



LEGAL AFFAIRS AND SAFETY COMMITTEE

Members present:

Mr PS Russo MP—Chair
Ms SL Bolton MP
Ms JM Bush MP
Mrs LJ Gerber MP
Mr JE Hunt MP

Staff present:

Ms R Easten—Committee Secretary
Ms M Telford—Assistant Committee Secretary

PUBLIC HEARING—QUEENSLAND OMBUDSMAN

TRANSCRIPT OF PROCEEDINGS

MONDAY, 14 JUNE 2021

Brisbane

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The committee met at 10.04 am.

CHAIR: Good morning. I declare open the public hearing for the committee's oversight of the Office of the Queensland Ombudsman. I respectfully acknowledge the traditional custodians of the land on which we meet today and pay our respects to elders past and present. We are very fortunate to live in a country with two of the oldest continuing cultures in Aboriginal and Torres Strait Islander people, whose lands, winds and waters we all share.

My name is Peter Russo. I am the member for Toohy and chair of the committee. The other committee members with me today are Mrs Laura Gerber, the member for Currumbin and deputy chair; Ms Sandy Bolton, the member for Noosa; Ms Jonty Bush, the member for Cooper; and Mr Jason Hunt, the member for Caloundra. Mr Andrew Powell, the member for Glass House, sends his apologies for this part of the hearing.

Under the Ombudsman Act 2001 the committee has the oversight responsibility for the Ombudsman. The act sets out the committee's functions with respect to the Ombudsman. These include monitoring and reviewing the performance of the Ombudsman's functions, reporting to the Assembly on any matter concerning the Ombudsman's functions and examining the Ombudsman's annual report. The purpose of today's hearing is to hear evidence from representatives of the office of Queensland Ombudsman as part of the committee's oversight.

Only the committee and invited witnesses may participate in the proceedings today. Witnesses are not required to give evidence under oath, but I remind witnesses that intentionally misleading the committee is a serious offence. The proceedings are similar to parliament and are subject to the Legislative Assembly's standing rules and orders. In this regard I remind members of the public that under the standing orders the public may be admitted to or excluded from the hearing at the discretion of the committee.

The proceedings are being recorded by Hansard and broadcast live on the parliament's website. Media may be present and will be subject to my direction at all times. The media rules endorsed by the committee are available from the committee staff if required. All those present today should note that it is possible you might be filmed or photographed during the proceedings by media and images may also appear on the parliament's website or social media pages. I ask everyone present to turn off mobile phones or switch them to silent mode.

PYKE, Ms Angela, Deputy Ombudsman, Queensland Ombudsman

REILLY, Mr Anthony, Queensland Ombudsman, Queensland Ombudsman

ROBERTSON, Ms Leanne, Director, Corporate Services Unit, Queensland Ombudsman

ROSEMANN, Ms Louise, Principal Adviser, Public Interest Disclosures, Queensland Ombudsman

CHAIR: I invite you to make a short opening statement, after which committee members will have some questions for you.

Mr Reilly: Thanks for the opportunity to make an opening statement this morning. Our office strives to be an agent of positive change for fair and accountable public administration in Queensland. We do this in three ways: by investigating administrative decisions, usually following a complaint, often from members of the public; by helping agencies to improve their administrative practices through information, training and advice; and by oversighting the system of public interest disclosures. I will comment on each of those areas briefly. While my comments are primarily about the 2019-20 year, during which time I was not the Ombudsman, forgive me if I also stray into events of the past 10 or so months, it now being June.

During 2019-20, the office continued to receive and investigate complaints about state government departments, statutory authorities, local councils and public universities. We received 11,074 contacts, of which 7,207 were treated as complaints and 1,113 were fully investigated. The

wide range of matters that we investigated is reflected in our new *Casebook 2020*, which we published in February 2020 with the authorisation of the Speaker, the Hon. Curtis Pitt MP. It is a new publication for the office containing information about 24 of our investigation outcomes. As well as being a useful resource to support our administrative improvement role by being available to public servants and so on to see the sorts of problems that their decisions can get into, I hope that the casebook increases the transparency of the office's investigation work for the public and further demonstrates the important contribution the office makes to Queensland's good governance. We aim to continue to produce a casebook on an annual basis.

