

An uplifting experience

A resident in a non-government service for adults with a physical disability complained to the Ombudsman about the way service staff were lifting and handling the resident. The Ombudsman asked a Visitor to help the resident to raise the matter with service management. This was done and the service arranged for an occupational therapy and physiotherapy assessment. The assessment recommended a change in the lifting procedure and more training for staff. That satisfied the resident, who was also happy about the quick resolution of the problem.

Tailored solutions

The Visitor to a non-government service for people with a disability raised concerns about the absence of individual plans for the residents. Staff explained that the service previously used a very formal planning process, but some residents found it stressful and difficult. The service then tried a very informal approach, leaving it to residents to talk to an identified case manager when they wanted to discuss their care. However, this system did not work as residents were reluctant or unable to initiate discussions with their case manager. The Visitor emphasised the importance of planning so that residents have an opportunity to raise issues and staff are aware of these issues and are consistently able to support residents. The Visitor suggested a semi-formal system that the service implemented. Staff took the initiative to develop documents to record each resident's goals in consultation with the residents, rather than in a formal conference, and recorded their support activities with residents. This information was used to develop plans for all residents. Residents and staff told the Visitor the new system was working, and that residents felt more comfortable with it.

Unlawful restraint

Staff in a large government institution told Visitors about residents being tied to chairs in one of the units as a means of managing residents safety, restricting mobility and reducing risk of falls. The Visitors immediately informed the Ombudsman OCV Team and were allocated additional visiting resources to investigate. The Visitors confirmed the claim by visiting the unit. Staff told the Visitors that the unit was understaffed and that one of the service's professional staff had approved the practice. The Visitors did not find any document or record authorising the use of such restraint. They immediately reported their concerns to the CEO of the service, who was unaware of what was a potentially unlawful practice. The CEO undertook to increase the staffing in the unit and to investigate the use of restraint in the service. The next day, Visitors found additional staff on the unit and confirmed that all staff knew the practice should not occur.

The Visitors and Ombudsman OCV Team met with the CEO shortly afterward and acknowledged the prompt response. They also discussed the service's systems for managing managing residents safety, poor mobility and preventing unlawful restraint. The CEO undertook to conduct a review of the service's monitoring mechanisms and is to report the results to the Visitors and the Ombudsman.

Arbitrary removal

Several Visitors contacted the Ombudsman OCV Team within a short period of time to express concern about DADHC transferring residents between its community based group homes. The department had not properly assessed the need for the transfers or their consequences for the residents. Nor had it consulted adequately with residents and their families or advocates. The Ombudsman initiated complaint action matter and asked other Visitors about their knowledge of similar decisions and action. Further investigation by Ombudsman staff found that two departmental regions had made decisions to transfer a significant number of residents and that DADHC did not have a policy to guide the staff about the transfer of residents between DADHC services. The Deputy Ombudsman met with DADHC executive management about the complaints. The department reversed its decision to shift some residents and initiated more satisfactory assessment and consultation processes for others. DADHC also agreed to develop a new policy framework relating to transfers of people with a disability between DADHC facilities, and to train staff about the new policy when implemented. The Ombudsman continues to monitor developments.





Summary of activities and outcomes

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Visiting services

During 2004-05, the number of visitable services increased by 49 to 1,211. This increase of 4% is modest compared to previous years when the number of visitable services increased 10% to 15% per annum. Overall, since the commencement of the scheme in 1995, there has been a 57% increase in the number of visitable services.

During 2004-05, visitable services accommodated 6,528 children and young people, people with a disability, and people in licensed boarding houses.

This year, the recurrent budget for the visiting scheme was \$656,832. The Ombudsman continued the approach it commenced last year by allocating the available visiting resources to 80% of service outlets, while trying to include all service providers. For example, a provider with ten service outlets was allocated visiting resources for eight outlets.

For services that were allocated resources, most had two visits during the year. Some services were allocated additional visiting resources on the basis of two risk factors:

- age of residents (more visits to services for children and young people)
- number of residents per service (more visits to services with many residents).

By not spreading limited resources too thinly across all services, Visitors had adequate time to monitor and resolve issues effectively. However, the residents of 231 (19%) services had no access to a Visitor during 2004-05. These residents and services will be prioritised for visiting in 2005-06.

