which are designated as 'equity injections' for a year (less any formal reductions) and Departmental Capital Budgets (DCBs) are recognised directly in contributed equity in that year.

OFFICE OF THE COMMONWEALTH OMBUDSMAN  
 NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
 for the year ended 30 June 2020

## Overview

### Objectives of the Office of the Commonwealth Ombudsman

The Office of the Commonwealth Ombudsman (the Office) is an Australian Government controlled entity. It is a not-for-profit entity. The objective of the entity is to safeguard the community in its dealings with the Australian Government.

### The Basis of Preparation

The Financial Statements are general purpose financial statements and are required by section 42 of the *Public Governance, Performance and Accountability Act 2013*.

The financial statements have been prepared in accordance with:

- a) *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015* (FRR); and
- b) Australian Accounting Standards and Interpretations – Reduced Disclosure Requirements issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

The financial statements have been prepared on an accrual basis and in accordance with the historical cost convention, except for certain assets and liabilities at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position. The financial statements are presented in Australian dollars rounded to the nearest thousand dollars unless otherwise specified.

### New Accounting Standards

All new/revised/amending standards and/or interpretations that were issued prior to the sign-off date and are applicable to the current reporting period did not have a material effect on the entity's financial statements, except for the following standards:

Standard/ Interpretation	Nature of change in accounting policy, transitional provisions <sup>1</sup> , and adjustment to financial statements
AASB 15 <i>Revenue from Contracts with Customers</i> / AASB 2016-8 <i>Amendments to Australian Accounting Standards – Australian Implementation Guidance for Not-for-Profit Entities</i> and AASB 1058 <i>Income of Not-For-Profit Entities</i>	<p>AASB 15, AASB 2016-8 and AASB 1058 became effective 1 July 2019.</p> <p>AASB 15 establishes a comprehensive framework for determining whether, how much and when revenue is recognised. It replaces existing revenue recognition guidance, including AASB 118 <i>Revenue</i>, AASB 111 <i>Construction Contracts</i> and Interpretation 13 <i>Customer Loyalty Programmes</i>. The core principle of AASB 15 is that an entity recognises revenue to depict the transfer of promised goods or services to customers in an amount that reflects the consideration to which the entity expects to be entitled in exchange for those goods or services.</p> <p>AASB 1058 is relevant in circumstances where AASB 15 does not apply. AASB 1058 replaces most of the not-for-profit (NFP) provisions of AASB 1004 <i>Contributions and applies to transactions where the consideration to acquire an asset is significantly less than fair value principally to enable the entity to further its objectives, and where volunteer services are received</i>.</p> <p>The details of the changes in accounting policies, transitional provisions and adjustments are disclosed below and in the relevant notes to the financial statements.</p>

Overview (Continued)

New Accounting Standards (Continued)

AASB 16 Leases	<p>AASB 16 became effective on 1 July 2019. This new standard has replaced AASB 117 Leases, Interpretation 4 Determining whether an Arrangement contains a Lease, Interpretation 115 Operating Leases—Incentives and Interpretation 127 Evaluating the Substance of Transactions Involving the Legal Form of a Lease.</p> <p>AASB 16 provides a single lessee accounting model, requiring the recognition of assets and liabilities for all leases, together with options to exclude leases where the lease term is 12 months or less, or where the underlying asset is of low value. AASB 16 substantially carries forward the lessor accounting in AASB 117, with the distinction between operating leases and finance leases being retained. The details of the changes in accounting policies, transitional provisions and adjustments are disclosed below and in the relevant notes to the financial statements.</p>
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*Application of AASB 15 Revenue from Contracts with Customers / AASB 1058 Income of Not-For-Profit Entities*

The Entity adopted AASB 15 and AASB 1058 using the modified retrospective approach, which resulted in a nil cumulative effect of initial application required to be recognised in retained earnings at 1 July 2019. Accordingly, the comparative information presented for 2019 is not restated.

Under the new income recognition model the Office shall first determine whether an enforceable agreement exists and whether the promises to transfer goods or services to the customer are 'sufficiently specific'. If an enforceable agreement exists and the promises are 'sufficiently specific' (to a transaction or part of a transaction), the Office applies the general AASB 15 principles to determine the appropriate revenue recognition. If these criteria are not met, the Office shall consider whether AASB 1058 applies.

In relation to AASB 15, the Office elected to apply the new standard to all new and uncompleted contracts from the date of initial application. The Office is required to aggregate the effect of all of the contract modifications that occur before the date of initial application.

In terms of AASB 1058, the Office is required to recognise volunteer services at fair value if those services would have been purchased if not provided voluntarily, and the fair value of those services can be measured reliably.

The amounts prepared under AASB 15 and AASB 1058 is materially similar had AASB 15 and AASB 1058 not been adopted. Refer note 1.2A for relevant Accounting Policy.

*Application of AASB 16 Leases*

The Office adopted AASB 16 using the modified retrospective approach, under which the cumulative effect of initial application is recognised in retained earnings at 1 July 2019. Accordingly, the comparative information presented for 2019 is not restated, that is, it is presented as previously reported under AASB 117 and related interpretations.

The Office elected to apply the practical expedient to not reassess whether a contract is, or contains a lease at the date of initial application. Contracts entered into before the transition date that were not identified as leases under AASB 117 were not reassessed. The definition of a lease under AASB 16 was applied only to contracts entered into or changed on or after 1 July 2019.

AASB 16 provides for certain optional practical expedients, including those related to the initial adoption of the standard. The Entity applied the following practical expedients when applying AASB 16 to leases previously classified as operating leases under AASB 117:

- Apply a single discount rate to a portfolio of leases with reasonably similar characteristics;
- Exclude initial direct costs from the measurement of right-of-use assets at the date of initial application for leases where the right-of-use asset was determined as if AASB 16 had been applied since the commencement date;
- Reliance on previous assessments on whether leases are onerous as opposed to preparing an impairment review under AASB 136 Impairment of assets as at the date of initial application; and
- Applied the exemption not to recognise right-of-use assets and liabilities for leases with less than 12 months of lease term remaining as of the date of initial application.



**Overview (Continued)****New Accounting Standards (Continued)**

As a lessee, the Office previously classified leases as operating or finance leases based on its assessment of whether the lease transferred substantially all of the risks and rewards of ownership. Under AASB 16, the Office recognises right-of-use assets and lease liabilities for most leases. However, the Office has elected not to recognise right-of-use assets and lease liabilities for some leases of low value assets based on the value of the underlying asset when new or for short-term leases with a lease term of 12 months or less.

On adoption of AASB 16, the Office recognised right-of-use assets and lease liabilities in relation to leases of office space, which had previously been classified as operating leases.

The lease liabilities were measured at the present value of the remaining lease payments, discounted using the Office's incremental borrowing rate as at 1 July 2019. The Office's incremental borrowing rate is the rate at which a similar borrowing could be obtained from an independent creditor under comparable terms and conditions. The weighted-average rate applied was 1.00%.

The right-of-use assets were measured as follows:

- a) Office space: measured at an amount equal to the lease liability, adjusted by the amount of any prepaid or accrued lease payments.
- b) All other leases: the carrying value that would have resulted from AASB 16 being applied from the commencement date of the leases, subject to the practical expedients noted above.

**Impact on transition**

On transition to AASB 16, the Office recognised additional right-of-use assets and additional lease liabilities, recognising the difference in retained earnings. The impact on transition is summarised below:

	1 July 2019
	\$'000s
Right-of-use assets - buildings	13,629
Other non financial assets - prepayments	(224)
Other non financial assets - Lease incentives	(1,829)
Suppliers - Lease payables	(2,580)
Leases - Operating Leases	(1,379)
Leases - Lease liabilities	13,405
Retained earnings	2,130

**The following table reconciles the minimum lease commitments disclosed in the entity's 30 June 2019 annual financial statements to the amount of lease liabilities recognised on 1 July 2019:**

	1 July 2019
Minimum operating lease commitment at 30 June 2019	17,187
Less: short-term leases not recognised under AASB 16	(141)
Add leases not in commitments at 30 June 2019	308
<b>Undiscounted lease payments</b>	<b>17,354</b>
Less: effect of discounting using the incremental borrowing rate as at the date of initial application	(3,949)
<b>Lease liabilities recognised at 1 July 2019</b>	<b>13,405</b>

**Overview (Continued)**

**Future Australian Accounting Standard Requirements**

The new, revised or amended standards and interpretations were issued by the AASB prior to the signing of the Financial Statements by the Accountable Authority and Chief Financial Officer, are not expected to have a material impact on the Office's Financial Statements for future reporting periods.

**Taxation**

The Office is exempt from all forms of taxation except Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST).

**Events After the Reporting Period**

There have been no events after 30 June 2020 which will effect the financial position of OCO materially at the reporting date.

**Contingent Liabilities and Contingent Assets**

Contingent liabilities and contingent assets are not recognised in the Statement of Financial Position. They may arise from uncertainty as to the existence of a liability or asset or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote. OCO had no contingent assets or liabilities in 2020 (2019: nil). OCO has identified in its contracts and leases a number of indemnity provisions. None of these are quantifiable and all are considered remote. There are no existing or likely claims of which OCO is aware (2019: nil).

## Financial Performance

This section analyses the financial performance of the Office of Commonwealth Ombudsman for the year ended 2020.

### 1.1 Expenses

	2020	2019
	\$'000	\$'000
<b>1.1A: Employee benefits</b>		
Wages and salaries	19,218	19,177
Superannuation		
Defined contribution plans	2,048	1,986
Defined benefit plans	1,569	1,566
Leave and other entitlements	2,668	3,070
Separation and redundancies	176	433
<b>Total employee benefits</b>	<b>25,679</b>	<b>26,232</b>

#### Accounting Policy

Accounting policies for employee related expenses is contained in the People and relationships section.

### 1.1B: Suppliers

#### Goods and services supplied or rendered

Consultants & Contractors <sup>2</sup>	11,604	6,803
Employee related <sup>3</sup>	915	1,058
Travel	866	1,650
IT services	1,596	1,434
Property Operating Expenses	867	776
Printing, Stationery and Postage	157	225
Media Related	188	200
Legal Fees	170	123
Other	887	774
<b>Total goods and services supplied or rendered</b>	<b>17,250</b>	<b>13,043</b>

#### Other suppliers

Workers compensation expenses	201	127
Operating lease rentals <sup>1</sup>	-	2,471
Short-term leases	31	-
<b>Total other suppliers</b>	<b>232</b>	<b>2,598</b>
<b>Total suppliers</b>	<b>17,482</b>	<b>15,641</b>

1. The Office has applied AASB 16 using the modified retrospective approach and therefore the comparative information has not been restated and continues to be reported under AASB 117.

2. The increase in consultants and contractors expense against prior year is largely due to the additional activity associated with the VET FEE-HELP.

3. Employee related expenses includes: workplace assessments, employee assistance programs, rehabilitation costs, medical costs, health lifestyle allowance, training and conferences, studies assistance, recruitment cost, security clearances, payroll administration services and ComSuper administration fees.

The above lease disclosures should be read in conjunction with the accompanying notes 1.1D, 2.2 and 2.4A.