Due to COVID, the number of contacts, complaints and investigations set out in the 2019-20 annual report were slightly lower than for the prior year, 2018-19. This is due mainly to a drop in demand for our services from April to May 2020, when the crisis really first hit and contacts dropped from an average of around under 1,000 a month to only 555 in April 2020 and 751 in May 2020. If the levels of contact during those two months had followed the usual patterns, the number of contacts received by the office in 2019-20 would have been basically the same as in 2018-19.

A similar story can be told for the number of complaints. Since last year, levels of demand have started to return to normal, although it is still a bumpy ride from month to month, which is interesting. For example, the number of contacts in February of this year exceeded the same period for the preceding two years, so it was a very busy month. I will address three specific areas of complaint that I thought the committee might be interested in.

Since March 2020, complaints about Queensland Health increased as a result of COVID related complaints. We received 105 complaints about COVID related matters between February 2020 and now—I think that is right. Those complaints were largely about border closures and/or quarantine arrangements. People were concerned that they were not allowed to travel across the border or were concerned about the requirement to be in quarantine or conditions in quarantine. Queensland Health engaged with us about those complaints and set up processes to manage them. We also spent time with Queensland Health officers to review their complaints-handling processes. We had a good relationship during that period and were able to get things addressed, so that was good. It was a very busy time for them and it happened very quickly.

In previous years the committee has sought information about child safety complaints. It is a very important area of our work. In April 2020 the office published its second report on the management of child safety complaints. On 10 February 2021 I advised the director-general of the Department of Children, Youth Justice and Multicultural Affairs that, as a result of their actions, I was satisfied that the recommendations of the report had been implemented, so that was good news. We continue to work closely with the department to share information about child safety complaints and address issues arising from them.

COVID has had a particular impact on the management of prisons and youth detention centres. Following a brief pause in our visits program in the middle of 2020 due to COVID, we resumed our physical visits to youth detention centres in late 2020 and are continuing those at the moment. For adult correctional centres, to address the operational risks created by COVID we pursued a new virtual visits program. The program utilises video contact with prisoners and prison staff. Those initial visits appear to have gone well. I would like to take this opportunity to thank the heads of our corrective services and youth justice agencies for their positive support for our continued engagement with detainees during this difficult time through our complaints program and visits.

I will turn now to our proactive administrative improvement program. At the heart of our improvement program are the training services that we provide in the areas of administrative decision-making, complaints management and public interest disclosures. In 2019-20, 2,785 public sector officers participated in our training program. During 2019-20 and previously, our training program was largely delivered face to face in rooms like this. Consequently, COVID dealt a blow to the program after April 2020 due to the limitations on travel and holding large gatherings. However, we regrouped in the second half of 2020 and developed a new virtual training program, delivered by webinar and through tools such as Zoom and Microsoft Teams. Interestingly, many agencies are now choosing virtual training as an effective alternative to face-to-face training, including in regional areas. By way of example, in regional Queensland for the period March to May 2021 nine online sessions were delivered virtually to agencies located in Cairns, Townsville, Central Queensland and Wide Bay which were attended by approximately 120 regional officers.

In addition to training, we provide information to the public sector through our newsletters, website, policy advices and officer networks. Given the increased reliance on the internet during the pandemic, I decided to make our training resources, such as our good decision-making guide, freely available on our website rather than limit distribution to those enrolled in training. It is downloaded quite

a lot, which is good to see. People are reading it. We will continue to explore the use of technology to support our administrative improvement program as it offers a very effective way for a small office like ours to reach out to public sector offices across Queensland; however, I look forward to resuming new regional visits and a community engagement program in the year ahead as things settle down, which hopefully they will.

I will turn now to our oversight of the system of public interest disclosures. The office has continued to engage with public sector entities across Queensland with a focus on tools such as our revamped monthly e-newsletter and quarterly webinars, which have generated increased subscribers and participation respectively. While we had significantly expanded our provision of PID training to agencies following the gazettal of the new public interest disclosure standards in 2019, in the past nine months the impact of COVID again necessitated that we redesign our training for live online delivery, which has been well received. In light of the new standards, we commenced work in 2019-20 to develop a new online self-assessment audit tool to allow agencies to evaluate their compliance with the standards and enable us to capture monitoring data from across the public sector. The outcomes of this first annual audit will be reported in our upcoming 2020-21 annual report.

