



Australian Government



COMMONWEALTH
OMBUDSMAN

2023-24

ANNUAL REPORT

Acknowledgement of Country

In the spirit of reconciliation, the Commonwealth Ombudsman acknowledges the Traditional Owners and Custodians of Country throughout Australia and their continuing connection to land, sea, waters and community. We recognise the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples. We pay our respects to First Nations cultures and Elders past and present.

Artwork description

This artwork is a representation of the Office of the Commonwealth Ombudsman by WA-based Whadjuk Nyungar Badimia Yamatji artist Kevin Bynder.

The centre of the artwork represents the colours of the Ombudsman. Outside the central circle are semi-circles that represent the people that work and have worked in the Ombudsman's Office. The coloured circles that surround the Ombudsman are the different sectors, such as overseas students, VET Student Loans, Australian Defence Force, private health insurance, postal industry and immigration. These sectors are overseen by the Ombudsman and in the artwork are all connected to the centre. The blue features between each sector are the waterways and the Derbal Yerrigin (Swan River) created by the Waagyl (rainbow serpent). The red circles represent the businesses and people of the community we serve.



Credits

Date of publication: October 2024

Publisher: Commonwealth Ombudsman, Canberra Australia

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(note this is not a toll-free number and calls from mobile phones may attract additional charges)
- in writing at GPO Box 442, Canberra ACT 2601.

Services available to help you

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If English is not your first language, the Translating and Interpreting Service (TIS) is a free-of-charge service available on **131 450**.

If you are Deaf/deaf, hard of hearing or have a speech difficulty, you can use the National Relay Service (NRS) to contact the Commonwealth Ombudsman. Visit the [NRS website](#) or phone **1800 555 727**.

Transmittal letter

4 October 2024

The Hon. Mark Dreyfus KC, MP
Attorney-General for Australia
Parliament House
CANBERRA ACT 2600

Dear Attorney-General,

I am pleased to present the Office of the Commonwealth Ombudsman (the Office) Annual Report for 2023–24.

This 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 and provide an annual report to you for presentation to the Australian Parliament.

The report includes the Office's annual performance statements and audited financial statements as required under s 39(1) and 43(4) of the PGPA Act. In my opinion, these annual performance statements accurately reflect the Office's performance for the 2023–24 period and comply with s 39(2) of the PGPA Act.

The report reflects the matters dealt with and legislation administered by the Office under the *Ombudsman Act 1976*, including annual reports for the Defence Force Ombudsman, Postal Industry Ombudsman, Overseas Students Ombudsman, Private Health Insurance Ombudsman and VET Student Loans Ombudsman.

As required under s 10 of the Public Governance, Performance and Accountability Rule 2014, I certify:

- The Office has prepared fraud risk assessments and fraud control plans.
- The Office has in place appropriate fraud prevention, detection, investigation, and reporting mechanisms that meet its specific needs.
- I have taken all reasonable measures to deal with fraud relating to the Office appropriately.

Yours faithfully,



Iain Anderson
Commonwealth Ombudsman

Reader's guide

This report provides information on the activities, achievements and performance of the Office of the Commonwealth Ombudsman (the Office) for the 2023–24 financial year.

Part 1: Review by the Ombudsman

This part provides a review of the previous financial year by the Commonwealth Ombudsman. It contains a summary of significant challenges for the Office, an overview of our performance results and financial results, and an outlook for the next reporting period, 2024–25.

Part 2: Overview of the Office

This part provides an overview of the Office's purpose, roles and functions, outcomes and programs, organisational structure and accountable authority.

Part 3: Performance report

This part contains our annual performance statement and financial reporting, in accordance with s 39(1)(b) of the PGPA Act, s 16F of the PGPA Rule, the Office's Corporate Plan 2023–24 and Portfolio Budget Statements 2023–24.

Part 4: Our core business

This part provides an overview of the key roles and functions of the Office, including parliamentary complaints handling, oversight of the Public Interest Disclosure (PID) regime, our roles as Commonwealth National Preventive Mechanism (NPM) and NPM Coordinator under the Optional Protocol to the Convention against Torture (OPCAT), detention monitoring and law enforcement oversight.

Part 5: Specific Ombudsman roles and annual reports

In addition to the role of Commonwealth Ombudsman, the Commonwealth Ombudsman also performs 5 other specific statutory Ombudsman functions under the *Ombudsman Act 1976*: Defence Force Ombudsman; Postal Industry Ombudsman; Overseas Students Ombudsman; Private Health Insurance Ombudsman; and VET Student Loans Ombudsman. The Ombudsman Act requires an annual report for each function. We also report publicly on these functions throughout the year. These reports, combined with the content in this report, constitute the annual reports required.

Part 6: Management and accountability

This part outlines the Office's management and accountability arrangements, including corporate governance, audit committee arrangements, external scrutiny, fraud systems, human resources management, procurement, reportable consultancy contracts and asset management.

Part 7: Appendices

This part includes statistics on the number of contacts and complaints received by the Office, financial statements, a report on compliance with the Information Publication Scheme (IPS), entity resource statement, human resources management reporting, ecologically sustainable development and environmental performance for the Office, corrections of material errors in the previous annual report, and a list of publications by the Office.

Part 8: References

This part includes a list of acronyms and initialisms, glossary, list of tables and figures, compliance index and alphabetical index.

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Highlights from 2023–24



The total complaints we received was

24,679



The total complaints we finalised was

23,680



The number of complaints and enquiries we received this year

33,739



35

Publications were produced to influence systemic improvement in public administration.



29

Reports were produced from Own Motion Investigations as Commonwealth NPM and under specific Ombudsman roles.



11

Submissions to Joint Standing Committees, the Attorney-General's Department, legislative reviews and the UN Special Rapporteur were produced.



17

Visits to places of detention as the Commonwealth NPM were conducted to prevent mistreatment and strengthen protections for people where they are deprived of their liberty.



371

Assessments of people held in long-term immigration detention under s 486O of the *Migration Act 1958* sent to the Minister for Immigration, Citizenship and Multicultural Affairs.



33,000

Individuals and 47,000 customer incomes used for child support assessments were affected by a systemic issue we identified.



105

Inspections were conducted across 22 agencies and 11 regimes using covert, coercive and intrusive powers.

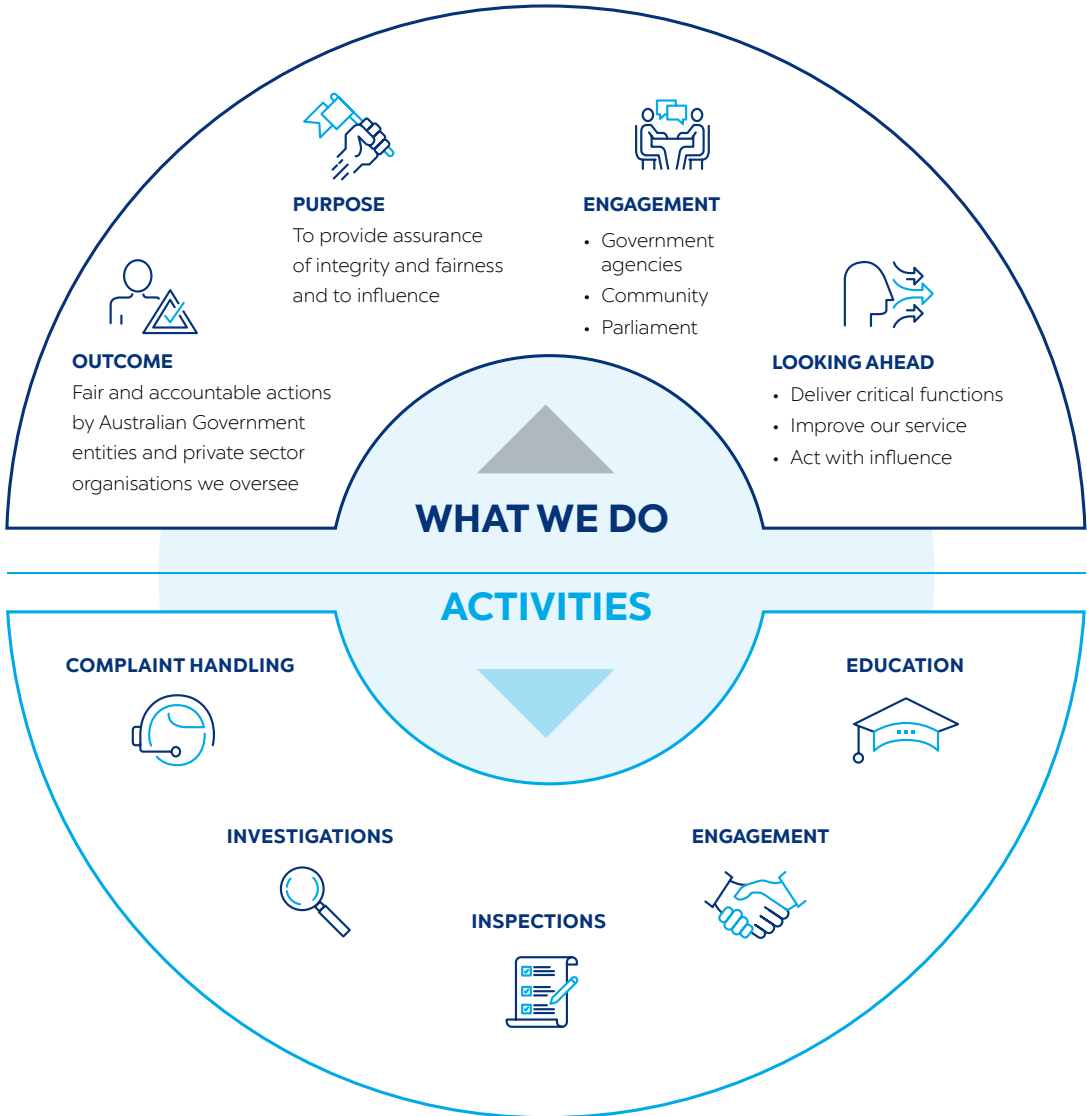


120

Commonwealth Freedom of Information requests were received.

Commonwealth Ombudsman

At a glance



Part 1

Review by the Ombudsman

Part 1: Review by the Ombudsman

I am pleased to present the annual report for the Office of the Commonwealth Ombudsman (the Office) for the 2023–24 financial year.

Helping people and improving government are central to our work. We provide assurance on whether government and private sector entities we oversee act with integrity, while also promoting systemic improvement in public administration.

In line with our purpose, throughout the year we investigated complaints, reviewed administrative action, conducted statutory compliance inspections and reported on our activities to the public and parliament.

Complaint handling is our core work. During 2023–24, we improved our service in the following ways:

- making early resolution of complaints a greater focus, where possible, to allow people to move on with their lives sooner
- meeting or exceeding all of our quality assurance standards across general complaint handling, Public Interest Disclosure (PID) investigations, VET FEE-HELP complaint handling and Defence Force Ombudsman (DFO) reports
- making meaningful improvement towards meeting our complaint handling timeframes and telephone wait times standards.



Iain Anderson

I am pleased with the progress the Office has made, as highlighted in this report. Equally, I am keen that we continue to improve how we deliver our functions and the service we provide to complainants.

Our performance against our key performance indicators is discussed in **Part 3** of this report. Our performance, along with a range of case studies outlined in this report, highlights the impact of our work and the results we have achieved for the Australian community.

In addition, I reflect on the following 2023–24 actions.

Publications: enhancing our influence

In line with our focus on enhancing our influence on systemic improvement in public administration, we prioritised increasing the impact of our publications through enhanced design. We focused on using plain English, infographics and visual elements, and using more case studies and examples.

Keeping the public front of mind in developing our publications ensures we place emphasis on clearly and simply explaining our findings and our concerns rather than putting the emphasis on lengthy technical detail. By helping agencies, the community and parliament understand the impact of our findings on people's lives, we can improve the delivery of services across government.

A full list of our reports and publications for 2023–24 is included at **Appendix 10**. Here are some highlights.

Services Australia and the Department of Social Services (DSS) told our Office there was an issue with how Services Australia had been apportioning income to calculate social security payment rates before 7 December 2020, when the law changed. We published 2 reports in August 2023 (*[Lessons in lawfulness](#)*) and December 2023 (*[Accountability in Action: identifying, owning and fixing errors](#)*) into this issue and made a number of recommendations, including that the agencies consider and develop a comprehensive remediation strategy to provide a fair and reasonable outcome for customers who have had debts or payments incorrectly calculated due to income apportionment. Further detail on these investigations reports is provided in the case studies on pages 42–44 of this report.

In August 2023, we published *[Making things right: insights into Services Australia's handling of the impact of a system error on certain historic child support assessments](#)*.

This statement set out 4 suggestions we made to Services Australia in November 2022 for improvements in its approach to remediating the effects of a system error that incorrectly calculated 47,000 customer incomes when assessing child support payments, impacting 33,000 individuals.

In February 2024, we published *[Taking liberties: investigation into the appropriateness of Department of Home Affairs' and Australian Border Force's policies and procedures for the timely removal of unlawful non-citizens from Australia](#)*. This investigation report considered whether the Department of Home Affairs (Home Affairs) and Australian Border Force had appropriate policies and procedures in place to ensure unlawful non-citizens were removed from Australia in a timely way. Home Affairs accepted the 3 recommendations made by my Office, and we will monitor their implementation.

We reflected on 5 recurring issues in administration and published a simple, clear thematic report. Published in September 2023, *[Room for Improvement](#)* provided key messages to ACT Government and Commonwealth Government agencies on areas for improvement, covering compliance with legislation, record keeping, policies and guidelines, complaint handling and clear communication.

In March 2024, my Office and the Inspector-General of Taxation and Taxation Ombudsman jointly published *[How to tell people they owe the government money](#)*. This report set out best practice principles for notifying people about debts. It was drawn from the Office's observations and experience overseeing Australian Government agencies' administrative practices and provides best practice guidance for agencies to ensure their dealings with the Australian community are fair, transparent and accountable.

My Office encourages good government administration by asking agencies to reflect on past processes and to seek to learn and improve, and by reminding them of their obligation to help people and act in the best interests of the Australian community. Agencies may be required by law to take certain actions. However, they are also responsible for taking that action in a way that minimises harm and distress. Publishing our reports shines the light of transparency on the actions of agencies and makes it clear to the community, parliament and to other agencies where and how we think things can be done better.

Complaints management

Overall, the Office received 24,679 complaints from members of the public in 2023–24, compared to 22,950 last financial year. We received complaints about a wide range of government agencies and a variety of different issues, but most complaints continued to be about Centrelink. The top complaint issues with Centrelink were about the JobSeeker Payment, Disability Support Pension, Age Pension, Family Tax Benefit and non-program service.

Following Centrelink, we received the highest complaint volumes about the National Disability Insurance Agency, Child Support (Services Australia), Home Affairs, and the Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

Complaints activity, including key statistics and case studies across our programs, is discussed in **Part 4 and Part 5** of this report. **Part 3** covers our complaint handling performance, along with our other performance measures.

This year, the Office commenced a project to invest in new technology to replace and improve our complaints management

systems. This work will continue in future years, as outlined in our Corporate Plan. It will involve considerable organisation-wide change for us, as our current complaint management system is 17 years old and is embedded throughout our procedures, but it has the potential to significantly assist us to improve the efficiency and effectiveness of our complaint handling processes.

Our statutory oversight functions

Enhancing the value and efficiency of our statutory oversight functions was another key focus for 2023–24. This year, the Office implemented a risk-based approach to inspecting law enforcement and integrity agencies' use of covert, coercive and intrusive electronic surveillance powers. These inspections are an important community safeguard and public assurance measure that the Office conducts and reports on each year.

Adopting this risk-based approach gives us the opportunity to explore the risks and behaviours that result in agencies not complying with the use of certain powers under the *Crimes Act 1914*, *Telecommunications Act 1997*, *Telecommunications (Interception and Access) Act 1979* and *Surveillance Devices Act 2004*.

This gives us a better understanding of government agencies' compliance culture and the way law enforcement agencies use covert and intrusive powers in investigations. In some cases, our approach revealed instances where the powers were not used for lawful purposes or where an agency's governance and administrative controls were ineffective in preventing misuse of these powers. In 2023–24, we were able to identify instances of non-compliance by agencies that had not previously been identified.

Looking forward

In the coming year, the Office is expanding its functions with the establishment of the National Student Ombudsman (NSO), subject to the passage of legislation. The NSO will provide higher education students with a mechanism to raise complaints about their higher education provider's policies, procedures and decisions, including complaints that concern allegations of gender-based violence.

In establishing this new function, we will draw on lessons learnt from our other functions. Implementing this new function is a significant undertaking for the Office and is a key focus for 2024-25, as outlined in our Corporate Plan.

This year, my Office voluntarily assisted the Royal Commission into Defence and Veteran Suicide (RCDVS), including through providing information under s 35(3)(a) of the *Ombudsman Act 1976*. We cannot be compelled to provide information or appear before the RCDVS but will continue to assist and actively engage with the Royal Commission's findings and any additional learnings for government agencies that come from the report.

I am now 2 years into my term as Ombudsman, a fascinating and challenging role. It is an immense privilege to have the opportunity to help people and improve government. I thank my staff for their efforts throughout 2023-24.



Iain Anderson
Commonwealth Ombudsman

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Part 2: Overview of the Office

Our purpose

The Office of the Commonwealth Ombudsman (the Office) is a non-corporate government entity established under the *Ombudsman Act 1976*.

The outcome for the Office is to ensure:

Fair and accountable administrative action by Australian Government and prescribed private sector entities, by investigating complaints, reviewing administrative action, and statutory compliance inspections and reporting.

We deliver this outcome through our purpose to:

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

In fulfilling our purpose, we strive to maintain the confidence of 3 main groups:

- the community
- parliament
- government agencies and private sector organisations we oversee.

We deliver on our purpose through complaint handling, conducting investigations, performing visits and inspections, encouraging good public administration practices and administering specialist redress schemes.

We also influence improvement in public administration throughout the Asia-Pacific region through collaboration with partner entities.

Ombudsman roles and functions

The Commonwealth Ombudsman's jurisdiction is broad. The Office works across a diverse portfolio of agencies and industries to ensure integrity and accountability. We have a range of formal powers to support our oversight of government agencies and the private sector.

Oversight of Australian Government entities

The Office has jurisdiction over Australian Government entities and their contracted service providers, subject to some specific statutory exclusions, such as the Australian Taxation Office and intelligence agencies.

We oversee more than 200 different Australian Government entities. Our oversight includes considering complaints about the administrative actions of these entities.

More information about our parliamentary oversight can be found in **Part 4: Our core business**.

Oversight of law enforcement and integrity agencies' use of covert and intrusive powers

We oversee certain law enforcement and integrity agencies' use of some intrusive, covert and coercive powers to provide a level of assurance to parliament and the community about agencies' compliance with the relevant legislation.

This is an important function, as a person is often unaware they are subject to the use of these powers and therefore cannot make a complaint or question an agency's actions. Due to the nature of the intrusive or coercive

powers, a person subject to these powers has limited rights in relation to their use.

In 2023–24 we oversaw 22 law enforcement and integrity agencies across 16 legislative regimes, including Chapters 2, 3 and 4 of the *Telecommunications (Interception and Access) Act 1979* (TIA Act), the *Surveillance Devices Act 2004* and certain federal law enforcement powers in the *Crimes Act 1914*. We also oversaw the Australian Federal Police's (AFP) handling and investigation of complaints made against its members.

More information about our oversight of law enforcement and integrity agencies' powers can be found in **Part 4: Our core business**.

Torture prevention roles

We proactively visit Commonwealth places of detention and coordinate the network of preventive monitoring bodies across the states and territories, as part of Australia's implementation of the United Nations Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

The Office has 2 distinct roles supporting implementation of the OPCAT in Australia. Both roles support the OPCAT core purpose, which is to prevent torture and other ill treatment in detention environments, and in doing so, improve the treatment and conditions of people deprived of their liberty.

Commonwealth NPM

The Office is appointed as the National Preventive Mechanism (NPM) for places of detention under the control of the Commonwealth (Commonwealth NPM). The core function of the Commonwealth NPM is providing preventive oversight of places of detention which are under the control of the Australian Government, principally through undertaking regular visits.

NPM Coordinator

The Office is also appointed as Australia's NPM Coordinator. The NPM Coordinator supports other NPMs appointed within Australian states and territories to oversee places of detention which are under the control of the respective jurisdictions.

More information about our roles under OPCAT can be found in **Part 4: Our core business**.

Immigration Ombudsman

The Office investigates complaints about the migration and border protection functions of the Department of Home Affairs (Home Affairs) and the Australian Border Force (ABF). Complaints can include visa and citizenship processing delays, detention issues and customs-related issues.

More information about the Immigration Ombudsman can be found in **Part 4: Our core business**.

Statutory reporting under the Migration Act

The Office provides assurance over arrangements for people held long-term in immigration detention. The *Migration Act 1958* (Migration Act) requires us to assess the appropriateness of the arrangements for people who have been held in immigration detention for longer than 2 years. We receive 6-monthly reports on those arrangements from Home Affairs and we continue to provide updated assessments while those people remain in detention. These assessments, including any recommendations the Ombudsman may make, are provided to the Minister responsible for immigration and a de-identified version is tabled in parliament.

More information about our statutory reporting under the Migration Act can be found in **Part 4: Our core business**.

Oversight of the Public Interest Disclosure Scheme

The Office oversees the operation of the Public Interest Disclosure (PID) Scheme, which promotes the integrity of the Commonwealth public sector by providing arrangements for public officials to report and investigate wrongdoing and protect whistleblowers.

The Office's reporting obligations under the *Public Interest Disclosure Act 2013* (PID Act) were expanded from annual to biannual by amendments to the PID Act in July 2023.

More information about the PID scheme can be found in our biannual PID reports to parliament (prepared in addition to this annual report) and in **Part 4: Our core business**.

Defence Force Ombudsman

As the Defence Force Ombudsman (DFO), the Office investigates complaints from current or former members of the Australian Defence Force (ADF) about administrative matters relating to service in the ADF and provides a confidential mechanism for ADF members to report serious abuse within Defence.

More information about the DFO function can be found in **Part 5: Specific Ombudsman roles and annual reports**.

Oversight of prescribed private sector organisations

We also oversee a range of private sector entities in our roles as:

- Postal Industry Ombudsman
- Overseas Students Ombudsman
- Private Health Insurance Ombudsman
- Vocational Education and Training (VET) Student Loans Ombudsman.

Postal Industry Ombudsman (PIO)

As the PIO, the Office investigates complaints about Australia Post and private postal operators that elect to register with the PIO scheme. StarTrack is currently the only voluntarily registered member of the scheme.

More information about the PIO function can be found in **Part 5: Specific Ombudsman roles and annual reports**.

Overseas Students Ombudsman (OSO)

As the OSO, the Office investigates complaints from overseas students about private education providers in Australia. When finalising a complaint, the OSO also gives private registered providers suggestions for resolution and improvement, and advice on best practice for handling complaints from overseas students.

More information about the OSO function can be found in **Part 5: Specific Ombudsman roles and annual reports**.

Private Health Insurance Ombudsman (PHIO)

As the PHIO, the Office's role is to protect the interests of private health insurance consumers by taking complaints about health insurance matters, providing information and advice, and helping to resolve disputes.

More information about the PHIO function can be found in **Part 5: Specific Ombudsman roles and annual reports**.

VET Student Loans Ombudsman (VSLO)

As the VSLO, the Office investigates disputes between students and their VET loan scheme providers. When finalising complaints, we also deliver best practice complaint handling advice to VET loan scheme providers as needed.

The Office has assessed thousands of complaints under the Student Redress Measures for the VET FEE-HELP scheme. This activity has steadily reduced since the end of the Student Redress Measures on 31 December 2023. However, the Office continues to receive, assess and investigate complaints about VET FEE-HELP and VET Student Loan debts as the VSLO.

More information about the VSLO function can be found in **Part 5: Specific Ombudsman roles and annual reports**.

ACT Ombudsman

The ACT Ombudsman’s role is delivered by the Office under an agreement with the ACT Government. The Office is accountable to the ACT Legislative Assembly for the performance of these functions.

In addition to being ACT Ombudsman, we are also:

- the Inspector of the ACT Integrity Commission
- the Principal Officer to the ACT Judicial Council
- part of the ACT’s multi-body NPM under OPCAT
- the overseer of the operation of the ACT *Freedom of Information Act 2016*
- the overseer of the ACT Reportable Conduct Scheme.

More information is available in the *ACT Ombudsman Annual Report 2023–24* on the ACT Ombudsman website at ombudsman.act.gov.au.

Our outcome and programs

We have identified 4 objectives to guide us towards our purpose. Each objective is linked to one or more of our 4 performance criteria.

Objective 1	Provide independent, effective, efficient and accessible complaint handling services to ensure the entities we oversee act with fairness and integrity.
Objective 2	Provide assurance that detention facilities, law enforcement and integrity agencies we oversee comply with statutory and international obligations, through inspections, visits and reports.
Objective 3	Maintain the confidence of the community, parliament and the entities we oversee.
Objective 4	Influence enduring systemic improvement in public administration, through formal and informal comments, suggestions and recommendations, strategic engagement, inspections, visits, education and investigations.

We assess ourselves against 4 performance criteria and associated targets to meet our outcome:

1. We provide quality complaint handling services.
2. We effectively deliver our assurance activities.
3. We maintain the confidence of community, parliament and the entities we oversee.
4. We influence enduring systemic improvement in public administration.

Our performance against these criteria is discussed in **Part 3** of this report.

During 2023–24, our focus was on maintaining the confidence of the public, parliament and entities we oversee through:

- investing in improving the effectiveness, efficiency and accessibility of our handling of complaints, with an enhanced focus on early resolution of complaints (where possible) to deliver better service to complainants
- introducing a risk-based approach to our statutory oversight functions over law enforcement and integrity agencies to enhance the value and effectiveness of these assurance activities
- increasing transparency and accountability and promoting systemic improvement in public administration through frequent and accessible reports and publications with targeted and achievable recommendations and suggestions for improvement.

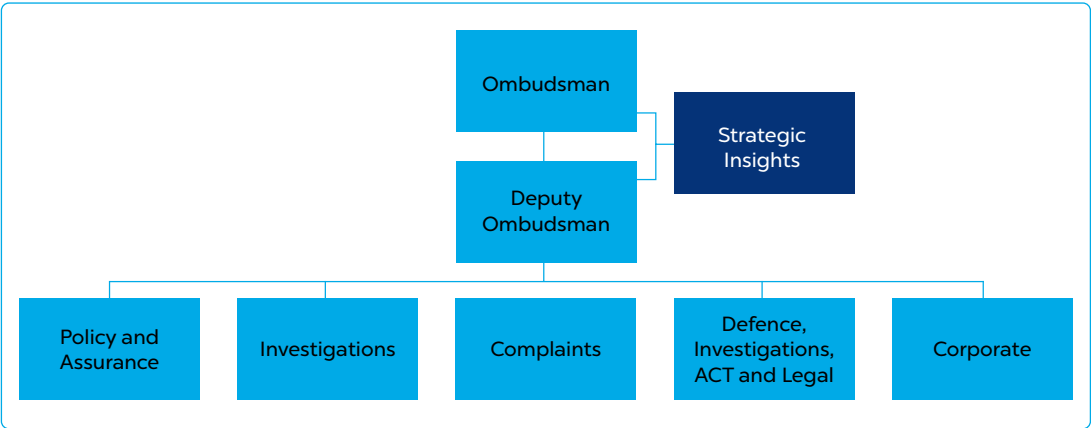
Accountable authority

Table 1: Accountable authority during the reporting period (2023–24)

Period as the accountable authority or member within the reporting period			
Name	Position Title/Position Held	Start Date	End Date
Iain Anderson	Commonwealth Ombudsman	1 July 2023	30 June 2024

Organisational structure

Figure 1: Executive and senior management structure



Towards the end of 2023–24, a Project Management Office was established to support the anticipated National Student Ombudsman (NSO) function. Our 2024–25 Corporate Plan outlines the forward structure, including the establishment of the NSO, subject to the passage of legislation in 2024–25.