Figure 5: Number of visits made by Visitors in 2004-2005

Target group of services	Number of services	Number of residents	Number of visits 03/04	Number of visits 04/05	Number of activity hours 04/05
Children and young people	119	263	282	363	1231
Children and young people with disabilities	47	159	184	162	506
Children young people and adults with disabilities	26	236	144	76	340
Adults with disabilities (including residents of 57 licensed boarding houses)	1,019	5,880	2,511	2,175	7,673
Total	1,211	6,538	3,121	2,776	9,750

Outcomes for residents

Identifying and resolving issues

Visitors identify problems in services and raise concerns directly with staff or management, providing a brief written report and encouraging services to resolve concerns quickly at the local level. Parents, advocates or staff may also contact the Ombudsman's office to discuss their concerns about a visitable service. Some things are handled through the office's complaints and other functions, and some are referred to the Visitor, who may be able to assist in local resolution.

Visitors provide reports to the Ombudsman, and these are recorded in a database. During 2004-05, Visitors reported 2,810 new concerns about the conduct of visitable services in NSW— an average of 2.3 matters per service. This is in addition to 1,895 unresolved issues that Visitors were monitoring from 2003-04.

Some services address problems quickly. Other, more complex problems can take longer to resolve. When Visitors report their concerns to services, they ask for a brief response about the action intended or taken to resolve the issue. Visitors cannot legally compel services to act on the concerns raised, and rely on their negotiation skills to encourage and persuade services to comply with the requirements of relevant legislation, policies and service standards. Visitors monitor responses by checking if services have implemented their planned action and contacting residents, staff and families to obtain feedback.

During 2004-05, Visitors and services, together, informally negotiated resolutions for 1,365 resolved (49% of all issues).

Visitors also identify matters that are serious, urgent or systemic, and may refer these to the Ombudsman for complaint or other action. Referrals may also be made to other relevant agencies, for example, for advice about legal matters.

Visitors reported that, during 2004-05, there were 121 issues (4%) where services made genuine attempts but were unable to resolve issues for residents, usually because of factors

beyond the services' control. Services were unwilling to take the necessary action to resolve 39 concerns (1%). In these instances, Visitors discuss with the Ombudsman OCV Team whether complaint or other Ombudsman action might be required.

Visitors continue to monitor services' resolution of the remaining issues.

Visitors work alone. Given the nature of the work, this can be stressful and demanding. Visitors support each other through four regional groups and informal networks. Some Visitors are allocated services as part of a team approach, enabling opportunities for consultation about issues.

The Ombudsman provides a range of additional mechanisms to help Visitors handle complex service concerns. For example, the Ombudsman may take up individual and systemic concerns reported by Visitors and conduct further inquiries about the impact of these problems on residents. During 2004-05, in response to concerns identified and reported by Visitors, the Ombudsman:

- handled 20 serious complaints
- conducted a systemic inquiry into the capacity of services to meet residents' individual needs, primarily in response to Visitors identifying individual planning issues as the most frequently reported issue every year
- provided detailed phone advice and information to Visitors regarding over 100 complex service issues
- conducted training for residents and staff of two licensed boarding houses about residents' right to complain, and how to use complaints for service improvement
- allocated more than 320 additional visiting hours, over and above planned visiting allocations, so Visitors could follow up specific issues concerning residents of visitable services

Figure 6: Issues reported by visitors 2004-05

Target group of services	Total number of visitable services	Number of issues identified	Number of issues resolved as a percentage of the number of issues	Key issues identified
Children and young people	119	386	201 (52%)	<ul style="list-style-type: none"> individual planning environment and facilities management responsibility
Children and young people with disabilities	47	167	79 (47%)	<ul style="list-style-type: none"> individual planning management responsibility safety
Children young people and adults with disabilities	26	161	74 (46%)	<ul style="list-style-type: none"> individual planning nutrition, hygiene and health care environment and facilities
Adults with disabilities (including residents of 57 licensed boarding houses)	1,019	2,096	1,011 (48%)	<ul style="list-style-type: none"> individual planning nutrition, hygiene and health care environment and facilities
Total	1,211	2,810	1,365 (49%)	

- referred 18 matters to Visitors including matters referred by external agencies, such as the Office of the Public Guardian
- accompanied Visitors to 13 meetings with senior managers of services to assist in negotiating solutions to issues.