When my predecessor, Phil Clarke, spoke to you in March 2020 he explained some of the challenges being faced by the office in maintaining service delivery at that difficult time. As I addressed in my report to the 2019-20 annual report, the office did a great job overcoming these challenges, including adopting flexible work policies and shifting to a more mobile digital platform which enabled our employees to work from home when needed. I would like to take this opportunity to express my appreciation to the office staff for their terrific approach to managing the impact of the pandemic on their work and to implementing a range of smart solutions to ensure continuity of service delivery.

Before I wrap up, I would like to address two more matters. In relation to the follow-up to the 2018 strategic review, I am pleased to advise that the office has now attended to all of the recommendations of the review, so they can be considered as complete or ongoing. In relation to our budget, we anticipate a small underspend for the 2020-21 financial year which will be reported in the upcoming budget papers. We look forward to endeavouring to answer any questions you may have for us.

Mrs GERBER: The last survey that you did in relation to client satisfaction was prior to your time. It was the 2018-19 survey. It indicated around a 60 per cent satisfaction rate and you had a target of 80 per cent. I just want to know what you are doing to try to meet that. In addition, I note you are undertaking a review of the methodology of delivery in relation to that survey, so what was the trigger for requiring the methodology to be reviewed, and when do you expect to undertake the survey for the 2019-20 period, now 2020-21?

Mr Reilly: I will answer those questions as far as I can, given that some of that happened before my time, but then I might ask Angela to expand on that. In terms of the 80 per cent target and the 60 per cent reality—

Mrs GERBER: I think it was 64 per cent, sorry. I do not want to lead you astray there.

Mr Reilly: A lot of people ring the Ombudsman's office. The Ombudsman's office can only assist a small proportion, so we have to say, 'No, we can't help you,' to a very large proportion of people who ring us—a lot more than 36 per cent. Eighty per cent is a very aspirational target, given the number of people whom we cannot assist. We say things to people like, 'You should go and pursue this with the agency that you are unhappy with,' or, 'You're outside of our jurisdiction,' or, 'You can go to QCAT,' or something like that—or we do look into their matter and we say, 'We don't think there's a problem here. We think the agency was reasonable.' For the vast majority of people we speak to we are not able to unpack their problem and address all of their concerns. I think as a result a client satisfaction survey—even though it is more about the 'how' of our service delivery, there is no doubt that the 'what' of our service delivery, the fact that we cannot help everyone, clouds people's views of whether our service was good or not. I think in a sense the office is behind the eight ball in trying to get to 80 per cent from the start, because we have to say no to so many people.

In terms of trying to improve our services, our office is committed to continuous improvement. Our frontline officers who take complaints are called the RAPA team. They are like a small call centre. We train them in how to work with clients and provide good service delivery. We work with our investigators. We train them about providing good service delivery. We are always looking at our channels of getting in touch with us. We have channels of email, a web form, telephone and writing, so people are able to get to us well, but we are going to have a look at our web form over the next year to see whether it can be improved. We have a commitment to continuous improvement in trying to do

things better. Angela can talk about that further because she has been leading it. When I turned up in July last year Angela was in the middle of overhauling some of our internal policies and processes and so on.

The second question was about methodology. The old survey was sort of a classic point-in-time bulk survey. You commission an external surveyor to come in and ring a number of your clients at a point in time during the year, so they get a big list of numbers and they ring them all. The problem with that is that the person who got the service may have got it six or nine months ago, so it is all a bit vague. We have switched away from that point-in-time survey to an ongoing survey so that people get contacted not too long after the service is provided or, in our case, the 'no' is given. We hope that is a more timely and ongoing way of picking up what clients are feeling about the service. It is closer to when the service was provided and it is ongoing and regular rather than this one-off chunk each year. It is an attempt to improve the quality of the information we get back through the survey, and we hope that it will be really useful to us in picking up what is going on and having a basis to tweak things to try and make them better for people.

Mrs GERBER: Is that process underway now?

Mr Reilly: Yes, it started a few weeks ago. I might hand over to Angela, who is the architect.