Senior leaders



Iain Anderson **Commonwealth Ombudsman**

Iain was appointed Commonwealth Ombudsman from 1 August 2022 for a 5-year term.

Iain is a senior public servant with extensive leadership experience and over 35 years of service. He has worked in 7 Australian Government departments and agencies across a range of legal and social policy areas, including the Commonwealth civil justice and criminal justice systems, family law, native title, royal commissions and Australia's territories. Iain holds a Bachelor of Economics and a Bachelor of Laws from the University of Sydney and was admitted to practise as a solicitor in New South Wales in 1990. Before his appointment as the Commonwealth Ombudsman, Iain was a Deputy Secretary in the Attorney-General's Department.



Penny McKay **Deputy Ombudsman**

Penny was appointed Deputy Commonwealth Ombudsman from 10 August 2020 for a 5-year term.

Penny is a senior public servant with a career serving across Commonwealth government and state and territory agencies. She has extensive experience in criminal law policy, prosecutions, integrity, governance and assurance. Penny has been a federal and state criminal prosecutor in three jurisdictions, worked in legal policy in the ACT Justice and Safety Directorate and was General Counsel at the Australian Commission for Law Enforcement Integrity. Prior to her appointment as Deputy Ombudsman, Penny was responsible for Integrity, Security and Assurance at the Department of Home Affairs.

In 2021-22, Penny was acting Commonwealth Ombudsman for 12 months.

Penny holds a Bachelor of Laws and a Bachelor of Business (Management) and is admitted to practise as a solicitor of the Supreme Court.

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Part 3: Performance report

Statement of preparation

I, Iain Anderson, as the accountable authority of the Office of the Commonwealth Ombudsman (the Office), present the 2023–24 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 s 39(2) of the PGPA Act.

A handwritten signature in black ink, appearing to read 'Iain Anderson', is positioned above the printed name and title.

Iain Anderson
Commonwealth Ombudsman

2023–24 performance framework

Our outcome

This annual performance statement outlines the Office of the Commonwealth Ombudsman's (the Office) performance against the 2023–24 Portfolio Budget Statement 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.'

As set out in our 2023–24 Corporate Plan, we achieve this outcome by:

- providing assurance the Australian Government entities and prescribed private sector organisations we oversee act with integrity and treat people fairly
- influencing enduring systemic improvement in public administration in Australia and the region.

In 2023–24, we tracked and measured our achievement of our purpose against 4 overarching objectives:

Objective 1	Provide independent, effective, efficient and accessible complaint handling services to ensure the entities we oversee act with fairness and integrity.
Objective 2	Provide assurance that detention facilities, law enforcement and integrity agencies we oversee comply with statutory and international obligations, through inspections, visits and reports.
Objective 3	Maintain the confidence of the community, parliament and the entities we oversee.
Objective 4	Influence enduring systemic improvement in public administration, through formal and informal comments, suggestions and recommendations, strategic engagement, inspections, visits, education and investigations.

Our performance criteria and results

We reviewed our performance framework and implemented changes to our objectives and targets for 2023–24. These changes support the delivery of our outcome.

Our achievement against the 4 objectives is measured across 4 performance criteria, which are supported by 11 key performance indicators (KPIs). KPI 1a also has a series of sub-measures aimed at measuring our performance across our complaint handling function. For some KPIs, setting a target (such as a target that 100% of reports will be published within statutory timeframes) is appropriate. For other KPIs, our aim is to set a benchmark that can be improved in the coming years.

The Office uses the following methods to measure performance against the performance criteria, KPIs and the sub-measures:

- independent surveys by a third party surveying complainants on their satisfaction with our service and whether they found it accessible
- independent surveys by a third party surveying agencies we oversee on their satisfaction with the impartiality of the Office

- quantitative analysis of data from our case management systems on the quality, timeliness and volume of complaint decisions made
- quantitative results from our telephony system for speed of call answering targets
- evidence-based internal reporting, documented in standardised processes, to capture our publications, visits to places of detention, inspections of law enforcement agencies, progress towards achieving our target number of assessments of detainee arrangements, submissions, appearances, briefings and recommendations accepted.

Table 2 summarises our 2023–24 performance against our KPIs.

Table 2: Performance against our KPIs for 2023–24

Performance Criteria	2023–24 Result
Performance Criterion 1: We provide quality complaint handling services.	
a. Target 80% of complaint handling performance standards met.	67%
b. Target 65% of complainants surveyed by the Office are satisfied (or better) with our service.	46%
c. Target 65% of complainants surveyed found our service to be accessible.	62%
Performance Criterion 2: We effectively deliver our assurance activities.	
a. Number of inspections and visits undertaken.	106
b. Target 90% of planned risk-based inspections and visits undertaken.	96%
c. Target 80% of targeted reports for long-term detainees provided to the Minister.	49%
Performance Criterion 3: We maintain the confidence of community, parliament and the entities we oversee.	
a. Number of submissions and briefings made to, and appearances before, parliamentary committees.	15
b. Target 100% of reports delivered within legislative timeframes.	100%
c. Target 65% of surveyed entities give a rating of satisfied (or better) with our impartiality.	89%
Performance Criterion 4: We influence enduring systemic improvement in public administration.	
a. Number of publications.	52
b. Target 75% of formal recommendations in reports accepted by agencies and organisations.	93%

Performance statement

Analysis of our performance

The 2023–24 financial year is the first year the Office reported against these KPIs and targets. We developed these KPIs to ensure we measured our performance across the full breadth of our functions, to the extent possible. We updated our performance framework to directly align our performance criteria with our objectives, and we set the associated targets to reflect optimal and achievable performance.

This year, the Office met and/or exceeded most of our KPIs, with 7 of 11 KPIs met.

Throughout the year, we monitored our performance and actively considered how we could best achieve our targets to maintain the confidence of members of the public, the Australian Parliament, and the government agencies and private sector organisations we oversee.

KPIs we met or exceeded this year included:

- 100% of reports were delivered within statutory timeframes (KPI 3b, target 100%)
- 89% of surveyed entities gave a rating of satisfied (or better) with our impartiality (KPI 3c, target 65%)
- 93% of formal recommendations were accepted by agencies and organisations (KPI 4b, target 75%).

KPI 1a: complaint handling performance standards met

KPI 1a measures the quality, quantity and timeliness of our complaint handling. It is based on a set of 15 performance sub-measures which record the timeliness of contact resolution (including for enquiries, complaints, investigations, program-specific matters and out-of-jurisdiction (OOJ) matters), the volume of decisions we make, the quality of complaint handling and our timeliness in responding to incoming phone calls. See

Appendix 3 for a full list and summary of our performance against these sub-measures.

In 2023–24, we met 67% of our complaint handling performance standards, short of our 80% target. While we have work to do in future years to improve this result further, we see this as a pleasing upward trend. In 2022–23, the Office performed at 24% against a 90% target for complaint handling. While there is no direct comparison between 2022–23 and 2023–24 given the updated framework, the improvement reflects our ongoing focus on delivering better complaint handling services. We are satisfied that the 2023–24 metrics provide a holistic reflection of our complaint handling services across timeliness, quality and volume.

Our strongest results in the sub-measures for KPI 1a were against quality requirements. We met or exceeded the target for every quality assurance standard across general complaint handling, Public Interest Disclosure (PID) investigations, VET FEE-HELP complaint handling and Defence Force Ombudsman (DFO) reports. This reflects our strong focus on providing a high-quality service to our complainants.

We achieved mixed results in the timeliness standards, meeting two-thirds of our targets. We met 6 timeliness targets across DFO reports and general complaints but missed the targets for PID investigations, VET FEE-HELP complaints, enquiries and OOJ contacts. However, we note the PID investigations we undertake are highly sensitive and complex matters where agencies are not best placed to investigate, and finalisation can take time.

We focused on our management of enquiries and OOJ contacts during the year, with our complaint handling teams trialling continuous improvement activities. Our performance against the timeliness target was at 79% against the 95% target. We will continue to focus on improving the speed of resolution of these matters in 2024–25.

We made significant improvements in the volume and quality of complaints finalised under the VET FEE-HELP program during the year. These efficiency improvements were achieved by streamlining our processes. We drew on our learnings from 5 years administering the program and underlying data to finalise complaints more rapidly, without compromising the quality of our decision-making. The administration of the VET FEE-HELP program was anticipated to close on 30 June 2024, and we worked to finalise as many complaints as possible by that date.

We did not achieve the new target for telephone wait times with an overall average time of 17 minutes and 24 seconds to answer incoming calls. Our target of an average answer time within 10 minutes is an ambitious one, but we feel it is both desirable and achievable.

We also measure the volume of finalised complaints against the volume of complaints received. We finalised 88% of complaints received this year, below our 99% target.

Like the public service as a whole, we face the challenge of training and retaining a skilled workforce and managing peaks and emerging pressures in demand. These factors impact the efficiency of our work and impacted on our efficiency targets this year.

Complaint handling is core to our purpose, and we recognise the need to continuously improve our timely and client-focused service. We provide additional commentary on the purpose and achievements of our work in complaint handling in **Part 4: Our core business**.

KPIs 1b and 1c: complainants surveyed by the Office are satisfied (or better) with our service and found our service to be accessible

KPIs 1b and 1c measure complainant satisfaction with our service and satisfaction with the accessibility of our service respectively. A quarterly survey is conducted by an independent third party, providing opportunities for us to reflect on the results and identify opportunities for continuous improvement in complaint handling and service delivery.

Consistent with previous annual reporting, KPI 1b set a target of 65% complainant satisfaction with our service. KPI 1c was introduced to ensure we meet community expectations on accessibility of our service. It set a target of 65% complainant satisfaction with service accessibility.

In 2023-24, 46% of surveyed complainants were satisfied (or better) with our service and 62% of surveyed complainants found our service accessible. The result of 46% for KPI 1b is an improvement on last year but still well below the target of 65%. The result of 62% for KPI 1c is much closer to the 65% target.

The top reason for complainant satisfaction with our service was that their case was followed up or investigated, followed by the issue being resolved. However, surveyed complainants expressed dissatisfaction with lack of communication throughout the complaint process and long wait times making the Office less accessible.

We accept that we must continue to improve in a range of areas, particularly communication with complainants during the complaint handling process. This includes providing realistic timeframes, making regular contact with complainants about the progress of their complaint, and better communicating with complainants when their complaint is finalised.

We took the following actions to address this in 2023–24:

- We commenced, and will continue, updating our communications materials to provide clearer messaging on timeframes, privacy and use of language.
- We changed our processes to include clear communication points so we proactively communicate with complainants more often on the progress of their complaint.

Our 2024–25 Corporate Plan outlines a focus on using technology to improve services. This focus will specifically include looking at ways we can improve our communication with complainants, supported by new systems.

Performance criterion 2: we effectively deliver our assurance activities

Our KPIs for this criterion measure the number of inspections of law enforcement agencies and visits to detention facilities, the percentage of planned risk-based visits undertaken and the proportion of reports for long-term detainees provided to the Minister

against the planned target. The objective of this criterion is to provide assurance the detention facilities, law enforcement agencies and integrity agencies we oversee comply with statutory and international obligations, and we influence systemic improvement in public administration.

In 2023–24, we performed 89 inspections to determine the extent of an agency’s compliance with legislation and/or specific powers, and 17 visits to places of detention under the control of the Commonwealth to assess them according to the Optional Protocol to the Convention against Torture (OPCAT) principles.

We increased the number of inspections and visits we completed over the course of the year, completing 106 of our 110 planned inspections, as Table 3 shows. 40 of our total 106 planned inspections and visits were completed in quarter 4. We achieved this increase by conducting 16 virtual inspections with agencies identified as low-risk due to their history of compliance with statutory obligations.

Table 3: number of inspections and visits undertaken in 2023–24

Quarter	Law Enforcement Agency Inspections	Detention visits	Total
Q1	14 (17 planned)	5 (5 planned)	19
Q2	24 (24 planned)	3 (3 planned)	27
Q3	17 (18 planned)	3 (3 planned)	20
Q4	34 (34 planned)	6 (6 planned)	40
Total	89	17	106

In 2023–24, we completed 96% of planned risk-based inspections, exceeding our 90% target for KPI 2b. The number of risk-based inspections undertaken varies throughout the year, largely due to resourcing and changes in agencies’ use of powers.

KPI 2c monitors activity undertaken in the long-term detention caseload against our

planned targets, which set a target number of reports under s 486O of the *Migration Act 1958*. In these reports, the Ombudsman reports to the Minister (for Immigration, Citizenship and Multicultural Affairs) on people held in immigration detention for a period of 2 years, and every 6 months thereafter whilst they remain in detention. The Ombudsman

also provides a de-identified statement to parliament for each case. This year, we fell short of our target of 80% of targeted reports provided to the Minister.

More information on the purpose, achievements and outcomes of these programs in 2023–24 is included in **Part 4: Our core business**.

Performance criterion 3: we maintain the confidence of community, parliament and the entities we oversee

The KPIs underpinning performance criterion 3 measure how the Office maintains the confidence of community, parliament and the entities we oversee.

In 2023–24, we made a total of 15 submissions to or appearances before parliamentary committees. Consistent with our broad remit, these submissions touched on a diverse range of portfolios, such as the Senate Community Affairs Legislation Committee's inquiry into the Disability Services and Inclusion Bill 2023 and the Parliamentary Joint Committee on Intelligence and Security's review of the Counter-Terrorism and Other Legislation Amendment Bill 2023.

We appeared before parliamentary committees on a number of matters, including the Parliamentary Joint Committee on Human Rights' inquiry into Australia's Human Rights Framework and the Senate Community Affairs References Committee's inquiry into the extent and nature of poverty in Australia. We also briefed the Senate Standing Committee for the Scrutiny of Delegated Legislation on automated decision-making.

For KPI 3c, 89% of surveyed agency stakeholders gave a rating of 'satisfied' or 'very satisfied' in response to the question 'How would you rate your overall level of satisfaction with the Office's impartiality?' This exceeded our target of 65%.

Performance criterion 4: we influence enduring systemic improvement in public administration

The KPIs under performance criterion 4 track our performance against our objective to 'influence enduring systemic improvement in public administration.' In 2023–24, we published 52 publications and 93% of our recommendations were accepted by agencies and organisations, satisfying this objective.

Our publications included:

- investigation reports into specific government agencies (such as the *Taking liberties* report into the Department of Home Affairs and the *Accountability in action* report into Services Australia and the Department of Social Services)
- thematic advice to the public sector (*How to tell people they owe the government money* and *Room for improvement*)
- reports of site visits and inspections (such as the post-visit summary of our October 2023 visit to the Adelaide Immigration Detention Centre)
- people-focused factsheets (*Ten golden rules of private health insurance*) and brochures on how to approach us to make a complaint (*Your story matters*).

These publications seek to inform agencies, the community and parliament about issues of concern and to influence enduring systemic improvement in public administration in an open and transparent way.

KPI 4b measures acceptance of our formal recommendations. There was high acceptance of our formal recommendations throughout the year. All of our recommendations were accepted by Victoria Police, WA Police, the Department of Defence, Services Australia, the Department of Social Services and the Australian Criminal Intelligence Commission. Most of our recommendations were accepted

by the Australian Federal Police and the Department of Home Affairs. None of our recommendations were accepted by NT Police.

More information on our publications, recommendations and influence is available in **Part 1** and **Part 4** of this report.

Future planning, lessons learnt and challenges

This performance statement reflects both our strengths and areas where we will do better. Like the broader public service, the Office manages the challenges of meeting public expectations, attracting, training and retaining a skilled workforce, navigating peaks and emerging pressures in demand and optimising opportunities to improve while continuing to deliver on core functions. The Ombudsman has discretion to determine the allocation of resources flexibly to align with priorities to the extent possible.

Our Corporate Plan 2024–25 outlines our broader priorities. In relation to performance, we go into 2024–25 with a focus on:

- continuing to improve our complaint handling performance, using data to identify areas of improvement
- improving our communication with complainants on progress of their complaint over time
- continuing to enhance our phone service and public information to improve the accessibility of our service
- enhancing our digital services by implementing a new customer relationship management system.

We will continue to review and refine our performance measures in future years. Our 2024–25 targets and outlook for the forward years are represented in our 2024–25 Corporate Plan.

Financial reporting

In 2023–24, the Office recorded a net cash operating surplus of \$1.891 million, compared to a net cash operating deficit of \$1.321 million in 2022–23 (the net cash operating position excludes depreciation and amortisation and includes principal payments on leases).

The Office aimed for a break-even position based on a budgeted Average Staffing Level of 309. Due to recruitment delays and staff attrition, the Office was not able to consistently maintain this level of staffing. In the second half of the financial year, the Office re-allocated its budget toward investing in some short-term strategic projects to improve the efficiency of our operations.

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Part 4: Our core business

This section outlines the core functions of the Office of the Commonwealth Ombudsman (the Office) that have guided our activities over the past year. These functions have enabled us to address complaints, provide oversight of government agencies and protect vulnerable groups. They are integral to our commitment to promoting fairness, transparency and accountability.

Parliamentary complaints

What we do

The Office receives, investigates and resolves complaints about administration by Commonwealth government agencies and prescribed authorities.

Our complaint handling role is an enduring component of the Commonwealth administrative review framework. Our services are free. We consider whether agencies' actions and/or decisions that are subject to complaint are legally and administratively consistent and whether the agency dealt with the matter fairly. Our role includes making suggestions and recommendations to agencies if we identify opportunities for improvement and following up on their implementation.

Our role also includes considering and providing advice on systemic improvements across the jurisdictions we oversee. We do this by monitoring our complaints data, investigating systemic issues, engaging with agencies and publishing reports on matters of public interest.

How we help

We resolve complaints in a range of ways, including:

- complaint transfers
- preliminary inquiries
- formal investigations.

Agency engagement

Building effective relationships with agencies helps the Office to achieve our objective of influencing systemic improvement within public administration. This engagement may be about an individual complaint or may be to seek information about a potential systemic issue. The Office has found it helpful to engage with agencies to understand how they manage a particular issue and/or communicate to the public or affected individuals.

We actively engage with key agencies across a variety of different forums, such as quarterly meetings to biannual liaison meetings, to assist with our objectives. Further, the Office provides avenues for agencies to contact us with any issues, and we strongly welcome feedback from agencies on this engagement.

Complaint transfers

In some cases, we might transfer a complaint back to the department, agency or body the complaint is about so it can respond to the complainant directly. We may do this for a range of reasons, including when someone is unable to complain themselves or when someone is experiencing a crisis. Often a transfer will provide an outcome to a complainant more quickly than we can, as the agency that made the original decision has the ability to change or better explain its decision.

Preliminary inquiries

Under s 7A of the *Ombudsman Act 1976*, we can make preliminary inquiries about an action taken by a government department or agency.

A preliminary inquiry is a one-off inquiry we make to an agency during our assessment of a complaint to determine whether or not to investigate the complaint. Preliminary inquiries are a useful tool that allow the Office to obtain information to facilitate better decision-making, such as:

- documents and correspondence
- information to identify if a complaint or issue is within our jurisdiction
- confirmation that a complaint has been lodged with an agency and whether it has been finalised
- agency policies or procedures that are not publicly available
- whether a decision has been made by the agency or when it will be finalised
- seeking an update on agency action after a complaint transfer.

Preliminary inquiries benefit all parties involved. They help to increase complaint handling efficiency and assist vulnerable complainants from having to produce extensive documentation and experience unnecessary distress. They can also assist government agencies and departments by allowing the Office to obtain information without the need to commence a formal investigation, which requires a formal or substantial response.

Preliminary inquiries allow us to obtain information quickly. This allows complaints to be dealt with and outcomes achieved quickly for complainants.



Case studies: Using preliminary inquiries to help people quickly

Making sure people know where to complain

A complainant lodged a formal complaint about the conduct of an Australian Border Force (ABF) Officer in an airport with the Department of Home Affairs (Home Affairs). In response, Home Affairs advised the complainant it was unable to assist, as the matter raised did not relate to Home Affairs.

We decided to conduct a preliminary inquiry. As a result, Home Affairs acknowledged the response to the complainant did not provide an explanation of why their complaint was out of scope or an appropriate pathway to lodge their complaint.

The preliminary inquiry prompted Home Affairs to contact the complainant and acknowledge their response did not provide sufficient explanation. Home Affairs provided a better explanation and the appropriate complaint pathway to the complainant.

Fixing incorrect information on file

A complainant applied to opt out of being an organ donor. They followed up by contacting donatelife.gov.au and Services Australia (who manages the register) but were unable to confirm whether they had been removed from the register.

Organ donation involves both federal and state governments. Our initial research indicated there was no information available that clearly explained the process to opt out as an organ donor.

We made a preliminary inquiry to Services Australia, who confirmed that the complainant's application had been received but was not processed correctly or in a timely manner. As a result, Services Australia updated the complainant's records and provided feedback to relevant staff as part of their continuous improvement.

Waiting for a visa

A complainant lodged a Carer visa application to care for their sister who has low vision and requires assistance.

The complainant was still waiting for an outcome after over 2 years. They decided to lodge a complaint with us, as they needed to support their sister and were unhappy about the time it was taking to process the visa.

We decided to make a preliminary inquiry to Home Affairs to find out the status of their visa application.

In its response to the preliminary inquiry, Home Affairs promptly assessed the visa application. In addition to prompting this outcome, we also provided the complainant with a better understanding of the delay and of the processing times for Carer visas.

Formal investigations

In a formal investigation, we use our powers to request information from an agency in response to the issues we have identified. Our aim is to establish what happened and identify any administrative errors or concerns with administrative processes.

All investigations seek to answer the following critical questions:

- What happened?
- What should have happened?
- Is there a gap between what happened and what should have happened?
- Does an agency need to take action to close that gap?

After we investigate a complaint, we may make a recommendation, suggestion or comment to the agency, aimed at influencing improvement.



Case study: Using our investigation powers to fix an issue

Age pension suspension

A complainant made an in-person complaint to us about Centrelink. The complainant alleged Centrelink had failed to apply a decision of the Administrative Appeals Tribunal (AAT) and, as a result, their Age Pension payment remained cancelled. Centrelink originally cancelled their payment as they did not receive requested information about a trust.

The AAT determined the complainant needed to provide more information before their payment could be restored. Due to the complainant's personal and financial circumstances, the AAT recommended Centrelink should contact the trust secretary for the required information.

We decided to investigate the complaint and requested further information from Centrelink. We found Centrelink had contacted the complainant for the required information about the trust but not the trust secretary, as recommended by the AAT. The complainant had attempted to comply with Centrelink's multiple requests. However, due to their circumstances, they were unable to provide all of the information required, and their payment remained cancelled.

Following our investigation, Centrelink contacted the trust secretary to obtain the required information. The complainant's Age Pension payment was restored, and they received 14 months of payments in arrears.

Centrelink acknowledged its service delivery errors and provided feedback on the errors to the relevant internal area for improvement.



Case study: Historic child support assessments

During our investigation of a complaint made to the Office in 2018, we became aware that a problem with child support IT systems had resulted in inaccurate child support assessments. While the individual complaint was resolved, the investigation identified a systemic issue affecting approximately 33,000 individuals and 47,000 customer incomes used for child support assessments.

We continued to engage with Services Australia on the issue, and in 2019 Services Australia advised it would re-assess and remediate all affected cases it had identified. In July 2021, however, Services Australia advised it intended to only remediate cases that were either active or finalised with arrears (Error Correction Cases), and it would not re-visit any of the cases finalised without arrears (Remaining Cases). We were not sure this was fair, so we sought more information from Services Australia to help us determine the extent of the issue and the action taken to remediate affected cases.

As a result of this work, the Ombudsman published *Making things right: insights into Services Australia's handling of the impact of a system error on certain historic child support assessments* in August 2023. This statement included 4 suggestions to improve Services Australia's approach to remediating the effects of the system error. Services Australia accepted our suggestions that they should obtain more data on the impact on affected people, get external legal advice and contact affected people.

Eighty per cent of affected customers have since been notified, and Services Australia is on track to complete notification by early 2024–25.

Complaint statistics

Table 4: Parliamentary complaint statistics 2022–23 to 2023–24 comparison

	2022–23	2023–24
The number of complaints received	11,036	12,459
The number of complaints finalised	12,137	10,289
The number of finalised complaints that were formally investigated	447	182
Top 5 outcomes in finalised complaints formally investigated	<ul style="list-style-type: none"> • Better explanation – by Ombudsman: 167 (24%) • No remedy: 125 (18%) • Better explanation – by agency: 80 (11%) • Remedy provided by agency without Ombudsman intervention: 45 (6%) • Payment granted: 39 (6%) 	<ul style="list-style-type: none"> • Better explanation – by Ombudsman: 83 (35%) • No remedy: 66 (28%) • Better explanation – by agency: 19 (8%) • Agency apology: 13 (5%) • Agency undertook to reconsider matter: 9 (4%)

Table 5: The top 5 agencies we received complaints about in 2023–24 by volume and the top 5 issues of finalised complaints for each of those agencies

Agency	Complaint issues
Centrelink (Services Australia)	<ul style="list-style-type: none"> • Jobseeker Payment 22% • Disability Support Pension 14% • Age Pension 14% • Family Tax Benefit 9% • Non-program services (includes issues about letters, phone service or staff) 5%
National Disability Insurance Agency (NDIA)	<ul style="list-style-type: none"> • Plans 45% • Service delivery 10% • Reviews 9% • Management of service providers 8% • Other 8%
Child Support (Services Australia)	<ul style="list-style-type: none"> • Payer 58% • Payee 36% • Records management 3% • Out of jurisdiction issue 2% • Freedom of information general access <1%
Department of Infrastructure, Transport, Regional Development, Communications and the Arts	<ul style="list-style-type: none"> • Core business (includes issues about domestic aviation programs and regulation) 100%
Department of Home Affairs	<ul style="list-style-type: none"> • Temporary visas 26% • Out of jurisdiction issue 13% • Skilled visa 10% • Family visa – partner 9% • Other 8%

Own Motion Investigations

By conducting Own Motion Investigations, our Office continues to influence systemic change in the public service. We make recommendations and suggestions to agencies to improve government processes for the people impacted by them. In 2023–24, we finalised 4 Own Motion Investigations and published the following reports:

- August 2023: [*Lessons in lawfulness*](#) and December 2023: [*Accountability in action: identifying, owning and fixing errors*](#), into Services Australia and the Department of Social Services and income apportionment.
- December 2023: [*Defending Fairness: Does Defence handle unacceptable behaviour complaints effectively?*](#) (discussed in Part 5: Specific Ombudsman roles and annual reports).
- February 2024: [*Taking Liberties: Investigation into the appropriateness of Department of Home Affairs’ and Australian Border Force’s policies and procedures for the timely removal of unlawful non-citizens from Australia*](#).



Case study: Income apportionment

In February 2023, Services Australia and the Department of Social Services (DSS) told our Office there was an issue with how Services Australia had been apportioning income to calculate social security payment rates before 7 December 2020, when the law changed.

As a result, we investigated and published 2 reports: [Lessons in lawfulness](#) in August 2023 and [Accountability in Action: identifying, owning and fixing errors](#) in December 2023.

Services Australia and DSS accepted 11 of the recommendations and the suggestion, and partially accepted one recommendation. The agencies undertook to implement all the recommendations in both reports, and the Office continues to monitor their progress.

Importantly, there were lessons for all agencies that:

- When errors happen, agencies owe it to the public to act promptly to assess the impact of the error and develop and implement fair and proportionate remedies.
- Agencies should acknowledge errors and, where appropriate, apologise.
- Being transparent and accountable can help to build and maintain public trust in agency decision-making.
- Agencies should provide transparent, simple, timely and clear communication to people about actions and decisions that affect them.

International engagement

The Office engages with Ombudsmen and integrity agencies in the Indo-Pacific region as part of our role influencing improvement in public administration. Our international partnerships are built on collaborative relationships of mutual trust, respect, professionalism, sharing of ideas and open dialogue.

The Office participates in [Department of Foreign Affairs and Trade \(DFAT\)](#) programs and is a member of the [Australasia Pacific Ombudsman Region \(APOR\)](#) and the [International Ombudsman Institute \(IOI\)](#), where we share our knowledge and experience while learning from our partners.

