

ACT Ombudsman—Quarterly Report

A REPORT ON THE ACTIVITIES OF THE ACT OMBUDSMAN

1 APRIL TO 30 JUNE 2020

Report by the ACT Ombudsman
Michael Manthorpe PSM

REPORT NO. **3 | 2020**

Introduction from ACT Ombudsman

I am pleased to introduce the final quarterly report for the ACT Ombudsman for 2019–20.

My Office continues to play an important oversight role in ensuring the accountability, openness and transparency of ACT Government. This quarter, my Office published the ACT Ombudsman Open Access Strategy. Under the ACT *Freedom of Information Act*, all ACT agencies have obligations to proactively release certain government information to the public. In addition to guiding my Office, I am hopeful the strategy will serve as a guide for ACT agencies in developing their own strategies.

My Office published our first set of FOI guidelines as notifiable instruments. These guidelines will help agencies make lawful, consistent and timely decisions on access applications. I wish to thank all directorates and agencies who contributed to the guidelines by providing their valuable comments and feedback.

Like all government agencies, my Office continues to grapple with the challenges arising from the COVID-19 pandemic and is adapting to new ways of working and engaging with our stakeholders. This quarter, our community engagement has reduced, but my Office has continued to identify new ways in which it can influence system improvements in public administration in the ACT. We have closely monitored new initiatives rolled out due to the pandemic, providing feedback to agencies on new policies and procedures and sharing important information with the community about agencies' complaint handling processes, in the areas such as ACT Policing, building and planning regulation, corrective services and domestic animal services.

Under the Reportable Conduct Scheme, we continue to work with organisations to help mature their handling of allegations of abuse, or misconduct, by employees that involve children. I acknowledge the steps taken by a number of organisations to establish or improve policy frameworks in response to recommendations made by my Office.

We welcome feedback to the Office about our ACT Ombudsman activities and these quarterly reports, as we continue to explore the most effective ways to influence improvements in ACT public administration and make a positive difference for the people of Canberra. Feedback can be provided to Ms Suseela Durvasula, Director of the ACT Strategy and FOI section at ACT.Ombo@ombudsman.gov.au.

Michael Manthorpe PSM
ACT Ombudsman

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Part 1: OUR STRATEGY IN THE ACT

The role of the ACT Ombudsman is to influence systemic improvement in public administration in the ACT and provide assurance that ACT government agencies within our jurisdiction act with fairness and integrity. We work with agencies to help ensure they provide accessible and effective complaint handling processes to the public.

Priority areas for our Office for 2019–20 included:

- improving accessibility of the ACT Ombudsman’s Office, building on the release of the ACT Ombudsman Facebook page, our dedicated ACT Ombudsman phone line (02 6276 3773) and the release of our updated ACT Ombudsman website
- influencing improvement in public administration in ACT Policing, Housing ACT, the ACT Revenue Office and the Alexander Maconochie Centre (AMC)
- working closely with ACT Government to improve agency complaint handling
- promoting the objectives of the *Freedom of Information Act 2016* (the FOI Act)
- monitoring compliance of ACT agencies with the Open Access Information Scheme (OAIS)
- improving the awareness and practices of entities under the Reportable Conduct Scheme
- promoting information sharing related to the Reportable Conduct Scheme
- establishing our role as Inspector of the ACT Integrity Commission.

We were able to advance each of the above priority areas throughout 2019-20, with our activities elaborated on further in this and the preceding quarterly reports.¹

Part 2: COMPLAINT TRENDS

Complaints received

During this reporting period, as outlined in Figure 1, the Office received a total of **128 complaints**, 16.4 per cent more than last quarter:²