#### Accounting Policy

##### *Short-term leases and leases of low-value assets*

The Office has elected not to recognise right-of-use assets and lease liabilities for short-term leases of assets that have a lease term of 12 months or less and leases of low-value assets (less than \$10,000). The entity recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

### 1.1C: Write-down and impairment of assets

Write-down of property, plant and equipment	49	171
<b>Total write-down and impairment of assets</b>	<b>49</b>	<b>171</b>

### 1.1D: Finance costs

Interest on lease liabilities <sup>1</sup>	120	-
<b>Total finance costs</b>	<b>120</b>	<b>-</b>

1. The Office has applied AASB 16 using the modified retrospective approach and therefore the comparative information has not been restated and continues to be reported under AASB 117.

The above lease disclosures should be read in conjunction with the accompanying notes 1.1B, 2.2 and 2.4A.

<b>1.2 Own-Source Revenue and gains</b>		
	2020	2019
	\$'000	\$'000
<b>Own-Source Revenue</b>		
<b>1.2A: Revenue from contracts with customers</b>		
Rendering of services	4,172	4,162
<b>Total revenue from contracts with customers</b>	<b>4,172</b>	<b>4,162</b>
<b>Disaggregation of revenue from contracts with customers</b>		
Type of customer:		
Australian Government entities (related parties)	1,141	1,260
ACT Government	3,031	2,902
	<b>4,172</b>	<b>4,162</b>

**Accounting Policy**

Revenue from the sale of goods is recognised when control has been transferred to the buyer.

The Office will classify a service based agreement as within the scope of AASB 15 and recognise revenue in relation to services rendered from that agreement when all the following conditions are satisfied:

- The Office has an agreement that has been approved by all parties to the agreement;
- The obligations of each party under the agreement can be identified;
- A pattern of transfer of services can be identified;
- The agreement has commercial substance;
- It is highly probable that Office will collect payment.

Service revenue is predominately generated from providing services to State and Territory Governments or Commonwealth agencies. The agreements with customers can involve multiple services. Where an agreement with a customer has multiple services, the services all relate to a specific performance obligation, and as such the services are bundled for the purpose of revenue recognition. Revenue is recognised on a per unit basis and is not considered variable revenue. The transaction price is the total amount of consideration to which the Office expects to be entitled in exchange for transferring the promised services to a customer. The transaction price is based on a service unit price for recovering costs and is initially determined applying judgement. The unit price is reviewed at the end of the revenue period to adjust revenues recognised for the actual unit cost. This process can result in the recognition of a customer contract liability or receivable.

The benefits to the customers under the agreements are provided and consumed simultaneously. The likelihood of re-performance of any aspects of the services are low and, as such, the Office recognises the services revenue over time with proportionate recognition over the period of the agreement. The services are typically charged in arrears and as such, liabilities are not raised in relation to those obligations.

Receivables for goods and services, which have 30 day terms, are recognised at the nominal amounts due less any impairment allowance account. Collectability of debts is reviewed at end of the reporting period. Allowances are made when collectability of the debt is no longer probable.

<b>1.2 Own-Source Revenue and gains (Continued)</b>		
	2020	2019
	\$'000	\$'000
<b>1.2B: Other Revenue</b>		
Resources received free of charge		
Remuneration of auditors	54	54
<b>Total other revenue</b>	<b>54</b>	<b>54</b>

**Accounting Policy***Resources Received Free of Charge*

Resources received free of charge are recognised as revenue when, and only when, a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense. Resources received free of charge are recorded as either revenue or gains depending on their nature.

**1.2C: Revenue from government**

Appropriations		
Departmental appropriations	42,394	39,100
<b>Total revenue from Government</b>	<b>42,394</b>	<b>39,100</b>

**Accounting Policy***Revenue from Government*

Amounts appropriated for departmental appropriations for the year (adjusted for any formal additions and reductions) are recognised as Revenue from Government when the entity gains control of the appropriation. Appropriations receivable are recognised at their nominal amounts.

**Financial Position** This section analyses the Office of the Commonwealth Ombudsman's assets used to conduct its operations and the operating liabilities incurred as a result.

Employee related information is disclosed in the People and Relationships section.

<b>2.1 Financial Assets</b>		
	2020	2019
	\$'000	\$'000

**2.1A: Cash and cash equivalents**

Cash on hand or on deposit	242	1,531
<b>Total cash and cash equivalents</b>	<b>242</b>	<b>1,531</b>

**Accounting Policy**

Cash is recognised at its nominal amount. Cash and cash equivalents includes:

- a) cash on hand; and
- b) demand deposits in bank accounts with an original maturity of 3 months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value.

**2.1B: Trade and other receivables**

**Goods and services receivables**

Goods and services	133	156
<b>Total goods and services receivables</b>	<b>133</b>	<b>156</b>

**Appropriations receivables**

Appropriation receivable	11,488	11,929
<b>Total appropriations receivables</b>	<b>11,488</b>	<b>11,929</b>

**Other receivables**

GST receivable from the Australian Taxation Office	280	416
<b>Total other receivables</b>	<b>280</b>	<b>416</b>
<b>Total trade and other receivables (gross)</b>	<b>11,901</b>	<b>12,501</b>

<b>Total trade and other receivables (net)</b>	<b>11,901</b>	<b>12,501</b>
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Credit terms for goods and services were within 30 days (2019: 30 days).

**2.1 Financial Assets (Continued)**

**Accounting Policy**

***Financial assets***

***Financial Assets at Amortised Cost***

Financial assets included in this category need to meet two criteria:

1. the financial asset is held in order to collect the contractual cash flows; and
2. the cash flows are solely payments of principal and interest (SPPI) on the principal outstanding amount.

Amortised cost is determined using the effective interest method.

***Effective Interest Method***

Income is recognised on an effective interest rate basis for financial assets that are recognised at amortised cost.

***Impairment of Financial Assets***

Financial assets are assessed for impairment at the end of each reporting period based on Expected Credit Losses, using the general approach which measures the loss allowance based on an amount equal to lifetime expected credit losses where risk has significantly increased, or an amount equal to 12-month expected credit losses if risk has not increased.

The simplified approach for trade, contract and lease receivables is used. This approach always measures the loss allowance as the amount equal to the lifetime expected credit losses.

A write - off constitutes a derecognition event where the write-off directly reduces the gross carrying amount of the financial asset.

	2020	2019
	\$'000	\$'000

**2.1C: Other financial assets**

Lease Incentives <sup>1</sup>	-	1,829
<b>Total other financial assets</b>	-	1,829

1. The Office has applied AASB 16 using the modified retrospective approach and therefore the comparative information has not been restated and continues to be reported under AASB 117.

**2.2 Non-Financial Assets****2.2A: Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment and Intangibles<sup>1</sup>****Reconciliation of the opening and closing balances of property, plant and equipment for 2020**

	Buildings and leasehold improvements	Plant and equipment	Computer Software	Total
	\$'000	\$'000	\$'000	\$'000
<b>As at 1 July 2019</b>				
Gross book value	3,731	1,735	3,348	8,814
Accumulated depreciation, amortisation and impairment	(732)	(632)	(1,833)	(3,197)
<b>Total as at 1 July 2019</b>	<b>2,999</b>	<b>1,103</b>	<b>1,515</b>	<b>5,617</b>
Recognition of right of use asset on initial application of AASB 16	13,629	-	-	13,629
<b>Adjusted total as at 1 July 2019</b>	<b>16,628</b>	<b>1,103</b>	<b>1,515</b>	<b>19,246</b>
<b>Additions</b>				
Purchase	479	398	127	1,004
Revaluations and impairments recognised in other comprehensive	351	(226)	-	125
Depreciation and amortisation	(616)	(431)	(506)	(1,553)
Depreciation on right-of-use assets	(2,923)	-	-	(2,923)
Disposals	-	(16)	(33)	(49)
<b>Total as at 30 June 2020</b>	<b>13,919</b>	<b>828</b>	<b>1,103</b>	<b>15,850</b>
<b>Total as at 30 June 2020 represented by</b>				
Gross book value	16,849	835	3,075	20,759
Accumulated depreciation, amortisation and impairment	(2,931)	(6)	(1,973)	(4,910)
<b>Total as at 30 June 2020</b>	<b>13,918</b>	<b>829</b>	<b>1,102</b>	<b>15,849</b>
Carrying amount of right-of-use assets	10,706	-	-	10,706

No indicators of impairment found for property, plant and equipment or intangibles.

No property, plant and equipment and intangibles are expected to be sold or disposed of within the next 12 months.

**Revaluations of non-financial assets**

All revaluations were conducted in accordance with the revaluation policy. On 30 June 2020 an independent valuer conducted the revaluations.

**Fair Value Measurement<sup>1,2,3</sup>**

The following tables provide an analysis of assets and liabilities that are measured at fair value. The remaining assets and liabilities disclosed in the statement of financial position do not apply the fair value hierarchy.

The different levels of the fair value hierarchy are defined below.

Level 1: Quoted prices (unadjusted) in active markets for identical assets or liabilities that the OCO can access at

Level 2: Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either

Level 3: Unobservable inputs for the asset or liability.

	Fair value measurements at the end of the reporting period	
	2020 \$'000	2019 \$'000
<b>Non-financial assets</b>		
Leasehold improvements	3,212	2,998
Property, plant and equipment	829	1,103
<b>Total non-financial assets</b>	<b>4,041</b>	<b>4,101</b>



**2.2 Non-Financial Assets (Continued)**

**Accounting Policy**

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate.

Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and income at their fair value at the date of acquisition, unless acquired as a consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor's accounts immediately prior to the restructuring.

**Asset Recognition Threshold**

Purchases of property, plant and equipment are recognised initially at cost in the statement of financial position, except for purchases costing less than \$2,000, which are expensed in the year of acquisition.

The initial cost of an asset includes an estimate of the cost of dismantling and removing the item and restoring the site on which it is located. This is particularly relevant to 'make good' provisions in property leases taken up by the entity where there exists an obligation to restore the property to its original condition. These costs are included in the value of the Office's leasehold improvements with a corresponding provision for the 'make good' recognised.

**Lease Right of Use (ROU) Assets**

Leased ROU assets are capitalised at the commencement date of the lease and comprise of the initial lease liability amount, initial direct costs incurred when entering into the lease less any lease incentives received. These assets are accounted for by Commonwealth lessees as separate asset classes to corresponding assets owned outright, but included in the same column as where the corresponding underlying assets would be presented if they were owned.

On initial adoption of AASB 16 the Office has adjusted the ROU assets at the date of initial application by the amount of any provision for onerous leases recognised immediately before the date of initial application. Following initial application, an impairment review is undertaken for any right of use lease asset that shows indicators of impairment and an impairment loss is recognised against any right of use lease asset that is impaired. Lease ROU assets continue to be measured at cost after initial recognition in Commonwealth agency, GGS and Whole of Government financial statements.

**Revaluations**

Following initial recognition at cost, property, plant and equipment (excluding ROU assets) are carried at fair value (or an amount not materially different from fair value) less subsequent accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets did not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depended upon the volatility of movements in market values for the relevant assets.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of

asset revaluation reserve except to the extent that it reversed a previous revaluation decrement of the same asset class that was previously recognised in the surplus/deficit. Revaluation decrements for a class of assets are recognised directly in the surplus/deficit except to the extent that they reversed a previous revaluation increment for that class.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

**Depreciation**

Depreciable property, plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to the entity using, in all cases, the straight-line method of depreciation. Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate.