The Office is also funded by DFAT to deliver capacity building activities to the [Ombudsman Republik Indonesia \(ORI\)](#). The partnership with ORI is one of the longest-running partnerships between an Australian Government agency and an Indonesian Government agency.

International engagement – outreach in 2023–24

- 15 countries – direct international engagement
- 7 events/conferences/forums
- 4 visits/delegations
- 1 study group visit.

The Ombudsman visited Malaysia in November 2023 as part of DFAT's Australia-Malaysia Institutional Strengthening Program to discuss Malaysia's proposed creation of an independent Ombudsman and Australia's Freedom of information (FOI) system.

The ORI Leadership Forum in May 2024 brought together the ORI Ombudsmen and heads of regions for sessions on organisational leadership, building leadership capacity and women in leadership facilitated by our Deputy Ombudsman and Chief Operating Officer. The Office also supported ORI staff to participate in a cross-agency Women in Government forum in Indonesia in May and June 2024.

The Office's activities over the last year have increased operational consistency between regional and central offices, improved complaint handling processes and supported better access to services for women and people with disability.



Case study: Taking Liberties

In early 2023, the Ombudsman asked the Department of Home Affairs (Home Affairs) and the Australian Border Force (ABF) what they had done to improve the process for removing unlawful non-citizens from Australia following the Federal Court's criticism of the process in [*Sami v Minister for Home Affairs* \[2022\] FCA 1513](#) (*Sami*).

The information given in response did not assure us that Home Affairs and ABF had addressed the criticisms in *Sami*, so in September 2023 we investigated and in February 2024 published the report [*Taking Liberties: Investigation into the appropriateness of Department of Home Affairs' and Australian Border Force's policies and procedures for the timely removal of unlawful non-citizens from Australia*](#).

Our investigation found that Home Affairs and ABF had not reviewed or updated their policies and procedures following the criticism in *Sami*. We also found that Home Affairs and ABF's policies and procedures to remove unlawful non-citizens from Australia still did not achieve timely outcomes or acknowledge that the person at the centre of the process is deprived of their liberty while awaiting removal from Australia.

The Ombudsman's report made 3 recommendations to Home Affairs and ABF aimed at improving the process and minimising the time people are deprived of their liberty while awaiting removal from Australia. The recommendations were for Home Affairs and ABF to:

- in the removals process, prioritise achieving the quickest removal possible
- review their policies and procedures against every relevant judicial and tribunal decision
- review all significant removal cases after their conclusion, considering the entirety of the detention and removal period.

Home Affairs and ABF accepted our recommendations. We will commence follow-up on their implementation of these recommendations by the end of 2024.



Case study: More information for people filing for bankruptcy

In 2023, the Australian Financial Security Authority (AFSA) identified one of its administrative practices had not been consistent with the relevant legislation for 30 years. While the legislation was amended to retrospectively validate the agency's practices, AFSA sought the Ombudsman's views about its approach to notifying affected people.

As a result, AFSA updated its website with information about the change, acknowledged the complex and challenging circumstances people experience when filing for bankruptcy, further engaged with the Commonwealth Director of Public Prosecutions (CDPP) to remedy erroneous prosecutions and apologised for any additional stress caused by the matter.



Case study: Achieving outcomes for students

In mid-2023, the Office noticed an influx of media reports about the costs of student loans, with high rates of indexation applied to student debts. The indexation was applied to various student loan schemes administered by the Department of Education (Education), Department of Employment and Workplace Relations (DEWR) and Department of Social Services (DSS).

We looked into the matter informally and considered what information was publicly available to students about indexation applying to various student loan schemes, including VET FEE-HELP, Student Startup, Trade Support, HECS-HELP loans and Student Supplement Financial Loan Scheme debts.

We found the information about indexation was absent or referred to inconsistently across the different student loan schemes. Where information about indexation was provided, we found it was limited and lacked clear examples of how indexation applied specifically to student loans.

The Ombudsman subsequently wrote to the secretaries of Education, DEWR and DSS about the availability and consistency of information available to students about the financial implications of taking out a student loan. The Ombudsman explained the importance of providing clear, coordinated and consistent information about the operation of student loan schemes, including the financial implications for prospective students. This information is essential to helping students make informed decisions before taking out a student loan.

In response, the departments agreed to work with each other and with Services Australia and the Australian Taxation Office (who both deliver services on behalf of the departments) to review and update the publicly available information to ensure it is clear and consistent across the various schemes. This information will assist students to better understand the financial implications and manage their student loans more effectively.

Public Interest Disclosure

What we do

Current and former public officials (disclosers) who suspect wrongdoing within the Commonwealth public sector can raise their concerns under the *Public Interest Disclosure Act 2013* (PID Act). Our Office is responsible for:

- assisting public officials and disclosers with information and advice about the PID Act
- conducting educational and awareness programs relating to the PID Act
- investigating complaints and reviewing agency decisions about the handling of a disclosure.

The Inspector-General of Intelligence and Security (IGIS) has comparable responsibilities for disclosures concerning intelligence agencies and the intelligence functions of the Australian Criminal Intelligence Commission (ACIC) and the Australian Federal Police (AFP).

This year, we are publishing a stand-alone Public Interest Disclosure Annual Report 2023–24. This report can be accessed for more information at [ombudsman.gov.au](https://www.ombudsman.gov.au).

PID focus

In June 2023, the parliament passed amendments to the PID Act to implement several recommendations of the 2016 Moss Review of the PID Act. These included:

- improved protections for disclosers and other persons assisting an investigation of a disclosure
- removing personal work-related conduct from the scope of the PID Act
- providing our Office (and the IGIS) with new powers to oversee the operation of the PID Act, including the ability to scrutinise agency PID investigation reports.

The amendments took effect from 1 July 2023. The Office did not receive any additional funding to support implementation of these new powers, and our ability to undertake further oversight using the new powers is therefore limited.

How we help

While our ability to scrutinise agency decisions and investigation reports this year has been limited, our key observation is that the PID Act is not well understood or used within the Commonwealth public sector. In our view, agencies require significant uplift to carry out their responsibilities under the Act. We continue to carefully consider what further support we can provide to agencies and disclosers within our existing resources over the coming year.

PID statistics

This year, we saw an increase in enquiries from agencies about the PID Act and its operation. In response, we helped disclosers and agencies by providing more guidance materials, fact sheets and forums, outlined in Figure 2 below.

Figure 2: PID statistics



Training to over 400 participants through 6 online forums



Updated the Agency Guide to the PID Act



Published 12 PID factsheets and guides

Optional Protocol to the Convention against Torture

What we do

The Optional Protocol to the Convention against Torture (OPCAT) is an international treaty designed to strengthen protections for people in situations where they are deprived of their liberty, with the goal of preventing torture and other cruel, inhuman or degrading treatment or punishment in places of detention.

OPCAT does not create new rights. Rather, it creates new obligations on countries that further support meeting the existing rights of people in places of detention and prevent their mistreatment. OPCAT recognises that places of detention present greater risks of torture and other ill-treatment, and people in those environments are entitled to human rights protections.

OPCAT requires that countries establish independent bodies, known as National Preventive Mechanisms (NPMs), to conduct regular visits to places of detention. It also requires those countries to accept visits from the United Nations Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT).

A preventive mechanism: Commonwealth NPM

In July 2018, the Commonwealth Ombudsman was appointed as the NPM for places of detention under Commonwealth control. The Commonwealth NPM was established as an independent function within the Ombudsman's Office to perform this role.

NPMs perform the following key functions:

- visiting
- educating
- cooperating
- advising.

The primary function of NPMs is the visiting function, due to the impact that visits to places of detention can have in identifying and reporting on ways to prevent torture and other ill-treatment.

NPM Coordinator

The Office is also Australia's NPM Coordinator, supporting other NPMs across Australia to give effect to Australia's obligations under OPCAT. There are currently 12 bodies or people nominated or appointed as NPMs across Australia. These 12 members are collectively known as the Australian NPM.

While OPCAT allows for multi-body NPMs, international practice has shown the importance of coordinating the multiple bodies. This enables information sharing, support, training and development, and, where appropriate, consistency of approach in fulfilling the shared NPM mandate.

The functions of the NPM Coordinator are to:

- consult with governments and stakeholders on the development of standards and principles in relation to persons in detention
- collect information and undertake research in relation to persons in detention
- propose options and develop resources to facilitate improvements to oversight arrangements in relation to persons in detention
- communicate on behalf of the NPM Network with the SPT
- convene meetings and facilitate collaboration between NPMs, state and territory governments and foreign governments
- give information to the SPT, NPMs, state and territory governments and foreign governments
- report to the public and to federal, state and territory Ministers on OPCAT implementation and NPM activities
- make recommendations to the Australian Government in relation to OPCAT implementation.

OPCAT focus

Commonwealth NPM

In 2023–24, the Commonwealth NPM visited a total of 17 places of detention (see Table 6). This included 3 sites controlled by the AFP, 3 controlled by the Australian Defence Force (ADF) and 11 sites controlled by the ABF, including a visit to the ocean-going vessel ADV Ocean Protector. Additionally, the Commonwealth NPM commenced publishing its Post Visit Summaries after each visit to a place of detention.

The Commonwealth NPM is working with civil society representatives and organisations to formalise a process of engagement as part of our visiting mandate.

Table 6: Commonwealth NPM visits to places of detention 2023–24

Agency	Facility	State/Territory	Date of visit
AFP	Cocos Island Police Station	Cocos (Keeling) Islands	August 2023
AFP	Christmas Island Police Station	Christmas Island	August 2023
ABF	ADV Ocean Protector	Christmas Island	August 2023
ABF	North West Point Immigration Detention Centre	Christmas Island	August 2023
ABF	Phosphate Hill Immigration Reception and Processing facilities	Christmas Island	August 2023
ABF	Adelaide Immigration Detention Centre	South Australia	October 2023
ABF	Villawood Immigration Detention Centre	New South Wales	November 2023
AFP	Jervis Bay Police Station	Australian Capital Territory	December 2023
ADF	Defence Force Correctional Establishment Holsworthy	New South Wales	February 2024
ADF	Army Recruit Training Centre	New South Wales	February 2024
ADF	Army Logistics Training Centre	Victoria	February 2024
ABF	Melbourne Immigration Detention Centre	Victoria	April 2024
ABF	Broadmeadows Residential Precinct	Victoria	April 2024
ABF	Northern APOD (Alternative Place of Detention)	Northern Territory	April 2024
ABF	Perth APOD (Alternative Place of Detention)	Western Australia	June 2024
ABF	Brisbane Immigration Detention Centre	Queensland	June 2024
ABF	Yongah Hill Immigration Detention Centre	Western Australia	June 2024

In May 2024, the Commonwealth NPM published its annual report on its activities in the 2022–23 financial year. This report included 12 recommendations aimed at making systematic improvements in the treatment and conditions of people held in detention.

Beyond visit activity, the Office also engages with civil society on broader issues relating to detention. In 2023–24, this included presenting to the National Forum on Cruel, Inhuman and Degrading Treatment of People with Disability in Detention, as well as the subsequent launch of its report. The Ombudsman also spoke along with a range of detention experts at the Tasmanian NPM's 2024 OPCAT Symposium: The National Preventive Mechanism in Practice.

Our NPM Coordinator role

This year, in our role as the NPM Coordinator, we focused on strengthening the Australian NPM's collective identity, information sharing, exploring common thematic areas of focus and developing our strategic priorities.

We coordinated the completion of 7 pieces of joint written work, convened 4 meetings for Australian NPM members and facilitated 8 education sessions with experts in the field.

This year, we published the Australian NPM's inaugural [2022–23 Annual Report](#), which identified common themes across different jurisdictions, including on issues related to:

- youth detention
- access to the National Disability Insurance Scheme, Medicare and the Pharmaceutical Benefits Scheme in detention
- staffing shortages in places of detention
- treatment of people on remand.

In May 2024, we hosted a 3-day OPCAT workshop for Australian NPM members, in collaboration with the Australian Human Rights Commission and the Association for the Prevention of Torture. The event brought together NPM members from across Australia to workshop ideas, share information and network. It concluded with a strategic planning meeting to discuss forward planning and internal priorities for the Australian NPM.

During 2023–24, the Commonwealth Ombudsman convened 2 meetings of the OPCAT Advisory Group (OAG). The OAG was established in early 2020 by the then Commonwealth Ombudsman, and its purpose is to provide advice to the Ombudsman on OPCAT, and on the Ombudsman's specific roles as NPM Coordinator and Commonwealth NPM. As at 30 June 2024, the OAG had 8 representatives, drawn from civil society, academia and human rights fields.

How we help



Case study: Reducing the risk for women in detention

During an OPCAT monitoring visit to an immigration detention centre, we identified that the health induction assessment did not routinely offer pregnancy testing. The health induction assessment must be completed for all people within 72 hours of arrival in detention.

Early pregnancy detection is critical to the provision of appropriate care for women in places of detention. It allows for early identification, provision of prenatal care and counselling, and helps identify women who may be at risk of pregnancy-related complications.

We had already begun discussions with the centre's management on addressing this gap when the risks of not identifying pregnancies during the health induction assessment became evident. A woman who had recently entered detention was urgently taken to hospital due to a potentially life-threatening ectopic pregnancy. The routine offer of a pregnancy test could have identified she was pregnant earlier and allowed for an appropriate care plan to be put in place.

We recommended Home Affairs and the detention health service provider offer pregnancy testing to all women of childbearing age during their health induction assessment. Home Affairs accepted this recommendation and agreed to implement.

OPCAT statistics

NPM Coordinator

Table 7: Australian NPM joint work 2023–24

Australian NPM joint work	Number
Joint statements	3
Joint submissions	4
Meetings	4
Training sessions and webinars	8
Total	19

Table 8: OPCAT awareness raising activities 2023–24

OPCAT awareness raising activities by the Office	Number
Presentations	4
Total	4

Detention monitoring

What we do

The Office plays a crucial role in providing assurance over people who are held in long-term immigration detention by conducting assessments under s 486O of the *Migration Act 1958* (Migration Act). We conducted ongoing assessments on the appropriateness of the detention arrangements for people who have been in immigration detention for more than 2 years, for as long as they are in detention.

Under the Migration Act, we must provide an assessment of a person's arrangements to the relevant Minister, who is required to table a de-identified version in parliament within 15 sitting days after receiving the assessment.

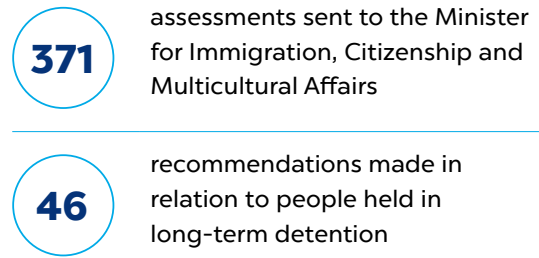
Detention monitoring focus

Our assessments and recommendations have a direct impact on the quality of life of people in long-term immigration detention if they are accepted and acted upon by the Minister and Home Affairs, but they can also have an impact in other ways as well.

In 2023–24, our assessments were:

- presented as evidence by legal representatives in merits and judicial appeals regarding s 501 assessments under the Migration Act
- used in a study about violence against women in detention
- used by the Australian Human Rights Commission in developing cases and investigating complaints.

Figure 3: Detention monitoring statistics



These recommendations included:

- to refer the person's case to the Minister (**19 recommendations**)
- to transfer the person to a different facility (**6 recommendations**)
- to expedite the person's case (**8 recommendations**)
- actions relating to improving the health and wellbeing of the person (**10 recommendations**)
- other issues not related to the above categories (**3 recommendations**)

How we help



Case study: Improving outcomes for people in long-term detention

Mr X has been held in immigration detention for more than a decade and is still awaiting the outcome of his Protection visa application, which was lodged in December 2008. Mr X is one of the longest-serving persons in immigration detention in Australia. The Office has reported on him since 2009, making 20 recommendations to the Minister and Home Affairs.

Although Mr X has a criminal history, he has spent more time in immigration detention than he did in prison. His immigration detention history has been affected by administrative deficiencies and protracted merits and judicial review processes, including a number of Federal Court judgments.

In our most recent assessment, we made explicit recommendations to Home Affairs aimed at improving Mr X's health and wellbeing and progressing his case with priority. We noted the significant length of time Mr X had already been held in immigration detention, the undue delay to decide his Protection visa application, the impact of long-term institutionalisation on his health and wellbeing and the significant risk that he will continue to be detained indefinitely.

As a result of our recommendations:

- Home Affairs' contracted Health Service Provider released Mr X's medical records to Home Affairs, allowing them to progress the re-assessment of Mr X's Protection visa application under s 36(1C) of the Migration Act.
- Home Affairs subsequently completed the s 36(1C) assessment and commenced consideration of Mr X's Protection visa application under s 501 of the Migration Act.
- Consideration of the Protection visa application was expedited.
- A psychological assessment was conducted to understand Mr X's current mental health status.
- Mr X's placement in a closed detention facility was re-assessed based on the current circumstances of his case, including his security profile, placement risk and health needs.
- Home Affairs will refer Mr X's case for ministerial consideration.

Law enforcement and integrity oversight

What we do

The Commonwealth Ombudsman oversees the use of certain covert, coercive and intrusive powers by Commonwealth, state and territory law enforcement and integrity agencies. This includes reviewing the AFP's handling and investigation of complaints against its staff. We report on our oversight to the Attorney-General and parliament.

Providing oversight of agencies in our jurisdiction, we assess and report on compliance with 16 different statutory regimes:

- the *Crimes Act 1914*: controlled operations, delayed notification search warrants, monitoring of compliance with control or supervision orders, and account takeover warrants
- the *Telecommunications (Interception and Access) Act 1979*: telecommunications interception, stored communications, telecommunications data and international production orders
- Part 15 of the *Telecommunications Act 1997*: industry technical assistance to agencies
- compulsory examination powers of the Fair Work Ombudsman
- the *Surveillance Devices Act 2004*: surveillance device powers, access to computers, and data disruption warrants
- Part V of the *Australian Federal Police Act 1979*: professional standards and AFP conduct and practice issues.

A person is often unaware they are subject to the use of these powers and therefore cannot make a complaint about or question an agency's actions. Due to the nature of the intrusive or coercive powers we oversee, a person subject to these powers has limited rights in relation to their use. In assessing and reporting on agencies' compliance, our Office aims to provide assurance to the public that agencies are using these powers in accordance with the regimes legislated by parliament.

We carry out our oversight through:

- inspecting agency records, systems, training and governance material
- interviewing staff
- observing and assessing processes and practices
- providing reports to agencies, including making recommendations, suggestions and comments
- preparing statutory reports on our inspection findings, which are tabled in parliament and made public.

Our inspections serve as an important community safeguard and public assurance measure. They also assist law enforcement and integrity agencies in applying sound and compliant administrative practices.

How we oversee

Our inspections examine the extent of an agency's compliance with the legislative requirements when using powers subject to our oversight. We do this by assessing whether an agency's records, systems, policies and procedures demonstrate relevant legislative requirements have been met.

We also consider an agency's organisational culture and whether this supports compliant use of powers. We often find that a good compliance culture results in greater levels of practical compliance.

We apply a risk-based approach to our oversight activities to provide more efficient and meaningful assurance. This approach helps us to ensure agencies:

- lawfully use the powers they need to complete their work
- provide assurance to our Office and parliament that these powers are being used appropriately
- have increased opportunity to provide operational context and information to inform our oversight.

After an inspection, we prepare a report on the inspection findings and provide it to the agency for comment. Agency comments are considered and, if appropriate, incorporated into our relevant statutory reports. Agencies are asked whether they accept or do not accept our recommendations or suggestions.

We produced a number of statutory reports during the year. Some statutory reports were tabled in parliament and some were placed into the Attorney-General's annual report tabled to parliament. This year, we combined some of our annual statutory reports into 2 consolidated reports:

- Our report [*Uncovering the use of undercover powers*](#) combined our statutory reporting on agencies' use of controlled operations, delayed notification search warrants and account takeover warrants.
- Our report [*Ombudsman oversight of covert electronic surveillance*](#) combined our statutory reporting on agencies' use of telecommunications data, stored communication, industry assistance and international production order powers.

Risk-based oversight

During the year, we rolled out a risk-based oversight model for inspecting agencies' use of covert and intrusive powers. The new approach complemented our former inspection methodologies, providing our Office with the opportunity to explore risks and behaviours giving rise to agencies' non-compliance with the legislation.

Our risk-based approach also gave us better understanding of an agency's compliance culture and the manner in which they used their powers. In some cases, this revealed instances where the powers were not used for lawful purposes or where an agency's governance and administrative controls were ineffective in mitigating risks of non-compliance.

Using this approach, Law Enforcement & Integrity Oversight (LEIO) identified instances of systemic and serious non-compliance by agencies we had not previously identified. This led to an increase in the number of recommendations made by the Ombudsman to the chief officers of those agencies across most of the powers we oversee.

How we help



Case study: Risks in gathering and retaining information via surveillance devices

This year, we inspected how agencies handle and destroy information obtained through a surveillance device or by accessing a person's computer. While the Surveillance Devices Act enables a law enforcement agency to gather and use such material to support civil or criminal proceedings, it is incumbent on the agency to destroy this information when it is no longer required for a lawful purpose.

Our August 2023 inspection of the ACIC found significant amounts of information gathered through surveillance devices contained in 2 corporate systems. This material was unlikely to relate to any civil or criminal proceeding, creating a serious risk of the ACIC retaining this material unlawfully. We found the ACIC's advice that it would take up to 7 years to review this material unacceptable. We recommended the ACIC prioritise and resource reviewing the material and, where necessary, immediately destroy the information in their systems.

The ACIC acknowledged our recommendation and immediately commenced reviewing the holdings and destroying any material it was not permitted to retain.

Oversight statistics

Figure 4: Oversight statistics

During 2023–24, we:



conducted 89 inspections across 22 agencies, reviewing 11 legislative regimes



made 28 recommendations across 6 regimes, with 19 of the 28 recommendations accepted

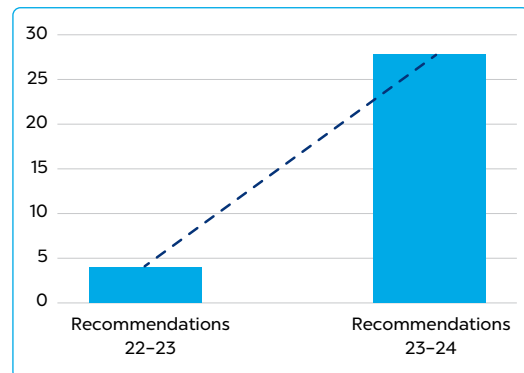


produced 13 statutory reports.

This marks an increase in recommendations by the Ombudsman compared to the 2022–23 inspection period (4 recommendations across 2 regimes).

Figure 5 shows the increase in recommendations since we introduced risk-based oversight.

Figure 5: Number of recommendations made



More information

Parliamentary complaints

For more information about complaint handling or information on how to make a complaint, visit ombudsman.gov.au.

Public Interest Disclosure

For more information about whistleblowing in the Commonwealth public sector and the operation of the PID Act, please see our biannual PID reports to parliament (prepared in addition to this annual report) or visit our publications webpage at ombudsman.gov.au.

OPCAT

For more information about OPCAT, please see our monitoring places of detention webpage at ombudsman.gov.au.

Detention monitoring

Copies of our de-identified assessments can be found at aph.gov.au once tabled.

Law enforcement oversight

We publish our statutory reports into agencies' use of covert and intrusive powers on our publications page at ombudsman.gov.au.

Part 5

Specific Ombudsman roles and annual reports

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Part 5: Specific Ombudsman roles and annual reports

Overview

In addition to the role of Commonwealth Ombudsman, the *Ombudsman Act 1976* establishes 5 other specific statutory Ombudsman roles to be performed by the Commonwealth Ombudsman. As Table 9 shows, the Ombudsman Act also requires an annual report for each of these roles. We report publicly on each of the functions throughout the year, and these reports – combined with the information below – constitute the annual report required.

Table 9: Annual reporting requirements under the Ombudsman Act

Title	Requirement	Page reference
Defence Force Ombudsman	s 19FA(1) of the Ombudsman Act	60
Postal Industry Ombudsman	s 19X(1) of the Ombudsman Act	65
Overseas Students Ombudsman	s 19ZS(1) of the Ombudsman Act	68
Private Health Insurance Ombudsman	s 20ZG(1) of the Ombudsman Act	71
VET Student Loans Ombudsman	s 20ZX(1) of the Ombudsman Act	73

Defence Force Ombudsman

What we do

Since 1 December 2016, the Commonwealth Ombudsman has had a specific role as the Defence Force Ombudsman (DFO). The DFO’s 2 main functions are responding to complaints about administrative action relating to the service of Australian Defence Force (ADF) members and reports of serious abuse within Defence agencies.

Complaints about Defence agencies

The Office receives and investigates complaints about administrative action taken by Defence agencies, including:

- the Royal Australian Air Force, Australian Army and Royal Australian Navy

- the Department of Defence
- Defence Housing Australia (DHA).

Complaints about administrative action taken by Defence agencies can relate to or arise from present or past service. We also receive and investigate complaints about the Department of Veterans’ Affairs (DVA).

Reports of abuse

As DFO, the Office provides an independent and confidential mechanism for current and former ADF members to report contemporary and historical abuse. For individuals who feel unable to access internal mechanisms within the Defence portfolio, it offers an additional pathway to report abuse.

We receive, assess and respond to reports of serious abuse which occurred between 2 (or more) ADF members in connection with their employment. We can assist reportees of abuse by taking appropriate action, which can

include investigating their report and making recommendations to Defence, facilitating a referral to counselling, and participation in our Restorative Engagement Program.

The DFO can receive and respond to a report of abuse that has occurred in ADF at any time. Abuse includes sexual abuse, serious physical abuse, or serious bullying or harassment. Reportees do not need to have reported the abuse to Defence before coming to the DFO.

The Defence Abuse Reparation Scheme (the Scheme) closed to new reports on 30 June 2023. The Scheme allowed the DFO, in limited circumstances, to recommend that Defence make a reparation payment to acknowledge abuse. The Office's role administering the Scheme continues, as we work to finalise the assessment of all reports received by 30 June 2023 to determine if a reparation payment by Defence is recommended and oversee associated restorative engagement processes.

Restorative Engagement Program

The Restorative Engagement Program was created to support a person who has made a report of abuse to tell their story to a senior representative from Defence. This occurs in a private and facilitated meeting called a restorative engagement conference. The conference provides an opportunity for a reportee to be listened to, validated and acknowledged by a senior representative of Defence.

In the last 12 months, feedback from reportees, support people and Defence representatives about participation in the Restorative Engagement Program continued to be overwhelmingly positive. The majority of reportees strongly agreed that the Defence representative meaningfully acknowledged their story of abuse, expressed strong disapproval for what happened and held Defence accountable for what they had experienced through an apology.

Feedback from participating Defence representatives also told us that participating in the restorative conference helped them to better understand and respond to individuals reporting abuse in the future. Most said the experience affirmed their resolve to implement cultural change to eliminate abuse and positively impacted their role as a senior officer in Defence.

Since the program commenced, the DFO has facilitated 278 conferences, with 40 of those conferences facilitated in 2023–24.

DFO focus

Own motion inquiry: defending fairness

In December 2023, the DFO published an investigation report [*Defending Fairness: Does Defence handle unacceptable behaviour complaints effectively?*](#) This Own Motion Investigation examined the effectiveness of the Department of Defence's and Australian Defence Force's (Defence's) procedures for managing complaints of unacceptable behaviour in practice. This investigation followed on from our 2019 report [*Defence's policies for receiving and responding to reports of abuse*](#), which considered the appropriateness of those policies and procedures.

The report made 9 recommendations to Defence aimed at improving the effectiveness of Defence's complaint handling framework and the experiences of both complainants and Defence personnel who deal with complaints. Defence accepted all 9 recommendations. Eight recommendations are expected to be completed by the end of 2024, and we are following up with Defence about the timeframe for implementing the remaining recommendation. Our Office will monitor and publicly report on the implementation of these recommendations.

Recommendation Implementation Report

In November 2023, the Ombudsman published a [Recommendation Implementation Report](#) assessing DVA's implementation of recommendations from a January 2022 report on our investigation into DVA's communication with veterans making claims for compensation.