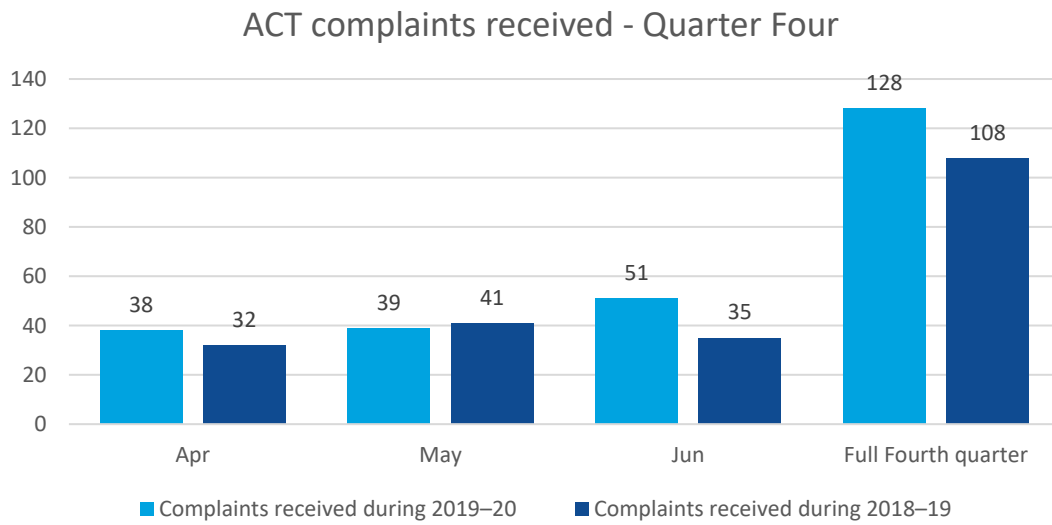
- **113 complaints** related to ACT agencies
- **15 complaints** related to ACT Policing.

As reflected in Figure 1, complaint levels are 18.5 per cent higher than for the same period last financial year.

¹ Previously quarterly reports are available at <https://www.ombudsman.act.gov.au/publications/reports/ACT-Ombudsman-Quarterly-Updates>

² The above are complaint figures only. They do not include other contacts to our Office from the ACT community such as enquiries that are identified as out of jurisdiction. These additional contacts have traditionally been recorded on a yearly basis only, in the Commonwealth Ombudsman annual report. We have commenced recording these separately and will continue to build our capability to provide comprehensive reporting in this area—see ACT enquiries below.

Figure 1—ACT complaints received during the fourth quarter of 2019–20, compared to last financial year