Depreciation rates applying to each class of depreciable asset are based on the following useful lives:

	2020	2019
Leasehold improvements	Lease terms	Lease terms
Plant and equipment	3 to 20 years	3 to 10 years

As at 30 June 2020 the useful life of asset class plant and equipment was assessed and updated as part of the revaluation.

The depreciation rates for ROU assets are based on the commencement date to the earlier of the end of the useful life of the ROU asset or the end of the lease term.

**Impairment**

All assets were assessed for impairment at 30 June 2020. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

The recoverable amount of an asset is the higher of its fair value less costs of disposal and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the entity were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

**Derecognition**

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

**Intangibles**

The Office's intangibles comprise internally developed software for internal use. These assets are carried at cost less accumulated amortisation and accumulated impairment losses.

Software is amortised on a straight-line basis over its anticipated useful life. The useful lives of the entity's software are one to 15 years (2019: 1 to 8 years).

All software assets were assessed for indications of impairment as at 30 June 2020.

**2.3 Payables**

	2020	2019
	\$'000	\$'000
<b>2.3A: Suppliers</b>		
Trade creditors and accruals	1,409	3,565
<b>Total suppliers</b>	<b>1,409</b>	<b>3,565</b>
<b>2.3B: Other Payables</b>		
Salaries and wages	355	197
Superannuation	56	28
Separations and redundancies	-	303
Lease payables <sup>1</sup>	-	2,580
Unearned income	668	771
Other	5	1
<b>Total other payables</b>	<b>1,084</b>	<b>3,880</b>

1. The Office has applied AASB 16 using the modified retrospective approach and therefore the comparative information has not been restated and continues to be reported under AASB 117.

**2.4 Interest Bearing Liabilities**

	2020	2019
	\$'000	\$'000
<b>2.4A: Leases<sup>1</sup></b>		
Operating Leases	-	1,379
Lease Liabilities	10,788	-
<b>Total leases</b>	<b>10,788</b>	<b>1,379</b>

1. The Office has applied AASB 16 using the modified retrospective approach and therefore the comparative information has not been restated and continues to be reported under AASB 117.

Total cash outflow for leases for the year ended 30 June 2020 was \$2.59m

**Accounting Policy**

Refer overview section for accounting policy on leases.

**2.5 Other Provisions****2.5A: Other provisions**

	Provision for restoration	Total
	\$'000	\$'000
<b>As at 1 July 2019</b>	<b>220</b>	<b>220</b>
Revaluation of provision	21	21
<b>Total as at 30 June 2020</b>	<b>241</b>	<b>241</b>

**Accounting Judgements and Estimates**

For the property leases where the Office has an obligation to restore the premises to their original condition, the Office assesses the value of the provision for restoration in line with the relevant clauses of the lease, based on estimated costs per square metre

## Funding

This section identifies the Office of the Commonwealth Ombudsman's funding structure.

### 3.1 Appropriations

#### 3.1A: Annual appropriations ('recoverable GST exclusive')

##### Annual Appropriations for 2020

	Annual Appropriation \$'000	Section 74 PGPA Act \$'000	Total appropriation \$'000	Appropriation applied in 2020 (current and prior years) \$'000	Variance <sup>1</sup> \$'000
<b>Departmental</b>					
Ordinary annual services	42,394	6,273	48,667	48,911	(244)
Capital Budget <sup>2</sup>	816	-	816	816	-
<b>Total departmental</b>	<b>43,210</b>	<b>6,273</b>	<b>49,483</b>	<b>49,727</b>	<b>(244)</b>

1. The variance in the ordinary annual services appropriation is due to obligations recorded at the end of 2018-19 settled in 2019-20.

2. Departmental Capital Budgets are appropriated through Appropriation Acts (No.1,3,5). They form part of ordinary annual services, and are not separately identified in the Appropriation Acts.

##### Annual Appropriations for 2019

	Annual Appropriation \$'000	Section 74 PGPA Act \$'000	Total appropriation \$'000	Appropriation applied in 2019 \$'000	Variance <sup>1</sup> \$'000
<b>Departmental</b>					
Ordinary annual services	39,100	5,323	44,423	40,488	3,935
Capital Budget <sup>2</sup>	817	-	817	934	(117)
<b>Total departmental</b>	<b>39,917</b>	<b>5,323</b>	<b>45,240</b>	<b>41,422</b>	<b>3,818</b>

1. The variance of (\$0.1m) in the capital budget was primarily due to the office using prior year Departmental Capital Budget to fund the fit out of office premises. The variance in the ordinary annual services appropriation was due to obligations at the end of the financial year not yet settled.

2. Departmental Capital Budgets are appropriated through Appropriation Acts (No.1,3,5). They form part of ordinary annual services, and are not separately identified in the Appropriation Acts.

#### 3.1B: Unspent annual appropriations ('recoverable GST exclusive')

	2020 \$'000	2019 \$'000
<b>Departmental</b>		
<b>Cash and cash equivalents</b>		
2018/19 Appropriation Act 1	242	1531
2019/20 Appropriation Act 1	-	-
<b>Total cash and cash equivalents</b>	<b>242</b>	<b>1,531</b>
<b>Accounts receivable</b>		
2018/19 Appropriation Act 1	-	10,726
2019/20 Appropriation Act 1	5,136	-
2019/20 Appropriation Act 3	6,352	-
<b>Total accounts receivable</b>	<b>11,488</b>	<b>10,726</b>
<b>Total Departmental</b>	<b>11,730</b>	<b>12,257</b>

## People and relationships

This section describes a range of employment and post employment benefits provided to our people and our relationships with other key people.

### 4.1 Employee Provisions

	2020	2019
	\$'000	\$'000
<b>4.1A: Employee provisions</b>		
Leave	6,878	6,709
<b>Total employee provisions</b>	<b>6,878</b>	<b>6,709</b>

#### Accounting policy

Liabilities for 'short-term employee benefits and termination benefits expected within twelve months of the end of reporting period are measured at their nominal amounts.

Other long-term employee benefits are measured as net total of the present value of the defined benefit obligation at the end of the reporting period minus the fair value at the end of the reporting period of plan assets (if any) out of which the obligations are to be settled directly.

#### Leave

The liability for employee benefits includes provision for annual leave and long service leave.

The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that will be applied at the time the leave is taken, including the entity's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined by reference to the estimated future cash flows to be made in respect to all employees as at 30 June 2020. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

#### Separation and Redundancy

Provision is made for separation and redundancy benefit payments. The entity recognises a provision for termination when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the terminations.

#### Superannuation

The Office's staff are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS), or the PSS accumulation plan (PSSap), or other superannuation funds held outside the Australian Government.

The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap is a defined contribution scheme.

The liability for defined benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course. This liability is reported in the Department of Finance's administered schedules and notes.

The Office makes employer contributions to the employees' defined benefit superannuation scheme at rates determined by an actuary to be sufficient to meet the current cost to the Government. The entity accounts for the contributions as if they were contributions to defined contribution plans.

The liability for superannuation recognised as at 30 June represents outstanding contributions (refer note 2.3B).

#### 4.2 Key Management Personnel Remuneration

Key management personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity. The Office has determined the key management personnel to be the Ombudsman, the Deputy Ombudsman, the Chief Operating Officer and the five Senior Assistant Ombudsmen. Key management personnel remuneration is reported in the table below:

	2020 \$'000	2019 \$'000
Short-term employee benefits	2,079	2,029
Post-employment benefits	315	323
Other long-term employee benefits	35	154
<b>Total key management personnel remuneration expenses<sup>1</sup></b>	<b>2,429</b>	<b>2,506</b>

The total number of key management personnel included in the above table is 11 (2019: 8 individuals).

1. The above key management personnel remuneration excludes the remuneration and other benefits of the Portfolio Minister. The Portfolio Minister's remuneration and other benefits are set by the Remuneration Tribunal and are not paid by the entity.

#### 4.3 Related Party Disclosures

##### Related party relationships:

The Office is an Australian Government controlled entity. Related parties to this entity are Key Management Personnel including the Portfolio Minister and Executive, and other Australian Government entities.

##### Transactions with related parties:

Given the breadth of Government activities, related parties may transact with the government sector in the same capacity as ordinary citizens. Such transactions include the payment or refund of taxes, receipt of a Medicare rebate or higher education loans. These transactions have not been separately disclosed in this note.

Giving consideration to relationships with related entities, and transactions entered into during the reporting period by the entity, it has been determined that there are no related party transactions to be separately disclosed (2019: nil).

**5.1 Financial Instruments**

	2020	2019
	\$'000	\$'000
<b>5.1A: Categories of financial instruments</b>		
<b>Financial assets at amortised cost</b>		
Cash and Cash Equivalents	242	1,531
Trade and Other Receivables	133	156
<b>Total financial assets at amortised cost</b>	<b>375</b>	<b>1,687</b>
<b>Total financial assets</b>	<b>375</b>	<b>1,687</b>
<b>Financial Liabilities</b>		
<b>Financial liabilities measured at amortised cost</b>		
Supplier Payables	1,409	3,378
<b>Total financial liabilities measured at amortised cost</b>	<b>1,409</b>	<b>3,378</b>
<b>Total financial liabilities</b>	<b>1,409</b>	<b>3,378</b>

<p><b>Accounting Policy</b>  <b>Financial assets</b>                      The Office classifies its financial assets in the following categories:</p> <p>a) financial assets at fair value through profit or loss;                      b) financial assets at fair value through other comprehensive income; and                      c) financial assets measured at amortised cost.</p> <p>The classification depends on both the Office's business model for managing the financial assets and contractual cash flow characteristics at the time of initial recognition. Financial assets are recognised when the Office becomes a party to the contract and, as a consequence, has a legal right to receive or a legal obligation to pay cash and derecognised when the contractual rights to the cash flows from the financial asset expire or are transferred upon trade date.</p> <p><b>Financial Assets at Amortised Cost</b>                      Financial assets included in this category need to meet two criteria:</p> <ol style="list-style-type: none"> <li>1. the financial asset is held in order to collect the contractual cash flows; and</li> <li>2. the cash flows are solely payments of principal and interest (SPPI) on the principal outstanding amount.</li> </ol> <p>Amortised cost is determined using the effective interest method.</p> <p><b>Effective Interest Method</b>                      Income is recognised on an effective interest rate basis for financial assets that are recognised at amortised cost.</p> <p><b>Financial Assets at Fair Value Through Other Comprehensive Income (FVOCI)</b>                      Financial assets measured at fair value through other comprehensive income are held with the objective of both collecting contractual cash flows and selling the financial assets and the cash flows meet the SPPI test.</p> <p>Any gains or losses as a result of fair value measurement or the recognition of an impairment loss allowance is recognised in other comprehensive income.</p> <p><b>Financial Assets at Fair Value Through Profit or Loss (FVTPL)</b>                      Financial assets are classified as financial assets at fair value through profit or loss where the financial assets either doesn't meet the criteria of financial assets held at amortised cost or at FVOCI (i.e. mandatorily held at FVTPL) or may be designated.</p> <p>Financial assets at FVTPL are stated at fair value, with any</p>	<p>resultant gain or loss recognised in profit or loss. The net gain or loss recognised in profit or loss incorporates any interest earned on the financial asset.</p> <p><b>Impairment of Financial Assets</b>                      Financial assets are assessed for impairment at the end of each reporting period based on Expected Credit Losses, using the general approach which measures the loss allowance based on an amount equal to <i>lifetime expected credit losses</i> where risk has significantly increased, or an amount equal to <i>12-month expected credit losses</i> if risk has not increased.</p> <p>The simplified approach for trade, contract and lease receivables is used. This approach always measures the loss allowance as the amount equal to the lifetime expected credit losses.</p> <p>A write-off constitutes a derecognition event where the write-off directly reduces the gross carrying amount of the financial asset.</p> <p><b>Financial liabilities</b>                      Financial liabilities are classified as either financial liabilities 'at fair value through profit or loss' or other financial liabilities. Financial liabilities are recognised and derecognised upon 'trade date'.</p> <p><b>Financial Liabilities at Fair Value Through Profit or Loss</b>                      Financial liabilities at fair value through profit or loss are initially measured at fair value. Subsequent fair value adjustments are recognised in profit or loss. The net gain or loss recognised in profit or loss incorporates any interest paid on the financial liability.</p> <p><b>Financial Liabilities at Amortised Cost</b>                      Financial liabilities, including borrowings, are initially measured at fair value, net of transaction costs. These liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective interest basis.</p> <p>Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).</p>
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## Other information