We found that DVA implemented all 8 recommendations made in the report. These recommendations were aimed at strengthening the accessibility and transparency of information available to veterans and the internal guidance available to support DVA's decision makers.

Defence Abuse Reparation Scheme: insights and observations report

In October 2023, we published a report with insights and observations from the DFO's experience administering the Scheme.

The report made several key observations:

- The number of reports of abuse received increased over time, with the largest number of reports received in 2022 as the Scheme drew to a close.
- The highest number of reports of abuse occurred within the Army.
- The highest levels of abuse reported occurred between 2009 and 2012.
- Occurrences of abuse reported by women were disproportionately higher than their representation in Defence.
- Bullying and harassment was the most prevalent form of abuse reported.
- Reports often related to more than one occurrence of abuse.
- Many reports of abuse involved the participation of a reportee's superior, either through direct involvement in the abuse or as a witness to the abuse.

Assessment reviews

In March 2024, the Ombudsman settled Federal Court proceedings (*Eli Turner v Commonwealth Ombudsman* NSD1076/2023) (*Turner*) in which the applicant applied for judicial review of a decision not to recommend a reparation payment. In doing so, the Ombudsman accepted that the impact of abuse on the reportee (including psychological impact) is relevant in assessing the seriousness of reported abuse.

Following this, in May 2024 we commenced an internal review of all previous assessments of reports of abuse where the recommendation made was below the maximum reparation payment, to see if they were affected by the same issue as the *Turner* case. We expect to review approximately 1,900 assessments and advise reportees if our decision is re-made.

There are 2 possible outcomes for reportees as a result of these assessment reviews:

- The original recommendation is not affected.
- The original recommendation is affected and a recommendation for a reparation payment, or for a higher reparation payment (up to the maximum), is therefore sent to Defence.

How we help



Case study: Helping veterans with access to home services

A complainant contacted us as they were experiencing ongoing issues with the Department of Veterans' Affairs (DVA). The complainant was entitled to yard, lawn and home cleaning services under DVA's Household Services (HHS) scheme. In 2022, they reported that their DVA cleaning and gardening provider was not paid for services delivered. The provider cancelled the cleaning and gardening services with the complainant.

The complainant said they were unable to contract a new cleaner because of the unpaid or inconsistent payment to the service provider. The complainant was required to use an alternative cleaning and gardening service and sought reimbursement from DVA for the invoices they personally paid.

The complainant reported they had lodged many complaints and requested that DVA pay the outstanding invoices and repair the relationship with the original service provider. They also requested that DVA contract a new cleaner for their home, as per their HHS entitlements.

We investigated the complaint. We found there had been delays in payments to the complainant's providers on 14 occasions, but there were currently no outstanding invoices to be paid. DVA advised it would either pay for or reimburse the complainant for all costs under their approved HHS plan.

DVA acknowledged they did not process the invoices within their internal timeframes due to a backlog and the number of invoices received. DVA also acknowledged their complaints officer had provided incorrect information to the complainant.

DVA responded that it was engaging more staff and improving tools to monitor and report on processing performance. DVA reported they are now consistently processing more than 90% of all HHS invoices within 20 business days.

We advised the complainant of the improvement in invoice processing times and the option to either stay with their current services provider or change to the contracted services, which DVA would either pay for or reimburse all costs approved under the complainant's HHS plan.

DFO statistics

Reports of Defence abuse: overview of the Scheme

When the Office was originally asked to take on this function, it was estimated that there might be around 500 reports of abuse. From 1 December 2016 to 30 June 2024, the Office received 5,007 reports of abuse, of which 125 have been withdrawn. As at 30 June 2024, 4,262 of those reports have been assessed, as shown in Table 10. The number of reports waiting to be assessed is 620, with the majority of these awaiting responses from Defence to our requests for information.

Table 10: Overview of the Defence Abuse Reparation Scheme 1 December 2016 to 30 June 2024

Eligibility to be assessed	4,066 reports were eligible to be assessed for reparation	196 reports were not eligible to be assessed for reparation (this includes 42 reports lodged following the closure of the Defence Abuse Reparation Scheme on 30 June 2023)	4,262 reports that have been assessed
Jurisdiction	3,662 reports found to be within the DFO's jurisdiction	600 reports found to be outside the DFO's jurisdiction	

Overall, between 1 December 2016 and 30 June 2024, 2,532 recommendations for reparation were accepted in full and one recommendation was partially accepted, totalling \$105.34 million in reparation payments.

As at 30 June 2024, Defence was considering 232 reparation payment recommendations.

Reports of Defence abuse: received and finalised

In 2023–24, we received 42 reports of abuse, compared to 1,192 in 2022–23, before the Scheme closed on 30 June 2023 (see Table 11). We made 634 recommendations to Defence for reparation in 2023–24 (see Table 12).

Table 11: Reports of Defence abuse: received and finalised

	2022–23	2023–24
Reports of abuse received	1,192	42
Reports of abuse finalised	955	1,067

Reports of Defence abuse: outcomes

Table 12: Reports of Defence abuse: outcomes

	2022–23	2023–24
Restorative engagement conferences	47	41
Recommendations for reparation	656	634
Counselling referrals	17	5

Postal Industry Ombudsman

What we do

The Postal Industry Ombudsman (PIO) receives complaints about postal and similar services provided by Australia Post and registered private postal operators. Australia Post is the only mandatory member of the PIO scheme. Private postal operators join voluntarily. StarTrack is currently the only voluntarily registered member.

PIO focus

This year, as always in our PIO role, we placed a high priority on quick and informal dispute resolution to deliver fair outcomes. We finalised 4,299 complaints this year, about 5% more complaints than we finalised in the previous financial year.

Where a complaint indicates one or more systemic issues, we work with the postal operator to address these and

influence improvements in their service and administration. This year, we identified systemic issues relating to dimension and weight scanning as well as the imposition of service restrictions. We worked with the postal operators to remediate these issues and continue to monitor how they are responding to them.

How we help

In most instances, we finalise PIO complaints through assisted referrals to the postal provider. We use assisted referrals when the complainant has either not made a complaint to the postal operator or has not received a final outcome to their complaint. The assisted referrals process allows us to refer a matter directly to the postal operator rather than leaving the complainant to contact them independently. We can use assisted referrals in situations where a matter has received a response but there is more that the postal operator could have done to respond to the complaint.



Case study: How much is too much?

A complainant approached us to complain that their business had been impacted by a change to their postal operator's practice in relation to late payment fees. The business had been using the same postal operator for delivery services for several years. The business let us know that in 2022 they had been late in making payments to the operator.

The operator wrote to the business to advise them that there had been a change in their late payment fees with the introduction of a new policy in 2017. The business complained to us, as the postal operator's decision would see them pay more in late fees than the postal operator's pre-2017 policy.

We looked at the complaint and noted the postal operator had technically followed the terms and conditions of their revised Late Payment Fees policy. However, we were concerned that the outcome was still not reasonable for the business.

We expressed our concerns with the postal operator, particularly about the ambiguity of the wording in its new policy. While the postal operator noted they had followed their processes and updated terms and conditions correctly, they acknowledged their terms and conditions had unintended consequences for the business.

As a result of our investigation, the postal operator:








- agreed to arrange for a part-refund amounting to \$75,000 from the fees charged in 2022 to the business
- suspended their Late Payment Fees policy while a review of the policy was conducted
- implemented a new Late Payment Fees policy as of 1 May 2024, with reduced late fees and administration fees.

PIO statistics

In comparison to last year, we saw a small decline in complaints about both Australia Post and StarTrack in 2023–24 (see Figure 6).

This year, approximately 55% of complaints raised with us related to domestic parcels and parcel delivery. The remaining 45% of complaints spanned different issues, with the 3 largest issues being the express post service, international postage and the delivery of ordinary letters. Each of these made up about 6% of our total complaints. Figure 7 shows the most common complaint issues.

Figure 6: PIO complaints overview

	Total complaints received	
	(2022-23) 4,338	(2023-24) 4,208
	Complaints received about Australia Post	
	(2022-23) 4,216	(2023-24) 4,056
	Complaints received about StarTrack	
	(2022-23) 122	(2023-24) 152
	Complaints finalised	
	(2022-23) 4,084	(2023-24) 4,299
	Assisted referrals	
	(2022-23) 710	(2023-24) 2,313
	Formal investigations started	
	(2022-23) 17	(2023-24) 11
	Formal investigations completed	
	(2022-23) 21	(2023-24) 10

Details of the circumstances and number of occasions s 9 'Power to obtain information and documents' was used

(2022-23) (2023-24)
Nil Nil

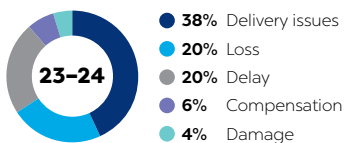
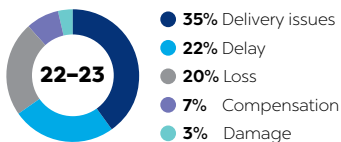
Details of the circumstances and number of occasions 'Discretion to investigate complaints as Commonwealth Ombudsman or as Postal Industry Ombudsman' was used

(2022-23) (2023-24)
Nil Nil

Recommendations made in reports under s 19V and statistical information about actions taken during that period as a result of such recommendations

(2022-23) (2023-24)
Nil Nil

Figure 7: Top 5 most common complaint issues



Overseas Students Ombudsman

What we do

The Overseas Students Ombudsman (OSO) receives complaints from prospective, current and former international students about private education providers. As the OSO, we assess and investigate complaints about actions taken by private registered education providers in connection with student visa holders.

If a student complains about an issue to our Office that may be better handled by another agency, we can transfer the issue to that agency. For example, in 2023–24, we transferred complaint issues to the Tuition Protection Service, the Australian Skills Quality Authority and the Australian Human Rights Commission.

OSO focus

In 2023–24, the OSO received 1,228 complaints, an increase of 274 complaints compared to the previous financial year. Part of this increase is likely due to an increased number of international students choosing Australia as their study destination.

Since the commencement of the OSO in 2011, fees and refunds have been the most common complaint issue. In 2023–24, we observed an increase in complaints from students seeking refunds of pre-paid fees after their student visas were refused.

In most cases, students who have visas refused have a statutory right to a refund (with a small deduction) within 28 days. Complaints to the Office indicate that some providers are delaying making these payments for significant periods of time or ceasing communication with students requesting refunds.

This year, we also continued our focus on educating providers through our complaint investigations on the issue of fairness in written agreements, which are standard form contracts with students. This builds on our publication of an issues paper on fairness last financial year.

How we help



Case study: What's a reasonable refund?

A student enrolled with an Australian education provider and applied for a student visa, which was refused.

The student gave his refund information to the education agent he enrolled through but soon became seriously unwell. When he recovered, he followed up with the education agent. The agent tried to obtain the refund from the provider, but the provider responded they would not accept applications more than 90 days after the visa refusal date, in line with their refund policy.

The student complained to us.

We investigated and formed the view that, under legislation, there was no scope for providers to limit their obligation to refund students after a visa was refused, for example by placing conditions on when a student must make the request. We also considered a limit of 90 days was unreasonable in any case, especially in the student's circumstances.

The education provider asserted that if the student was dissatisfied, he should hold the education agent accountable. We explained that education agents act on behalf of education providers, so providers are responsible for the behaviour of their agents.





We suggested the provider refund the student, and the provider accepted this.

Our work ensured the provider:

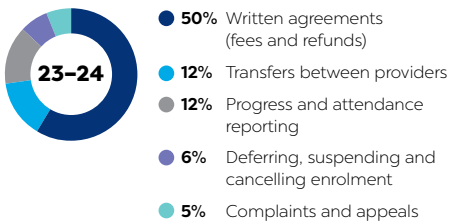
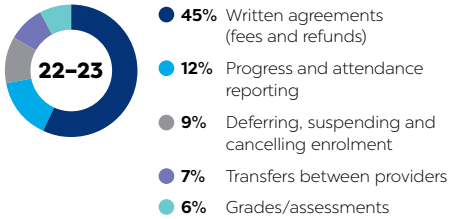
- understood the need to correctly apply legislation in relation to refused visas
- amended their refund policy to remove time limits for visa refusal refund applications
- realised the education agent was contracted to act on their behalf
- understood our role in supporting them to apply best practice complaint handling.

OSO statistics

Figure 8: OSO complaints overview

	Total complaints received	
	(2022–23) 954	(2023–24) 1,228
	Total complaints finalised	
	(2022–23) 968	(2023–24) 822
	Formal investigations commenced	
	(2022–23) 125	(2023–24) 237
	Formal investigations finalised	
	(2022–23) 161	(2023–24) 178

Top 5 most common complaint issues



Details of the circumstances and number of occasions s 9 'Power to obtain information and documents' was used

(2022–23):

The Office made one request under s 9 of the Ombudsman Act to an education provider to require the provision of information and/or the production of documents to assist its investigation of a complaint about the education provider.

(2023–24)

Nil

Recommendations made in reports under s 19ZQ and statistical information about actions taken during that period as a result of such recommendations.

(2022–23) (2023–24)

Nil

Nil

Overall, of the issues raised in complaints formally investigated in 2023–24, we:

- formed a view the provider had substantially met their responsibilities in 43% of cases
- formed a view the provider did not substantially meet their responsibilities in 49% of cases
- did not form a view about whether the provider had substantially met their responsibilities in 8% of cases.

In cases where we form a view the provider did not substantially meet their responsibilities, we will continue ensuring providers are given appropriate feedback, including suggestions for remedies and improvements.

Private Health Insurance Ombudsman

What we do

The Private Health Insurance Ombudsman (PHIO) protects the interests of consumers in relation to private health insurance and resolves complaints about these matters across the health system. We report and provide advice to government and industry about these issues.

As the PHIO, the Office publishes quarterly updates, which provide detailed data and analysis of complaint issues and guidance material for industry stakeholders. We also handle enquiries about private health insurance more broadly, including questions on product tiers and how clinical categories fit into those tiers, and questions about government surcharges and incentives, such as how lifetime health cover is calculated.

We also manage the privatehealth.gov.au website, an independent website with general information for consumers about private health insurance and a listing of all directly comparable Australian registered hospital and general treatment (extras) covers.

PHIO focus

In 2023–24, our focus has been on our core function of resolving complaints about private health insurance matters. We also protected the interests of consumers in relation to private health insurance by:

- publishing issues papers, such as our February 2024 paper [*Can private health insurers decide that a patient does not need treatment in hospital? Paying Type C claims: observations of the private health insurance industry*](#)

- providing submissions to government on topics related to private health insurance, like our June 2024 submission to the Department of Health and Aged Care on improving the Overseas Student Health Cover program
- working with individual private health insurers to call out emerging issues, identify causes and monitor progress on addressing areas of concern.

Our work with private health insurers included working with Defence Health regarding their large spike in complaints following a systems transformation, and assisting an insurer and a hospital group to reach agreement on a contract renewal.

Based on our analysis of complaints, we provided feedback to insurers on improving their online information and public communication materials to address causes of complaint. This included feedback on how medical benefits were represented in an insurer's mobile app and how public hospital benefits and potential out-of-pocket fees were described in an insurer's sales material and brochures.

How we help

We resolve most private health insurance complaints with an assisted referral to the private health insurer.

Assisted referral is a process where we refer the complaint directly to the insurer so it can consider the matter. Once we refer a complaint, the insurer undertakes to contact the complainant within 3 business days. The insurer may re-consider the complaint, expedite an action or provide the complainant with a better explanation.

If the assisted referral process does not resolve the complaint, the complainant can return to us for further assistance.



Case study: Is the condition pre-existing?

A complainant joined a private health insurer. Four months after taking out cover, her breast implant ruptured and required removal. When she submitted her claim to her insurer for hospital admission, it was denied on the basis that her insurer considered the breast implant rupture to be a pre-existing condition.

The complainant lodged a complaint with our Office.

Our role was to determine if the Pre-Existing Conditions rule was applied correctly and fairly by the insurer. A pre-existing condition is defined as any ailment, illness or condition where, in the opinion of a medical adviser appointed by the insurer, the signs or symptoms of that condition existed at any time in the period of 6 months before being insured.

We decided to investigate. From the information initially provided by the insurer, it appeared the pre-existing condition rule had been applied correctly. During our investigation, however, it became evident from the insurer's initial decision that the insurer did not have access to an earlier scan. We suggested the complainant provide these earlier scans to the insurer. The insurer reviewed this additional material and reversed its previous decision.

As a result, the complainant was able to claim her hospital admission benefits with the private health insurer.

PHIO statistics

We received 4,240 complaints about private health insurance in 2023-24, an increase of 808 complaints compared to the previous financial year.

Figure 9 gives an overview of PHIO complaints activity for 2022-23 and 2023-24.

Figure 9: PHIO complaints overview



Total complaints received

(2022-23)	(2023-24)
3,432	4,240



Total complaints finalised

(2022-23)	(2023-24)
3,327	3,990



Complaints finalised as referrals

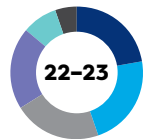
(2022-23)	(2023-24)
85%	90%



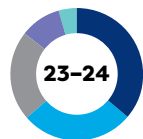
Complaints finalised that were formally investigated

(2022-23)	(2023-24)
8%	5%

Top 5 most common complaint issues



- 26% Service
- 25% Benefits
- 23% Membership
- 10% Waiting periods
- 6% Other issues (includes complaints about confidentiality and privacy)



- 33% Service
- 25% Benefits
- 20% Membership
- 9% Waiting periods
- 4% Information



Complaints classified as requiring 'no further action'

(2022-23)	(2023-24)
7%	7%



Total enquiries received^

(2022-23)	(2023-24)
1,623	1,675

^ Enquiries do not include complaints and may include general enquiries about the private health insurance system, or enquiries about out of jurisdiction issues

Outcomes in relation to complaints referred to another body under s 20L

(2022-23)	(2023-24)
Nil	Nil

Summary of the exercise of powers during the period by the PHIO under s [20SA](#) 'Powers to conduct inspections and audits'

(2022-23)	(2023-24)
Nil	Nil

Nature of Own Motion Investigations and outcomes of Own Motion Investigations conducted by the PHIO under s [20T](#) 'Initiating investigations'

(2022-23)	(2023-24)
Nil	Nil

VET Student Loans Ombudsman

What we do

As the Vocational Education and Training (VET) Student Loans Ombudsman (VSLO), the Office receives complaints from students about VET providers that receive funding under the Australian Government loan schemes VET FEE-HELP and VET Student Loans.

The VET FEE-HELP scheme was in operation between 2008 and 2016. The Student Redress Measures (the measures) were introduced on 1 January 2019 to allow people with a VET FEE-HELP debt for incomplete units of study to seek a 're-credit' of the debt, on the basis their education provider (or an agent of the provider) had engaged in 'inappropriate conduct.'

As part of the measures, the VSLO was funded to assess all applications for re-credit and make recommendations to the Department of Employment and Workplace Relations (DEWR) about whether to re-credit, with DEWR responsible for the final decision. The measures closed to new applicants on 31 December 2023.

The VET Student Loans scheme commenced in 2017 and is still available to VET students studying at Diploma level or higher. We take complaints from students about their providers' actions or decisions in relation to debts the students have accrued.

VSLO focus

The VSLO played an essential role in assessing thousands of VET FEE-HELP complaints under the measures between 1 January 2019 and 30 June 2024:

- 15,614 – Number of complaints assessed
- 93% of complaints – The Office recommended the student be fully re-credited for their debts
- \$249.96 million – debts removed from students' ATO accounts

While the measures closed to new complainants on 31 December 2023, the Office continues to assess complaints received before that date. In consultation with DEWR, the Office published a [factsheet](#) advising people with VET FEE-HELP debts on how they can dispute their debts after the end of the measures.

For complaints about the VET FEE-HELP scheme made from 1 January 2024, the VSLO performs its usual dispute resolution role if the provider is still in operation. If the provider is no longer operating, the VSLO refers the complaint to DEWR.

How we help



Case study: The cost of miscommunication

A complainant approached our Office about an issue with a VET Student Loan she had incurred. The complainant advised she was unable to complete the course and was seeking a re-credit of her debt.

We looked into this further, and it emerged that the education provider had enrolled the complainant into the course without an appropriate background check. As a result, she was ineligible to complete the placement component of the course, which prevented her from successfully completing the course. The provider suspended the complainant's studies while it determined the next course of action. During this time, the complainant identified an alternative placement and presented it to the provider. The provider accepted this placement, and the student continued her studies.

However, the provider did not make clear to the complainant it had already unenrolled her and decided to give her a full re-credit when the alternative placement commenced. By continuing her studies, she was unknowingly agreeing to accept the entirety of the debt once more. The complainant was unable to complete the course at the alternative placement.




We decided to investigate the complaint and asked the provider to supply us information, including its correspondence with the complainant. The provider was unable to show that it had informed the student she had been unenrolled from the course. Nor was it able to demonstrate that the complainant was made aware she would re-incur the debt if she continued with her placement or subsequent re-enrolment into the course. The provider had not given the complainant enough information to make an informed decision about continuing her studies. The complainant advised that if she had known this was the case, she would not have continued studying and would have accepted the refund.

We provided our preliminary view to the provider that it should re-credit the complainant's VET Student Loan debt. The provider accepted our analysis and findings, and re-credited the complainant's debt in full. It also confirmed that since the complainant's enrolment, it has implemented an enhanced Customer Service Relationship Management database which records all financial matters and communication with students. It also advised it would review enrolment policies in relation to debts students may incur when re-enrolling into a qualification.

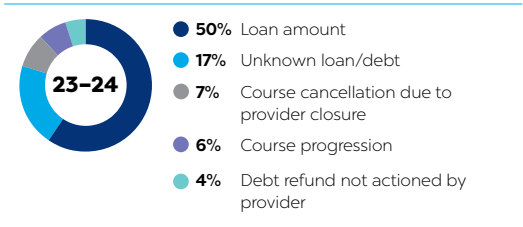
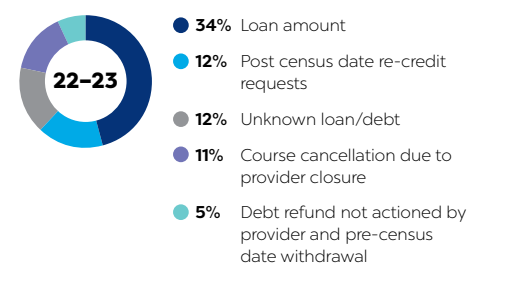
VSLO statistics

VET Student Loans

Figure 10: VET Student Loans complaints overview

	Total complaints received	
	(2022-23) 231	(2023-24) 193
	Total complaints finalised	
	(2022-23) 232	(2023-24) 217
	Complaints finalised that were formally investigated	
	(2022-23) 10%	(2023-24) 6%

Top 5 most common complaint issues



Complaints finalised by referring complainant to education provider

(2022-23) 62%	(2023-24) 57%
-------------------------	-------------------------

Formal investigations commenced in 2023-24: 7

Of formal investigations commenced in 2023-24, number ongoing as at 30 June 2024: 7

Investigations **started** if the VSLO investigated any matters under paragraph 20ZO(b) 'on his or her own initiative'

(2022-23) Nil	(2023-24) Nil
-------------------------	-------------------------

Investigations **completed** if the VSLO has investigated any matters under paragraph 20ZO(b) 'on his or her own initiative'.

(2022-23) Nil	(2023-24) Nil
-------------------------	-------------------------

Details of the circumstances and number of occasions s 9 'Power to obtain information and documents' was used

(2022-23) Nil	(2023-24) Nil
-------------------------	-------------------------

VET FEE-HELP

Figure 11: VET FEE-HELP complaints overview



Total complaints received

(2022-23)
2,517

1 June 2023 to 31 December 2023^
1,586
1 January 2024 to 30 June 2024^
326



Total complaints finalised

(2022-23)
1,674

(2023-24)
3,692

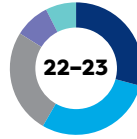


Complaints finalised that were formally investigated

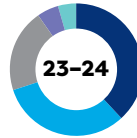
(2022-23)
73%

(2023-24)
67%

Top 5 most common complaint issues



- 24% Lack of/misleading/inaccurate enrolment information
- 24% Loan amount
- 21% Unknown loan/debt
- 7% Inducements to sign up for study
- 6% Pre-census date withdrawal



- 36% Lack of/misleading/inaccurate enrolment information
- 30% Loan amount
- 19% Unknown loan/debt
- 5% Inducements to sign up for study
- 4% Pre-census date withdrawal



Complaints finalised by referring complainant to education provider

(2022-23)
0.5%

(2023-24)
2.7%

^ The number of complaints received has been split into 2 periods due to changes to the VET FEE-HELP program starting 1 January 2024

More information

Defence Force Ombudsman

Information about our DFO function and specific DFO publications can be found on our Defence Force Complaints webpage, or at our publications webpage at ombudsman.gov.au.

Industry updates

More information about our specific Ombudsman roles is available on our industry updates page at ombudsman.gov.au. This includes:

- information on PIO complaints activity and issues
- regular updates on our OSO function that offer data and analysis of complaints and issues.
- quarterly updates for the VSLO function, which provide detailed data and analysis of complaints and issues handled by the Office
- quarterly updates about our PHIO function, which provide detailed data and analysis of complaint issues and guidance material for industry stakeholders.

Part 6

Management and accountability

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Part 6: Management and accountability

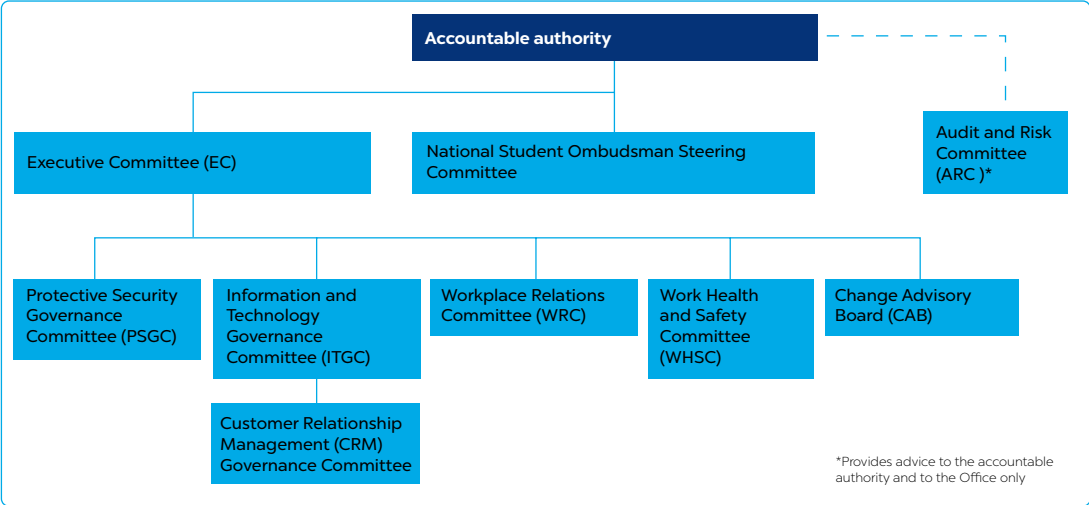
Corporate governance

Overview

As required by the Commonwealth Performance Framework, the Office of the Commonwealth Ombudsman (the Office) developed and publicly released its 2023–24 Corporate Plan in August 2023. The plan framed the Office’s strategic vision, objectives, deliverables and performance criteria for financial years 2023–24 to 2027–28.

The Office has 2 key corporate governance structures and 7 management committees to ensure it is implementing the principles and objectives of corporate governance. Figure 12 depicts the Office’s governance structures and management committees.

Figure 12: Committee structure



Executive Committee

The Executive Committee (EC) is the Office’s overarching leadership and management committee. The Ombudsman chairs the EC, with membership comprised of the Deputy Ombudsman and Senior Assistant Ombudsmen, together with Executive Level 1 and Executive Level 2 representatives on a 6-monthly rotational basis. We are pleased to have Executive Level staff participate in the EC to bring new perspectives to managing Office-wide issues.

The EC meets monthly to consider strategic and operational priorities, enterprise risk, corporate governance, performance, resource allocation, and internal and external issues affecting the operations of the Office. The EC held 11 meetings in 2023–24.