During 2004-05, the Ombudsman provided additional support to Visitors, including:

- organising Visitor conferences in November 2004 and May 2005 for training and networking purposes
- coordinating a representative group of Visitors to meet with the Minister for Community Services in December 2004
- conducting briefings for Visitors about issues and initiatives affecting specific service sectors, including two briefings about OOHC services and one about boarding houses
- consulting regularly with Visitors through four regional groups
- informing Visitors of developments in the visitable services sector and about good practice ideas and initiatives.

The Ombudsman also promoted the scheme to the community sector by:

- revising and distributing to all visitable services and other relevant community, public and private sector agencies the booklet *'A Voice for People in Care: Answering your Questions about the Official Community Visitor Scheme'*
- presenting information sessions for service staff and families about the role of the scheme
- handling calls from service staff and families who had queries about the scheme or wanted to contact a Visitor.

Improving the operation of the scheme

We continually strive to enhance the effectiveness of the scheme, by consulting with Visitors and reviewing performance. Some of our activities included:

- revising the policy and practice guidelines for Visitors and for the Ombudsman's OCV Team
- amalgamating three Visitors' consultation groups into one, to streamline the way Visitors and the Ombudsman consult about issues affecting the scheme and Visitors' work
- providing induction training and mentoring for 12 new Visitors
- reviewing and improving the scheme's database.

Regional focus

In 2004-05, there were four regional Visitor groups. The regions identified in this report do not follow electoral boundaries or local government areas, but represent geographical groupings of Visitors, who meet for networking, peer support and to consider local and systemic concerns arising from their visits to services.



Southern NSW

Regional Focus Southern region



Figure 7: Data for services in Southern region

	Number of services	Number of issues	Key issues
Children and young people	10	0	
Children and young people with a disability	8	20	<ul style="list-style-type: none"> complaint handling liaison with other services environment and facilities
Adults with a disability (including people in boarding houses)	97	51	<ul style="list-style-type: none"> environment and facilities planning for and meeting individual needs safety and nutrition, hygiene and health care
Total	115	71	



Julie Mitchell

- visits children and young people, and people with a disability in the Illawarra and Southern NSW
- experience and training in out-of-home care services, support and education for people experiencing domestic violence, and advocacy.



Denise Fraser

- visits children and young people, people with a disability and people in boarding houses in the Southern Highlands and South West Sydney
- experience in health and disability services, criminal justice, and psychiatric services
- degrees and training in teaching, social work, management and criminology.



Suzanne Jackson

- visits adults with a disability in the Southern Highlands and southern Sydney
- experience in Centrelink, teaching English and working with people with a disability
- degrees and training in social work, arts and teaching.



Margaret Stevens

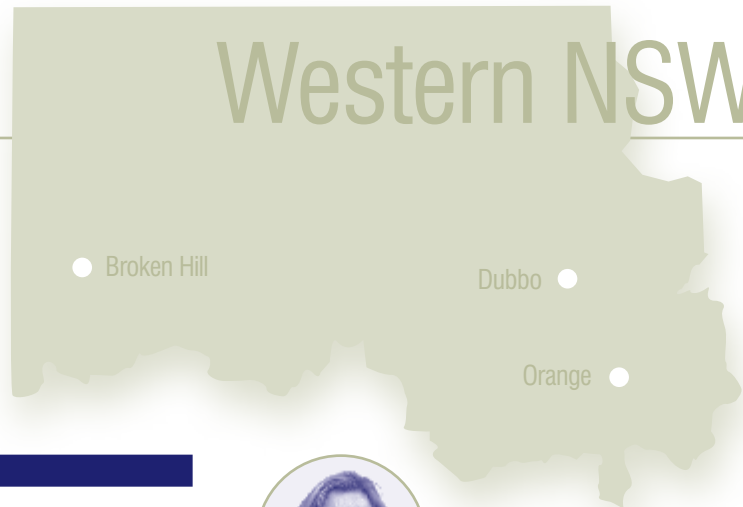
- visits people with a disability in the Riverina/ Murray region
- experience in management of children's services and skills training, tutoring at TAFE on disability, and community development
- training in welfare.



Meg Coulson

- visits children and young people, and people with a disability in the Illawarra and the South Coast regions.
- experience in women's probation services, research and lecturing in sociology, promoting equal opportunities for people from CALD communities, community development, domestic violence, and indigenous issues.