Ms Pyke: The survey is underway now. It is via email, so we have moved to an electronic form rather than a telephone survey. In the way the telephone survey was undertaken, the office was split into two parts: our RAPA area that Anthony referred to, our intake area, and then our investigation area. Every second year those areas were being surveyed. Now we are taking a whole one-office approach, so as soon as someone has been through the office and the 28-day internal review period has expired, that file is closed from an office perspective and then qualifies for a survey, so it is quite timely. The whole office is being surveyed each month. We will be getting quarterly reports from our surveyor, who is conducting it on our behalf, and we will be reporting in this year's annual report on the results of that.

The target is aspirational. Because of the nature of the business we are in, we do not get a lot of comments. That goes in line with the rectification rate that we aim for, which is 15 per cent. Really, in 85 per cent of cases people are getting an answer that is not in their favour because the agency, in our view, has done the right thing, so dissatisfaction with the result is quite common, but sometimes that can translate. The complainants do recognise that we provide a good service, but generally they are quite focused on the outcome.

CHAIR: Obviously, working in a space where you have to say 'no' a lot must have some staff impacts. How does the office deal with looking after its staff? It cannot be easy saying no to people.

Mrs GERBER: There would not be a lot of job satisfaction in that.

Mr Reilly: We are very mindful of the workplace health and safety of our employees and we regard that issue as a workplace health and safety issue. It is about their psychological wellbeing, making sure people are feeling positive about their work and engaged with their work. We actually have this issue on our workplace health and safety committee meeting, which I attend. We have processes in place to support staff—training and so on on how to manage these sorts of issues—and policies which assist them. For example, last year the office did a review of its unreasonable complainant policy, which is when complainants move beyond being dissatisfied into becoming difficult to work with, and we are encouraging our staff to report that as a workplace incident when it is becoming hard for them to manage so that we can very formally understand the problem and respond to it. We take it quite seriously and have things in place, but once again I might hand over to Leanne or Angela to add some more detail.

Ms Robertson: I am happy to provide a little more information. The office does have a very strong focus on the psychosocial health of our officers. As Anthony said, we have a policy foundation in terms of workplace health and safety policy, procedure and reporting arrangements, which is monitored through our health and safety committee. We also have a standard suite of support for our staff through employee assistance, which we promote and make available. We then back that up with some in-house delivered training. For example, this year we worked with a provider. A psychologist came in and delivered training on dealing with traumatic or difficult circumstances in your work to provide staff with the tools to help them to work through that. We work through it at each level.

Ms BOLTON: In relation to general service complaints about the Ombudsman, what types of options does a committee have in its oversight function to deal with those?

Mr Reilly: We have a general service delivery complaints policy and procedure. What that basically does is: when a complaint comes in, we always take it seriously and investigate the issue that

is being complained about and try and remedy it. Under our policy and procedure, in 99 per cent of cases we can manage that internally because a more senior officer can look into the complaint to see what the issue is and help resolve it. That happens most of the time, all the way up to when the complaint might be about Angela. I can look at those complaints, but sometimes there is an issue about—it is quite rare, actually—me. The question then becomes: if the usual practice is for a more senior officer to look into that complaint, how do we do that given that the Ombudsman is quite a unique role? It is created as an independent person under the act. I do not have a clear answer to that, but I am interested in ensuring that all complaints are dealt with transparently and fairly to ensure that people feel that they have been listened to and had a fair go, if you like, in terms of having their complaint responded to.

We manage complaints under our policy. It is dealt with by a senior officer, looked into, there is engagement with the complainant about the issue and then a response is provided. Every six months we pool together the information about the complaints to have a look at whether it shows anything about what we are doing about our systems and so on that we could improve. If there is a string of complaints on a similar theme, that probably shows that we should be having a look at what we are doing in that space to make our services better.

Ms BOLTON: And that will be part of that?

Mr Reilly: Yes, under our policy the Deputy Ombudsman has responsibility for bringing our report on general service delivery complaints to the executive leadership team.

CHAIR: There is always the potential, is there not, that people would brand you as the ultimate decision-maker in a lot of things, incorrectly or inappropriately?

Mr Reilly: Sometimes I am the decision-maker, but often not. I delegate a lot of the decisions, but sometimes I am. Yes, sometimes people do not agree with those decisions, which is fine—that is really normal and appropriate—and if they let me know they do not agree and they are unhappy with the decision then it is up to me to try to find a way to listen to that and provide a fair and transparent—

CHAIR: But you could receive a complaint, for example, in a matter that you did not decide?

Mr Reilly: Yes.