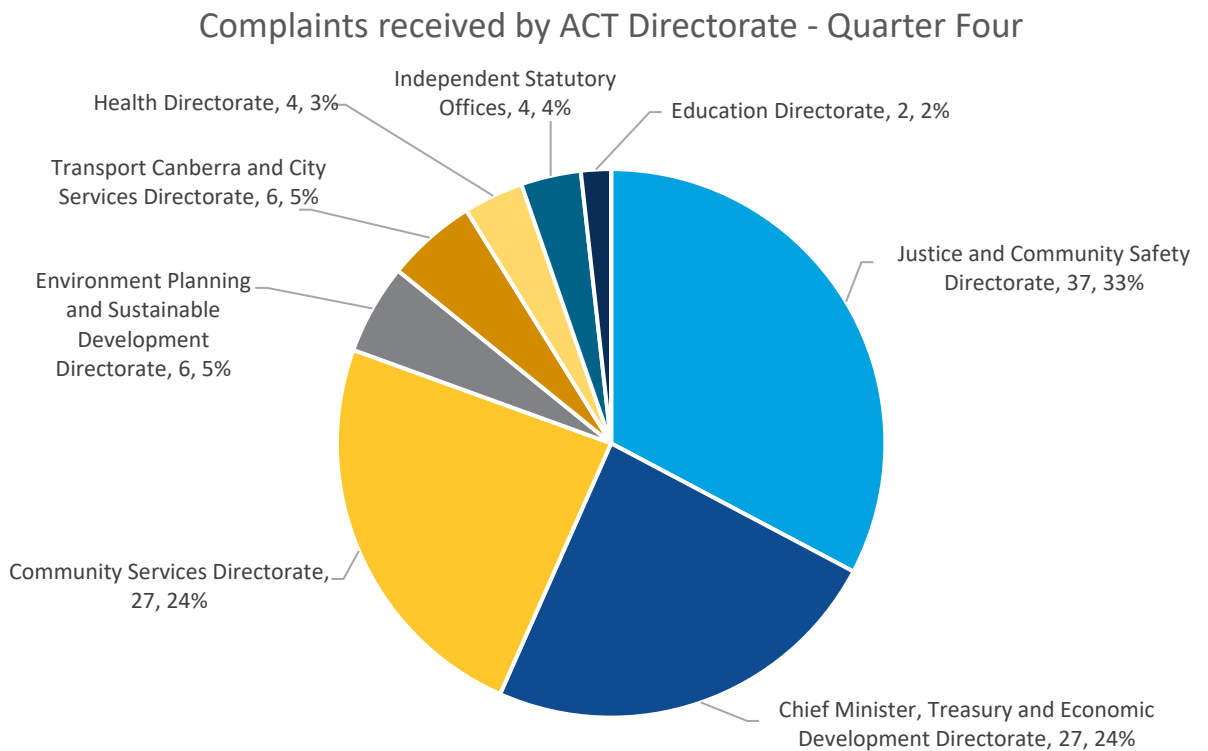


Complaints about ACT agencies

Figure 2 provides a breakdown of the **113 complaints** made about ACT agencies by Directorate.

This quarter, the agency with the highest number of complaints was the Justice and Community Safety Directorate (JACS) with 37, followed by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) with 27.

Figure 2—ACT complaints received during the fourth quarter of 2019–20 by ACT Directorate



For individual agencies, as distinct from Directorates, the largest number of complaints received this quarter were about:

- ACT Corrective Services (ACTCS)—36 complaints
- Housing ACT—24 complaints
- Access Canberra—9 complaints.

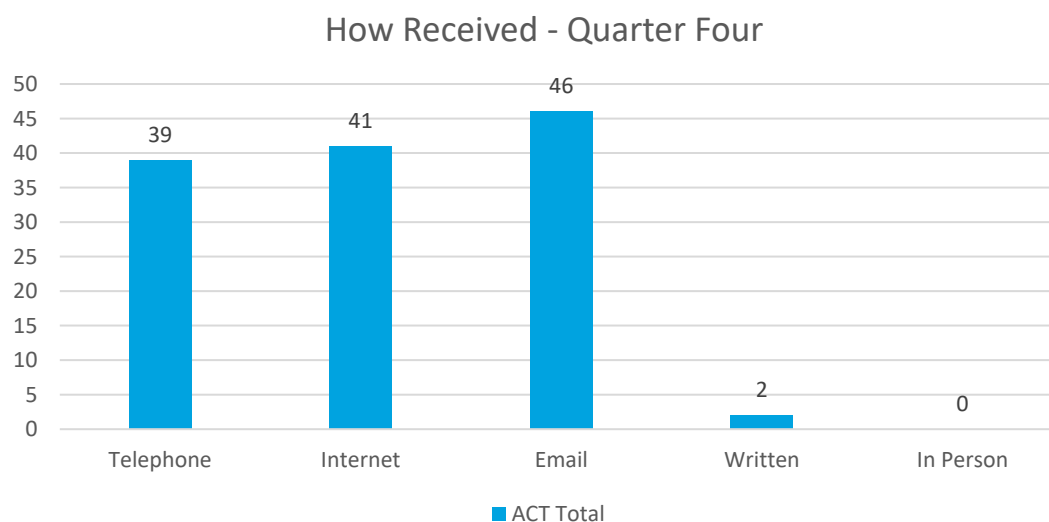
A more detailed table indicating complaints received by individual ACT agencies is at **Appendix A**.