Western NSW



Regional Focus Western region

Figure 8: Data for services in Western region

	Number of services	Number of issues	Key issues
Children and young people	0	0	
Children and young people with a disability	4	3	<ul style="list-style-type: none"> planning for and meeting individual needs
Adults with a disability (including people in boarding houses)	113	293	<ul style="list-style-type: none"> planning for and meeting individual needs nutrition, hygiene and health care access to the community
Total	117	296	



Cassie Gardner

- visits children and young people, and people with a disability in the Central and Far West regions
- experience in early intervention and education, and advocacy for people with a disability in regional areas
- training in habilitation (disability) studies.



Lyn Porter

- visits children and young people, and people with a disability in the Blue Mountains and Sydney
- experience in responding to child protection and domestic violence.



Wendy Watson

- visits children and young people, and people in boarding houses in the Blue Mountains and Sydney
- experience in the education and welfare of children and young people.
- degrees in history, philosophy, politics and special education.



Phyllis Setchell

- visits people with a disability in the Orana and Central West regions
- experience in early childhood, adult literacy, employment training, family support, disability and community development.



Lynette Wittig

- visits people with a disability and people in boarding houses in the West and Orana regions
- experience in disability and child protection, and senior management experience in community services
- training in psychiatric nursing.

Regional Focus

Northern region

Northern NSW

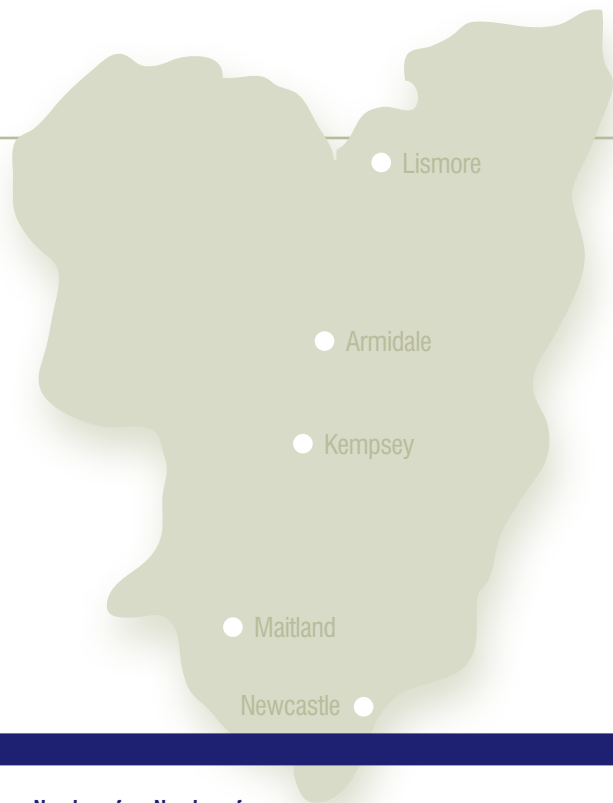


Figure 9: Data for services in Northern region

	Number of services	Number of issues	Key issues
Children and young people	37	16	<ul style="list-style-type: none"> environment and facilities educational opportunities management response to service issues
Children and young people with a disability	14	24	<ul style="list-style-type: none"> management of medication planning for and meeting individual needs safety
Adults with a disability (including people in boarding houses)	225	198	<ul style="list-style-type: none"> environment and facilities access to the community development and implementation of behaviour management plans
Total	276	238	



John Archer

- visits people with a disability in the Hunter, Central Coast and Sydney
- author, publisher and activist on environmental, health, social justice and equity issues
- experience with self-help housing groups, an indigenous housing organisation, medical consumer networks, and has developed an accessibility guide to Sydney.



Wendie Bradley

- visits people with a disability, and people in boarding houses, in the Hunter and Central Coast regions
- experience in senior roles with Home Care
- trained in human resource management, mediation, public relations and conflict resolution.



Scott Goodwin

- visits children and young people, and people with a disability, in the Hunter and Central Coast regions
- experience as a community chairperson, and in various roles with legal aid, mediation, and community justice conferencing
- degree in law.



Marjorie Morris

- visits people with a disability in the Mid-North Coast
- experience in counselling for TAFE and in vocational guidance
- degree in psychology.



Francesca Seychell

- visits children and young people, and people with a disability in the Far North Coast region
- experience in advocacy, counselling and education for families and people with a disability at local, national and international forums, and board member of Carers NSW
- degree in social science.