CHAIR: They would regard you as the head of the organisation, so therefore the complaint would come—

Mr Reilly: That could happen, yes.

CHAIR: Has it happened?

Mr Reilly: It is quite unusual for a complaint about me. There are lots of complaints about the office and what happens within the office. That is, in a sense, about me because I have the functions under the act and delegate those to other people. In terms of it actually being about what I did personally, those complaints are very rare. They do pop up occasionally, particularly for matters that have been ongoing for a long time and are quite complex and difficult and where there are multiple strands, and so I become involved in helping to try to work it through.

Mr HUNT: With regard to the virtual, for want of a better term, Ombudsman visits to the adult correctional centres—it is a double-barrelled question, Chair, so I beg your indulgence—how do you see those rolling out in the future? Would you say that they have been a success from the point of view of the staff and the prisoner demographic? Being mindful of privacy concerns, very broadly, what sorts of issues are you looking at as being brought forward to the office?

Mr Reilly: I will focus first on the virtual visits. The issues that have been brought forward to the office through the virtual visits are the same as have always been brought forward about corrective services. What I might do—

Mr HUNT: Are you able to expand on that very briefly?

Mr Reilly: Yes. I was trying to work out in my head how to capture that. Angela, do you want to talk about the virtual visits? Angela has been working on it with our assistant ombudsman, Kylie, and can talk about the prison complaints.

Ms Pyke: The virtual visits have really been quite a collaboration with Corrective Services. We have been utilising their videoconferencing facilities in their head office to facilitate the actual virtual visits, but that has not taken away from the prisoner contact. We are still meeting with the prisoners and the prisoner committee. They have worked really well in that they have enabled us to still conduct the visits without COVID impacting, so we still have the presence in the centre. In terms of inspecting

the records, we will get the records beforehand. We have had access to breach hearings, like we always do, and registers, so that has not been a problem.

In terms of actual presence in the centre, it is not the same as being there in person, and that has been noted by a couple of PACs throughout the visits. However, as time goes on, I think there is definitely a place for the virtual visit. It might be that we move to a bit more of a hybrid model in a post-COVID world, whatever that may look like. It has been working really well and we have been getting results and Corrections have been forthcoming, and so have the prisoners, in answering our questions and coming forward with issues as well.

Mr HUNT: Things like lapses, breaches, UTs and that sort of thing?

Ms Pyke: In terms of issues that we are seeing?

Mr HUNT: Yes, or are there problems emerging that are COVID-unique?

Ms Pyke: COVID-unique. Corrections have done a really good job in trying to get around that in terms of when family has not been able to visit due to lockdowns and the like, but they have been able to put in really good systems through virtual visits as well, with family visits, and I know that they are also investigating email contact and the like. The comments that we are getting back from Corrections in what they are seeing with the prisoners, and the comments from the prisoners as well, are that it has been very useful having those virtual visits because they have essentially gone back into their home and they can see the dog and the kids all in the one visit; it has been quite healthy in that respect. That has been really good. In terms of COVID itself, initially, yes, the lockdowns were happening, but a lot of people in Corrections had to respond to COVID quite quickly and put a lot of safeguards in place around that.

Mrs GERBER: There are some positives that have come out of your report, particularly in relation to the reduction in time for the previous year in relation to preliminary assessments. I can see a stat that a preliminary assessment of a complaint is done in 2.2 days, and it is a 33 per cent reduction in time on the previous year. There are some departments that could perhaps take some learnings from that in relation to their own assessment of complaints, reducing time and gaining efficiencies. Can you detail for the committee how you gained those efficiencies and explain those learnings?

Mr Reilly: I hope I can live up to that level of efficiency in the next annual report. Again, I was not there while that efficiency was gained. That was in 2019-20. Angela, do you have any comments about what might have contributed to that during 2019-20?

Ms Pyke: We did a lot of work in focusing on our processes and streamlining processes from the front end particularly. We could see that there were ways to improve. We did a lot of work also in terms of improving our policies, procedures and documentation so that everyone was working to the same set of rules, so to speak. In terms of streamlining our preliminary assessments, we were able to finalise matters at that front end really quickly that normally would have gone through to our investigation area to be dealt with there with a longer time frame. We did a lot of work there in terms of refining our quick decision-making and refining our policies and procedure documents. Really, that is what it came down to.