### 6.1 Aggregate Assets and Liabilities

#### 6.1A: Aggregate assets and liabilities

	2020	2019
	\$'000	\$'000
<b>Assets expected to be recovered in:</b>		
No more than 12 months	12,705	14,921
More than 12 months	<u>15,849</u>	<u>7,100</u>
<b>Total assets</b>	<u>28,554</u>	<u>22,021</u>
<b>Liabilities expected to be settled in:</b>		
No more than 12 months	7,742	7,748
More than 12 months	<u>12,658</u>	<u>8,005</u>
<b>Total liabilities</b>	<u>20,400</u>	<u>15,753</u>

## Appendix 3—Information Publication Scheme

The Information Publication Scheme (IPS) applies to Australian Government agencies that are subject to the *Freedom of Information Act 1982*. This scheme requires an agency to publish a broad range of information on their website.

The Commonwealth Ombudsman’s website makes available the Office’s Information Publication Scheme plan, describing how the Office complies with these requirements and giving access to information published under the scheme. More information can be found at: [ombudsman.gov.au/Our-responsibilities/seeking-information/information-publication-scheme](https://ombudsman.gov.au/Our-responsibilities/seeking-information/information-publication-scheme)



## Appendix 4—Management of Human Resources

TABLE 9—INFORMATION ABOUT REMUNERATION FOR KEY MANAGEMENT PERSONNEL

Name	Position title	Short-term benefits			Post-employment benefits	Other long-term benefits	Termination benefits	Total remuneration
		Base salary	Bonuses	Other benefits and allowances	Superannuation contributions	Long service leave		
Michael Manthorpe	Commonwealth Ombudsman	\$411,971		\$8,702	\$64,082	\$18,744		\$503,498
Jaala Hinchcliffe	Deputy Ombudsman	\$187,988		4,449	\$26,454			\$218,891
Emma Cotterill	Senior Assistant Ombudsman	\$173,917		\$27,083	\$33,469	\$13,406		\$247,875
Louise Macleod	Senior Assistant Ombudsman	\$195,168		\$31,565	\$34,530	(\$3,934)		\$257,329
Autumn O'Keeffe	Senior Assistant Ombudsman	\$7,636		\$6,059	\$1,433			\$15,128
Paul Pfitzner	Senior Assistant Ombudsman	\$232,011		\$38,435	\$34,793	(\$2,373)		\$302,866
Fiona Sawyers	Senior Assistant Ombudsman	\$198,602		\$41,179	\$36,340	\$5,501		\$281,622
Dermot Walsh	Senior Assistant Ombudsman	\$198,253		\$27,279	\$36,588	\$4,909		\$267,029
Rodney Walsh	Chief Operating Officer	\$185,932		\$30,396	\$36,450	(\$5,805)		\$246,974
Julia Taylor	Senior Assistant Ombudsman	\$43,500		\$8,509	\$7,429	\$4,322		\$63,760
Lisa Collett	Acting Chief Operating Officer	\$18,610		\$1,446	\$3,050	\$424		\$23,530
		<b>1,853,588</b>	-	<b>225,102</b>	<b>314,618</b>	<b>\$35,194</b>	-	<b>2,428,502</b>

### Remuneration policy and practices

The Ombudsman and Deputy Ombudsman's remuneration is set by the Remuneration Tribunal under section 13 of the *Remuneration Tribunal Act 1973*.

Remuneration for the Office's senior executive employees is established through individual determinations made under section 24(1) of the *Public Service Act 1999*. The Commonwealth Ombudsman determines salary rates for the Office's SES employees in accordance with the Office's SES Remuneration Policy and having regard to SES remuneration levels across the APS as set out in the annual Australian Public Service Remuneration Report, market forces and any applicable Government policy/advice.

The Office's Enterprise Agreement (EA) provides remuneration and conditions for all non-SES employees. The EA also allows individual flexibility arrangements for remuneration arrangements, superannuation, working hours, leave, allowance and overtime rates. At the time of reporting the Office did not have other high paid staff whose total remuneration exceeds the threshold for the reporting period.

TABLE 10—ALL ONGOING EMPLOYEES CURRENT REPORT PERIOD (2019-20)

	Male			Female			Indeterminate			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	2	0	2	8	1	9	0	0	0	11
Qld	8	0	8	17	5	22	0	0	0	30
SA	8	0	8	11	11	22	0	0	0	30
TAS	0	0	0	0	0	0	0	0	0	0
VIC	6	2	8	12	5	17	0	0	0	25
WA	2	1	3	1	1	2	0	0	0	5
ACT	38	5	43	56	20	76	0	0	0	119
NT	0	0	0	0	0	0	0	0	0	0
External Territories	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	0	0	0	0	0	0	0
<i>Total</i>	64	8	72	105	43	148	0	0	0	220

TABLE 11—ALL NON-ONGOING EMPLOYEES CURRENT REPORT PERIOD (2019-20)

	Male			Female			Indeterminate			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	0	0	0	0	0	0	0	0	0	0
Qld	0	0	0	0	0	0	0	0	0	0
SA	0	0	0	0	0	0	0	0	0	0
TAS	0	0	0	0	0	0	0	0	0	0
VIC	0	0	0	0	0	0	0	0	0	0
WA	0	0	0	1	0	1	0	0	0	1
ACT	5	1	6	4	1	5	0	0	0	11
NT	0	0	0	0	0	0	0	0	0	0
External Territories	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	0	0	0	0	0	0	0
<i>Total</i>	5	0	5	6	1	5	0	0	0	12

TABLE 12—ALL ONGOING EMPLOYEES PREVIOUS REPORT PERIOD (2018-19)

	Male			Female			Indeterminate			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	1	0	1	6	2	8	0	0	0	9
Qld	5	0	5	16	3	19	0	0	0	24
SA	4	0	4	12	7	19	0	0	0	23
TAS	0	0	0	0	0	0	0	0	0	-
VIC	8	1	9	12	3	15	0	0	0	24
WA	1	0	1	1	1	2	0	0	0	3
ACT	43	3	46	72	13	85	0	0	0	131
NT	0	0	0	0	0	0	0	0	0	0
External Territories	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	0	0	0	0	0	0	0
<i>Total</i>	62	4	66	119	29	148	0	0	0	214

TABLE 13—ALL NON-ONGOING EMPLOYEES PREVIOUS REPORT PERIOD (2018-19)

	Male			Female			Indeterminate			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	1	0	1	3	0	3	0	0	0	4
Qld	0	0	0	1	0	1	0	0	0	1
SA	0	0	0	1	0	1	0	0	0	1
TAS	0	0	0	0	0	0	0	0	0	0
VIC	0	0	0	1	0	1	0	0	0	1
WA	1	0	1	2	0	2	0	0	0	3
ACT	4	0	4	6	0	10	0	0	0	14
NT	0	0	0	0	0	0	0	0	0	0
External Territories	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	0	0	0	0	0	0	0
<i>Total</i>	6	0	6	14	4	18	0	0	0	24

TABLE 14—AUSTRALIAN PUBLIC SERVICE ACT ONGOING EMPLOYEES CURRENT REPORT PERIOD (2019-20)<sup>11</sup>

	Male			Female			Indeterminate			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
SES 3	0	0	0	0	0	0	0	0	0	0
SES 2	0	0	0	0	0	0	0	0	0	0
SES 1	2	0	2	4	0	4	0	0	0	6
EL 2	5	0	5	15	4	19	0	0	0	24
EL 1	16	6	22	32	11	43	0	0	0	65
APS 6	17	1	18	22	10	32	0	0	0	50
APS 5	13	1	14	20	9	29	0	0	0	43
APS 4	9	0	9	11	7	18	0	0	0	27
APS 3	0	0	0	1	2	2	0	0	0	3
APS 2	0	0	0	0	0	0	0	0	0	0
APS 1	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
<i>Total</i>	62	8	70	105	43	148	0	0	0	218

<sup>11</sup> Please note this total count excludes the two Statutory Office positions.

TABLE 15—AUSTRALIAN PUBLIC SERVICE ACT NON-ONGOING EMPLOYEES CURRENT REPORT PERIOD (2019-20)

	Male			Female			Indeterminate			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
SES 3	0	0	0	0	0	0	0	0	0	0
SES 2	0	0	0	0	0	0	0	0	0	0
SES 1	0	0	0	0	0	0	0	0	0	0
EL 2	0	0	0	0	0	0	0	0	0	0
EL 1	1	1	2	1	0	0	0	0	0	3
APS 6	0	0	0	1	0	1	0	0	0	1
APS 5	3	0	3	2	1	3	0	0	0	6
APS 4	1	0	1	0	0	0	0	0	0	1
APS 3	0	0	0	1	0	1	0	0	0	1
APS 2	0	0	0	0	0	0	0	0	0	0
APS 1	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
TOTAL	5	0	5	6	1	7	0	0	0	12

TABLE 16—AUSTRALIAN PUBLIC SERVICE ACT ONGOING EMPLOYEES PREVIOUS REPORT PERIOD (2018-19)<sup>12</sup>

	Male			Female			Indeterminate			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
SES 3	0	0	0	0	0	0	0	0	0	0
SES 2	0	0	0	0	0	0	0	0	0	0
SES 1	3	0	3	3	0	3	0	0	0	6
EL 2	7	0	7	17	1	18	0	0	0	25
EL 1	17	4	21	34	9	43	0	0	0	64
APS 6	14	0	14	26	7	33	0	0	0	47
APS 5	14	0	14	25	7	32	0	0	0	46
APS 4	5	0	5	12	2	14	0	0	0	19
APS 3	1	0	1	1	3	4	0	0	0	5
APS 2	0	0	0	0	0	0	0	0	0	0
APS 1	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
<i>Total</i>	61	4	65	118	29	147	0	0	0	212

<sup>12</sup> Please note this total count excludes the two Statutory Office positions.