Case study: Executive Committee deep dives

A standing agenda item at the EC meeting is a deep dive into a particular focus area of the Office's operations. The EC uses their collective expertise to leverage diverse perspectives and develop innovative insights and plans for next steps.

In September 2023, the EC conducted a deep dive into our Own Motion Investigation (OMI) practices. The purpose of the deep dive was for the EC to consider the effectiveness of the OMI process and examine the lessons learnt for future investigations. EC members discussed many aspects of current practice, including information gathering, use of powers, expectations of and communication with agencies, and making OMI reports impactful.

Following the deep dive, the Deputy Ombudsman ran an Office-wide 'That's a Wrap' session to share lessons learnt with staff about the use of the Ombudsman's investigation powers and how to conduct impactful investigations.

Audit and Risk Committee

The Office has an Audit and Risk Committee (ARC) that complies with s 45 of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) and PGPA Rule s 17 (Audit Committees for Australian Government Entities).

The ARC provides independent and objective assurance to the Ombudsman through unbiased assessments of Office operations, advice about financial and operational controls, assistance improving business performance, and information on the effectiveness of risk management and governance processes. A copy of the ARC Charter is available at [ombudsman.gov.au](https://www.ombudsman.gov.au).

The ARC held 4 ordinary meetings during the year, in addition to a standalone meeting to discuss financial statements. Table 13 outlines the committee membership throughout the year.

Table 13: Audit and Risk Committee members

Member name	Qualifications, knowledge, skills or experience (include formal and informal as relevant)	Period of membership during the year	Number of meetings attended	Total annual remuneration (GST inc.)	Role on committee
Matt Cahill	Mr Cahill is a Certified Practising Accountant with fellow status and an Australian Institute of Company Directors (AICD) graduate. He has a Master of Business Administration and degrees in economics and science. He has 32 years experience in the Australian Public Service (APS), including 20 years as a senior executive. Mr Cahill is a former Group Executive Director of performance audit at the Australian National Audit Office, and Chair and a member of numerous audit and risk committees.	18 March 2024 to 30 June 2024	2	\$11,055	Chair and external independent member
Sue Bird	Ms Bird has formal legal qualifications and is admitted to legal practice. She has private and public sector leadership experience. Ms Bird is a Graduate Member of the AICD and is a Certified Organisational Coach from the Institute of Executive Coaching and Leadership. With experience in program and project management, Ms Bird has over 15 years experience in Commonwealth Senior Executive Service (SES) governance-related and risk-related roles in social policy departments, service delivery agencies, and law enforcement and national security organisations.	1 September 2023 to 30 June 2024	5	\$11,385	External independent member
Bronwyn Notzon-Glenn	Ms Notzon-Glenn has formal legal qualifications and is admitted to legal practice. She has experience in the Australian Parliament and several years experience as a Senior Executive Officer in the APS. She is a graduate of the Australian Institute of Company Directors and has been in the Senior Executive Service for over 15 years.	1 July 2023 to 30 June 2024	5	\$0	External independent member

Member name	Qualifications, knowledge, skills or experience (include formal and informal as relevant)	Period of membership during the year	Number of meetings attended	Total annual remuneration (GST inc.)	Role on committee
Will Laurie	Mr Laurie has formal qualifications in finance and economics. He has substantial experience in corporate and professional management at Price Waterhouse, Boyce Chartered Accountants and birdsnest.com. Mr Laurie has 20 years experience on Australian Government and ACT Government audit and risk committees.	1 July 2023 to 20 February 2024	3	\$19,800	Chair and external independent member
Alfred Bongji	Mr Bongji has formal accounting, economics and mediator qualifications. He is a graduate of the AICD. Mr Bongji has 36 years experience in the APS, including 13 years as a senior executive. He has more than 10 years experience in Australian Government governance, fraud, and audit and risk committees.	1 July 2023 to 31 August 2023	0	\$0	External independent member

Management committees

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

Work Health and Safety Committee

The Office's Work Health and Safety Committee (WHSC) includes elected staff representatives from each of our offices and is chaired by the Chief Operating Officer (COO). The WHSC meets on a quarterly basis. 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* (WHS Act). The WHSC also provides guidance and support on Office-wide initiatives aimed at improving the health, safety and wellbeing of our employees.

Workplace Relations Committee

The COO chairs the Workplace Relations Committee (WRC). It is comprised of staff, management and union representatives. The WRC is the forum for regular exchange of information on Office employment and workplace relations matters, including the implementation and operation of our enterprise agreement.

Change Advisory Board

The Change Advisory Board (CAB) provides advice and feedback to the Ombudsman and Deputy Ombudsman as part of consultation processes on organisational change across the Office. It focuses on how changes impact our people from an operational as well as strategic perspective. The CAB also provides hands-on support for any change processes. CAB members come from all levels of staff, all branches and all sites where we have offices. It is an additional channel for staff to provide feedback and a mechanism to raise or escalate any issues, including impacts and benefits of changes and suggested improvements. During 2023–24, the CAB met 20 times.

Information and Technology Governance Committee

The Information and Technology Governance Committee (ITGC) is chaired by the Deputy Ombudsman. It oversees the direction and management of the Office's information and technology resources and assets.

The ITGC provides strategic oversight of the development and implementation of information and technology policy, processes and systems across the Office.

The ITGC manages the Office's compliance with legislation, standards and requirements of the National Archives of Australia. It also oversees and monitors the Office's records and information management requirements and progress against targets to implement the Australian Government's digital transformation and e-government initiatives. The ITGC met 4 times in 2023–24.

Protective Security Governance Committee

The Protective Security Governance Committee (PSGC) meets as required to support the Commonwealth Ombudsman to implement the mandatory and supporting requirements of the Protective Security Policy Framework (PSPF). The PSGC also monitors the Office's performance against and compliance with the PSPF. The PSGC met 3 times in 2023–24 and is chaired by the Chief Security Officer.

Customer Relationship Management Governance Committee

The Customer Relationship Management (CRM) Governance Committee guides the Office's replacement of its current CRM system (the CRM Project). The CRM Governance Committee is responsible for providing guidance and decision-making support to the CRM Project Team. During 2023–24, the CRM Governance Committee met 4 times. It is chaired by the Deputy Ombudsman.

National Student Ombudsman Steering Committee

The Ombudsman chairs the National Student Ombudsman (NSO) Steering Committee, which is the governing body for the establishment of the NSO function, with overall responsibility for its implementation and delivery. Members of the committee provide decision-making support and guidance to the Senior Responsible Officer (the Deputy Ombudsman) and the NSO Project Management Office and are responsible for ensuring there is oversight and effective management of key performance criteria. The NSO Steering Committee met 7 times in 2023–24.

Corporate governance practices

Risk management

The EC regularly discusses and reviews strategic and operational risks and risk management strategies. The Office also participates in the biennial Comcover Risk Management Benchmarking Survey, which independently assesses the Office's risk management maturity.

The ARC provides additional oversight of our risk management through independent practical guidance and support to the Ombudsman regarding risk management strategies and review of the Office's Risk Management Policy and Framework.

Business resilience management

The Office uses an integrated business resilience governance model to provide streamlined control processes for managing the various events that may impact its ability to perform critical functions, ensure staff safety and maintain technology systems.

The Office documents this approach in the Business Resilience Policy and Framework and operational Enterprise Response Plan. The EC is responsible for overseeing and reviewing these documents.

Accessibility

In developing and maintaining the Office's ombudsman.gov.au website, we use the World Wide Web Consortium (W3C) Web Content Accessibility Guidelines (WCAG) 2.2, level AAA as the benchmark.

WCAG 2.2 covers a range of recommendations for making web content more accessible to a wider range of people with disability. This includes accommodations for people who are blind or have low vision, people who are deaf or hard of hearing, people with reduced mobility, photosensitivity or combinations of these, and some accommodations for people with learning disability or cognitive disability.

Following these guidelines makes our web content more accessible to all users across desktops, laptops, tablets and mobile devices. We use graphic design with high colour contrast, simple presentation of content and plain English to assist readability. Our content is also available in 20 languages to support culturally and linguistically diverse communities.

Ethical standards

The Office promotes high ethical standards and behaviours by our staff. Our intranet contains information about:

- APS Values and Code of Conduct
- workplace discrimination, bullying and harassment
- conflicts of interest
- acceptance of gifts and hospitality
- procedures for determining breaches of the APS Code of Conduct

- procedures for facilitating and dealing with public interest disclosures relating to the Office.

Our Employee Performance Development Agreements contain the following mandatory behaviour statement:

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 information on the APS Values, Employment Principles and APS Code of Conduct, including information on the Australian Public Service Commission's Ethics Advisory Service. Our mandatory training modules include training on the APS Values and Principles, the Public Interest Disclosure Scheme, and Integrity in the APS.

Fraud control

The Office's fraud control strategies comply with the Commonwealth Fraud Control Framework 2017 and the legislative requirements as defined in 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 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 Commonwealth Ombudsman and the ARC. Fraud investigations are outsourced as required.

Fraud and corruption resources and references are available to all staff on the Office intranet and through the e-learning hub.

External scrutiny

Below we outline information on the most significant developments in external scrutiny of the Office during the year, and our actions in response. This reporting period, we did not receive any reports on our operations and were not the subject of a capability review.

Court and tribunal litigation

Knight v Defence Force Ombudsman [2024] FCA 474

By application dated 20 April 2023, the applicant commenced proceedings in the Federal Court of Australia (Federal Court) against the Defence Force Ombudsman (DFO) under s 39B(1) of the *Judiciary Act 1903* (Cth) (*Judiciary Act*) and s 5 of the *Administrative Decisions (Judicial Review) Act 1977* (Cth) (*ADJR Act*). The applicant sought to compel the DFO to assess their application for a reparation payment under the Defence Abuse Reparation Scheme. On 9 May 2024, the court dismissed the application.

Eli Turner v Commonwealth Ombudsman NSD1076/2023

The applicant applied to the Federal Court for judicial review pursuant to s 5 of the *ADJR Act* and s 39B of the *Judiciary Act* of a decision by the Ombudsman exercising the functions of the DFO. On 12 March 2024, the Ombudsman conceded the decision was affected by jurisdictional error, and the decision was quashed and the Ombudsman directed to re-determine the matter.

Singh and Commonwealth Ombudsman (Freedom of information) [2024] AATA 969

The applicant in this matter sought access to documents requested under the *Freedom of Information Act 1982* (Cth) (*FOI Act*). On 6 May 2024, the Administrative Appeals Tribunal (AAT) affirmed the Ombudsman's decision to refuse access under ss 42, 47E(d) and 47F of the *FOI Act* and affirmed the reasonableness of searches undertaken by the Office.

Office of the Australian Information Commissioner

The Office is subject to the *Privacy Act 1988* (Privacy Act). In 2023–24, the Office of the Australian Information Commissioner (OAIC) did not advise the Ombudsman of any complaints made to them about breaches

of privacy involving the Ombudsman. Two outstanding privacy complaints were finalised in 2023–24, with the Information Commissioner (IC) exercising their discretion under s 41(1)(da) of the Privacy Act not to investigate because they were satisfied an investigation was not warranted having regard to all of the circumstances.

Table 14: Applications to the OAIC for reviews of FOI decisions made by the Ombudsman

	Number	Calendar year of application	Outcome	Relevant section of FOI Act
Matters finalised by the OAIC in 2023–24	1	2024	Decision not to review – desirable AAT review	s 54W(b)
	5	2023	Review invalid	s 54N
			Decision not to review – IC review applicant fails to comply with a direction (2)	s 54W(c)
			Decision not to review – desirable AAT review	s 54W(b)
			Decision not to review – could not contact applicant	s 54W(a)
	1	2022	Decision not to review – desirable AAT review	s 54W(b)
	4	2020	Decision not to review – desirable AAT review (2)	s 54W(b)
Substituted decision (2)			s 55K	
1	2019	Varied decision	s 55K	
Total	12			
Matters still under OAIC consideration as at 30 June 2024	10	2024	Awaiting decision	
	13	2023	Awaiting decision	
	9	2022	Awaiting decision	
	3	2021	Awaiting decision	
	2	2020	Awaiting decision	
Total	37			
New applications for review 2023–24	15			

Royal Commission into Defence and Veteran Suicide

During 2023–24, the Office continued to assist the Royal Commission into Defence and Veteran Suicide (RCDVS), including through providing information voluntarily under s 35(3)(a) of the *Ombudsman Act 1976* and responding to potential propositions which may form part of the RCDVS's final report. The RCDVS is due to deliver its final report on 9 September 2024.

Management of human resources

People

In 2023–24, the Office engaged in negotiations for a new enterprise agreement via APS-wide bargaining. This meant certain conditions and entitlements were negotiated broadly across the APS (Part A conditions), while conditions falling outside the defined scope (Part B conditions) were negotiated at an agency level.

At the conclusion of APS-wide bargaining, the Australian Public Service Commission (APSC) released the [Statement of Common Conditions](#). This provided a list of:

- 59 APS-wide common conditions
- 24 conditions referred to agency-level bargaining, within or without parameters
- 22 conditions to be maintained, if any.

The Office's Enterprise Agreement 2024–27 reflects the common conditions and came into effect on 4 April 2024.

Following the Office's Enterprise Agreement 2024–27 coming into effect, the Office's Human Resources (HR) team commenced work on a suite of new internal policies to support the new common conditions during 2023–24, as well as updating existing policy documents. This work will continue in 2024–25.

Work health and safety

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

During 2023–24, the Office undertook a review of all policies relating to work health and safety, identifying areas for policy uplift.

During the reporting period, there were no notifiable incidents.

Employment arrangements

As at 30 June 2024, a total of 281 staff were covered under the 2024–27 enterprise agreement. The agreement does not make provision for performance pay. Salary advancement within each of the non-Senior Executive Service (SES) classifications is linked to performance. Under the provisions contained in the enterprise agreement, 3 staff had Individual Flexibility Arrangements in place.

Conditions are provided for SES under s 24(1) of the *Public Service Act 1999*. 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 staff 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.

For the full set of data relating to management of human resources, see **Appendix 5**.

Diversity and inclusion

The Office values a diverse workforce and strives to foster an inclusive workplace which is supported by our Diversity and Inclusion Strategy. We value and respect the diversity of our staff, stakeholders and partners.

In 2023–24, the Office ensured that all existing and new staff engaged with mandatory cultural competence and diversity training through e-learning and face-to-face training. We implemented disability confident managers training, which assists managers to confidently manage people with disabilities within their teams and facilitate an inclusive and enabling workplace.

We continued to focus on recruitment, retention and engagement of diverse groups, strengthening and encouraging this through employee diversity networks led by Office champions. The Office celebrated a number of cultural events, including:

- National Aborigines' and Islanders' Day Observance Committee (NAIDOC) Week
- International Day Against Homophobia, Biphobia and Transphobia (IDAHOBIT)
- Harmony Week
- International Women's Day
- Transgender Day of Remembrance
- International Day of People with Disability
- International Day for Tolerance
- Mental Health Month
- Wear it Purple Day.

Workforce profile

As at 30 June 2024, there were 286 staff (267.4 full-time equivalent) employed in the Office. These figures exclude the Ombudsman and Deputy Ombudsman, who are both statutory office holders.

Women made up 65.4% of the Office's workforce. Part-time staff represented 17.8%. Staff who identified as First Nations made up 3.9% of our workforce, and 6.3% of staff identified as living with a disability.

The Office's average total remuneration gender pay gap (GPG) is **-5.5%**. A negative percentage indicates women are paid more on average than men.

See **Appendix 5** for a breakdown of the Office's workforce, including:

- remuneration for senior executives
- number of ongoing and non-ongoing employees (current and previous)
- number of APS ongoing and non-ongoing employees (current and previous)
- APS full-time and part-time employees (current and previous)
- APS employment type by location (current and previous)
- APS Indigenous employment (current and previous)
- APS employment arrangements (current and previous).

Disability reporting

The Office supports the shared, national commitment to an inclusive society that ensures the more than one in 6 Australians with disability can participate as equal members of the community. The Office is committed to supporting the implementation of [Australia's Disability Strategy 2021–2031](#). The strategy sets out a 10-year national policy framework to improve the lives of people with disability, promote participation and create a more inclusive society. Now in the second year of implementation, the strategy's fundamental principles of respect, non-discrimination, inclusion and equality continue to guide the Office. As a Commonwealth agency, the Office also contributes to the development and support of implementation of the Strategy through regular reporting.

Purchasing

The Office is committed to achieving the best possible 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 supports small business participation in the Australian Government procurement market. Small and Medium Enterprises (SMEs) and Small Enterprise participation statistics are available on the Department of Finance website at finance.gov.au. The Office's procurement methods do not discriminate against SMEs.

The Office's policies and processes include a requirement to visit the Supply Nation website at supplynation.org.au first to check whether any First Nations businesses can provide the goods or services required. We seek to engage First Nations businesses where possible, ensuring our procurement arrangements adhere to the value for money and best fit principles.

All procurements more than \$10,000 are published on the AusTender website at tenders.gov.au as soon as practicable.

Consultancy contracts

The Office is a non-corporate Commonwealth entity and engages consultancy services in circumstances when expertise is not available internally or when independent advice is required. Consultancy services include management advisory services, professional services and leasehold improvement services.

The Office does not administer any grant programs.

During 2023–24, 31 new reportable consultancy contracts were entered into, involving total actual expenditure of \$1.074 million. In addition, 28 ongoing reportable consultancy contracts were active during the period, involving total actual expenditure of \$0.320 million.

Table 15: Organisations receiving a share of reportable consultancy contract expenditure in 2023–24

Name of organisation	Expenditure \$ (GST exclusive)	Proportion of 2023–24 totalspend (%)
HBA Consulting	202,909	15
Deloitte Touche Tohmatsu	185,000	13
EY Sweeney	174,222	12
Jones Lang LaSalle	158,776	11
Synergy	149,982	11
McGrathNicol Advisory	114,545	8
Reason Group Pty Ltd	85,000	6
RSM Australia Pty Ltd	74,200	5
Cleared Security	66,253	5
Total	1,210,887	87

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 at [tenders.gov.au](https://www.tenders.gov.au).

During 2023–24, 53 new reportable non-consultancy contracts were entered into, involving total actual expenditure of \$5.794 million. In addition, 32 ongoing reportable non-consultancy contracts were entered into during the previous reporting period, involving total actual expenditure of \$0.956 million.

Table 16: Organisations receiving a share of reportable non-consultancy contract expenditure in 2023–24

Name of organisation	Expenditure \$ (GST exclusive)	Proportion of 2023–24 total spend (%)
Jones Lang LaSalle	1,536,848	23
Solstice IT	782,455	12
Resolve Software	750,922	11
Dell Australia	663,000	10
Iron Mountain Australia	339,722	5
Total	4,072,947	60

Advertising campaigns

During 2023–24, the Office did not conduct any advertising campaigns.

Exempt contracts

The Office did not procure any contracts amounting to more than \$10,000 that were exempt from reporting on the AusTender website at tenders.gov.au.

Compliance reporting

There were no significant issues reported to the responsible Minister under paragraph 19(1)(e) of the PGPA Act that relate to non-compliance with the public governance, performance and accountability legislative framework by the Office.

An internal compliance process is undertaken throughout the year and the results are considered by the EC and the ARC.

Asset management

The assets managed by the Office include information and communications technology (ICT) assets, equipment, property leasehold fit-outs and intangible assets, such as software. Except for the property assets, all assets are handled in-house. The 5-year rolling capital budget predicts our future requirements.

Part 7

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Part 7: Appendices

Appendix 1: All public contacts

Table 17: All public contacts 2023–24 as at 30 June 2024

Public contacts	Received	Finalised
Commonwealth complaints by portfolio		
Agriculture, Fisheries and Forestry	29	20
Attorney-General's	393	320
Climate Change, Energy, the Environment and Water	25	8
Defence	244	223
Education	68	44
Employment and Workplace Relations	313	380
Finance	83	50
Foreign Affairs and Trade	94	90
Health and Aged Care	244	179
Home Affairs	842	708
Industry, Science and Resources	13	11
Infrastructure, Transport, Regional Development, Communications and the Arts	877	849
Parliamentary Departments (not a portfolio)	3	2
Prime Minister and Cabinet	44	39
Social Services	8,734	6,975
Treasury	313	260
Veterans' Affairs (part of the Defence Portfolio)	140	131
Subtotal	12,459	10,289
Industry complaints		
Overseas Students Ombudsman	1,228	822
Postal Industry Ombudsman	4,208	4,299
Private Health Insurance Ombudsman	4,240	3,990
VET Student Loans Ombudsman	2,112	3,909
Subtotal	11,788	13,020

Public contacts	Received	Finalised
Program specific matters		
ACT Freedom of Information (FOI) Access Application	4	4
ACT Reportable Conduct Notifications	184	177
Defence Force Ombudsman (DFO) Report	33	959
DFO Reparation Payment	798	886
DFO Report out of jurisdiction	9	108
FOI Deemed Decision	10	9
FOI Extension Request	20	19
FOI Review Request	43	49
FOI Request (Commonwealth)	120	129
Public Interest Disclosure (PID) Complaint	34	31
PID Extension	204	204
Subtotal	1,459	2,575
Enquiries		
Private Health Insurance Ombudsman enquiries	1,675	1,648
Out of jurisdiction	4,899	4,920
ACT FOI Enquiry	2	2
ACT General Enquiry	1	1
ACT Inspector Enquiry	0	0
ACT Reportable Conduct	138	145
DFO Enquiry	69	92
Ombudsman General or Service Delivery [^]	326	310
PID Enquiry	373	366
Subtotal	7,483	7,484
ACT Ombudsman complaints		
ACT Ombudsman complaints	432	371
TOTAL complaints	24,679	23,680
TOTAL public contacts	33,621	33,739

[^] 'Ombudsman General Enquiry' was merged with 'Ombudsman Service Delivery' midway through the financial year. This number is comparable with the 2 measures in the previous year.

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 2024:

- (a) comply with Australian Accounting Standards – Simplified Disclosures 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 2024 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 2024 and for the year then ended:

- Statement by the Accountable Authority and Chief Financial Officer;
- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity;
- Cash Flow Statement; and
- Notes to the financial statements, comprising material accounting policy information 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 their 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 – Simplified Disclosures 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



Sean Benfield

Senior Executive Director

Delegate of the Auditor-General

Canberra

26 September 2024

STATEMENT BY THE ACCOUNTABLE AUTHORITY AND CHIEF FINANCIAL OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2024 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 non-corporate Commonwealth entity will be able to pay its debts as and when they fall due.



Iain Anderson

Commonwealth Ombudsman

26 September 2024



Joanne Webb

Chief Financial Officer

26 September 2024

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Statement of Comprehensive Income

for the period ended 30 June 2024

	Notes	2024 \$'000	2023 \$'000	Original Budget \$'000
NET COST OF SERVICES				
Expenses				
Employee benefits	1.1A	31,425	32,029	37,301
Suppliers	1.1B	10,919	10,207	6,239
Depreciation and amortisation	2.2A	4,023	4,371	3,922
Finance costs	1.1C	139	115	128
Write-down and impairment of other assets	1.1D	160	131	-
Total expenses		46,666	46,853	47,590
Own-source income				
Own-source revenue				
Revenue from contracts with customers	1.2A	5,030	4,247	4,385
Other revenue	1.2B	81	169	54
Total own-source revenue		5,111	4,416	4,439
Total own-source income		5,111	4,416	4,439
Net cost of services		(41,555)	(42,437)	(43,151)
Revenue from Government	1.2C	42,143	39,450	41,820
Surplus/(Deficit) from continuing operations		588	(2,987)	(1,331)
OTHER COMPREHENSIVE INCOME				
Items not subject to subsequent reclassification to net cost of services				
Changes in asset revaluation reserve		-	(78)	-
Total comprehensive income/(loss)		588	(3,065)	(1,331)

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

Budget Variances Commentary

Employee benefits: The variance of \$5.876 million (16 per cent) is due to lower than budgeted actual Average Staffing Level (ASL) of 259 compared to budget of 309.

Suppliers: The variance of \$4.680 million (75 per cent) is due to reallocation of underspent budget from Employee benefits to a suite of short-term strategic projects to realise efficiency gains.

Statement of Financial Position

as at 30 June 2024

	Notes	2024 \$'000	2023 \$'000	Original Budget \$'000
ASSETS				
Financial assets				
Cash and cash equivalents	2.1A	241	236	246
Trade and other receivables	2.1B	15,213	12,017	11,889
Total financial assets		15,454	12,253	12,135
Non-financial assets¹				
Leasehold Improvements	2.2A	7,097	7,850	6,165
Plant and equipment	2.2A	274	633	889
Computer software	2.2A	251	482	84
Other non-financial assets	2.2B	959	714	772
Total non-financial assets		8,581	9,679	7,910
Total assets		24,035	21,932	20,045
LIABILITIES				
Payables				
Suppliers	2.3A	2,714	1,729	883
Other payables	2.3B	1,578	765	460
Total payables		4,292	2,494	1,343
Interest bearing liabilities				
Leases	2.4A	4,903	6,537	4,391
Total interest bearing liabilities		4,903	6,537	4,391
Provisions				
Employee provisions	4.1A	6,471	5,931	6,701
Total provisions		6,471	5,931	6,701
Total liabilities		15,666	14,962	12,435
Net assets		8,369	6,970	7,610
EQUITY				
Contributed equity		15,166	14,355	15,206
Reserves		1,410	1,410	1,488
Accumulated deficit		(8,207)	(8,795)	(9,083)
Total equity		8,369	6,970	7,610

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

1. Right-of-use assets are included in the following line items: Leasehold Improvements

Budget Variances Commentary

Trade and other receivables: The variance of \$3.324 million (28 per cent) is primarily due to unspent appropriation balances resulting from lower than budgeted levels of expenditure, higher levels of revenue from new arrangements entered into in the current year that relate to future year expenditure and increased payables which will be paid in future years.

Leasehold Improvements: The variance of \$0.932 million (15 per cent) is primarily due to the difficulty of estimating incoming lease balances prior to approaching the market.

Plant and Equipment: The variance of \$0.615 million (69 per cent) is primarily due to difficulty in estimating the capital components of the replacement of IT equipment.

Suppliers: The variance of \$1.831 million (207 per cent) is due to holding \$0.684 million of terminated staff benefits for transfer to receiving agencies and a higher than budgeted volume of accruals.

Other Payables: The variance of \$1.118 million (243 per cent) is primarily due to additional unearned revenue balances resulting from unanticipated arrangements, which are not fully expended and remitted as at 30 June.

Leases: The variance of \$0.512 million (69 per cent) is due to the difficulty of estimating incoming lease liability amounts prior to approaching the market for potential sites.

Statement of Changes in Equity

for the period ended 30 June 2024

	Notes	2024 \$'000	2023 \$'000	Original Budget \$'000
CONTRIBUTED EQUITY				
Opening balance as at 1 July		14,355	13,521	14,355
Transactions with owners				
Distributions to owners				
Return of equity injection		(40)	-	-
Contributions by owners				
Departmental capital budget		851	834	851
Total transactions with owners		811	834	851
Closing balance as at 30 June		15,166	14,355	15,206
RETAINED EARNINGS				
Opening balance		(8,795)	(5,808)	(7,751)
Comprehensive income				
Surplus/(Deficit) for the period		588	(2,987)	(1,333)
Total comprehensive income		588	(2,987)	(1,333)
Closing balance as at 30 June		(8,207)	(8,795)	(9,084)
ASSET REVALUATION RESERVE				
Opening balance		1,410	1,488	1,488
Comprehensive income				
Other comprehensive income		-	(78)	-
Total comprehensive income		-	(78)	-
Closing balance as at 30 June		1,410	1,410	1,488
TOTAL EQUITY				
Opening balance		6,970	9,201	8,092
Comprehensive income				
Surplus/(Deficit) for the period		588	(2,987)	-
Other comprehensive income		-	(78)	-
Total comprehensive income		588	(3,065)	-
Transactions with owners				
Distributions to owners				
Return of Equity Injection		(40)	-	-
Contributions by owners				
Departmental capital budget		851	834	851
Total transactions with owners		811	834	851
Closing balance as at 30 June		8,369	6,970	7,610

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.

