



# NSW Ombudsman's support for Members of Parliament

Our vision is that everyone receives the right services and fair treatment from those we oversight.

## What is this fact sheet about?

This fact sheet provides an overview of who we are and our work. It explains how we support Parliament in the exercise of its functions. The fact sheet sets out how we can help MPS, the process for making a complaint from you or your constituents, and how we will respond to them. Finally, it addresses what to do when you receive a report that may be wrongdoing in the public sector (whistleblowing) and how we can assist you.

If you would like to get in touch with us, our contact details are provided at the end of this fact sheet.

## About the NSW Ombudsman

The NSW Ombudsman is an independent integrity agency. The current NSW Ombudsman is Paul Miller PSM, who was appointed in May 2021 for a 7-year term.

Our jurisdiction covers most NSW Government agencies and local councils, as well as NSW Government-funded community service providers.

### Our Strategic Plan 2020–25 sets out our four strategic outcomes:

**1**

Complaints to us are resolved effectively and individuals are satisfied with our service.

**2**

Public authorities and community service providers are held to account for serious wrong conduct.

**3**

Improvements in public administration and community services delivery occur as a result of our work.

**4**

Parliament gets support from us in the exercise of its functions.

## NSW Ombudsman's support to Parliament

The NSW Ombudsman is established through an Act of Parliament, and reports directly and independently to Parliament. One of our key strategic outcomes (see above) is to ensure that Parliament receives support from us in the exercise of its functions. This means being a trusted source of independent advice to Parliament.

Although Parliament, particularly through its committees, can hold inquiries, bodies such as ours operate as permanent commissions of inquiry reporting to, and providing advice and recommendations for, Parliament. This advice can support Parliament's democratic functions including public representation, public debate, law making and scrutiny of Executive action.

The NSW Ombudsman cannot be directed by the House, its committees or its members, as to what the Ombudsman should investigate. However, Members of Parliament (MPs) and Parliamentary Committees (as well as other stakeholders) are welcome to make a report to our Office if they identify issues that might appropriately be the subject of scrutiny by the Ombudsman and report back to Parliament.

## What to do with complaints made through Members of Parliament

MPs are encouraged to refer to us any complaints that we may be able to help with that have been received by you or your staff from members of the public.

MPs are also welcome to make complaints directly, including to alert us if you have become aware of possible maladministration by a public authority or other body that we oversight.

## How we help MPs

We can help you with complaints that you or your constituents have about:	Making a complaint
<ul style="list-style-type: none"><li>✔ public sector maladministration by:<ul style="list-style-type: none"><li>• NSW Government agencies</li><li>• local councils</li></ul></li><li>✔ maladministration, public safety, or the care or treatment of a person by:<ul style="list-style-type: none"><li>• the community services division of the Department of Communities &amp; Justice (DCJ)</li><li>• community service providers that are funded through DCJ</li></ul></li></ul>	<ul style="list-style-type: none"><li>✔ If you or your office receives a complaint from a member of the public that we can deal with, you can:<ul style="list-style-type: none"><li>• let the person know they can make their complaint directly to us</li><li>• with the person's consent, forward the complaint to us</li><li>• with the person's written consent using our consent form for MPs, make the complaint to us on the person's behalf and continue to act as the person's representative for the complaint. In this case, please ensure that you send us a copy of the person's signed consent form for MPs.</li></ul></li></ul>

If you are unsure whether we can deal with the complaint, please contact us. If we cannot deal with the complaint, we can help you navigate to the right agency or ombudsman.



### How to make a complaint

24/7

- Online complaint form (preferred mechanism)
- Email: [info@ombo.nsw.gov.au](mailto:info@ombo.nsw.gov.au)

**Monday to Friday** (visit our website for opening hours)

- Telephone: 1800 451 524
- In person (by appointment):  
Level 24, 580 George Street, Sydney NSW 2000

### Once a complaint is submitted

If you forward a complaint to us from a member of the public, all future correspondence about the complaint will be directly with that person, unless you are continuing to act on behalf of the person (and have provided their signed consent to do so, using a consent form for MPs).

All complaints we receive are acknowledged and assessed. We have several informal mechanisms to assist in the resolution of complaints including:

- referral to the relevant agency for action

- inquiries of the agency
- the provision of information/suggestions
- conciliation or mediation.

In most cases, we will attempt to deal with complaints informally where possible. However, we can also conduct a formal investigation when we think it is warranted. When we undertake a formal investigation, we have similar powers to a Royal Commission. Our investigations result in a written report to the relevant agency and its Minister with our findings and any recommendations.

### Public sector whistleblowing (public interest disclosures)

MPs may receive reports from public officials who have seen or suspect wrongdoing in the public sector. If you receive such a report, you will need to consider whether it could be a public interest disclosure (PID) under the Public Interest Disclosures Act 2022.

MPs can refer a report to the relevant investigating authority, such as the NSW Ombudsman (for serious

maladministration) or the ICAC (for corrupt conduct). Before making a referral, we suggest that you contact the investigating authority to confirm that the referral is appropriate.

If you or your office need any advice or assistance about PIDs, either generally or in respect of a particular report you have received, please contact the NSW Ombudsman's PID Unit: [pid@ombo.nsw.gov.au](mailto:pid@ombo.nsw.gov.au).



Scan the QR code to find out more on our website.

ISBN: 978-1-922862-55-6

### Contact us

✉ [info@ombo.nsw.gov.au](mailto:info@ombo.nsw.gov.au)

☎ 1800 451 524

🌐 [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)