TABLE 17—AUSTRALIAN PUBLIC SERVICE ACT NON-ONGOING EMPLOYEES PREVIOUS REPORT PERIOD (2018-19)

	Male			Female			Indeterminate			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
SES 3	0	0	0	0	0	0	0	0	0	0
SES 2	0	0	0	0	0	0	0	0	0	0
SES 1	0	0	0	0	0	0	0	0	0	0
EL 2	0	0	0	0	0	0	0	0	0	0
EL 1	1	0	1	3	2	5	0	0	0	6
APS 6	1	0	1	1	0	1	0	0	0	2
APS 5	4	0	4	5	2	7	0	0	0	11
APS 4	0	0	0	2	0	2	0	0	0	2
APS 3	0	0	0	2	0	2	0	0	0	2
APS 2	0	0	0	0	1	1	0	0	0	1
APS 1	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
TOTAL	6	0	6	13	5	18	0	0	0	24

TABLE 18—AUSTRALIAN PUBLIC SERVICE ACT EMPLOYEES BY FULL-TIME AND PART-TIME STATUS CURRENT REPORT PERIOD (2019-20)<sup>13</sup>

	Ongoing			Non-Ongoing			Total
	Full time	Part time	Total	Full time	Part time	Total	
SES 3	0	0	0	0	0	0	0
SES 2	0	0	0	0	0	0	0
SES 1	6	0	6	0	0	0	6
EL 2	20	4	24	0	0	0	24
EL 1	48	17	65	2	1	3	68
APS 6	39	11	50	1	0	1	51
APS 5	33	10	43	5	1	6	49
APS 4	20	7	27	1	0	0	28
APS 3	1	2	3	1	0	1	4
APS 2	0	0	0	0	0	0	0
APS 1	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0
<i>Total</i>	167	51	218	10	2	12	230

<sup>13</sup> Please note this total count excludes the two Statutory Office positions.



TABLE 19—AUSTRALIAN PUBLIC SERVICE ACT EMPLOYEES BY FULL-TIME AND PART-TIME STATUS PREVIOUS REPORT PERIOD (2018-19)

	Ongoing			Non-Ongoing			Total
	Full time	Part time	Total	Full time	Part time	Total	
SES 3	0	0	0	0	0	0	0
SES 2	0	0	0	0	0	0	0
SES 1	6	0	6	0	0	0	6
EL 2	24	1	25	0	0	0	25
EL 1	51	13	64	5	1	6	70
APS 6	40	7	47	2	0	2	49
APS 5	39	7	46	9	2	11	57
APS 4	17	2	19	2	0	2	21
APS 3	4	1	5	2	0	2	7
APS 2	0	0	0	0	1	1	1
APS 1	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0
<i>Total</i>	181	31	212	20	4	24	236

TABLE 20—AUSTRALIAN PUBLIC SERVICE ACT EMPLOYMENT TYPE BY LOCATION CURRENT REPORT PERIOD (2019-20)

	Ongoing	Non-Ongoing	Total
NSW	11	0	11
Qld	30	0	30
TAS	30	0	30
VIC	0	0	0
Vic	25	0	25
WA	5	1	6
ACT	119	11	130
NT	0	0	0
External Territories	0	0	0
Overseas	0	0	0
<b>Total</b>	<b>220</b>	<b>12</b>	<b>232</b>

TABLE 21—AUSTRALIAN PUBLIC SERVICE ACT EMPLOYMENT TYPE BY LOCATION PREVIOUS REPORT PERIOD (2018-19)

	Ongoing	Non-Ongoing	Total
NSW	9	4	13
Qld	24	1	25
SA	23	1	24
TAS	0	0	0
VIC	24	1	25
WA	3	3	6
ACT	131	14	145
NT	0	0	0
External Territories	0	0	0
Overseas	0	0	0
<b>Total</b>	<b>214</b>	<b>24</b>	<b>238</b>

TABLE 22—AUSTRALIAN PUBLIC SERVICE ACT INDIGENOUS EMPLOYMENT CURRENT REPORT PERIOD (2019-20)

	Total
Ongoing	8
Non-Ongoing	0
<b>Total</b>	<b>8</b>

TABLE 23—AUSTRALIAN PUBLIC SERVICE ACT INDIGENOUS EMPLOYMENT PREVIOUS REPORT PERIOD (2018-19)

	Total
Ongoing	7
Non-Ongoing	0
<b>Total</b>	<b>7</b>

TABLE 24—AUSTRALIAN PUBLIC SERVICE ACT EMPLOYMENT ARRANGEMENTS CURRENT REPORT PERIOD (2019-20)<sup>14</sup>

	SES	Non-SES	Total
Office of the Commonwealth Ombudsman Enterprise Agreement 2017-20	0	218	0
Determinations under subsection 24(1)	6	0	6
Individual Flexibility Arrangements	0	6	6
<b>Total</b>	<b>6</b>	<b>224</b>	<b>230</b>

TABLE 25—AUSTRALIAN PUBLIC SERVICE ACT EMPLOYMENT SALARY RANGES BY CLASSIFICATION LEVEL (MINIMUM/MAXIMUM) CURRENT REPORT PERIOD (2019-20)

	Minimum Salary	Maximum Salary
SES 3	0	0
SES 2	0	0
SES 1	\$165,373	\$194,617
EL 2	\$118,654	\$134,489
EL 1	\$101,905	\$110,041
APS 6	\$79,494	\$91,313
APS 5	\$73,598	\$78,043
APS 4	\$65,988	\$71,645
APS 3	\$59,207	\$63,903
APS 2	\$51,980	\$57,642
APS 1	\$45,929	\$50,766
Other	0	0
<i>Minimum/Maximum range</i>	0	0

<sup>14</sup> Please note this total count excludes the two Statutory Office positions.

## Appendix 5—Entity Resources Statement

	Actual available appropriation for 2019–20 \$'000	Payments made 2019–20 \$'000	Balance remaining 2019–20 \$'000
	(a)	(b)	(a) - (b)
<b>Ordinary Annual Services<sup>1</sup></b>			
Departmental appropriation <sup>2</sup>	58,844	49,727	9,117
Adjustment - actual s74 <sup>3</sup>	2,896	-	2,896
<b>Total resourcing and payments</b>	<b>61,740</b>	<b>49,727</b>	<b>12,013</b>

1 Supply Act (No. 1) - Operating, Supply Act (No. 1) - Departmental Capital Budget (DCB) 2019-20, Appropriation Act (No. 1) 2019-20 and Appropriation Act (No. 3) 2019-20. This also includes prior year departmental appropriation and S74 external revenue.

2 Includes an available amount of \$0.816m in 2019-20 for the Departmental Capital Budget. For accounting purposes this amount has been designated as 'contribution by owners'.

3 Actual s74 receipts in 2019-20 were \$6.273m compared to the Budget estimate of \$3.377m.

<b>Resource Summary Table—Expenses for Outcome 1</b>			
<b>Outcome 1: Fair and accountable administrative action by Australian Government entities and prescribed private sector organisations, by investigating complaints, reviewing administrative action and statutory compliance inspections and reporting.</b>			
	Budget	Actual Expenses	Variance
	2019–20	2019–20	2019–20
	\$'000	\$'000	\$'000
<b>Program 1.1: Office of the Commonwealth Ombudsman</b>			
Departmental expenses			
Departmental appropriation <sup>1,2</sup>	49,150	46,207	2,943
Expenses not requiring appropriation in the Budget year <sup>3</sup>	1,024	1,599	(575)
<b>Total for Program 1.1</b>	<b>50,174</b>	<b>47,806</b>	<b>2,368</b>
<b>Total for Outcome 1</b>	<b>50,174</b>	<b>47,806</b>	<b>2,368</b>
Average Staffing Level (number)	220	214	6

1 Appropriation expenses combines Supply Act (No. 1) - Operating, Appropriation Act (No. 1) 2019-20 and Appropriation Act (No. 3) 2019-20 and 'Revenue from independent sources (S74)'.  
2 Departmental appropriation includes depreciation expense for Leases Right of Use asset class.  
3 Expenses not requiring appropriation in the Budget are made up of depreciation expenses, amortisation expenses, make good expenses and audit fees.

## Appendix 6—Ecologically sustainable development and environmental performance

Section 516A of the *Environment Protection and Biodiversity Act 1999* sets out the principles and framework for the Office to report on environmental matters. We also have an environmental management policy to help us manage activities in a sustainable manner. Our environmental impact is mainly through office-based energy consumption, paper resources and waste management.

### ***Energy consumption***

In 2019–20 the Office continues to manage its energy consumption. All new leasehold improvements have included smart lighting and the introduction of LED globes to further reduce energy consumption. Total energy consumption across all of the Office’s tenancies has increased by 16 per cent, principally because the Office temporarily leased additional premises to accommodate a surge in the workforce associated with the VET Student Loan Ombudsman function. It is anticipated that energy consumption will fall when the temporary accommodation is ceased from December 2020.

### ***Paper resources***

The Office ensures we engage in digital record-keeping and e-business practices to reduce paper use. Our paper supplies are either carbon neutral or manufactured from at least 50 per cent recycled products. Other materials such as files, folders and unused stationery are recycled within the Office to reduce procurement activity for stationery.

### ***Waste management***

We actively manage the waste we produce through several mechanisms:

- Recycling bins are provided in all offices to encourage recycling of waste such as paper and cardboard packaging.
- All print toner cartridges are recycled.
- Follow me printing is available in all offices. Follow me printing allows users to print to a shared print queue, roam and release their print job from any enabled output device. This ensures printing is confidential to the user and reduces printed waste from documents left uncollected at the printer i.e. each staff member must release their print job at the physical printer otherwise the print job is lost after one hour.
- Recycling bins are provided in kitchen breakout areas for plastic bottles and cans.

## Appendix 7—Correction of material errors in previous annual report

There were no corrections to be made from the 2018–19 annual report.

## Appendix 8—Public Interest Disclosure

TABLE 26—NUMBER OF DISCLOSURES ASSESSED AS MEETING THE CRITERIA UNDER S26 OF THE PID ACT AND ALLEGED DISCLOSABLE CONDUCT AGENCY NUMBER OF DISCLOSURES ASSESSED AS MEETING THE CRITERIA UNDER S26 OF THE PID ACT ALLEGED KINDS OF DISCLOSABLE CONDUCT TO WHICH THE DISCLOSURES RELATE

Agency	Number of disclosures assessed as meeting the criteria under s26 of the PID Act	Alleged kinds of disclosable conduct to which the disclosures relate
1. Department of Defence	118	Maladministration (64)  Contravention of a law of the Commonwealth, state or territory (53)  Conduct that may result in disciplinary action (29)  Abuse of public office (9)  Conduct that results in, or that increases, the risk of danger to the health or safety of one or more persons (6)  Wastage of Commonwealth resources (including money and property) (1)
2. Office of the Commonwealth Ombudsman <sup>15</sup>	38	Maladministration (35)  Conduct that may result in disciplinary action (28)  Contravention of a law of the Commonwealth, state or territory (24)  Abuse of public office (8)  Abuse of public trust (6)  Wastage of Commonwealth resources (including money and property) (5)  Conduct that results in, or that increases, the risk of danger to the health or safety of one or more persons (3)  Perversion of the course of justice (2)  Endangers the environment (1)

<sup>15</sup> Unlike other agencies, the Office can receive disclosures about itself and other agencies. The Office received 38 PIDs relating to other agencies.