Ms BOLTON: Going to your annual report and the strategic opportunities, it says 'to take a leading role in oversighting administration of closed environments', such as youth detention, corrections and mental health. Can you explain what steps you are taking but also what that actually means and why?

Mr Reilly: The Queensland Ombudsman's office already provides an important oversight role for adult prisons and detention centres. Prisoners and young people in detention centres can make a complaint to us which we will investigate. We have special phone lines and things set up for that which are well utilised. As well, we have an ongoing program of visits through which we proactively look into those environments to make sure that policies and procedures are being complied with by the relevant departments. We will continue to do that.

In recent years there have been some recommendations to establish a prisons inspectorate and also the Commonwealth government signed onto the OPCAT reforms—Optional Protocol to the Convention against Torture. Governments around Australia are looking at how to implement that. A lot of it somewhat has to be implemented at a state level because some of the closed environments that that protocol applies to are run by state governments. State governments around Australia are looking at the best way to meet those obligations. One of the obligations is to have an inspection program of prisons and youth detention centres, and that is what that refers to. The Queensland Ombudsman's

office is an option for the government to use to perform that inspectorate function, if it wishes, but that is a policy decision for the government and one they will make in accordance with their time frames that need to be made.

CHAIR: A financial question: are there any significant budgetary matters that you wish to raise with the committee?

Mr Reilly: Our recurrent funding is stable going forward. We have sufficient funds to employ our current establishment of staff, but my chief finance officer advises me that we have, going forward, probably a challenge on the supplies and services front, which is keeping up with all those things that officers have to keep up with, like rentals, overhead costs, trying to buy all the software you need to keep computers and servers going and so on. We are only a tiny little office, but we have to do all the things that a department does, as it is technically a department, and that is really a challenge for a corporate services team of 11 people.

Our challenge going forward—and we talk regularly to Treasury about this as they are very open to talking about it—is just making sure our funding is able to support our corporate overheads going forward because it would be a shame if we had to reduce our staffing to pay for corporate overhead costs. They are getting higher as we go forward. Do you have any comment about that, Leanne?

Ms Robertson: No. I think that is a fair statement of where we stand.

Mr Reilly: Thanks for asking the question.

CHAIR: What do you see as the biggest challenges and risks for the office in the next 12 months?

Mr Reilly: One challenge is probably to get back out into the community again but in a COVID-safe way. We are still visible to the community through our websites and so on, and most of the decision letters that agencies send out to people these days do say, 'If you have a problem, you can ring the Ombudsman.' People know they can ring us, and I think our reputation is good in the community. It would be nice before too long to start heading out to regional centres again to make contact with people, so we are looking at how to do that at the moment. It is a challenge to get past the strictures that COVID places on us all. Social media and the internet are great ways to reach out to people. I know they have risks attached to them—social media does—but, as a tool, it is a really good way of letting people know what is going on and the services that are available, so we are making use of the opportunities associated with that.

Another challenge for us—and it is a constant challenge for us—is to deal with what is coming through the door while still keeping a focus on the proactive work. It is balancing up the reactive work and the proactive work. While we are staying on top of what is coming through the door and meeting those very good targets for quick assessments and so on, we are not pushing so many resources into that that we are crueing ourselves in terms of being able to do training and proactive work. If you can get out there and train the public sector on good decision-making and good complaint systems and how to work well with people, you should be able to reduce the number of poor decisions or poor interactions that cause the sorts of complaints that come to us. I think it is getting that balancing act right.

As an independent office it is important we stay independent, and I really cherish that independence. Also there is the statement in my act of being an officer of the parliament, which is quite a unique descriptor for a public sector role, if you like, and an important one. We are very independent. At the same time, we have to be engaging actively with agencies. We have to be talking to them about what is coming through the door, what we are seeing about their agencies and how we can work together to solve problems. If we can informally engage with an agency in a proactive way and they are happy to go and solve a problem, that is much better than us having to do a formal investigation. For me, it is all about the outcome for the person on the street. What help do they have? There is an interesting challenge there, I guess, in doing that proactive liaison and engaging with agencies but at the same time not giving up any sense of being the independent ombudsman, if you like. That is an ongoing challenge.

I think those are probably the three main ones. In terms of the financial challenge, we are probably okay for next year. That issue I was talking about was a medium- to long-term issue with those things catching up with us over time. That is probably the main thing at this stage.