Bernadette Chance

- visits children and young people, and people with a disability in the Mid North Coast and New England regions
- experience in CALD and ATSI communities, working with people with disabilities, research and university lecturing
- degrees and training in communication, English literature and visual arts.



Mary Dallow

- visits children and adults with a disability, and people in boarding houses, in the Hunter region
- experience in community development, and disability service management
- training in disability.



Sandy Muir

- visits children and adults with a disability in the Hunter and Central Coast regions
- experience working with homeless people, and in disability services, and community development
- degrees in fine arts and social science.



Sharon Ayre

- recruited to visit in the Hunter region
- experience in disability service management, and with people with a disability in forensic services
- training in disability.



Grant Nickel

- visits children and young people, and people with a disability in the Hunter and Central Coast regions
- experience in university lecturing on disability, nutrition, and student advocacy
- degree in health sciences.

Metropolitan Sydney

Regional Focus Metropolitan Sydney



Figure 10: Data for services in Metropolitan Sydney

Children and young people	72	370	<ul style="list-style-type: none"> • contact with and access to family and friends • environment and facilities • management response to service issues
Children and young people with a disability	47	281	<ul style="list-style-type: none"> • planning for and meeting individual needs • management response to service issues • development and implementation of behaviour management plans • environment and facilities
Adults with a disability (including people in boarding houses)	584	1,554	<ul style="list-style-type: none"> • nutrition, hygiene and health care • planning for and meeting individual needs • environment and facilities
Total	703	2,205	



Metty Cassimatis

- visits people with a disability in Sydney
- experience as director of a disability service and in community development.



Losena Ma'ake

- visits people with a disability in Sydney
- experience in senior roles in aged care, disability, housing, child protection, program evaluation, reviews, project management, and working with people from culturally diverse communities.
- degrees in social science and social policy.



Liz Rhodes

- visits children and young people, and people with a disability in Sydney
- experience in criminal justice, mental health, negotiation and child protection investigation
- training in organisational planning and alternative dispute resolution.



Siobhan Butler

- visits children and adults with a disability in northern Sydney
- experience in service management for people with a disability, mental health and drug and alcohol issues
- degrees and training in social science, management and counselling.



Maree Fenton-Smith

- visits children and young people, and people with a disability in western and south eastern Sydney
- experience in working with people with a disability in accommodation and support services and adult guardianship
- degree in social work.



Megan Jones

- visits people with a disability in northern Sydney
- experience in service management in disability, health and children's services, and direct work experience in both disability and education.
- degrees in clinical psychology, special education, management and fine arts.



Senaka Mendis

- visits adults with a disability in south western Sydney
- experience in disability services management, advocacy, mental health issues, and youth services
- degree in philosophy.



Julie Millard

- visits people with a disability, and people in boarding houses across Sydney
- experience in residential care services, mental health and conflict resolution.



Lisa Patston

- visits children and young people, and people with a disability, in western Sydney
- experience in immigration, art teaching and church ministry
- degrees and training in teaching and ministry.



Rhondda Shaw

- visits children and young people, and children with a disability across Sydney
- experience in child protection, adoption and accommodation services
- degrees and training in social work, social science and conflict resolution.



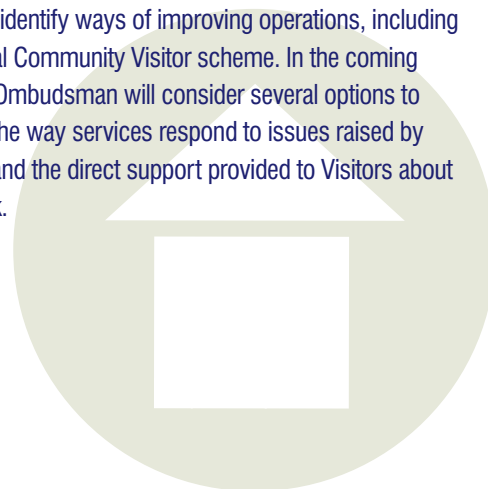
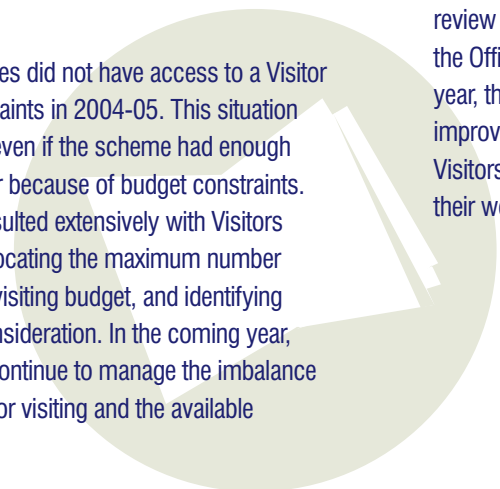
Jane Thompson