Cash Flow Statement

for the period ended 30 June 2024

	Notes	2024 \$'000	2023 \$'000	Original Budget \$'000
OPERATING ACTIVITIES				
Cash received				
Appropriations		46,882	47,043	42,671
Rendering of services		4,628	4,169	4,385
GST received		1,122	1,362	-
Other		2,756	1,396	-
Total cash received		55,388	53,970	47,056
Cash used				
Employees		31,228	33,677	37,301
Suppliers		11,449	10,552	6,185
Interest payments on lease liabilities		139	115	128
GST paid		1,301	1,249	-
Section 74 receipts transferred to OPA		8,106	5,546	-
Total cash used		52,223	51,139	43,614
Net cash from/(used by) operating activities		3,165	2,831	3,442
INVESTING ACTIVITIES				
Cash used				
Purchase of leasehold improvements		1,184	479	851
Purchase of property, plant and equipment		67	112	-
Purchase of intangibles		-	194	-
Payment of makegood		-	263	-
Total cash used		1,251	1,048	851
Net cash used by investing activities		(1,251)	(1,048)	(851)
FINANCING ACTIVITIES				
Cash received				
Contributed equity		851	834	851
Total cash received		851	834	851
Cash used				
Return of contributed equity		40	-	-
Principal payments of lease liabilities		2,720	2,627	2,591
Total cash used		2,760	2,627	2,591
Net cash used by financing activities		(1,909)	(1,793)	(1,740)
Net increase/(decrease) in cash held		5	(10)	-
Cash and cash equivalents at the beginning of the reporting period		236	246	246
Cash and cash equivalents at the end of the reporting period		241	236	246
	2.1A			

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

Budget Variances Commentary

Appropriations: The variance of \$4.211m (10 per cent) is primarily due to section 74 receipts generated from rendering services to ACT and Commonwealth Government agencies transferred to the OPA (cash used).

Employees & Suppliers: The variances for Employees and Suppliers are consistent with the movements explained in the statement of comprehensive income.

Overview

The Office of Commonwealth Ombudsman (the Office) is an Australian non-corporate government entity established under the *Ombudsman Act 1976* (the Ombudsman Act). The Office has staff in multiple locations around Australia with its principal place of business in Canberra.

The outcome for the Office is: 'Fair and accountable administrative action by Australian Government and prescribed private sector entities, by investigating complaints, reviewing administrative action and statutory compliance inspections and reporting.

The Basis of Preparation

The financial statements 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 – including simplified disclosures for Tier 2 Entities under AASB 1060 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.

New Accounting Standards

The following amending standards were issued prior to the signing of the statement by the Accountable Authority and Chief Finance Officer, were applicable to the current reporting period and had no effect on the OCO' financial statements.

Standard / Interpretation	Nature of change in accounting policy, transitional provisions, and adjustment to financial statements
AASB 2020-1 Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-current	This Standard amends AASB 101 Presentation of Financial Statements to clarify requirements for the presentation of liabilities in the statement of financial position as current or non-current. This amending standard has no impact on the OCO' current practice and the financial statements for the current reporting period or future reporting periods.
AASB 2021-2 Amendments to Australian Accounting Standards – Disclosure of Accounting Policies and Definition of Accounting Estimates (AASB 2021-2)	AASB 2021-2 amends AASB 7, AASB 101, AASB 108, AASB 134 and AASB Practice Statement 2. The amending standard requires the disclosure of material, rather than significant, accounting policies, and clarifies what is considered a change in accounting policy compared to a change in accounting estimate.
AASB 2021-6 Amendments to Australian Accounting Standards – Disclosure of Accounting Policies: Tier 2 and Other Australian Accounting Standards (AASB 2021-6)	AASB 2021-6 amends the Tier 2 reporting requirements set out in AASB 1049, AASB 1054 and AASB 1060 to reflect the changes made by AASB 2021-2. This amending standard has no impact on the OCO' financial statements for the current reporting period or future reporting periods.

There have been no events after 30 June 2024 which will affect the financial position of the Office materially at the reporting date.

Contingent Liabilities and Contingent Assets

The Office has no contingent assets or liabilities to report at 30 June 2024 (2023: nil).

Accounting judgements and estimates

In the process of applying the accounting policies listed in the notes to the financial statements, the Office has made the following judgements that have the most significant impact on the amounts recorded in the financial statements:

- Provision for long service leave is an estimate based on the shorthand model provided by the Department of Finance for entities with less than or equal to 1,000 full-time equivalent employees. The present value depends on factors that are determined using a number of assumptions (including discount rates and future salary increases).
- In determining the lease term, management uses its judgement to determine whether or not an option would be reasonably certain to be exercised. Extension options are only included in the lease term if the lease is reasonably certain to be extended (or not terminated).

No other accounting assumptions or estimates have been identified that have a significant risk of causing a material adjustment to carrying amounts of assets and liabilities within the next accounting period.

Financial Performance

This section analyses the financial performance of the Office of the Commonwealth Ombudsman for the year ended **2024**.

1.1 Expenses

	2024	2023
	\$'000	\$'000
1.1A: Employee benefits		
Wages and salaries	24,410	24,404
Superannuation		
Defined contribution plans	3,506	3,525
Defined benefit plans	718	994
Leave and other entitlements	2,678	3,116
Separation and redundancies	113	(10)
Total employee benefits	31,425	32,029

Accounting Policy

Accounting policies for employee related expenses is contained in the People and relationships section (Section 4).

1.1B: Suppliers

Goods and services supplied or rendered

IT Goods and Services	3,076	2,101
Consultants	1,735	701
Property Operating Expenses	1,204	836
Employee Related	1,086	1,221
Contractors	1,061	3,078
Travel	919	611
Legal Fees	351	400
Professional Services	300	212
Internal Audit Fees	206	65
Other	176	113
Insurance	93	71
External Audit Fees	65	54
Office Consumables	65	105
Membership Fees	41	27
Total goods and services supplied or rendered	10,378	9,595

Other suppliers

Workers' compensation expenses	284	376
Short-term leases	257	236
Total other suppliers	541	612
Total suppliers	10,919	10,207

The Office has no short-term lease commitments as at 30 June 2024.

1.1 Expenses (continued)

Accounting Policy

Short-term leases and leases of low-value assets

The Office does not 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 per asset). The Office recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

	2024	2023
	\$'000	\$'000

1.1C: Finance costs

Interest on lease liabilities	139	115
Total finance costs	139	115

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

Accounting Policy

All borrowing costs are expensed as incurred.

1.1D: Write-down and impairment of other assets

Write down of property, plant and equipment	160	19
Impairment of right of use assets	-	112
Total write-down and impairment of other assets	160	131

1.2 Own-Source Revenue and Gains

2024	2023
\$'000	\$'000

1.2A: Revenue from contracts with customers

Own-Source Revenue

Rendering of services	5,030	4,247
Total revenue from contracts with customers	5,030	4,247

Disaggregation of revenue from contracts with customers

Type of customer:

Australian Government entities (related parties)	610	321
ACT Government	4,420	3,926
	5,030	4,247

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 the Office will collect payment.

Service revenue is 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 the end of the reporting period. Allowances are made when collectability of the debt is no longer probable.

1.2 Own-Source Revenue and Gains (continued)

	2024	2023
	\$'000	\$'000

1.2B: Other revenue

Resources received free of charge		
Remuneration of auditors	65	54
Other	16	115
Total other revenue	81	169

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	42,143	39,450
Total revenue from Government	42,143	39,450

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, except for certain amounts that relate to activities that are reciprocal in nature, in which case revenue is recognised only when it has been earned. Appropriation receivables 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.

2.1 Financial Assets

	2024	2023
	\$'000	\$'000
2.1A: Cash and cash equivalents		
Cash on hand or on deposit	241	236
Total cash and cash equivalents	241	236

Accounting Policy

Cash is recognised at its nominal amount.

2.1B: Trade and other receivables

Goods and services receivables

Goods and services	107	477
Total goods and services receivables	107	477

Appropriation receivables

Appropriation receivable	14,807	11,440
Total appropriation receivables	14,807	11,440

Other receivables

GST Receivable from the Australian Tax Office	299	100
Total other receivables	299	100
Total trade and other receivables (gross)	15,213	12,017

Credit terms for goods and services were within 30 days (2023: 30 days).

Accounting Policy

Financial assets

Trade receivables and other receivables that are held for the purpose of collecting the contractual cash flows where the cash flows are solely payment of principal and interest, that are not provided at below-market interest rates, are subsequently measured at amortised cost using the effective interest rate method adjusted for any loss allowance.

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.

2.2 Non-Financial Assets

Accounting Policy

Non-Financial assets

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 \$5,000, which are expensed in the year of acquisition (other than where they form part of an integrated item costing over the asset recognition threshold).

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 Office 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.

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 the Office's 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 reverse a previous revaluation increment for that class.

2.2 Non-Financial Assets (continued)

Accounting Policy (continued)

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:

Leasehold Improvements: Lease terms (2023: Lease terms)

Plant and Equipment: 3 to 25 years (2023: 3 to 25 years)

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 2024. 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 Office 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 externally 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 Office's software are 1 to 15 years (2023: 1 to 15 years).

2.2 Non-Financial Assets (continued)

2.2A: Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment and Intangibles

	Leasehold Improvements	Plant and equipment	Computer Software	Total
	\$'000	\$'000	\$'000	\$'000
as at 1 July 2023				
Gross book value	16,801	633	2,717	20,151
Accumulated depreciation, amortisation and impairment	(8,951)	-	(2,235)	(11,186)
Total as at 1 July 2023	7,850	633	482	8,965
Additions				
Purchase	1,684	67	-	1,751
Right-of-use assets	1,089	-	-	1,089
Depreciation and amortisation	(919)	(266)	(231)	(1,416)
Depreciation on right-of-use assets	(2,607)	-	-	(2,607)
Disposals				
Disposals - Gross book Value	(63)	(315)	(2,249)	(2,627)
Disposals - Accumulated depreciation	63	155	2,249	2,467
Disposals - RoU Gross book Value	(878)	-	-	(878)
Disposals - RoU Accumulated depreciation	878	-	-	878
Total as at 30 June 2024	7,097	274	251	7,622
Total as at 30 June 2024 represented by				
Gross book value	18,633	385	467	19,486
Accumulated depreciation, amortisation and impairment	(11,536)	(111)	(217)	(11,864)
Total as at 30 June 2024	7,097	274	251	7,622
Carrying amount of right-of-use assets	4,479	-	-	4,479

None of the above listed assets are expected to be sold or disposed of within the next 12 months.

Revaluations of non-financial assets and intangible assets

All revaluations were conducted in accordance with the revaluation policy. A desktop assessment was conducted for revaluation of Leasehold Improvements. There have been no significant movements in market values since the professional valuation completed as at 30 June 2023.

Contractual commitments for the acquisition of property, plant, equipment and intangible assets

As at the reporting date, the Office had no ongoing significant contractual commitments for the acquisition of property, plant, equipment and intangible assets.

2.2 Non-Financial Assets (continued)

	2024 \$'000	2023 \$'000
2.2B: Other non-financial assets		
Prepayments	959	714
Total other non-financial assets	959	714
Other non-financial assets expected to be recovered		
No more than 12 months	959	714
Total other non-financial assets	959	714

No indicators of impairment were found for other non-financial assets.

2.3 Payables

2.3A: Suppliers

Trade creditors and accruals	2,714	1,729
Total suppliers	2,714	1,729

2.3B: Other payables

Salaries and wages	688	657
Superannuation	114	108
Unearned income	690	-
Separation and redundancies	86	-
Total other payables	1,578	765

2.4 Interest Bearing Liabilities

2.4A: Leases

Lease liabilities	4,903	6,537
Total leases	4,903	6,537

Maturity analysis – contractual undiscounted cash flows

Within 1 year	1,697	2,750
Between 1 to 5 years	3,131	3,380
More than 5 years	436	791
Total leases	5,264	6,921

Total cash outflow for leases for the year ended 30 June 2024 was \$2.859 million (2023: \$2.742 million).

The Office in its capacity as lessee has two leases located in Canberra for its main office, Lease 1 is a 15-year lease, Lease 2 is a 9-year lease. These leases have fixed annual rent review escalation clauses and are due to expire in late 2024.

2.4 Interest Bearing Liabilities (continued)

Accounting Policy

For all new contracts entered into, the Office considers whether the contract is, or contains a lease. A lease is defined as 'a contract, or part of a contract, that conveys the right to use an asset (the underlying asset) for a period of time in exchange for consideration'.

Once it has been determined that a contract is, or contains a lease, the lease liability is initially measured at the present value of the lease payments unpaid at the commencement date, discounted using the interest rate implicit in the lease, if that rate is readily determinable, or the Office's incremental borrowing rate.

Subsequent to initial measurement, the liability will be reduced for payments made and increased for interest. It is remeasured to reflect any reassessment or modification to the lease. When the lease liability is remeasured, the corresponding adjustment is reflected in the right-of-use asset or profit and loss depending on the nature of the reassessment or modification.

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 2024

	Annual Appropriation \$'000	Adjustments to appropriation ¹ \$'000	Total appropriation \$'000	Appropriation applied in 2024 (current and prior years) \$'000	Variance ² \$'000
Departmental					
Ordinary annual services	42,143	6,989	49,132	(45,437)	3,695
Capital Budget ³	851	-	851	(1,134)	(283)
Total departmental	42,994	6,989	49,983	(46,571)	3,412

1. Adjustments to appropriations includes adjustments to current year annual appropriations including Advance to the Finance Minister (AFM), PGPA Act section 74 receipts and PGPA Act section 75 transfers.

2. The variance in ordinary annual services represents the application of current and prior year's appropriation and own-source revenue. The variance in capital budget of \$0.283m is the result of expenditure on capital projects in the current year from projects delayed from prior year. The variances reflect drawdowns of prior year's appropriation and timing differences between expenses and cash flows.

3. 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 2023

	Annual Appropriation \$'000	Adjustments to appropriation ¹ \$'000	Total appropriation \$'000	Appropriation applied in 2023 \$'000	Variance ² \$'000
Departmental					
Ordinary annual services	40,103	4,185	44,288	(46,525)	(2,237)
Capital Budget ³	834	-	834	(610)	224
Other services	-	-	-	-	-
Equity Injections	-	-	-	(314)	(314)
Total departmental	40,937	4,185	45,122	(47,449)	(2,327)

3.1 Appropriations (continued)

Restatement of prior period error

The previously reported figures in 3.1A annual appropriation disclosure in the Office's 2022-23 financial statements has been restated due to prior period errors. The details of what was originally reported, and the restated amounts are detailed below.

	Original Balance \$'000	Restated Balance \$'000	Difference \$'000	Reason for adjustment
Ordinary annual services	<i>Adjustment to appropriation</i> 5,547	4,185	(1,362)	To exclude GST amounts previously included
Ordinary annual services	<i>Appropriation applied in 2023</i> 46,954	46,525	(429)	To exclude GST amounts previously included, to include cash at bank movement

1. An amount of \$0.653m has been withheld (Section 51 of the PGPA Act) as part of the Government's plan to achieve savings as part of their APS reforms.
2. Adjustments to appropriations includes adjustments to prior year annual appropriations including Advance to the Finance Minister (AFM), PGPA Act section 74 receipts and PGPA Act section 75 transfers.
3. The variance in ordinary annual services represents the application of current and prior year's appropriation and own-source revenue. The variance in capital budget of \$0.224m is the result of delays in planned expenditure on capital projects and is held for forward year spending. The variance in equity injections of \$0.314m is a result of a delay in spending the 2020-21 equity injection, which completed in the 2022-23 year. The variances reflect drawdowns of prior year's appropriation and timing differences between expenses and cash flows.
4. Departmental Capital Budgets are appropriated through Appropriation Supply 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')

	2024 \$'000	2023 \$'000
Departmental		
Appropriation Act (No. 1) 2020-21 – Operating ^{1,2}	-	349
Appropriation Act (No. 2) 2020-21 – Equity Injection ³	-	40
Appropriation Act (No. 1) 2021-22 – Departmental Capital Budget	-	826
Supply Act (No. 3) 2022-23 – Operating ¹	653	10,393
Supply Act (No. 1) 2022-23 – Departmental Capital Budget	40	348
Supply Act (No. 3) 2022-23 – Departmental Capital Budget	486	486
Cash at Bank	241	236
Appropriation Act (No. 1) 2023-24 – Operating	13,107	-
Appropriation Act (No. 3) 2023-24 – Operating	323	-
Appropriation Act (No. 1) 2023-24 – Departmental Capital Budget	851	-
Total departmental	15,701	12,678

3.1 Appropriations (continued)

1. The balances above include amounts that are subjected to PGPA Act section 51 withholding which are considered to be legally available appropriation.

a) Appropriation Act (No. 1) 2020-21 – Operating: \$Nil (2022-23: \$0.349m)

b) Supply Act (No. 3) 2022-23 – Operating: \$0.653m (2022-23: \$0.653m)

2. Appropriation Act (No. 1) 2020-21 – Operating lapsed on 1 July 2023.

3. Appropriation Act (No. 2) 2020-21 – Equity Injection lapsed on 1 July 2023.

Restatement of prior period error

The previously reported figures in 3.1B Unspent annual appropriations disclosure for 2022-23 were restated, as per AASB 108 *Accounting Policies, Changes in Accounting Estimates and Errors*. For the Office's 2022-23 financial statements, the section 51 withholding amounts were omitted in error from the unspent annual appropriation disclosure. The below table details the restates amounts and what was originally reported in the Office's 2022-23 financial statements

	Original Balance \$'000	Restated Balance \$'000	Difference \$'000	Reason for adjustment
Appropriation Act (No. 1) 2020-21 – Operating ¹	-	349	349	Omitted s51 withholding
Total unspent appropriation	-	349	349	

3.2 Net Cash Appropriation Arrangements

	2024 \$'000	2023 \$'000
Total comprehensive income/(loss) – as per the Statement of Comprehensive Income	588	(3,065)
Plus: depreciation/amortisation of assets funded through appropriations (departmental capital budget funding and/or equity injections) ¹	1,416	1,599
Plus: depreciation of right-of-use assets ²	2,607	2,772
Less: lease principal repayments ²	2,720	2,627
Net Cash Operating Surplus/(Deficit)	1,891	(1,321)

1. From 2010-11, the Government introduced net cash appropriation arrangements where revenue appropriations for depreciation/amortisation expenses of non-corporate Commonwealth entities were replaced with a separate capital budget provided through equity appropriations. Capital budgets are to be appropriated in the period when cash payment for capital expenditure is required.

2. The inclusion of depreciation/amortisation expenses related to RoU leased assets and the lease liability principal repayment amount reflects the impact of AASB 16 Leases, which does not directly reflect a change in appropriation arrangements.

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

	2024	2023
	\$'000	\$'000

4.1A: Employee provisions

Leave	6,471	5,931
Total employee provisions	6,471	5,931

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 2024. 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 Office recognises a provision for restructuring when it has developed a detailed formal plan for the restructuring and has informed those employees affected that it will carry out the restructuring.

Superannuation

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

The PSS is a defined benefit scheme 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 Office 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.

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 Office, directly or indirectly, including any director (whether executive or otherwise) of the Office. The Office has determined the key management personnel to be the Ombudsman, Deputy Ombudsman, Chief Operating Officer, and the four Senior Assistant Ombudsman. Key management personnel remuneration is reported in the table below:

	2024	2023
	\$'000	\$'000
Short-term employee benefits	2,022	2,097
Post-employment benefits	347	312
Other long-term employee benefits	54	58
Total key management personnel remuneration expenses¹	2,423	2,467

The total number of key management personnel that are included in the above table is 8 (2023: 16). This includes substantive key management personnel and extended acting arrangements (engaged for a period of 6 continuous weeks or more). The reduction from prior years reflects fewer acting arrangements that met the threshold for disclosure.

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 Office.

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 Office, it has been determined that there are no related party transactions to be separately disclosed (2023: nil).

Managing Uncertainties

This section describes how the Office manages financial risks within its operating environment

5.1 Financial Instruments

	2024	2023
	\$'000	\$'000

5.1A: Categories of financial instruments

Financial assets at amortised cost

Cash and cash equivalents	241	236
Trade and other receivables	107	477

Total financial assets at amortised cost

	348	713
--	-----	-----

Total financial assets

	348	713
--	-----	-----

Financial liabilities measured at amortised cost

Supplier payables	2,714	1,729
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Total financial liabilities measured at amortised cost

	2,714	1,729
--	-------	-------

Total financial liabilities

	2,714	1,729
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5.1 Financial Instruments (continued)

Accounting Policy

Financial assets

In accordance with AASB 9 *Financial Instruments*, the Office classifies its financial assets measured at amortised cost.

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, consequently, 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.

Financial Assets at Amortised Cost

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

1. the financial asset is held 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.

Financial liabilities

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'.

Financial Liabilities at Amortised Cost

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.

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).

5.2 Fair Value Measurement

Accounting Policy

The Office's Leasehold improvements are held at their carrying values as at 30 June 2024.

The Office performed a desktop valuation to undertake an assessment of fair value as at 30 June 2024.

Leasehold improvements are measured at level 3 measurement in the fair value hierarchy.

Plant and equipment are measured at level 2 in the fair value hierarchy.

5.2A: Fair value measurement

Fair value measurements at the end of the reporting period

	2024 \$'000	2023 \$'000
Non-financial assets		
Leasehold improvements	2,618	1,855
Plant and equipment	274	633
Total Non-financial assets	2,892	2,488

Other information

6.1 Current/non-current distinction for assets and liabilities

6.1A: Current/non-current distinction for assets and liabilities

	2024 \$'000	2023 \$'000
Assets expected to be recovered in:		
No more than 12 months		
Cash and cash equivalents	241	236
Trade and other receivables	15,213	12,017
Prepayments	959	714
Total no more than 12 months	16,413	12,967
More than 12 months		
Leasehold Improvements	7,097	7,850
Plant and equipment	274	633
Computer software	251	482
Total more than 12 months	7,622	8,965
Total assets	24,035	21,932
Liabilities expected to be settled in:		
No more than 12 months		
Suppliers	2,714	1,729
Other payables	1,578	765
Leases	1,575	2,631
Employee provisions	2,807	2,555
Total no more than 12 months	8,674	7,680
More than 12 months		
Leases	3,328	3,906
Employee provisions	3,664	3,376
Total more than 12 months	6,992	7,282
Total liabilities	15,666	14,962

Appendix 3: Key performance indicator 1a sub-measures

Table 18: Results against sub-measures for key performance indicator 1a: target 80% of complaint handling performance standards met

key performance indicator 1a sub-measures	Result
Complaints and Investigations	
Target 95% of enquiries and out of jurisdiction (OOJ) contacts are finalised within 10 working days	79%
Target 50% of complaints are finalised in 30 working days	59%
Target 75% of complaints are finalised within 90 working days	85%
Target 85% of complaints are finalised in 6 months	91%
Target 99% of complaints are finalised in 12 months	99%
Target 90% compliance with Quality Assurance requirements	97%
Target Total number of complaints finalised is > or = to 99% of complaints received	88%
Target Telephone Service Levels: Average speed of answer (ASA) is < or = to 10 minutes	17m 24s
Target 70% of Public Interest Disclosure (PID) Investigations are finalised in 12 months	40%
Target 90% compliance with Quality Assurance requirements (PID Investigations)	100%
VET FEE-HELP Program	
Target 80% of target number of finalisations is achieved	69%
Target Significant errors identified in < or = to 10% of Quality Checking	8%
Defence Force Ombudsman	
Target 80% of reports are assessed in 8 months (excluding time with the Department of Defence)	99%
Target 80% of targeted number of decisions finalised per quarter	85%
Target Significant errors identified in < or = to 10% of Quality Checking	5%

Appendix 4: Information Publication Scheme

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

The Commonwealth Ombudsman's IPS plan describes how the Office complies with the IPS' requirements and how the Office gives access to information published under the IPS. The Office is undertaking a review of its IPS plan and publications in the first quarter of 2024-25.

More information is available on the IPS page at ombudsman.gov.au.

Appendix 5: Management of human resources

Table 19: Senior Executives (engaged for a period of 3 months or more, continuous)

Name	Position Title	Term
Iain Anderson	Commonwealth Ombudsman	Full year
Penny McKay	Deputy Ombudsman	Full year
Lisa Collett	Chief Operating Officer	Full year
Emma Cotterill	Senior Assistant Ombudsman	Full year
David Fintan	Senior Assistant Ombudsman	Full year
Julia Galluccio	Senior Assistant Ombudsman	Full year
Joanne Mulder	Senior Assistant Ombudsman	Full Year

Remuneration policy and practices

The Ombudsman and Deputy Ombudsman's remuneration is set by the Remuneration Tribunal under s 7 of the *Remuneration Tribunal Act 1973*.

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

The Office of the Commonwealth Ombudsman Enterprise Agreement 2024-27 (EA) provides remuneration and conditions for all non-SES staff. The EA also allows individual flexibility arrangements for remuneration, superannuation, working hours, leave, allowance and overtime rates.