Ms BUSH: My first question is really a comment to acknowledge the work you have done in the proactive space, and Casebook and newsletters are a really positive step. I totally agree with you that

the more we can frontend it the better. My first question is to that point. With the 'Good decisions' training and some of the public sector ethics training that you are doing, have you been able to work with departments to make that mandatory for all new public servants coming in or certainly those coming in to decision-making roles? Is that a mandatory requirement?

Mr Reilly: No. Ombudsman training is not mandatory. It is something that different Public Service officers might do for different reasons. They might have a specialist group of decision-makers who want to really look at what is going on in their particular world, or they might have a broader approach. At the moment it is a half-day to a full-day session, which is quite a big investment of time, and it costs agencies I think \$400.

We are looking at ways of providing information in a shorter way that is more broadly available, if you like. For example, at the moment we have just about finished developing a short five-minute video on good decision-making. It is an animated video. The aim is for the new public servants coming in to have a five-minute video to tell them some of the basics of good decision-making and the things they need to know—keep your records, know what your authority is, talk to the person, know your policies and procedures, comply with them et cetera, and if you want to learn more here is where you can go to get more information. Our 'Good decisions' guide is available to them on the internet, for example, and further training is available. We hope to have that completed within the next month or two and we will be pushing that out to the public sector to say that it is available as an induction resource.

We are also having a look over the next six months at ways of diversifying our training products so that they are accessible to a wide audience. I have done a few reviews of intranets and things over the years and they talk about 'bite, snack, meal' as a way of packaging these sorts of things up. Our training product at the moment is a very good 'meal' and we just need to have a look at our 'bites' and our 'snacks'. We do have a lot of good things already on our internet. There are PowerPoints, some videos and some really good written information, so we are just trying to beef that up so there are more things available for people so they can access it at a variety of points in their development.

No, it is not mandatory. I should say, though, that the Public Service Act does require that the complaints management systems of Public Service agencies comply with the relevant Australian Standard. There is a similar provision that applies to local councils as well in the Local Government Act.

Ms BUSH: My second question is in relation to the annual report. It states that 48 per cent of your public administration investigations related to findings of systemic improvements. My question is about the fact that 100 per cent of those recommendations were accepted by the agencies. I always get very nervous with 100 per cent figures. Having worked in an agency and been the subject of the Ombudsman's review as well, I see the other side. What are you doing to get 100 per cent compliance and then how are you actually monitoring to make sure that the agency actually delivers an outcome which meets the objective, not just that it is a line in a report that ticks a box? How are you actually making sure it gets done?

Mr Reilly: I think the 100 per cent is done because we have good investigators, many of whom are quite experienced and have good relationships with the agencies so when they go to talk to the agencies their views are trusted. Trust is so important in anything in life. I think the reputation of the Ombudsman's office is one where I hope it is trusted by agencies. When we are talking to agencies about a problem, it is properly investigated, it is well evidenced and the ideas we have about fixing it are reasonable and sensible so the agency can take that on board and move forward with it.

I agree that 100 per cent is like zero—you do think, 'That seems too good'—but I think it is a good example that there is trust for the Ombudsman's office and that the recommendations that are being made are reasonable. I think also it is to the credit of public sector agencies in Queensland. We have a very professional Public Service in Queensland. Most public servants are doing their best to try to do a good job. I know certainly at senior levels, if a problem is pointed out by the Ombudsman then public sector managers just want it sorted out because they want the problem sorted. I think that professionalism as well contributes to that 100 per cent. Angela, do you have anything to add to the investigations and how we get that 100 per cent?

Ms Pyke: I would probably agree with everything you have said. We do monitor the implementation of the recommendations. If the department agrees to implement, we make sure that it is implemented and we look for evidence of the implementation in terms of a formal report back and also in terms of the complaints that we continue to see coming through the office. If the same issue is

coming through in a large number of complaints, we will go back to the agency and check, 'Has it been implemented? It looks like it has but it's not working. How can we keep working on this to fix it?'

Mr Reilly: We have a board that meets regularly and we go through all of the recommendations and see which ones are outstanding. It is quite a rigorous reporting process. As well, there is ongoing liaison with agencies. For example, with the child safety report, there is now active ongoing liaison with appropriate senior officers from the department of child safety to talk about emerging issues and proactively address things. That is really our model—through those relationships, to keep engaged with agencies and keep getting problems solved, which is really the outcome we are after.

