

ABOUT US

Who we are and what we do

The NSW Ombudsman is an independent and impartial watchdog. Our office was established by the *Ombudsman Act 1974*. We are independent of the government of the day and accountable to the public through Parliament itself. Our central goal is to keep government agencies and some non-government organisations accountable — by promoting good administrative conduct, fair decision-making and high standards of service delivery — and protecting the rights of people in NSW.

We are responsible for keeping the following types of organisations under scrutiny:

- agencies delivering public services (including police, correctional centres and state-owned corporations)
- organisations delivering services to children (including schools and child care centres)
- organisations delivering community services (including services for people with a disability, people who are homeless and elderly people)
- agencies conducting covert operations (including the Crime Commission and the Independent Commission Against Corruption).

Other specific functions that we have relate to:

- the causes and patterns of deaths of certain children and people with a disability
- decisions made by public sector agencies about freedom of information applications
- the administration of the witness protection program
- the implementation of new pieces of legislation conferring additional powers on people such as police and correctional officers.

WE AIM TO REDUCE THE VOLUME OF COMPLAINTS TO OUR OFFICE BY PROVIDING TRAINING AND ADVICE TO THE ORGANISATIONS WE SCRUTINISE ABOUT HOW TO EFFECTIVELY RESOLVE AND MANAGE ANY COMPLAINTS THAT DO ARISE

We investigate and resolve complaints from members of the public and from people who work for the organisations we scrutinise. Our work is aimed at exposing and eliminating conduct that is illegal, unreasonable, unjust or oppressive, improperly discriminatory, based on improper or irrelevant grounds, based on a mistake of law or fact, or otherwise wrong.

We aim for outcomes that are in the public interest. We investigate some of the more serious complaints, but in many cases we encourage the organisation being complained about to handle the matter themselves. We monitor their progress or provide advice where necessary. Our focus is on helping organisations to satisfactorily resolve any problems identified.

We help organisations to prevent or reduce the level of complaints made about them by reviewing the systems they have to provide services. Our proactive work also allows us to address problems if members of the public have legitimate grievances but, for whatever reason, do not or cannot take up the complaint themselves. We aim to reduce the volume of complaints to our office by providing training and advice to the organisations we scrutinise about how to effectively resolve and manage complaints.

We strive to be a leading watchdog agency and are continually looking for ways to improve our own practices. We also provide assistance, guidance and training to other watchdog agencies.

In a recent speech the Ombudsman gave at an administrative law conference, he compared the role of our office in administrative law review, to that of courts and tribunals. He suggested that Ombudsmen generally deal with far more matters each year than courts and tribunals, work more flexibly and informally, and can have a greater influence and impact on government decision-making, practice and procedure. He noted that this often went unacknowledged, due to the informal, outcome focused nature of much of our work.

SYSTEMS THAT ENCOURAGE COMMUNICATION BETWEEN OUR SPECIALIST TEAMS WILL BECOME INCREASINGLY IMPORTANT.



How we operate

We operate in a challenging environment. Our role — and the way we do our work — continues to expand and change. We have one of the broadest jurisdictions of any watchdog agency in the Asia Pacific region. With proportionately fewer resources at our disposal, we have handled increased numbers of complaints over the past ten years. This trend is expected to continue and our corporate structure is designed to assist us to maximise our effectiveness in such an environment.

Our office is divided into six specialist teams — the police, general, child protection, community services division, corporate and cross agency teams. Our corporate team manages

our personnel, financial services, public relations and publications, information and records management, library services and information technology. They provide support for the core activities of our office.

The police team has responsibility for work relating to the NSW Police Force and for reviewing certain legislation giving powers to police officers. The general team is responsible for performing our other legislative functions — including reviewing legislative compliance and handling inquiries and complaints about a wide range of public sector agencies. The child protection team handles notifications from organisations providing services to children



REGULAR INFORMATION EXCHANGES AND OPEN ACCESS TO OUR CASE MANAGEMENT SYSTEM ENABLES STAFF TO COORDINATE APPROACHES TO CROSS-JURISDICTIONAL ISSUES.

about the conduct of their staff that could be abusive to children. The community services division is responsible for work relating to the delivery of services by the Department of Community Services and the Department of Ageing, Disability and Home Care as well as non-government organisations providing community services.

Systems that encourage communication between our specialist teams have become increasingly important to our work. Regular information exchanges and open access to our case management systems enable staff to coordinate approaches to cross-jurisdictional issues. For this reason, this year we began trialling a new team — the cross agency

team (CAT). The team includes specialist staff like our Aboriginal Unit and Youth Liaison Officer. The team's work is guided by a steering committee and various working parties. The CAT's role is to strengthen communication and collaboration between our specialist areas, and strategically target systemic issues involving one or more of our jurisdictions.

We use a range of strategies to promote effective work practices across our office. We rotate some staff between teams, initiate cross team working parties and investigations, and hold weekly meetings of our statutory officers to consider key issues and developments. We also facilitate agency and industry forums on

particular areas of interest. We use the knowledge gained from all these activities to inform our responses to the complaints we receive, our general oversight tasks and our special projects.