How complaints were received

Figure 3 below shows for this quarter, email and internet surpassed telephone as the most common platform to make a complaint with our Office. This is not unexpected, as we have limited our telephone service hours to 9am to 12 noon each day during the COVID-19 pandemic.

The use of telephone has decreased from 42 per cent of contact methods last quarter to 30 per cent this quarter. Email has increased from 23 per cent last quarter to 36 per cent this quarter.

Figure 3—How ACT complaints were made during the fourth quarter of 2019–20



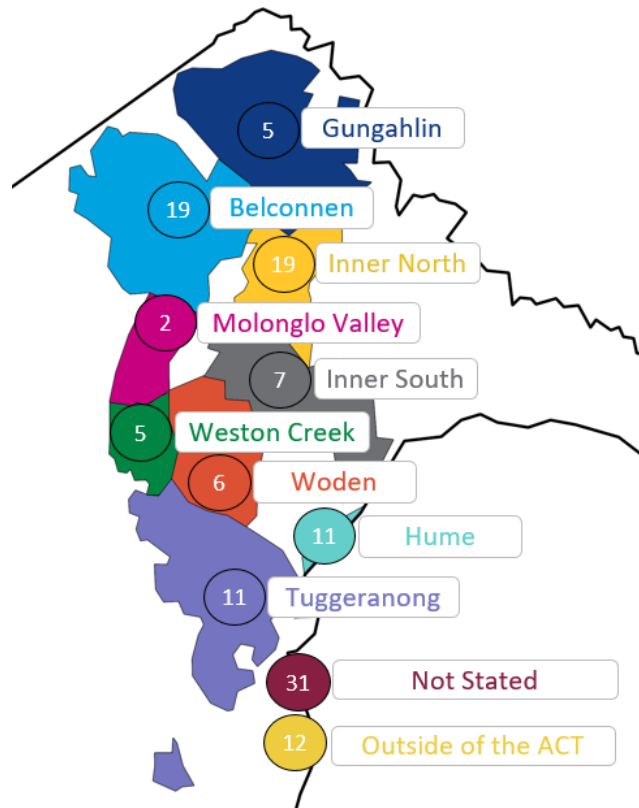
Locations where we received complaints from

Figure 4 provides a breakdown of the **128 complaints** made about ACT agencies and ACT Policing by district.

This quarter, the highest number of complaints (19) were received from people in Belconnen and the Inner North.

We received 31 complaints from people that did not state their suburb, and 12 complaints from outside of the ACT.

Figure 4—Where ACT complaints were made from during the fourth quarter of 2019–20 by ACT District



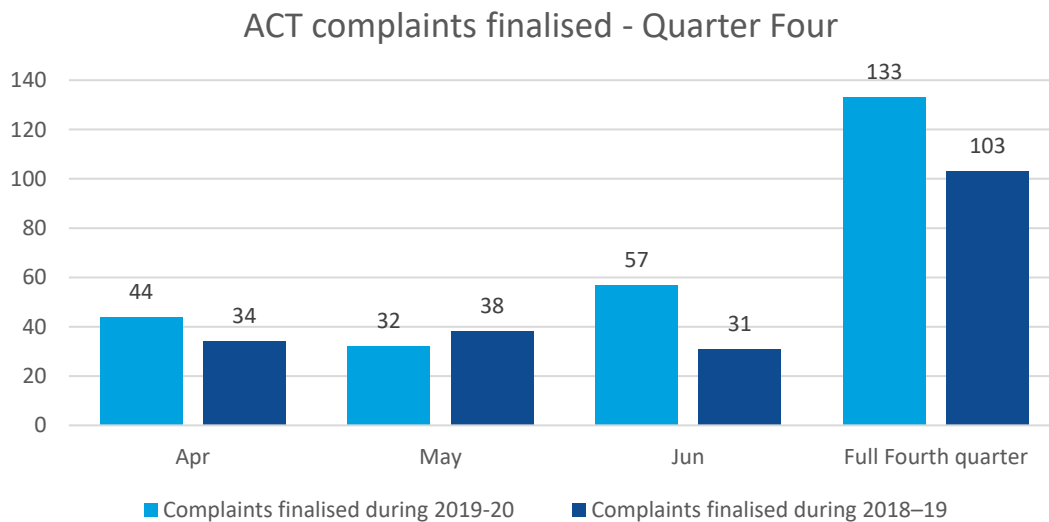
Complaints finalised

Complaints to the Office can result in different outcomes, such as a clearer explanation of the decision, an apology, further action taken by the agency, or an expedited process within the agency.