- visits people with a disability, and people in boarding houses across Sydney
- experience in disability services and advocacy.

Priorities for 2005-06

The scheme faces a number of challenges in the coming year and the Ombudsman plans action about the following issues:

- there were significant periods with not enough Visitors to do the available work, resulting in fewer visits than anticipated in 2004-05. During the year the Ombudsman appointed 12 new Visitors. In the coming year, these Visitors will receive additional support to assist them to be as effective as possible in promoting improvements to services. In addition, six Visitors will complete their terms of appointment early in the 2005-06 year. The Ombudsman will commence recruitment to replace them in 2005-06.
- 19% of visitable services did not have access to a Visitor due to resource constraints in 2004-05. This situation would have occurred even if the scheme had enough Visitors during the year because of budget constraints. The Ombudsman consulted extensively with Visitors about the priorities, allocating the maximum number of services within the visiting budget, and identifying various options for consideration. In the coming year, the Ombudsman will continue to manage the imbalance between the demand for visiting and the available resources.
- identifying aspects of the scheme's database that need to be improved. The Ombudsman sought the views of Visitors and the advice of an information technology consultant, who provided a report and recommendations about improvements to the database, for the Ombudsman's consideration. In the coming year, the Ombudsman will begin making the necessary changes to the database to improve reports provided to Visitors about their work, and the capacity of the Ombudsman to analyse and report about issues in visitable services.
- during 2004-05 the Ombudsman conducted an internal review to identify ways of improving operations, including the Official Community Visitor scheme. In the coming year, the Ombudsman will consider several options to improve the way services respond to issues raised by Visitors, and the direct support provided to Visitors about their work.



Financial

The Official Community Visitor scheme forms part of the Ombudsman's consolidated fund allocation. Visitors are paid on a fee-for-service basis and are not employed under the *Public Sector Employment and Management Act 2002*. However, for budgeting purposes these costs are included in Employee Related Expenses (see Visitor Related Expenses below).

Costs that are not included here are items incurred by the Ombudsman in coordinating the scheme, including Ombudsman staff salaries, and administration costs such as payroll processing, employee assistance program fees, and workers' compensation insurance fees. Full financial details are included in the audited financial statements in the Ombudsman Annual Report 2004-05. Copies of this report are available from the Ombudsman on (02) 9286 1000, toll free on 1800 451 524 or on the website at www.ombo.nsw.gov.au.

Figure 11: Visitor related expenses 2004-05

	2003-04 Expenditure	2004-05 Expenditure
Payroll expenses		
Visitors remuneration	384,057	366,678
Superannuation guarantee contributions	34,827	30,972
Payroll tax	22,966	21,990
Payroll tax liability	2,084	1,858
Sub-total	443,934	421,498
Other operating expenses		
Advertising - recruitment	7,619	-
Fees - staff development	1,823	7,664
Fees - conferences	20,156	8,055
Minor expenses	600	42
Printing	16,460	11,193
Stores	2,893	1,073
Travel - petrol allowance	150,979	133,342
Travel - subsistence	37,055	40,059
Travel - other	42,614	33,906
Sub-total	280,199	235,334
Total expenses	724,133	656,832

Notes to table

1. Meal allowances are included in 'Travel - subsistence'
2. 'Travel - other' includes Visitors' costs, such as air, bus, train and taxi fares, postage, stationery and telephone bills
3. The total expenditure for 2004-05 does not indicate that the scheme had a smaller budget than 2003-04, but that there were fewer Visitors to conduct the available work

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We can arrange an interpreter through TIS or you can contact TIS yourself before speaking to us.

Hours of business

9am–5am Monday to Friday
(or at other times by appointment)

Special needs

Audio loop and wheelchair access on the premises

Official Community Visitors