Agency	Number of disclosures assessed as meeting the criteria under s26 of the PID Act	Alleged kinds of disclosable conduct to which the disclosures relate
		<p>Conduct engaged in for the purposes of corruption (1)</p> <p>Conduct in a foreign country that contravenes a law (1)</p>
3. Australian Postal Corporation	29	<p>Conduct that may result in disciplinary action (26)</p> <p>Contravention of a law of the Commonwealth, state or territory (22)</p> <p>Maladministration (15)</p> <p>Abuse of public office (3)</p> <p>Conduct that results in, or that increases, the risk of danger to the health or safety of one or more persons (3)</p> <p>Perversion of the course of justice (1)</p> <p>Conduct engaged in for the purposes of corruption (1)</p> <p>Abuse of public trust (1)</p>
4. Australian Taxation Office	15	<p>Conduct that may result in disciplinary action (15)</p> <p>Contravention of a law of the Commonwealth, state or territory (2)</p> <p>Abuse of public office (1)</p>
5. Airservices Australia	14	<p>Conduct that may result in disciplinary action (13)</p> <p>Contravention of a law of the Commonwealth, state or territory (3)</p> <p>Conduct that results in, or that increases, the risk of danger to the health or safety of one or more persons (3)</p> <p>Maladministration (1)</p>
6. Department of Veterans' Affairs	12	<p>Conduct that may result in disciplinary action (8)</p> <p>Maladministration (3)</p>



Agency	Number of disclosures assessed as meeting the criteria under s26 of the PID Act	Alleged kinds of disclosable conduct to which the disclosures relate
		<p>Contravention of a law of the Commonwealth, state or territory (2)</p> <p>Wastage of Commonwealth resources (including money and property) (2)</p> <p>Conduct engaged in for the purposes of corruption (1)</p> <p>Abuse of public trust (1)</p>
7. Department of Health	11	<p>Contravention of a law of the Commonwealth, state or territory (6)</p> <p>Maladministration (3)</p> <p>Endangers the environment (1)</p> <p>Abuse of public office (1)</p>
8. NBN Co Limited	9	<p>Contravention of a law of the Commonwealth, state or territory (3)</p> <p>Conduct engaged in for the purposes of corruption (3)</p> <p>Maladministration (2)</p> <p>Conduct that may result in disciplinary action (1)</p>
9. Australian Broadcasting Corporation	8	<p>Conduct that may result in disciplinary action (5)</p> <p>Maladministration (3)</p> <p>Wastage of Commonwealth resources (including money and property) (3)</p> <p>Contravention of a law of the Commonwealth, state or territory (1)</p> <p>Abuse of public trust (1)</p> <p>Abuse of public office (1)</p>
10. Fair Work Commission	8	<p>Abuse of public office (8)</p> <p>Abuse of public trust (7)</p> <p>Maladministration (7)</p> <p>Conduct that may result in disciplinary action (1)</p>
11. Department of Home Affairs	6	<p>Conduct that results in, or that increases, the risk of danger to the</p>

Agency	Number of disclosures assessed as meeting the criteria under s26 of the PID Act	Alleged kinds of disclosable conduct to which the disclosures relate
		health or safety of one or more persons (4)  Contravention of a law of the Commonwealth, state or territory (3)  Maladministration (3)  Conduct that may result in disciplinary action (2)  Abuse of public trust (1)  Perversion of the course of justice (1)  Conduct engaged in for the purpose of corruption (1)
12. Defence Housing Australia	6	Conduct that may result in disciplinary action (5)  Maladministration (1)
13. Department of Education, Skills and Employment	6	Maladministration (4)  Conduct that may result in disciplinary action (3)  Contravention of a law of the Commonwealth, state or territory (2)  Abuse of public trust (2)  Conduct that results in, or that increases, the risk of danger to the health or safety of one or more persons (1)  Abuse of public office (1)  Perversion of the course of justice (1)
14. Department of Agriculture, Water and the Environment	5	Maladministration (3)  Contravention of a law of the Commonwealth, state or territory (2)  Abuse of public office (1)
15. Aged Care Quality & Safety Commission	74 (aggregated total of all PIDs received by these agencies)	Conduct that may result in disciplinary action (48)
16. Attorney-General's Department	This section aggregates data for agencies reporting four or fewer PIDs received during the reporting period	Maladministration (40)

Agency	Number of disclosures assessed as meeting the criteria under s26 of the PID Act	Alleged kinds of disclosable conduct to which the disclosures relate
17. Australian Nuclear Science & Technology Organisation		Contravention of a law of the Commonwealth, state or territory (27)
18. Australian Competition and Consumer Commission		Conduct that results in, or that increases, the risk of danger to the health or safety of one or more persons (9)
19. Australian Criminal Intelligence Commission		Wastage of Commonwealth resources (including money and property) (9)
20. Australian Digital Health Agency		Abuse of public office (8)
21. Australian Electoral Commission		Perversion of the course of justice (5)
22. Australian Federal Police		Conduct engaged in for the purpose of corruption (4)
23. Australian Fisheries Management Authority		Abuse of public trust (4)
24. Australian Institute of Aboriginal and Torres Strait Islander Studies		Endangers the environment (1)
25. Australian intelligence agencies - combined response		Fabrication scientific research (1)
26. Australian Maritime Safety Authority		
27. Australian Public Service Commission		
28. Australian Rail Track Corporation		
29. Australian Securities and Investments Commission		
30. Bureau of Meteorology		
31. Comcare		
32. Commonwealth Science and Industrial Research Organisation (CSIRO)		
33. Department of Finance		
34. Department of Foreign Affairs & Trade		
35. Department of Industry, Science, Energy and Resources including IP Australia and Geoscience Australia		

Agency	Number of disclosures assessed as meeting the criteria under s26 of the PID Act	Alleged kinds of disclosable conduct to which the disclosures relate
36. Department of Infrastructure, Transport, Regional Development and Communications		
37. Department of the Prime Minister and Cabinet		
38. Great Barrier Reef Marine Park Authority		
39. Indigenous Business Australia		
40. Indigenous Land & Sea Corporation		
41. Inspector-General of Taxation and Taxation Ombudsman		
42. National Disability insurance Scheme Launch Transition Agency		
43. National Indigenous Australians Agency		
44. National Library of Australia		
45. NDIS Quality and Safeguards Commission		
46. Northern Australia Infrastructure Facility		
47. Office of the Commonwealth Director of Public Prosecutions		
48. Office of the Inspector-General of Intelligence and Security <sup>16</sup>		
49. Services Australia (formerly Department of Human Services)		
50. Sydney Harbour Federation Trust		

<sup>16</sup> The IGIS received PIDs relating to the Australian Intelligence agencies, and none relating to the IGIS.

TABLE 27—AGENCIES THAT HAVE REPORTED NOT RECEIVING PIDs<sup>17</sup>

1.	AAF Company
2.	Aboriginal Hostels Limited
3.	Administrative Appeals Tribunal
4.	AgriFutures Australia
5.	Anindilyakwa Land Council
6.	Army and Air Force Canteen Service
7.	Asbestos Safety and Eradication Agency
8.	ASC Pty Ltd
9.	Australia Council for the Arts
10.	Australian Accounting Standards Board and Auditing and Assurance Standards Board
11.	Australian Building and Construction Commission
12.	Australian Bureau of Statistics
13.	Australian Centre for International Agricultural Research
14.	Australian Commission for Law Enforcement Integrity
15.	Australian Commission on Safety and Quality in Health Care
16.	Australian Communications and Media Authority
17.	Australian Curriculum Assessment and Reporting Authority
18.	Australian Financial Security Authority
19.	Australian Film, Television and Radio School
20.	Australian Government Department of Social Services
21.	Australian Hearing Services (trading as Hearing Australia)
22.	Australian Human Rights Commission
23.	Australian Institute for Teaching and School Leadership
24.	Australian Institute of Criminology
25.	Australian Institute of Family Studies
26.	Australian Institute of Health and Welfare
27.	Australian Institute of Marine Science
28.	Australian Military Forces Relief Trust Fund
29.	Australian National Audit Office
30.	Australian National Maritime Museum
31.	Australian Naval Infrastructure Pty Ltd
32.	Australian Organ and Tissue Donation and Transplantation Authority
33.	Australian Pesticides and Veterinary Medicines Authority
34.	Australian Prudential Regulation Authority
35.	Australian Radiation Protection and Nuclear Safety Agency
36.	Australian Reinsurance Pool Corporation
37.	Australian Research Council
38.	Australian Skills Quality Authority
39.	Australian Sports Anti-Doping Authority (Sport Integrity Australia as at 1 July 2020)
40.	Australian Sports Commission
41.	Australian Sports Foundation Limited
42.	Australian Strategic Policy Institute
43.	Australian Trade and Investment Commission
44.	Australian Transaction Reports and Analysis Centre
45.	Australian Transport Safety Bureau
46.	Australian War Memorial
47.	Australian Law Reform Commission
48.	Bundanon Trust
49.	Cancer Australia
50.	Central Land Council
51.	Civil Aviation Safety Authority

<sup>17</sup> Note: Some of these agencies may have been allocated a PID that was made to the Ombudsman.