Table 20: Information about remuneration for key management personnel

Name	Position title	Short-term benefits				Post-employment benefits			Termination benefits	Total remuneration
		Base salary	Bonuses	Other benefits and allowances	Superannuation contributions	Long service leave	Other long-term benefits			
Iain Anderson	Commonwealth Ombudsman	419,471	0	3,761	75,071	10,729	0	0	509,032	
Penelope McKay	Deputy Ombudsman	313,709	0	3,761	48,028	9,689	0	0	375,186	
Lisa Collett	Chief Operating Officer	219,592	0	25,016	42,447	6,139	0	0	293,193	
Emma Cotterill	Senior Assistant Ombudsman	226,271	0	25,065	36,279	5,804	0	0	293,418	
David Fintan	Senior Assistant Ombudsman	250,827	0	23,026	38,544	7,034	0	0	319,432	
Julia Galluccio	Senior Assistant Ombudsman	242,073	0	3,943	43,402	7,558	0	0	296,976	
Joanne Mulder	Senior Assistant Ombudsman	230,915	0	3,761	58,827	6,006	0	0	299,509	
Katrina Dwyer	Acting Senior Assistant Ombudsman	29,844	0	567	4,696	994	0	0	36,101	
Total		1,932,701	0	88,900	347,294	53,953	0	0	2,422,847	

Table 21: Information about remuneration for senior executives

Total remuneration bands	Number of senior executives	Short-term benefits				Post-employment benefits			Other long-term benefits			Termination benefits	Total remuneration
		Average base salary	Average bonuses	Average other benefits and allowances	Average superannuation contributions	Average long service leave	Average other long-term benefits	Average employment benefits	Average long-term benefits	Average termination benefits	Average total remuneration		
\$0-\$220,000	1	29,844	-	567	4,696	994	-	-	-	-	36,101		
\$220,001-\$245,000	-	-	-	-	-	-	-	-	-	-	-		
\$245,001-\$270,000	-	-	-	-	-	-	-	-	-	-	-		
\$270,001-\$295,000	2	222,931	-	25,040	39,363	5,971	-	-	-	-	293,306		
\$295,001-\$320,000	3	241,272	-	10,243	46,924	6,866	-	-	-	-	305,306		
\$320,001-\$345,000	-	-	-	-	-	-	-	-	-	-	-		
\$345,001-\$370,000	-	-	-	-	-	-	-	-	-	-	-		
\$370,001-\$395,000	1	313,709	-	3,761	48,028	9,689	-	-	-	-	375,186		
\$395,001-\$420,000	-	-	-	-	-	-	-	-	-	-	-		
\$420,001-\$445,000	-	-	-	-	-	-	-	-	-	-	-		
\$445,001-\$470,000	-	-	-	-	-	-	-	-	-	-	-		
\$470,001-\$495,000	-	-	-	-	-	-	-	-	-	-	-		
\$495,001	1	419,471	-	3,761	75,071	10,729	-	-	-	-	509,032		
Total	8	1,227,227	-	43,372	214,082	34,249	-	-	-	-	1,518,931		

Table 22: All ongoing employees current reporting period (2023–24)

	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	8	-	8	12	1	13	-	-	-	-	-	-	-	-	-	21
Qld	10	-	10	20	9	29	-	-	-	-	-	-	-	-	-	39
SA	15	1	16	16	4	20	-	-	-	-	-	-	-	-	-	36
Tas	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Vic	17	2	19	17	7	24	-	-	-	-	-	-	-	-	-	43
WA	4	-	4	5	1	6	-	-	-	-	-	-	-	-	-	10
ACT	25	3	28	57	14	71	-	-	-	-	-	-	-	-	-	99
NT	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
External Territories	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Overseas	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	79	6	85	127	36	163	-	-	-	-	-	-	-	-	-	248

Table 23: All ongoing employees previous reporting period (2022–23)

	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	4	1	28	15	2	17	-	-	-	-	-	-	-	-	-	20
Qld	8	-	8	16	4	20	-	-	-	-	-	-	-	-	-	28
SA	16	1	17	9	7	33	-	-	-	-	-	-	-	-	-	33
Tas	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Vic	8	3	11	15	6	21	-	-	-	-	-	-	-	-	-	32
WA	5	-	5	3	1	4	-	-	-	-	-	-	-	-	-	9
ACT	26	2	28	49	17	66	-	-	-	-	-	-	-	-	-	94
NT	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
External Territories	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Overseas	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	67	7	74	106	36	142	-	-	-	-	-	-	-	-	-	216

Table 24: All non-ongoing employees current reporting period (2023–24)

	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	2	-	2	1	-	1	-	-	-	-	-	-	-	-	-	3
Qld	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	2
SA	3	1	4	2	3	5	-	-	-	-	-	-	-	-	-	9
Tas	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Vic	1	-	1	5	-	5	-	-	-	-	-	-	-	-	-	6
WA	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ACT	4	1	5	8	4	12	1	-	1	-	-	-	-	-	-	18
NT	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
External Territories	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Overseas	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	10	3	13	17	7	24	1	-	1	-	-	-	-	-	-	38

Table 25: All non-ongoing employees previous reporting period (2022–23)

	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	3	1	4	1	1	2	-	-	-	-	-	-	-	-	-	6
Qld	2	-	2	3	1	4	-	-	-	-	-	-	-	-	-	6
SA	5	-	5	3	2	5	-	-	-	-	-	-	-	-	-	10
Tas	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Vic	2	-	2	3	-	3	-	-	-	-	-	-	-	-	-	5
WA	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ACT	8	1	9	15	6	21	-	-	-	-	-	-	-	-	-	30
NT	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
External Territories	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Overseas	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	20	2	22	25	10	35	-	-	-	-	-	-	-	-	-	57

Table 26: Australian Public Service Act ongoing employees current reporting period (2023-24)

	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
SES 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SES 2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SES 1	1	-	1	4	-	4	-	-	-	-	-	-	-	-	5	5
EL 2	4	-	4	15	7	22	-	-	-	-	-	-	-	-	26	26
EL 1	15	3	18	30	6	36	-	-	-	-	-	-	-	-	54	54
APS 6	23	3	26	28	14	42	-	-	-	-	-	-	-	-	68	68
APS 5	24	-	24	35	3	38	-	-	-	-	-	-	-	-	62	62
APS 4	12	-	12	14	6	20	-	-	-	-	-	-	-	-	32	32
APS 3	-	-	-	1	-	1	-	-	-	-	-	-	-	-	1	1
APS 2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
APS 1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	79	6	85	127	36	163	-	-	-	-	-	-	-	-	248	248

Table 27: Australian Public Service Act ongoing employees previous reporting period (2022-23)

	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
SES 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SES 2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SES1	1	-	1	4	-	4	-	-	-	-	-	-	-	-	-	5
EL2	5	-	5	16	2	18	-	-	-	-	-	-	-	-	-	23
EL1	17	4	21	25	10	35	-	-	-	-	-	-	-	-	-	56
APS6	16	2	18	34	16	50	-	-	-	-	-	-	-	-	-	68
APS5	15	-	15	18	5	23	-	-	-	-	-	-	-	-	-	38
APS4	12	1	13	9	3	12	-	-	-	-	-	-	-	-	-	25
APS3	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	1
APS2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
APS1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	67	7	74	106	36	142	-	-	-	-	-	-	-	-	-	216

Table 28: Australian Public Service Act non-ongoing employees current reporting period (2023–24)

	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
SES 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SES 2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SES 1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
EL 2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
EL 1	1	-	1	-	1	1	-	-	-	-	-	-	-	-	-	2
APS 6	-	-	-	1	-	1	-	-	-	-	-	-	-	-	-	1
APS 5	-	-	-	2	2	4	-	-	-	-	-	-	-	-	-	4
APS 4	9	2	11	13	4	17	1	-	1	-	-	-	-	-	-	29
APS 3	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	2
APS 2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
APS 1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	10	3	13	17	7	24	1	-	1	-	-	-	-	-	-	38

Table 29: Australian Public Service Act non-ongoing employees previous reporting period (2022-23)

	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
SES 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SES 2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SES 1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
EL 2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
EL 1	4	-	4	2	-	2	-	-	-	-	-	-	-	-	-	6
APS 6	2	-	2	3	3	6	-	-	-	-	-	-	-	-	-	8
APS 5	4	-	4	8	2	10	-	-	-	-	-	-	-	-	-	14
APS 4	10	2	12	12	5	17	-	-	-	-	-	-	-	-	-	29
APS 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
APS 2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
APS 1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	20	2	22	25	10	35	-	-	-	-	-	-	-	-	-	57

Table 30: Australian Public Service Act employees by full time and part time status current reporting period (2023–24)

	Ongoing			Non-Ongoing			Total
	Full time	Part time	Total Ongoing	Full time	Part time	Total Non-Ongoing	
SES 3	-	-	-	-	-	-	-
SES 2	-	-	-	-	-	-	-
SES 1	5	-	5	-	-	-	5
EL 2	19	7	26	-	-	-	26
EL 1	45	9	54	1	1	2	56
APS 6	51	17	68	1	-	1	69
APS 5	59	3	62	2	2	4	66
APS 4	26	6	32	23	6	29	61
APS 3	1	-	1	1	1	2	3
APS 2	-	-	-	-	-	-	-
APS 1	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-
Total	-	-	248	28	10	38	286

Table 31: Australian Public Service Act employees by full time and part time status previous reporting period (2022–23)

	Ongoing			Non-Ongoing			Total
	Full time	Part time	Total Ongoing	Full time	Part time	Total Non-Ongoing	
SES 3	-	-	-	-	-	-	-
SES 2	-	-	-	-	-	-	-
SES 1	5	-	5	-	-	-	5
EL 2	21	2	23	-	-	-	23
EL 1	42	14	56	6	-	6	62
APS 6	50	18	68	5	3	8	76
APS 5	33	5	38	12	2	14	52
APS 4	21	4	25	22	7	29	54
APS 3	1	-	1	-	-	-	-
APS 2	-	-	-	-	-	-	-
APS 1	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-
Total	173	43	216	45	12	57	273

Table 32: Australian Public Service Act employment type by location current reporting period (2023–24)

	Ongoing	Non-Ongoing	Total
NSW	21	3	24
Qld	39	2	41
SA	36	9	45
Tas	-	-	-
Vic	43	6	49
WA	10	-	10
ACT	99	18	117
NT	-	-	-
External Territories			
Overseas	-	-	-
Total	248	38	286

Table 33: Australian Public Service Act employment type by location previous reporting period (2022–23)

	Ongoing	Non-Ongoing	Total
NSW	20	6	26
Qld	28	6	34
SA	33	10	43
Tas	-	-	-
Vic	32	5	37
WA	9	-	9
ACT	94	30	124
NT	-	-	-
External Territories	-	-	-
Overseas	-	-	-
Total	216	57	273

Table 34: Australian Public Service Act Indigenous employment current reporting period (2023–24)

	Total
Ongoing	10
Non-Ongoing	1
Total	11

Table 35: Australian Public Service Act Indigenous employment previous reporting period (2022–23)

	Total
Ongoing	8
Non-Ongoing	2
Total	10

Table 36: Australian Public Service Act employment arrangements current reporting period (2023–24)

	SES	Non-SES	Total
Determinations under s 24(1)	5	-	5
Office of the Commonwealth Ombudsman Enterprise Agreement	-	279	279
Individual Flexibility Arrangements	-	3	3
Total	5	282	287

Table 37: Australian Public Service Act employment arrangements previous reporting period (2022–23)

	SES	Non-SES	Total
Office of the Commonwealth Ombudsman Enterprise Agreement 2017–20	-	253	253
Determinations under s 24(1)	5	-	5
Individual Flexibility Arrangements	-	15	15
Total	5	268	273

Table 38: Australian Public Service Act employment salary ranges by classification level (minimum/maximum) current reporting period (2023–24)

	Minimum salary	Maximum salary
SES 3	-	-
SES 2	257,289	291,982
SES 1	204,376	235,368
EL 2	132,263	149,914
EL 1	113,592	122,663
APS 6	90,199	101,786
APS 5	82,038	87,572
APS 4	73,556	79,863
APS 3	65,997	71,232
APS 2	57,943	64,253
APS 1	52,000	56,588
Other	-	-
Minimum/maximum range	52,000	291,982

Please note that salary scales are not inclusive of additional remuneration that may arise from individual flexibility arrangements.

Table 39: Australian Public Service Act employment performance pay by classification level current reporting period (2023–24)

	Number of employees receiving performance pay	Aggregated (sum total) of all payments made	Average of all payments made	Minimum payment made to employees	Maximum payment made to employees
SES 3	0	0	0	0	0
SES 2	0	0	0	0	0
SES 1	0	0	0	0	0
EL 2	0	0	0	0	0
EL 1	0	0	0	0	0
APS 6	0	0	0	0	0
APS 5	0	0	0	0	0
APS 4	0	0	0	0	0
APS 3	0	0	0	0	0
APS 2	0	0	0	0	0
APS 1	0	0	0	0	0
Other	0	0	0	0	0
Total	0	0	0	0	0

Appendix 6: Entity Resource Statement

Table 40: Entity Resource Statement 2023-24

	Actual available appropriation for 2023-24 \$'000 (a)	Payments made 2023-24 \$'000 (b)	Balance remaining 2023-24 \$'000 (a) - (b)
Departmental			
Annual appropriations - ordinary annual services ¹	62,272	46,571	15,701
Total resourcing and payments for the Office of the Commonwealth Ombudsman	62,272	46,571	15,701

¹ Departmental Appropriation combines 'Ordinary annual services' (Appropriation Act No. 1), 'Ordinary annual services' (Appropriation Act No. 2) and 'Revenue from independent sources (S74)'.

Table 41: Resource summary: Expenses for outcome 1

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.				
	Budget 2023-24 \$'000	Actual 2023-24 \$'000	Variance 2023-24 \$'000	
Program 1.1: Office of the Commonwealth Ombudsman				
Departmental Expenses	42,820	40,268	1,552	
s 74 External revenue	4,385	5,030	(645)	
Expenses not requiring appropriation in the Budget Year	3,976	4,088	(166)	
Total for program 1.1	50,127	49,386	741	
Total for outcome 1	50,127	49,386	741	
Average Staffing Level (number)	309	259	50	

Appendix 7: 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 position to help us manage activities in a sustainable manner. Our environmental impact is mainly through office-based energy consumption, paper resources, and waste management.

APS Net Zero Summary

APS Net Zero 2030 is the target set by the Australian Government to achieve net zero greenhouse gas emissions from government operations by the year 2030. Net zero is achieved when consumption of resources, such as electricity, is reduced as far as possible, and energy is supplied from renewable sources.

The Greenhouse Gas Emissions Inventory presents greenhouse gas emissions over the 2023–24 period. Results are presented on the basis of carbon dioxide equivalent (CO₂-e) emissions. Greenhouse gas emissions reporting has been developed with methodology that is consistent with the whole of Australian Government approach as part of the APS Net Zero 2030 policy. Not all data sources were available at the time of the report and adjustments to baseline data may be required in future reports.

Table 42: 2023–24 Greenhouse gas emissions inventory: location-based method

Emission source	Scope 1 t CO ₂ -e	Scope 2 t CO ₂ -e	Scope 3 t CO ₂ -e	Total t CO ₂ -e
Electricity (Location Based Approach)	N/A	133.702	12.902	146.604
Natural gas	0.000	N/A	0.000	0.000
Solid waste*	N/A	N/A	0.000	0.000
Refrigerants**	0.000	N/A	N/A	0.000
Fleet and other vehicles	0.000	N/A	0.000	0.000
Domestic commercial flights	N/A	N/A	160.306	160.306
Domestic car hire*	N/A	N/A	0.493	0.493
Domestic travel accommodation	N/A	N/A	67.444	67.444
Other energy	0.000	N/A	0.000	0.000
Total CO₂-e	0.000	133.702	241.144	374.846

Note: the table above presents emissions related to electricity usage using the location-based accounting method. CO₂-e = Carbon Dioxide Equivalent.

* Indicates emission sources collected for the first time in 2023–24. The quality of the data is expected to improve over time as emissions reporting matures.

Indicates optional emission source for 2023–24 emissions reporting.

Table 43: 2023–24 Electricity Greenhouse Gas Emissions

Emission Source	Scope 2 t CO ₂ -e	Scope 3 t CO ₂ -e	Total t CO ₂ -e	Percentage of electricity use
Electricity (Location Based Approach)	133.702	12.902	146.604	100.00%
Market Based Electricity Emissions	30.857	8.809	34.666	18.41%
Total Renewable Electricity	-	-	-	81.59%
Mandatory Renewables 1	-	-	-	18.72%
Voluntary Renewables 2	-	-	-	62.87%

Note: The table above presents emissions related to electricity usage using both the location-based accounting methods. CO₂-e = Carbon Dioxide Equivalent.

1 Mandatory renewables are the portion of electricity consumed from the grid that is generated by renewable sources. This includes the renewable power percentage.

2 Voluntary renewables reflect the eligible carbon credits units surrendered by the entity. This may include purchased large-scale generation certificates, power purchasing agreements. GreenPower and the jurisdictional renewable power percentage (ACT Only).

Waste data was not available at the time of the report and amendments to data may be required in future reports. The quality of data is expected to improve over time as emissions reporting matures.

Commonwealth Ombudsman Commitment to Net Zero and Practices in Place

The Office of the Commonwealth Ombudsman has already commenced its net zero emissions pathway in line with the direction set in the Net Zero Strategy. This includes the following key activities:

- Commitment to sustainable practices is also demonstrated through our recent Canberra lease, which will see us reuse furniture and built spaces from a previous government occupant. This will not only divert potential waste because of the existing fit out being disposed of but allow the us to reduce costs associated with building their own fit out from a blank canvass.
- We will be reducing waste, conserving resources, and minimising carbon emissions in line with the Governments Net Zero target and all new office leases will be a minimum of 5.0 Star NABERS energy rating which will meet Governments needs into the future.

Energy consumption

In 2023-24, the Office continued to manage its energy consumption. All new leasehold improvements have included smart lighting and the installation of LED globes to continue to provide efficient energy consumption.

Paper resources

The Office ensures we engage in digital recordkeeping and e-business practices to reduce paper use. Our paper supplies are either carbon neutral or manufactured from at least 50% recycled products. Other materials such as files, folders and unused stationery are recycled to reduce procurement activity for new 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
- 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. For example, all staff must release their print job at the physical printer, otherwise their individual print job is lost after one hour.

Appendix 8: Correction of material errors in previous annual report

The following errors were made in the 2022–23 annual report:

- The *Fraud control* section on page 67 incorrectly referred to the Comcover Risk Management Benchmarking Survey as an annual survey. This section should have referred to the Survey being conducted biennially.
- On page 113, table 23 *Australian Public Service Act employment type by location previous reporting period (2021–22)* incorrectly duplicated the NSW row into the overseas territory row, and the QLD row was incorrectly duplicated into the Total row. The correct table is below.

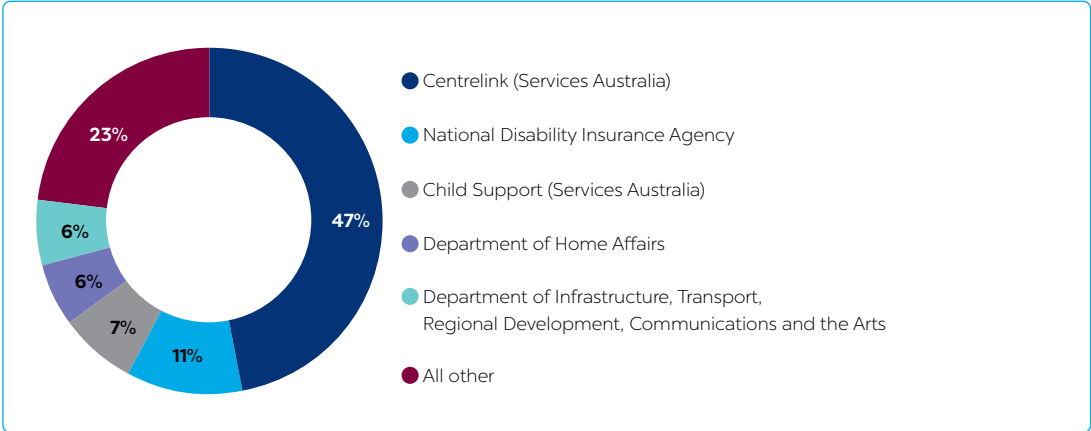
Table 44: Corrected Australian Public Service Act employment type by location previous reporting period (2021–22)

	Ongoing	Non-Ongoing	Total
NSW	20	6	26
Qld	28	6	34
SA	33	10	43
Tas	-	-	-
Vic	32	5	37
WA	9	-	9
ACT	94	30	124
NT	-	-	-
External Territories	-	-	-
Overseas	-	-	-
Total	216	57	273

- On page 114, table 27 *Australian Public Service Act employment by salary range by classification level (minimum/maximum) current reporting period (2022–23)* incorrectly referred to the maximum salary for classification level APS6 as \$97,971. The correct figure should be \$97,871.

Appendix 9: The top 5 parliamentary complaints received by agency

Figure 13: Top 5 agencies by number of complaints



Appendix 10: List of publications, reports and submissions

Table 45: List and description of the publications, reports and submissions published on the Commonwealth Ombudsman website in 2023-24

Title	Date published	Short description	URL
PID Act Factsheet: Key changes – Personal work-related conduct	05/7/2023	This factsheet explains the definition of personal work-related conduct under the PID Act.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0034/299617/personal-work-related-conduct.pdf
The Agency Guide to the PID Act: Chapters 5 through 10	Chapters 5 –9: 05/07/2023	Chapter 5 – Initial assessment and allocation under the PID Act	https://www.ombudsman.gov.au/___data/assets/pdf_file/0035/299618/Chapter-5-Initial-assessment-and-allocation-under-the-PID-Act.pdf
		Chapter 6 – Deciding whether to investigate under the PID Act	https://www.ombudsman.gov.au/___data/assets/pdf_file/0036/299619/Chapter-6-Deciding-whether-to-investigate-under-the-PID-Act.pdf
		Chapter 7 – Conducting an investigation	https://www.ombudsman.gov.au/___data/assets/pdf_file/0028/299620/Chapter-7-Conducting-an-investigation.pdf
		Chapter 8 – Support and protection under the PID Act	https://www.ombudsman.gov.au/___data/assets/pdf_file/0029/299621/Chapter-8-Support-and-protection-under-the-PID-Act.pdf
		Chapter 9 – The role of key agencies	https://www.ombudsman.gov.au/___data/assets/pdf_file/0031/299623/Chapter-9-The-Role-of-Key-Agencies.pdf
Chapter 10:	19/10/2023	Chapter 10 – Interaction between the NACC and the PID framework	https://www.ombudsman.gov.au/___data/assets/pdf_file/0025/301399/Chapter-10-Interaction-between-the-National-Anti-Corruption-Commission-and-the-PID-Framework.pdf
VET Student Loans Quarterly Update – 1 January to 31 March 2023	14/07/2023	Quarterly update of the activities of the VET Student Loans Ombudsman (VSLO) for the period 1 January 2023 to 31 March 2023.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0034/299716/VSLO-QU-Jan-March-2023.pdf

Title	Date published	Short description	URL
Commonwealth Ombudsman Submission – Administrative Review Reform	28/07/2023	The submission explains our role and functions as an entity in the Commonwealth administrative law system. It identifies key points of interaction between the Office of the Commonwealth Ombudsman and the Administrative Appeals Tribunal (AAT).	https://www.ombudsman.gov.au/__data/assets/pdf_file/0040/299848/Commonwealth-Ombudsman-submission-Administrative-Review-Reform.pdf
Joint Standing Committee on the National Disability Insurance Scheme	31/07/2023	A submission to highlight the recent work and publications relating to the National Disability Insurance Scheme (NDIS) and National Disability Insurance Agency (NDIA).	https://www.ombudsman.gov.au/__data/assets/pdf_file/0037/299881/NDIS-General-Issues-Inquiry-Submission-23.pdf
Lessons in lawfulness – Statement by the Commonwealth Ombudsman	02/08/2023	Public statement regarding Own Motion Investigation into Services Australia's and the Department of Social Services' response to the question of the lawfulness of income apportionment before 7 December 2020.	https://www.ombudsman.gov.au/__data/assets/pdf_file/0040/299947/Commonwealth-Ombudsman-public-statement-regarding-OMI-Income-Apportionment-Lawfulness.pdf
OCO submission – Inquiry into Australia's Human Rights Framework – July 2023	04/08/2023	This submission highlights how the Office of the Commonwealth Ombudsman promotes and protects human rights in Australia.	https://www.ombudsman.gov.au/__data/assets/pdf_file/0007/300013/OCO-submission-Inquiry-into-Australias-Human-Rights-Framework-July-2023.pdf
Making things right: Insights into Services Australia's handling of the impact of a system error on certain historic child support assessments	31/08/2023	Statement by the Commonwealth Ombudsman about the investigation of Services Australia's historical Child Support issue.	https://www.ombudsman.gov.au/__data/assets/pdf_file/0007/300310/Making-things-right-Public-statement-regarding-Child-Support-historic-assessments.pdf
Room for Improvement: Observations from the Ombudsman	05/09/2023	Summary of how agencies can improve their compliance with legislation, record keeping, internal guidelines, complaint handling and communication.	https://www.ombudsman.gov.au/__data/assets/pdf_file/0019/300475/Room-for-Improvement-Observations-from-the-Ombudsman.pdf
Commonwealth Ombudsman Submission – Review of the Intelligence Services Legislation Amendment Bill 2023	06/09/2023	This submission summarises existing powers of the Office of the Commonwealth Ombudsman to oversight integrity and law enforcement bodies, how these will be amended by the Intelligence Services Legislation Amendment Bill 2023, the effect of the proposed changes and practical challenges for implementation.	https://www.ombudsman.gov.au/__data/assets/pdf_file/0016/300508/Commonwealth-Ombudsman-submission-Review-of-the-Intelligence-Services-Legislation-Amendment-Bill-2023.pdf

Title	Date published	Short description	URL
PID Act Factsheet: Applications of reforms to the PID Act	20/09/2023	This factsheet explains how the reforms to the PID Act will apply, including reforms that have specific application arrangements.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0022/300685/Application-of-reforms-September-2023.pdf
Overseas Students Ombudsman - Quarterly Update and Annual Summary: April to June 2023	03/10/2023	Quarterly update of the activities of the Office in its capacity as the Overseas Students Ombudsman (OSO) for the period 1 April to 30 June 2023.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0009/301203/OSO-QU-April-June-2023-and-Annual-Summary-A2346181.pdf
Postal Industry Ombudsman Annual Summary 2022-23	03/10/2023	Annual summary of the activities of the Office in its role as the Postal Industry Ombudsman (PIO) for the period 1 July 2022 to 30 June 2023.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0010/301204/PIO-Annual-Summary-2022-23.pdf
Private Health Insurance - Quarterly Update: 1 April to 30 June 2023	03/10/2023	Quarterly update of the activities of the Office as the Private Health Insurance Ombudsman (PHIO) for the period 1 April to 30 June 2023.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0011/301205/PHIO-QU-April-June-2023-and-Annual-Summary.pdf
Review of the Disability Services and Inclusion Bill 2023 [Provisions] and Disability Services and Inclusion (Consequential Amendments and Transitional Provisions) Bill 2023 Submission Letter	13/10/2023	This submission presents an examination of the Bills from the perspective of the 2 statutory roles of Commonwealth Ombudsman.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0013/301333/Review-of-the-Disability-Services-and-Inclusion-Bill-2023-Provisions-and-Disability-Services-and-Inclusion-Consequential-Amendments-and-Transitional-Provisions-Bill-2023-Submission-Letter.pdf
Office of the Commonwealth Ombudsman Annual Report 2022-23	25/10/2023	Annual Report of the Office of the Commonwealth Ombudsman for the 2022-23 financial year.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0008/301202/Commonwealth-Ombudsman-Annual-Report-2022-23.pdf.pdf
Defence Abuse Reparation Scheme Insights and observations report 2023	26/10/2023	This report has been prepared in recognition of the Defence Abuse Reparation Scheme closing to new reports on 30 June 2023.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0013/301531/Defence-Abuse-Reparation-Scheme-Insights-and-observations-report.pdf

Title	Date published	Short description	URL
Commonwealth Ombudsman (Overseas Students) submission: Inquiry into Australia's tourism and international education sectors - Joint Standing Committee for Foreign Affairs, Defence and Trade (JSCFADT)	19/11/2023	This submission outlines the role of the Office, which is also the Overseas Students Ombudsman, and describes that specialist function. It highlights relevant issues the Office has identified from handling complaints from international students and provides suggestions for the Committee to consider.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0015/301830/Submission-and-responses-Inquiry-into-Australia-tourism-and-international-education-sectors-JSCFADT.pdf
Commonwealth Ombudsman submission - Review of Commonwealth Secrecy Provisions	27/11/2023	This submission explains the Office of the Commonwealth Ombudsman's functions and powers as an agency in the Commonwealth administrative law system, responds to 2 consultation questions, and proposes 2 key issues for the Review of Commonwealth Secrecy Provisions to consider.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0019/301933/Secrecy-Review-Submission-5-May-2023.pdf
Recommendations Implementation Report: Investigation into the Department of Veterans' Affairs' communication with veterans making claims for compensation	28/11/2023	The purpose of this report is to provide transparency and assurance regarding the Department of Veterans' Affairs' (DVA) actions in implementing the recommendations from the Commonwealth Ombudsman's investigation report published in January 2022, titled <i>Department of Veterans' Affairs' communication with veterans making claims for compensation</i> , which considered the appropriateness of DVA's policy and procedural framework for communicating with veterans during the claims process.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0019/301960/Recommendations-Implementation-Report-DVA-Communication-about-compensation-OMI-with-response.pdf
Accountability in Action: Identifying, owning and fixing errors	04/12/2023	This report sets out the findings of our second investigation, focusing on the remediation of cases affected (or potentially affected) by income apportionment.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0019/302059/FINAL-Income-Apportionment-OMI2-Report.pdf

Title	Date published	Short description	URL
Report to the Attorney-General on agencies' compliance with the <i>Surveillance Devices Act 2004</i> (Cth) – Inspections conducted 1 January to 30 June 2023	05/12/2023	This report presents the results of the Office of the Commonwealth Ombudsman's inspections conducted under the <i>Surveillance Devices Act 2004</i> between 1 January and 30 June 2023.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0022/301927/SD-September-Report-inspections-conducted-1-Jan-to-30-June-2023-Sept-2023-Report-A2371190.pdf
Private Health Insurance Quarterly Update: 1 July 2023 to 30 September 2023	11/12/2023	Quarterly update of the activities of the Office as the Private Health Insurance Ombudsman for the period 1 July 2023 to 30 September 2023.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0019/302158/PHIO-QU-July-September-2023.pdf
Defending Fairness: Does Defence handle unacceptable behaviour complaints effectively?	12/12/2023	This report is an own motion inquiry to build on the findings of our previous report <i>Defence's policies for receiving and responding to reports of abuse</i> and to examine how the policies and procedures we evaluated in that inquiry work in practice.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0016/302191/Defending-Fairness-Does-Defence-handle-unacceptable-behaviour-complaints-effectively.pdf
PID Act Guide to assessing and managing the risk of reprisal	20/12/2023	The purpose of this guide is to assist agencies to design and implement PID procedures, as well as assess and develop plans to manage the risk of reprisal.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0019/302257/PID-Bill-Guidance-Assessing-and-managing-the-risk-of-reprisal-December-2023-V1.0-A2382362.pdf
VET FEE-HELP factsheet - 2024	22/12/2023	This factsheet outlines options for people who have a VET FEE-HELP student debt and want to dispute that debt.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0023/302297/VET-FEE-HELP-factsheet-2024.pdf
Overseas Students Ombudsman Quarterly Update: 1 July to 30 September 2023	17/01/2024	Quarterly update of the activities of the Office in its capacity as the Overseas Students Ombudsman for the period 1 July to 30 September 2023.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0019/302455/OSO-QU-July-to-September-2023.pdf