Ms BUSH: In terms of your proactive inquiries and investigations—and I think we have talked about this before—how do you strategically work out where you are going to focus? Is it because of the complaints that you get? What informs that?

Mr Reilly: Yes, it is about the complaints that come through the door. I believe that the issues that are raised by complainants are a really good source of intelligence about where the problems might be in government service delivery and a really good source of intelligence about what we might want to put more effort in to understand and do something about. I prefer that as a source of information rather than just me thinking, 'I want to look at that.' I think that is a better way to do it. We are guided by that.

That said, we scan our environment to understand what issues are going on. Recently, for example, we issued a report about how the Department of Agriculture and Fisheries officers respond to people getting in touch about fire ant problems. That was something that was in the media and it also came up in parliament and we thought we would have a look into it. It was a really good story, which was that the time taken had reduced and they had done that through redesigning some of their internal processes and their service delivery methods. That was an example, I guess, of keeping an eye on the external environment to see what is going on and if there are things we should look at.

We have internal processes within the office—the groups that look at topics of interest that keep an eye on that external environment. If people see an issue that they think should be addressed, that comes up to the management team and we have a look at it from there. We have a major investigations program board which sits over the top of each of our major investigations which are dealt with individually as projects. The information about what issues might be out there are reported up to that major investigations program board and we consider them there to think whether we should do something more about that. If so, we will then ask someone to go and have a look at it and it might become a major investigation.

Ms BOLTON: You previously mentioned that you make recommendations and then you monitor those. In your experience, are there any at the moment that have remained outstanding? If so, what would be the reasons they have not been implemented?

Mr Reilly: I am just trying to think of the list we had a look at the other day.

Ms BOLTON: You can take that on notice, if you like.

Mr Reilly: Can we do that? There is a list that we formally monitor and we would be happy to provide you with a status update, if you like, if that is of assistance.

Ms BOLTON: That would be wonderful. I would appreciate that.

Mr Reilly: That would be fine. We have to source that up in an Excel spreadsheet, rather than me trying to pick out one or two. We will take that on notice and provide a brief.

Ms BUSH: I am really interested in the OPCAT work and in your visiting and inspectorate work. I know we are waiting for an outcome on that broadly. In the interim, how do you work out the efficiencies and the oversight with the other agencies which are also overlooking these closed institutions, like Office of the Public Guardian, OPA and yourselves? There would be someone in Health doing that work as well—the official visiting program or something there.

Mr Reilly: Corrective Services has the official visitor program which goes into adult prisons and is longstanding. It has been there for decades now and it does a great job. In the youth detention centres, the Office of the Public Guardian has the Community Visitor Program which has a relationship with kids who are in care. We maintain ongoing relationships with those agencies and can get feedback from them about what they are hearing through those programs to assist us in what we might look at through our visits. It is intel, if you like, about things we might want to focus on or issues to address. Angela, do you want to add some more about how we interact?

Ms Pyke: They also assist the prisoners to make complaints to us—for example, people who might have difficulty in writing or accessing the phone for whatever reason. That ongoing liaison is important. The OPG have brought complaints to us themselves in their own right from things they have seen as well. It is quite an invaluable tool. They have their own oversight function, as you say, and we would check, before we embark on a visit, that we are not all in there together stepping on each other's toes. We have quite distinct functions in terms of what we are mandated to do. There is collaboration but there is also the independence that we each swim in our own lane, so to speak.

Ms BUSH: That is really good. Obviously, from a client or consumer perspective, having different people visiting, telling your story over and over, can be onerous.

Mr Reilly: Absolutely, particularly for young people. It is an issue.

Ms BUSH: Thank you.

Ms BOLTON: Is there anything else that you feel might be valuable for the committee to know—anything that has not been brought up?

Mr Reilly: No. Thanks for the hearing today and the questions, which have been great. I think that is pretty good and all the issues have been covered.

Ms BUSH: We did not get to PIDs. That was going to be my final one but we are out of time.

CHAIR: That concludes the hearing with the Ombudsman. Thank you to the secretariat and Hansard reporters. A transcript of these proceedings will be available on the committee's parliamentary webpage in due course. I declare this public hearing with the Ombudsman closed.

The committee adjourned at 11.01 am.