52.	Clean Energy Finance Corporation
53.	Clean Energy Regulator
54.	Climate Change Authority
55.	Coal Mining Industry (Long Service Leave Funding) Corporation
56.	Commonwealth Ombudsman
57.	Commonwealth Superannuation Corporation
58.	Cotton Research and Development Corporation
59.	Creative Partnerships Australia
60.	Department of Parliamentary Services
61.	Department of the House of Representatives
62.	Department of the Senate
63.	Department of the Treasury
64.	Digital Transformation Agency
65.	Export Finance Australia
66.	Federal Court of Australia (on behalf of itself [Federal Court], Family Court of Australia [Family Court], Federal Circuit Court of Australia [Federal Circuit Court] and (if these are public authorities under the PID Act) the National Native Title Tribunal [NNTT] and Native Title Registrar [NTR])
67.	Fisheries Research and Development Corporation
68.	Food Standards Australia New Zealand
69.	Future Fund Management Agency
70.	Grains Research and Development Corporation
71.	Independent Hospital Pricing Authority
72.	Independent Parliamentary Expenses Authority
73.	Infrastructure and Project Financing Agency
74.	Infrastructure Australia
75.	Moorebank Intermodal Company Limited
76.	Murray-Darling Basin Authority
77.	Museum of Australian Democracy at Old Parliament House
78.	National Archives of Australia
79.	National Australia Day Council
80.	National Blood Authority
81.	National Capital Authority
82.	National Competition Council
83.	National Film and Sound Archive of Australia
84.	National Gallery of Australia
85.	National Health and Medical Research Council
86.	National Health Funding Body
87.	National Mental Health Commission
88.	National Museum of Australia
89.	National Offshore Petroleum Safety and Environmental Management Authority
90.	National Portrait Gallery of Australia
91.	Northern Land Council
92.	Office of Parliamentary Counsel
93.	Office of the Australian Information Commissioner
94.	Office of the Fair Work Ombudsman
95.	Office of the Official Secretary to the Governor-General
96.	Outback Stores
97.	Parliamentary Budget Office
98.	Productivity Commission
99.	Professional Services Review
100.	RAAF Welfare Recreational Company
101.	Regional Investment Corporation
102.	Reserve Bank of Australia
103.	Royal Australian Air Force Welfare Trust Fund
104.	Royal Australian Navy Central Canteen Board
105.	Royal Australian Navy Relief Trust Fund (RANRTF)

106.	Safe Work Australia
107.	Screen Australia
108.	Special Broadcasting Service Corporation
109.	Tertiary Education Quality and Standards Agency
110.	The Australian National University
111.	Tiwi Land Council
112.	Tourism Australia
113.	Wine Australia
114.	Workplace Gender Equality Agency
115.	Wreck Bay Aboriginal Community Council
116.	WSA Co Limited

TABLE 28—PID INVESTIGATIONS COMPLETED AND ACTION/S TAKEN IN RESPONSE TO RECOMMENDATIONS

Agency	Number of disclosure investigations completed during the financial year	Findings of disclosable conduct relating to disclosure investigations	Examples of actions taken during the financial year in response to recommendations relating to disclosure investigations
1. Department of Defence	89	<p>Maladministration (13)</p> <p>Contravention of a law of the Commonwealth, state or territory (9)</p> <p>Conduct that may result in disciplinary action (3)</p> <p>Conduct that results in, or that increases, the risk of danger to the health or safety of one or more persons (3)</p> <p>Abuse of public office (3)</p> <p>Wastage of Commonwealth resources (including money and property) (1)</p>	<p>Investigation under another law</p> <p>Code of conduct investigation</p> <p>Administrative action</p> <p>Staff training in leadership, communication and internal policies and procedures</p> <p>Improvements to internal practices including communication and reporting arrangements</p> <p>Routine contractor performance reviews</p>
2. Australian Postal Corporation	22	<p>Conduct that may result in disciplinary action (6)</p> <p>Contravention of a law of the Commonwealth, state or territory (3)</p> <p>Maladministration (3)</p> <p>Abuse of public office (2)</p> <p>Conduct that results in, or that increases, the risk of danger to the health or safety of one or more persons (1)</p>	<p>Disciplinary action</p> <p>Staff training and awareness for Ethics, Bullying, Harassment &amp; Discrimination and the Drug &amp; Alcohol policy and reporting requirements.</p>
3. Airservices Australia	12	<p>Conduct that may result in disciplinary action (4)</p>	<p>Sanctions imposed under Airservices Code of conduct</p> <p>Internal process and policy improvements</p> <p>Behavioural expectations awareness session</p>



Agency	Number of disclosure investigations completed during the financial year	Findings of disclosable conduct relating to disclosure investigations	Examples of actions taken during the financial year in response to recommendations relating to disclosure investigations
4. Australian Taxation Office	11	<p>Contravention of a law of the Commonwealth, state or territory (2)</p> <p>Conduct that may result in disciplinary action (4)</p>	Code of conduct investigation referral
5. Department of Veterans' Affairs	10	Conduct that may result in disciplinary action (7)	Code of conduct investigation referral Formal counselling
6. Department of Home Affairs	6	Conduct that may result in disciplinary action (1)	Code of conduct investigation referral Work area consultation
7. Services Australia (formerly Department of Human Services)	6	No findings of disclosable conduct	Referrals to Internal integrity and fraud branch Referrals to internal conduct and review team
8. Indigenous Business Australia	5	<p>Contravention of a law of the Commonwealth, state or territory (1)</p> <p>Conduct that results in, or that increases, the risk of danger to the health or safety of one or more persons (1)</p> <p>Conduct that may result in disciplinary action (1)</p>	Disciplinary action
<p>9. Administrative Appeals Tribunal</p> <p>10. Aged Care Quality and Safety Commission</p> <p>11. Attorney-General's Department</p> <p>12. Australian Nuclear Science &amp; Technology Organisation</p> <p>13. Australian Broadcasting Corporation</p> <p>14. Australian Competition and Consumer Commission</p>	<p>66 investigations were completed by the agencies in this section.</p> <p>This section aggregates data for agencies reporting four or fewer investigations being conducted during the period.</p>		<p>Note: Although all agencies within this group identified they had completed one or more investigations, not all investigations resulted in recommendation/s being made.</p> <p>The following are examples of some of the recommendations made by Agencies within this aggregated group.</p> <p>Code of conduct investigation</p> <p>Review &amp; update of existing Organisational Policies &amp; development of new Policies</p> <p>Review Procurement practices</p>

Agency	Number of disclosure investigations completed during the financial year	Findings of disclosable conduct relating to disclosure investigations	Examples of actions taken during the financial year in response to recommendations relating to disclosure investigations
15. Australian Digital Health Agency			Implement training and development programs for Board and Staff
16. Australian Federal Police			Undertake external training for all Managers in relation to the operation of the PID Act
17. Australian Fisheries Management Authority			
18. Australian Institute of Aboriginal and Torres Strait Islander Studies			
19. Australian Maritime Safety Authority			
20. Australian Public Service Commission			
21. Australian Rail Track Corporation			
22. Australian Securities and Investments Commission			
23. Bureau of Meteorology			
24. Comcare			
25. Department of Agriculture, Water and the Environment			
26. Department of Education, Skills and Employment			
27. Department of Finance			
28. Department of Foreign Affairs & Trade			
29. Department of Health			
30. Department of Industry, Science, Energy and Resources including IP Australia and Geoscience Australia			

Agency	Number of disclosure investigations completed during the financial year	Findings of disclosable conduct relating to disclosure investigations	Examples of actions taken during the financial year in response to recommendations relating to disclosure investigations
31. Department of Infrastructure, Transport, Regional Development and Communications			
32. Fair Work Commission			
33. Great Barrier Reef Marine Park Authority			
34. Indigenous Land & Sea Corporation			
35. Inspector-General of Taxation and Taxation Ombudsman			
36. National Disability insurance Scheme Launch Transition Agency			
37. National Indigenous Australians Agency			
38. National Library of Australia			
39. National Offshore Petroleum Safety and Environmental Management Authority			
40. nbn co limited			
41. Northern Australia Infrastructure Facility			
42. Office of the Australian Information Commissioner			
43. Office of the Commonwealth Director of Public Prosecutions			
44. Office of the Commonwealth Ombudsman			

Agency	Number of disclosure investigations completed during the financial year	Findings of disclosable conduct relating to disclosure investigations	Examples of actions taken during the financial year in response to recommendations relating to disclosure investigations
45. Reserve Bank of Australia  46. Sydney Harbour Federation Trust  47. The Australian National University			

## References

### Glossary

<b>Contact</b>	Any external contact to our Office. Contacts are made up of complaints, program specific matters and any other enquiries.
<b>Authorised officer</b>	An officer appointed by the Principal Officer of an agency to receive and allocate public interest disclosures.
<b>Complaint</b>	<p>Contact with our Office indicating that something is unsatisfactory or unacceptable, in relation to an action by an agency or organisation within our jurisdiction. This includes:</p> <ul style="list-style-type: none"> <li>• complaints about a Commonwealth Government agency, including the Australian Defence Force and the Australian Federal Police</li> <li>• complaints, including disputes, about public or private sector bodies, received under any of the following jurisdictions: Postal Industry Ombudsman, Overseas Students Ombudsman, VET Student Loans Ombudsman and Private Health Insurance Ombudsman)</li> <li>• complaints about ACT Government agencies (under the ACT Ombudsman jurisdiction, and including ACT FOI complaints, ACT PID complaints and complaints about the ACT Integrity Commission)</li> <li>• complaints made about an agency or organisation within our jurisdiction, but where the issue raised is out of our jurisdiction (e.g. an immigration decision which was made by the Minister personally). We are unable to consider this situation further, but it is still counted as a complaint to our Office.</li> </ul>
<b>Enquiry</b>	<p>Any contact with our Office that is not a complaint or program specific matter. This can include:</p> <ul style="list-style-type: none"> <li>• a request to the Office (e.g. a request from a journalist, a request under the FOI Act for documents we hold, a Public Interest Disclosure about us, or a service delivery complaint made about our own services)</li> <li>• a purported complaint about an agency or organisation which is determined to be out of our jurisdiction on the basis of the organisation being complained about (e.g. telecommunications, banking, State government)</li> <li>• other enquiries (e.g. how do I make a complaint about Agency X; an enquiry about private health insurance; PID enquiries; enquiries made to the ACT Ombudsman regarding FOI/Reportable Conduct, complaint handling advice for providers).</li> </ul>

<b>Finalised</b>	A contact is finalised when we have finished taking action in response to that contact.
<b>Outcome</b>	<p>The end result of a contact to our Office. These can vary depending on the type of contact, and can include:</p> <ul style="list-style-type: none"> <li>• rectifying the situation for a person (such as restoring a payment; waiving a debt; a different decision; a better explanation from the agency; an apology)</li> <li>• assistance or advice for a person (such as referral to a more appropriate avenue; a better explanation by us on review rights; advice on how to make a complaint; an agency considering a matter in a more timely manner)</li> <li>• outcomes which reflect our role as independent and impartial (such as independent assurance that the agency’s decision was lawful and reasonable)</li> <li>• outcomes for the broader community (such as changes to an agency’s policies or practices)</li> </ul>
<b>Out of jurisdiction (OOJ)</b>	A matter about which the Office has no legal power under the Ombudsman Act 1976 to investigate.
<b>Own motion investigation</b>	An investigation conducted on the Ombudsman’s own initiative.
<b>Program specific matter</b>	<p>An application, report or other statutory process, which requires processing by our Office, but is not a complaint. This includes:</p> <ul style="list-style-type: none"> <li>• applications under the ACT FOI Act (review requests, extensions of time, etc)</li> <li>• reports of Defence abuse</li> <li>• PHIO mediations</li> <li>• FOI mediations</li> <li>• notifications under the ACT Reportable Conduct scheme</li> <li>• PIDs, extension requests and notifications.</li> </ul>
<b>Public interest disclosure (PID)</b>	Unless otherwise stated, this relates to an internal disclosure of wrongdoing, which has been reported by a public official to an authorised internal recipient.
<b>Serious abuse</b>	‘Serious abuse’ (within Defence) is defined as sexual abuse, serious physical abuse and serious bullying and harassment. All reports of abuse are assessed to determine whether the reported abuse meets this definition
<b>The Office</b>	The Office of the Commonwealth Ombudsman.
<b>The Ombudsman</b>	The person occupying the statutory position of Commonwealth Ombudsman.
<b>Within jurisdiction</b>	A contact about a matter that the Office may investigate under the Ombudsman Act 1976.