Title	Date published	Short description	URL
Monitoring Commonwealth Places of Detention: Annual Report of the Commonwealth National Preventive Mechanism under the Optional Protocol to the Convention against Torture (OPCAT)	20/01/2024	This report presents observations of the Commonwealth National Preventive Mechanism (NPM) related to our oversight of places of detention during the period 1 July 2021 to 30 June 2022.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0022/290137/Commonwealth-NPM-Report.pdf
Taking liberties: Investigation into the appropriateness of Department of Home Affairs' and Australian Border Force's policies and procedures for the timely removal of unlawful non-citizens from Australia	07/02/2024	Investigation into whether the Department of Home Affairs and the Australian Border Force have appropriate policies and procedures in place to ensure unlawful non-citizens are removed from Australia in a timely way.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0014/302720/Taking-Liberties.pdf
Reporting abuse in Defence: Report statistics to 31 January 2024	09/02/2024	The Office, within its Defence Force Ombudsman jurisdiction, is able to receive reports of contemporary and historic abuse within the Australian Defence Force under the Ombudsman Regulations 2017. This report presents statistics to 31 January 2024.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0019/302752/Defence-Force-Ombudsman-Reporting-Abuse-in-Defence-Statistics-to-31-January-2024-.pdf
Quarterly report by the Commonwealth Ombudsman under s 712F(6) of the Fair Work Act 2009 for the period 1 January to 31 March 2023	12/02/2024	This is the third quarterly report for 2022-2023 by the Commonwealth Ombudsman under s 712F(6) of the Fair Work Act 2009.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0025/302785/Attachment-A-Fair-Work-Ombudsman-Q3-2022-23-A2374768-PDF.pdf
Quarterly report by the Commonwealth Ombudsman under s 712F(6) of the Fair Work Act 2009 for the period 1 April to 30 June 2023	12/02/2024	This is the fourth quarterly report for 2022-2023 by the Commonwealth Ombudsman under s 712F(6) of the Fair Work Act 2009.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0026/302786/Attachment-B-Fair-Work-Ombudsman-Q4-2022-23-A2374769-PDF.pdf

Title	Date published	Short description	URL
<p>Issues paper: Can private health insurers decide that a patient does not need treatment in hospital? Paying Type C claims: observations of the private health insurance industry</p>	20/02/2024	<p>This issues paper outlines the Private Health Insurance Ombudsman's observations of and concerns about industry practices for assessing private health insurance claims requiring 'Type C certification'. It also provides best practice guidance for stakeholders when handling these claims.</p>	<p>https://www.ombudsman.gov.au/___data/assets/pdf_file/0025/302884/Issues-paper-on-Type-C-certification.pdf</p>
<p>VET Student Loans Quarterly Update: 1 April to 30 June 2023 and Annual Summary 2022–2023</p>	18/03/2024	<p>Quarterly update of the activities of the VET Student Loans Ombudsman (VSLO) for the period 1 April to 30 June 2023.</p>	<p>https://www.ombudsman.gov.au/___data/assets/pdf_file/0016/302911/VSLO-QU-Apr-June-and-Annual-Summary-2023.pdf</p>
<p>VET Student Loans Quarterly Update: 1 July to 30 September 2023</p>	18/03/2024	<p>Quarterly update of the activities of the VET Student Loans Ombudsman (VSLO) for the period 1 July to 30 September 2023.</p>	<p>https://www.ombudsman.gov.au/___data/assets/pdf_file/0017/302912/VSLO-QU-July-to-September-2023.pdf</p>
<p>Ombudsman oversight of covert electronic surveillance: 2022 to 2023</p>	21/03/2024	<p>This report presents the results of inspections conducted by the Office of the Commonwealth Ombudsman for the period 1 July 2022 to 30 June 2023</p>	<p>https://www.ombudsman.gov.au/___data/assets/pdf_file/0022/302917/Oversight-of-Covert-Electronic-Surveillance-Report-2022-23.pdf</p>
<p>Uncovering the use of undercover powers: 2022–23 report to the Attorney-General on agencies' compliance with the <i>Crimes Act 1914</i>: Controlled Operations, Delayed Notification Search Warrants and Account Takeover Warrants</p>	22/03/2024	<p>This report presents the results of the Office's inspections conducted under Part IAB (Controlled Operations) and Part IAAC (Account Takeover Warrants) of the <i>Crimes Act 1914</i> between 1 July 2022 and 30 June 2023, and Part IAAA (Delayed Notification Search Warrants) of the <i>Crimes Act</i> between 1 January 2023 and 30 June 2023.</p>	<p>https://www.ombudsman.gov.au/___data/assets/pdf_file/0024/302919/Combined-Crimes-Act-Report-PDF-2022-23.pdf</p>
<p>How to tell people they owe the government money: Best practice principles for notifying people about debts</p>	25/03/2024	<p>This is a joint report from the Commonwealth Ombudsman/ACT Ombudsman and Inspector-General of Taxation and Taxation Ombudsman on the best practice principles for notifying people about debts.</p>	<p>https://www.ombudsman.gov.au/___data/assets/pdf_file/0022/302935/How-to-tell-people-they-owe-the-Government-money.pdf</p>

Title	Date published	Short description	URL
State of the Health Funds Report 2022-23	28/03/2024	The State of the Health Funds Report, relating to the 2022-23 financial year. The report is required by s 20D(c) of the <i>Ombudsman Act 1976</i> . The report compares how health funds perform across a number of criteria.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0018/302940/SOHR-2023-final-2024-03-27-002.pdf
Activities under Part V of the <i>Australian Federal Police Act 1979</i> (2022-23)	01/4/2024	This report summarises the work of the Office of the Commonwealth Ombudsman during the period from 1 July 2022 to 30 June 2023, to review the Australian Federal Police's (AFP) administration of Part V of the <i>Australian Federal Police Act 1979</i> , which sets out arrangements for the AFP's handling of issues and complaints about police conduct.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0017/304604/Part-V-Annual-Report-2022-23.pdf
Private Health Insurance Quarterly Update: 1 October to 31 December 2023	22/04/2024	Quarterly update of the activities of the Office as the Private Health Insurance Ombudsman for the period 1 October 2023 to 31 December 2023.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0030/302997/PHIO-QU-October-December-2023-A2404427.pdf
Reporting abuse in Defence: Report statistics to 31 March 2024	23/04/2024	The Office, within its Defence Force Ombudsman jurisdiction, is able to receive reports of contemporary and historic abuse within the Australian Defence Force under the Ombudsman Regulations 2017. This report presents statistics to 31 March 2024.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0006/303000/Defence-Force-Ombudsman-Reporting-Abuse-in-Defence-Statistics-to-31-March-2024.pdf
Reporting abuse in Defence: Report statistics to 30 April 2024	08/05/2024	The Office, within its Defence Force Ombudsman jurisdiction, is able to receive reports of contemporary and historic abuse within the Australian Defence Force under the Ombudsman Regulations 2017. This report presents statistics to 30 April 2024.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0017/303362/Defence-Force-Ombudsman-Reporting-Abuse-in-Defence-Statistics-to-30-April-2024.pdf
Access All Areas: Monitoring Places of Detention 2022-23	21/05/2024	Annual Report of the Commonwealth National Preventive Mechanism. This report details the key findings made over the course of the year, both as a result of visits and also from our ongoing remote monitoring work.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0010/304102/Commonwealth-NPM-Annual-Report-2022-23.pdf

Title	Date published	Short description	URL
Report on people Detained and Later Released as Not Unlawful – Own Motion Investigation: 1 July 2022 to 30 June 2023	11/06/2024	This Own Motion Investigation considered reports from the Department of Home Affairs provided to our Office between 1 July 2022 and 30 June 2023 about individuals detained during the period based on suspicion they were unlawful non-citizens who it subsequently found were not unlawful and released.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0019/304336/Report-on-people-Detained-and-Later-Released-as-Not-Unlawful-OMI-July-22-June-23.pdf
Post Visit Summary: Adelaide Immigration Detention Centre	20/06/2024	This report details the Commonwealth National Preventive Mechanism (NPM) semi-announced visit to Adelaide Immigration Detention Centre (IDC) between 3 and 4 October 2023.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0017/304370/Post-visit-summary-Adelaide-Immigration-Detention304370.pdf
VET Student Loans Quarterly Update: 1 October to 31 December 2023	21/06/2024	Quarterly update of the activities of the VET Student Loans Ombudsman (VSL) for the period 1 October to 31 December 2023.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0015/304404/VSLQ-QJ-26-October-to-December-2023.304404.pdf
Reporting abuse in Defence: Report statistics to 31 May 2024	24/06/2024	The Office, within its Defence Force Ombudsman jurisdiction, is able to receive reports of contemporary and historic abuse within the Australian Defence Force under the Ombudsman Regulations 2017. This report presents statistics to 31 May 2024.	https://www.ombudsman.gov.au/___data/assets/pdf_file/0019/304435/Defence-Force-Ombudsman-Reporting-Abuse-in-Defence-Statistics-to-31-May-2024.304435.pdf

Part 8

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Part 8: References

Acronyms, initialisms and abbreviations

Term, acronym or abbreviation	Description or complete term
AAT	Administrative Appeals Tribunal
ABF	Australian Border Force
ACIC	Australian Criminal Intelligence Commission
ADF	Australian Defence Force
AFP	Australian Federal Police
AGD	Attorney-General's Department
AGO	Attorney-General's Office
AICD	Australian Institute of Company Directors
ANAO	Australian National Audit Office
APS	Australian Public Service
APSC	Australian Public Service Commission
ARC	Audit and Risk Committee
ATO	Australian Taxation Office
CALD	Culturally and linguistically diverse
COO	Chief Operating Officer
Cth	Commonwealth
DARS	Defence Abuse Reparation Scheme
Defence	Department of Defence
DEWR	Department of Employment and Workplace Relations
DFAT	Department of Foreign Affairs and Trade
DFO	Defence Force Ombudsman
DHA	Defence Housing Australia
DSS	Department of Social Services
DVA	Department of Veterans' Affairs
EA	Enterprise Agreement
EC	Executive Committee
FOI	Freedom of information
Home Affairs	Department of Home Affairs
ICT	Information and communication technology

Term, acronym or abbreviation	Description or complete term
IGIS	Inspector-General of Intelligence and Security
IPS	Information Publication Scheme
ITGC	Information and Technology Governance Committee
NDIA	National Disability Insurance Agency
NPM	National Preventive Mechanism
NSO	National Student Ombudsman
OAIC	Office of the Australian Information Commissioner
OCO	Office of the Commonwealth Ombudsman
OMI	Own Motion Investigations
ORI	Ombudsman Republik Indonesia
OOJ	Out of jurisdiction
OPCAT	Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
OSO	Overseas Students Ombudsman
PBS	Portfolio Budget Statement
PGPA Act	<i>Public Governance, Performance and Accountability Act 2013</i>
PHIO	Private Health Insurance Ombudsman
PID	Public Interest Disclosure
PIDS	Public Interest Disclosure Scheme
PIO	Postal Industry Ombudsman
PSGC	Protective Security Governance Committee
RCDVS	Royal Commission into Defence and Veteran Suicide
SEAOF	South-East Asian Ombudsman Forum
SES	Senior Executive Service
TIA Act	<i>Telecommunications (Interception and Access) Act 1979</i>
TIS	Translating and Interpreting Service
VET	Vocational Education and Training
VSLO	VET Student Loans Ombudsman
WHS Act	<i>Work Health and Safety Act 2011</i>
WHSC	Work Health and Safety Committee
WRC	Workplace Relations Committee

Glossary

Term, acronym or abbreviation	Description or complete term
ADJR Act	The <i>Administrative Decisions (Judicial Review) Act 1977</i> (Cth) allows people to apply to the Federal Court of Australia or the Federal Circuit Court of Australia to seek a review of certain decisions, failures to make decisions, and decision-making conduct by Australian Government agencies.
Authorised officer	An officer appointed by the Principal Officer of an agency to receive and allocate public interest disclosures.
Coercive powers	Provisions in the <i>Ombudsman Act 1976</i> (Cth) and <i>Ombudsman Act 1989</i> (ACT) by which the Ombudsman can require an agency or person to provide the Office with information.
Complaint	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: <ul style="list-style-type: none">• complaints about an Australian Government agency, including the Australian Defence Force and the Australian Federal Police• 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• complaints about ACT Government agencies (under the ACT Ombudsman jurisdiction, including ACT FOI complaints, ACT PID complaints and complaints about the ACT Integrity Commission)• complaints made about an agency or organisation within our jurisdiction, but where the issue raised is out of our jurisdiction (for example 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.
Contact	Any external contact to our Office. Contacts are made up of complaints, program specific matters and any other enquiries.
Enquiry	Any contact with our Office that is not a complaint or program specific matter. This can include: <ul style="list-style-type: none">• a request to the Office (for example, 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)• a purported complaint about an agency or organisation which is determined to be out of our jurisdiction based on the organisation being complained about (for example, telecommunications, banking or state government)• other enquiries (for example, 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, and complaint handling advice for providers).
Finalised	A contact is finalised when we have finished taking action in response to that contact.
The Office	The Office of the Commonwealth Ombudsman.

Term, acronym or abbreviation	Description or complete term
The Ombudsman	The person occupying the statutory position of Commonwealth Ombudsman.
Outcome	<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"> • rectifying the situation for a person (such as restoring a payment, waiving a debt, a different decision, a better explanation from the agency, and an apology) • 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, and an agency considering a matter in a more timely manner) • outcomes which reflect our role as independent and impartial (such as independent assurance that the agency's decision was lawful and reasonable) • outcomes for the broader community (such as changes to an agency's policies or practices)
Out of jurisdiction (OOJ)	A matter about which the Office has no legal power under the <i>Ombudsman Act 1976</i> to investigate.
Own Motion Investigation	An investigation conducted on the Ombudsman's own initiative.
Parliamentary complaints	Complaints to the Office about Commonwealth or ACT Government agencies.
Preliminary inquiry	A short inquiry into an agency for the purpose of establishing jurisdiction or determining whether or not to exercise the discretion not to investigate a complaint.
Preliminary view	An internal Office process whereby issues identified during investigation are explained to the relevant agency and the opportunity to comment provided, before our Office reaches a final view.
Program specific matter	<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"> • applications under the ACT FOI Act (review requests, extensions of time, etc) • reports of Defence abuse • PHIO mediations • FOI mediations • notifications under the ACT Reportable Conduct scheme • PIDs, extension requests and notifications.
Public interest disclosure (PID)	Unless otherwise stated, this relates to an internal disclosure of wrongdoing which has been reported by a public official to an authorised internal recipient.
Sensitivity	An attribute of a complaint which may relate to the circumstances of the complainant or the content of the complaint.
Serious abuse	'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.

Term, acronym or abbreviation	Description or complete term
Systemic issue	A systemic issue is likely to affect a class of persons beyond any person who lodged a complaint or raised a concern. Several complaints of the same type or a single complaint may raise a systemic issue, provided that the effect of the issue may clearly extend beyond a single complainant.
Transfer	Action by the Office to enable a complaint made to us to be actioned by another agency in accordance with its usual processes. Transfers may be authorised or required by legislation or occur by administrative agreement between the Office and the relevant agency. These can be contrasted with when we advise the complainant where and how to make a complaint to an agency, but we take no further action.
Vulnerability	An attribute of a complainant which may require particular considerations on our part to ensure equal access to our services.
Within jurisdiction	A contact about a matter the Office may investigate under the <i>Ombudsman Act 1976</i> .

Data caveats

Where necessary, the numbers of enquiries, complaints, investigations, issues and outcomes may have changed slightly from the previous year's Annual Report. This is not an error but reflects that data may have been re-classified or backdated since that point in time.

Complaints, enquiries and program specific matters are collectively known as contacts. A contact has an issue and outcome assigned to it when it is finalised. A contact can have more than one issue or outcome.

Results are presented as whole numbers for ease of reading, with rounding performed at the last stage of calculation for maximum accuracy. Values from x.00 to x.49 are rounded down and values from x.50 to x.99 are rounded up. Therefore, in some instances, results may not total 100%.

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List of requirements

PGPA Rule Reference	Part of report	Description	Requirement	Page
17AD(g) Letter of transmittal				
17AI	Preliminaries	A copy of the letter of transmittal signed and dated by accountable authority on date final text approved, with statement that the report has been prepared in accordance with section 46 of the Act and any enabling legislation that specifies additional requirements in relation to the annual report.	Mandatory	6
17AD(h) Aids to access				
17AJ(a)	Preliminaries	Table of contents (print only).	Mandatory	8-9
17AJ(b)	Part 8	Alphabetical index (print only).	Mandatory	179-185
17AJ(c)	Part 8	Glossary of abbreviations and acronyms.	Mandatory	162-166
17AJ(d)	Part 8	List of requirements.	Mandatory	170-178
17AJ(e)	Preliminaries	Details of contact officer.	Mandatory	5
17AJ(f)	Preliminaries	Entity's website address.	Mandatory	5
17AJ(g)	Preliminaries	Electronic address of report.	Mandatory	5
17AD(a) Review by accountable authority				
17AD(a)	Part 1	A review by the accountable authority of the entity.	Mandatory	
17AD(b) Overview of the entity				
17AE(1)(a)(i)	Part 2	A description of the role and functions of the entity.	Mandatory	20-23
17AE(1)(a)(ii)	Part 2	A description of the organisational structure of the entity.	Mandatory	24
17AE(1)(a)(iii)	Part 2	A description of the outcomes and programmes administered by the entity.	Mandatory	23-24
17AE(1)(a)(iv)	Part 2	A description of the purposes of the entity as included in corporate plan.	Mandatory	20-23
17AE(1)(aa)(i)	Part 2	Name of the accountable authority or each member of the accountable authority	Mandatory	24
17AE(1)(aa)(ii)	Part 2	Position title of the accountable authority or each member of the accountable authority	Mandatory	24

PGPA Rule Reference	Part of report	Description	Requirement	Page
17AE(1)(aa)(iii)	Part 2	Period as the accountable authority or member of the accountable authority within the reporting period	Mandatory	24
17AE(1)(b)	Part 2	An outline of the structure of the portfolio of the entity.	Portfolio departments mandatory	24
17AE(2)	Not applicable	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	Not applicable
17AD(c) Report on the Performance of the entity				
Annual performance Statements				
17AD(c)(i); 16F	Part 3	Annual performance statement in accordance with paragraph 39(1)(b) of the Act and section 16F of the Rule.	Mandatory	31-35
17AD(c)(ii) Report on Financial Performance				
17AF(1)(a)	Part 3	A discussion and analysis of the entity's financial performance.	Mandatory	35
17AF(1)(b)	Part 7	A table summarising the total resources and total payments of the entity.	Mandatory	145
17AF(2)	Not applicable	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 the entity's future operation or financial results.	If applicable, Mandatory.	Not applicable
17AD(d) Management and Accountability				
Corporate Governance				
17AG(2)(a)	Part 6	Information on compliance with section 10 (fraud systems)	Mandatory	86

PGPA Rule Reference	Part of report	Description	Requirement	Page
17AG(2)(b)(i)	Transmittal Letter	A certification by accountable authority that fraud risk assessments and fraud control plans have been prepared.	Mandatory	6
17AG(2)(b)(ii)	Transmittal Letter	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	6
17AG(2)(b)(iii)	Transmittal Letter	A certification by accountable authority that all reasonable measures have been taken to deal appropriately with fraud relating to the entity.	Mandatory	6
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	79-92
17AG(2)(d) - (e)	Not applicable	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 taken to remedy non-compliance.	If applicable, Mandatory	Not applicable
Audit Committee				
17AG(2A)(a)	Part 6	A direct electronic address of the charter determining the functions of the entity's audit committee.	Mandatory	81
17AG(2A)(b)	Part 6	The name of each member of the entity's audit committee.	Mandatory	82-83
17AG(2A)(c)	Part 6	The qualifications, knowledge, skills or experience of each member of the entity's audit committee.	Mandatory	82-83
17AG(2A)(d)	Part 6	Information about the attendance of each member of the entity's audit committee at committee meetings.	Mandatory	82-83
17AG(2A)(e)	Part 6	The remuneration of each member of the entity's audit committee.	Mandatory	82-83
External Scrutiny				
17AG(3)	Part 6	Information on the most significant developments in external scrutiny and the entity's response to the scrutiny.	Mandatory	86-87

PGPA Rule Reference	Part of report	Description	Requirement	Page
17AG(3)(a)	Part 6	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	86
17AG(3)(b)	Not applicable	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	Not applicable
17AG(3)(c)	Not applicable	Information on any capability reviews on the entity that were released during the period.	If applicable, Mandatory	Not applicable
Management of Human Resources				
17AG(4)(a)	Part 6	An assessment of the entity's effectiveness in managing and developing employees to achieve entity objectives.	Mandatory	88-89
17AG(4)(aa)	Part 7	Statistics on the entity's employees on an ongoing and non-ongoing basis, including the following: (a) statistics on full-time employees; (b) statistics on part-time employees; (c) statistics on gender; (d) statistics on staff location.	Mandatory	133-144
17AG(4)(b)	Part 7	Statistics on the entity's APS employees on an ongoing and non-ongoing basis; including the following: <ul style="list-style-type: none"> • Statistics on staffing classification level; • Statistics on full-time employees; • Statistics on part-time employees; • Statistics on gender; • Statistics on staff location; • Statistics on employees who identify as Indigenous. 	Mandatory	133-144

PGPA Rule Reference	Part of report	Description	Requirement	Page
17AG(4)(c)	Part 6, Part 7	Information on any enterprise agreements, individual flexibility arrangements, Australian workplace agreements, common law contracts and determinations under subsection 24 (1) of the <i>Public Service Act 1999</i> .	Mandatory	88-89, 130
17AG(4)(c)(i)	Part 7	Information on the number of SES and non-SES employees covered by agreements etc identified in paragraph 17AG(4)(c).	Mandatory	144
17AG(4)(c)(ii)	Part 7	The salary ranges available for APS employees by classification level.	Mandatory	144
17AG(4)(c)(iii)	Part 6, Part 7	A description of non-salary benefits provided to employees.	Mandatory	88-89, 130
17AG(4)(d)(i)	Part 7	Information on the number of employees at each classification level who received performance pay.	If applicable, Mandatory	144
17AG(4)(d)(ii)	Not applicable	Information on aggregate amounts of performance pay at each classification level.	If applicable, Mandatory	Not applicable
17AG(4)(d)(iii)	Not applicable	Information on the average amount of performance payment, and range of such payments, at each classification level.	If applicable, Mandatory	Not applicable
17AG(4)(d)(iv)	Not applicable	Information on aggregate amount of performance payments.	If applicable, Mandatory	Not applicable
Assets Management				
17AG(5)	Not applicable	An assessment of effectiveness of assets management where asset management is a significant part of the entity's activities.	If applicable, mandatory	Not applicable
Purchasing				
17AG(6)	Part 6	An assessment of entity performance against the <i>Commonwealth Procurement Rules</i> .	Mandatory	90-92

PGPA Rule Reference	Part of report	Description	Requirement	Page
Reportable consultancy contracts				
17AG(7)(a)	Part 6	A summary statement detailing the number of new reportable consultancy contracts entered into during the period; the total actual expenditure on all such contracts (inclusive of GST); the number of ongoing reportable consultancy contracts that were entered into during a previous reporting period; and the total actual expenditure in the reporting period on those ongoing contracts (inclusive of GST).	Mandatory	90-91
17AG(7)(b)	Part 6	A statement that “ <i>During [reporting period], [specified number] new reportable consultancy contracts were entered into involving total actual expenditure of \$[specified million]. In addition, [specified number] ongoing reportable consultancy contracts were active during the period, involving total actual expenditure of \$[specified million].</i> ”	Mandatory	90
17AG(7)(c)	Part 5	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	91
17AG(7)(d)	Part 6	A statement that “ <i>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.</i> ”	Mandatory	91
Reportable non-consultancy contracts				
17AG(7A)(a)	Part 6	A summary statement detailing the number of new reportable non-consultancy contracts entered into during the period; the total actual expenditure on such contracts (inclusive of GST); the number of ongoing reportable non-consultancy contracts that were entered into during a previous reporting period; and the total actual expenditure in the reporting period on those ongoing contracts (inclusive of GST).	Mandatory	91

PGPA Rule Reference	Part of report	Description	Requirement	Page
17AG(7A)(b)	Part 6	A statement that "Annual reports contain information about actual expenditure on reportable non-consultancy contracts. Information on the value of reportable non-consultancy contracts is available on the AusTender website."	Mandatory	91
17AD(daa) Additional information about organisations receiving amounts under reportable consultancy contracts or reportable non-consultancy contracts				
17AGA	Part 6	Additional information, in accordance with section 17AGA, about organisations receiving amounts under reportable consultancy contracts or reportable non-consultancy contracts.	Mandatory	91
Australian National Audit Office Access Clauses				
17AG(8)	Not applicable	If an entity entered into a contract with a value of more than \$100 000 (inclusive of GST) and the contract did not provide the Auditor-General with access to the contractor's premises, the report must include the name of the contractor, purpose and value of the contract, and the reason why a clause allowing access was not included in the contract.	If applicable, Mandatory	Not applicable
Exempt contracts				
17AG(9)	Part 6	If an entity entered into a contract or there is a standing offer with a value greater than \$10 000 (inclusive of GST) which has been exempted from being published in AusTender because it would disclose exempt matters under the FOI Act, the annual report must include a statement that the contract or standing offer has been exempted, and the value of the contract or standing offer, to the extent that doing so does not disclose the exempt matters.	If applicable, Mandatory	Not applicable

PGPA Rule Reference	Part of report	Description	Requirement	Page
Small business				
17AG(10)(a)	Part 6	A statement that “[Name of entity] 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.”	Mandatory	90
17AG(10)(b)	Part 6	An outline of the ways in which the procurement practices of the entity support small and medium enterprises.	Mandatory	90
17AG(10)(c)	Not applicable	If the entity is considered by the Department administered by the Finance Minister as material in nature—a statement that “[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.”	If applicable, Mandatory	Not applicable
Financial Statements				
17AD(e)	Part 7	Inclusion of the annual financial statements in accordance with subsection 43(4) of the Act.	Mandatory	99-127
Executive Remuneration				
17AD(da)	Part 7	Information about executive remuneration in accordance with Subdivision C of Division 3A of Part 23 of the Rule.	Mandatory	130-132
17AD(f) Other Mandatory Information				
17AH(1)(a)(i)	Not applicable	If the entity conducted advertising campaigns, a statement that “During [reporting period], the [name of entity] conducted the following advertising campaigns: [name of advertising campaigns undertaken]. Further information on those advertising campaigns is available at [address of entity’s website] and in the reports on Australian Government advertising prepared by the Department of Finance. Those reports are available on the Department of Finance’s website.”	If applicable, Mandatory	Not applicable

PGPA Rule Reference	Part of report	Description	Requirement	Page
17AH(1)(a)(ii)	Part 6	If the entity did not conduct advertising campaigns, a statement to that effect.	If applicable, Mandatory	92
17AH(1)(b)	Not applicable	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	Not applicable
17AH(1)(c)	Part 6	Outline of mechanisms of disability reporting, including reference to website for further information.	Mandatory	89
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	129
17AH(1)(e)	Part 7	Correction of material errors in previous annual report.	If applicable, mandatory	149
17AH(2)	Part 4 Part 5 Part 6 Part 7	Information required by other legislation.	Mandatory	47-57 59-77 86-88 94-178

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