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PGPA Rule Reference	Part of Report	Description	Requirement	Page
<b>17AD(g)</b>	<b>Letter of transmittal</b>	<b>Letter of transmittal</b>		
17AI	-		Mandatory	iii
<b>17AD(h)</b>	<b>Aids to access</b>	<b>Aids to access</b>		
17AJ(a)	-		Mandatory	
17AJ(b)	Part 8	Alphabetical index.	Mandatory	120-130
17AJ(c)	Part 8	Glossary of abbreviations and acronyms.	Mandatory	107-108
17AJ(d)	Part 8	List of requirements.	Mandatory	111-119
17AJ(e)	-	Details of contact officer.	Mandatory	v
17AJ(f)	-	Entity's website address.	Mandatory	v
17AJ(g)	-	Electronic address of report.	Mandatory	v
<b>17AD(a)</b>	<b>Review by accountable authority</b>	<b>Review by accountable authority</b>		
17AD(a)	Part 1		Mandatory	1-3
<b>17AD(b)</b>	<b>Overview of the entity</b>	<b>Overview of the entity</b>		
17AE(1)(a)(i)	Part 2		Mandatory	5-6
17AE(1)(a)(ii)		A description of the organisational structure of the entity.	Mandatory	6
17AE(1)(a)(iii)	Part 3	A description of the outcomes and programmes administered by the entity.	Mandatory	13-14
17AE(1)(a)(iv)	Part 3	A description of the purposes of the entity as included in corporate plan.	Mandatory	13
17AE(1)(aa)(i)	Part 2	Name of the accountable authority or each member of the accountable authority.	Mandatory	6
17AE(1)(aa)(ii)	Part 2	Position of the accountable authority or each member of the accountable authority.	Mandatory	6
17AE(1)(aa)(iii)	Part 2	Period as the accountable authority or member of the accountable authority within the reporting period.	Mandatory	6

PGPA Rule Reference	Part of Report	Description	Requirement	Page
17AE(1)(b)	-	An outline of the structure of the portfolio of the entity.	Portfolio departments - mandatory	N/A
17AE(2)	-	Where the outcomes and programs administered by the entity differ from any Portfolio Budget Statement, Portfolio Additional Estimates Statement or other portfolio estimates statement that was prepared for the entity for the period, include details of variation and reasons for change.	If applicable, Mandatory	Nil to report
<b>17AD(c)</b>	<b>Report on the Performance of the entity</b>	<b>Report on the Performance of the entity</b>		
	<b>Annual performance Statements</b>			
17AD(c)(i); 16F	Part 3		Mandatory	11-22
<b>17AD(c)(ii)</b>	<b>Report on Financial Performance</b>	<b>Report on Financial Performance</b>		
17AF(1)(a)	Part 3		Mandatory	23
17AF(1)(b)	Part 7	A table summarising the total resources and total payments of the entity.	Mandatory	90
17AF(2)	-	If there may be significant changes in the financial results during or after the previous or current reporting period, information on those changes, including: the cause of any operating loss of the entity; how the entity has responded to the loss and the actions that have been taken in relation to the loss; and any matter or circumstances that it can reasonably be anticipated will have a significant impact on	If applicable, Mandatory.	Nil to report

PGPA Rule Reference	Part of Report	Description	Requirement	Page
		the entity's future operation or financial results.		
<b>17AD(d)</b>	<b>Management and Accountability</b>	<b>Management and Accountability</b>		
	<b>Corporate Governance</b>			
17AG(2)(a)	Part 6		Mandatory	46-47
17AG(2)(b)(i)	Part 6	A certification by accountable authority that fraud risk assessments and fraud control plans have been prepared.	Mandatory	46
17AG(2)(b)(ii)	Part 6	A certification by accountable authority that appropriate mechanisms for preventing, detecting incidents of, investigating or otherwise dealing with, and recording or reporting fraud that meet the specific needs of the entity are in place.	Mandatory	46
17AG(2)(b)(iii)	Part 6	A certification by accountable authority that all reasonable measures have been taken to deal appropriately with fraud relating to the entity.	Mandatory	46
17AG(2)(c)	Part 6	An outline of structures and processes in place for the entity to implement principles and objectives of corporate governance.	Mandatory	43-47
17AG(2)(d) – (e)	-	A statement of significant issues reported to Minister under paragraph 19(1)(e) of the Act that relates to non-compliance with Finance law and action	If applicable, Mandatory	Nil to report

PGPA Rule Reference	Part of Report	Description	Requirement	Page
		taken to remedy non-compliance.		
	<b>Audit Committee</b>	<b>Audit Committee</b>		
17AG(2A)(a)	Part 6		Mandatory	44
17AG(2A)(b)	Part 6	The name of each member of the entity's audit committee.	Mandatory	44
17AG(2A)(c)	Part 6	The qualifications, knowledge, skills or experience of each member of the entity's audit committee.	Mandatory	44
17AG(2A)(d)	Part 6	Information about the attendance of each member of the entity's audit committee at committee meetings.	Mandatory	44
17AG(2A)(e)	Part 6	The remuneration of each member of the entity's audit committee.	Mandatory	44
	<b>External Scrutiny</b>	<b>External Scrutiny</b>		
17AG(3)	Part 6		Mandatory	47
17AG(3)(a)	-	Information on judicial decisions and decisions of administrative tribunals and by the Australian Information Commissioner that may have a significant effect on the operations of the entity.	If applicable, Mandatory	N/A
17AG(3)(b)	-	Information on any reports on operations of the entity by the Auditor-General (other than report under section 43 of the Act), a Parliamentary Committee, or the Commonwealth Ombudsman.	If applicable, Mandatory	N/A
17AG(3)(c)	-	Information on any capability reviews on the entity that were released during the period.	If applicable, Mandatory	Nil to report

PGPA Rule Reference	Part of Report	Description	Requirement	Page
	<b>Management of Human Resources</b>	<b>Management of Human Resources</b>		
17AG(4)(a)	Part 6		Mandatory	48-50
17AG(4)(aa)	Part 6, 7	<p>Statistics on the entity’s employees on an ongoing and non-ongoing basis, including the following:</p> <p>(a) statistics on full-time employees;</p> <p>(b) statistics on part-time employees;</p> <p>(c) statistics on gender;</p> <p>(d) statistics on staff location.</p>	Mandatory	50, 80-85
17AG(4)(b)	Part 7	<p>Statistics on the entity’s APS employees on an ongoing and non-ongoing basis; including the following:</p> <p>Statistics on staffing classification level;</p> <p>Statistics on full-time employees;</p> <p>Statistics on part-time employees;</p> <p>Statistics on gender;</p> <p>Statistics on staff location;</p> <p>Statistics on employees who identify as Indigenous.</p>	Mandatory	82-89
17AG(4)(c)	Part 6, 7	Information on any enterprise agreements, individual flexibility arrangements,	Mandatory	45, 49, 89

PGPA Rule Reference	Part of Report	Description	Requirement	Page
		Australian workplace agreements, common law contracts and determinations under subsection 24(1) of the <i>Public Service Act 1999</i> .		
17AG(4)(c)(i)	-Section 6	Information on the number of SES and non-SES employees covered by agreements etc identified in paragraph 17AG(4)(c).	Mandatory	49
17AG(4)(c)(ii)	-Section 7	The salary ranges available for APS employees by classification level.	Mandatory	89
17AG(4)(c)(iii)	-Section 6	A description of non-salary benefits provided to employees.	Mandatory	49
17AG(4)(d)(i)	-	Information on the number of employees at each classification level who received performance pay.	If applicable, Mandatory	Nil to report
17AG(4)(d)(ii)	-	Information on aggregate amounts of performance pay at each classification level.	If applicable, Mandatory	Nil to report
17AG(4)(d)(iii)	-	Information on the average amount of performance payment, and range of such payments, at each classification level.	If applicable, Mandatory	Nil to report
17AG(4)(d)(iv)	-	Information on aggregate amount of performance payments.	If applicable, Mandatory	Nil to report
	<b>Assets Management</b>	<b>Assets Management</b>		
17AG(5)	Part 6		If applicable, Mandatory	52
	<b>Purchasing</b>	<b>Purchasing</b>		
17AG(6)	Part 6		Mandatory	51
	<b>Consultants</b>	<b>Consultants</b>		

PGPA Rule Reference	Part of Report	Description	Requirement	Page
17AG(7)(a)	Part 6		Mandatory	51
17AG(7)(b)	Part 6	A statement that  <i>“During 2019-20, six new consultancy contracts were entered into involving total actual expenditure of \$149,000. In addition, five ongoing consultancy contracts were active during the period, involving total actual expenditure of \$211,000”.</i>	Mandatory	51
17AG(7)(c)	Part 6	A summary of the policies and procedures for selecting and engaging consultants and the main categories of purposes for which consultants were selected and engaged.	Mandatory	51
17AG(7)(d)	Part 6	A statement that  <i>“Annual reports contain information about actual expenditure on contracts for consultancies. Information on the value of contracts and consultancies is available on the AusTender website.”</i>	Mandatory	51
	<b>Australian National Audit Office Access Clauses</b>	<b>Australian National Audit Office Access Clauses</b>		
17AG(8)	-		If applicable, Mandatory	N/A
	<b>Exempt contracts</b>	<b>Exempt contracts</b>		
17AG(9)	-		If applicable, Mandatory	N/A
	<b>Small business</b>	<b>Small business</b>		
17AG(10)(a)	Part 6		Mandatory	51
17AG(10)(b)	Part 6	An outline of the ways in which the	Mandatory	51

PGPA Rule Reference	Part of Report	Description	Requirement	Page
		procurement practices of the entity support small and medium enterprises.		
17AG(10)(c)	-	If the entity is considered by the Department administered by the Finance Minister as material in nature—a statement that  <i>“[Name of entity] recognises the importance of ensuring that small businesses are paid on time. The results of the Survey of Australian Government Payments to Small Business are available on the Treasury’s website.”</i>	If applicable, Mandatory	N/A
	<b>Financial Statements</b>	<b>Financial Statements</b>		
17AD(e)	Part 7		Mandatory	54-77
	<b>Executive Remuneration</b>	<b>Executive Remuneration</b>		
17AD(da)	Part 7		Mandatory	89
<b>17AD(f)</b>	<b>Other Mandatory Information</b>	<b>Other Mandatory Information</b>		
17AH(1)(a)(i)	-		If applicable, Mandatory	N/A
17AH(1)(a)(ii)	Part 6	If the entity did not conduct advertising campaigns, a statement to that effect.	If applicable, Mandatory	51
17AH(1)(b)	-	A statement that  <i>“Information on grants awarded by [name of entity] during [reporting period] is available at [address of entity’s website].”</i>	If applicable, Mandatory	N/A
17AH(1)(c)	Part 6	Outline of mechanisms of disability reporting,	Mandatory	52



PGPA Rule Reference	Part of Report	Description	Requirement	Page
		including reference to website for further information.		
17AH(1)(d)	Part 7	Website reference to where the entity's Information Publication Scheme statement pursuant to Part II of FOI Act can be found.	Mandatory	78
17AH(1)(e)	Part 7	Correction of material errors in previous annual report.	If applicable, mandatory	92
17AH(2)	Part 3, 4, 6, 7	Information required by other legislation.	Mandatory	22, 25-34, 45, 48, 93

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