As outlined in Figure 5, the Office finalised **133 complaints** during this quarter:

- **119 complaints** related to ACT government agencies
- **14 complaints** related to ACT Policing matters.

Figure 5—ACT complaints finalised during the fourth quarter of 2019–20, compared to last financial year



Every complaint is assessed to see if it can be resolved quickly, or whether a more formal investigation is warranted. Our renewed focus on early resolution provides a better service for complainants.

A number of factors determine how we deal with a complaint, including whether:

- the agency concerned had an opportunity to resolve the complaint or an internal review pathway exists
- another oversight body or a tribunal could provide a better outcome
- a reasonable outcome is available for the complainant.

Positive outcomes for complainants can be achieved with or without a full investigation, such as where we can give a better explanation to the person, based on our knowledge of processes within Directorates and agencies.

An example of a positive outcome achieved this quarter, without an investigation, was where a complainant raised concerns that their new ACT driver's licence did not have the correct licence period, heavy vehicle or motorcycle licence class after they moved from interstate. The individual had made a complaint with Access Canberra, but this did not resolve their concerns.

We made preliminary enquiries with the agency, which explained it had addressed the complainant's concerns about the licence period, but had not applied the licence classes due to an error. The agency issued the complainant a new driver's licence with the correct heavy vehicle and motorcycle licence classes, and the complainant was satisfied with how their complaint was resolved.

Outcomes achieved for investigated complaints

The table at **Appendix B** provides outcomes resulting from investigations finalised this quarter, broken down by ACT government agency. More than one outcome can be achieved per complaint investigation.

During this quarter, the Office finalised **15 investigations**. The outcomes achieved this quarter included:

- the Ombudsman was able to provide a clearer explanation to the complainant in 13 cases
- a clearer explanation was provided by the agency in five cases
- a decision changed or reconsidered in three case
- a remedy provided by the agency in one case.

As a result of our investigations, we were able to provide a better explanation to a complainant about changes to the Sentence Administration Board's processes due to COVID-19 and outline the reasons behind a delay in processing a development application for another complainant. One of our investigations resulted in improvements to risk assessment processes used before detainees are moved within AMC to minimise the risk of conflict between detainees.

ACT enquiries

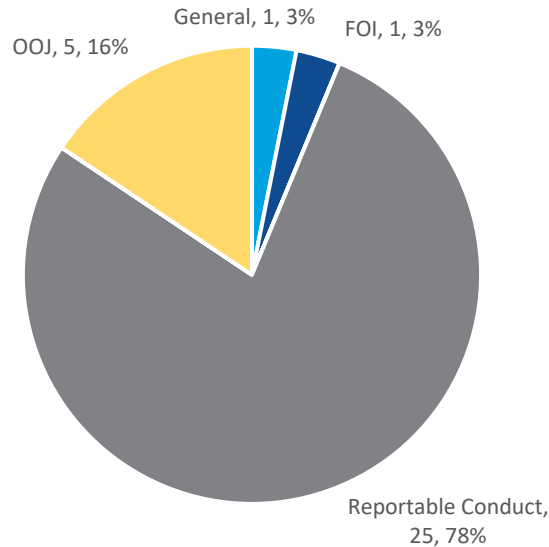
We received **32 enquiries** to the ACT Ombudsman via our phone line and electronically this reporting period. Of these:

- 1 was a general enquiry related to the work of the ACT Ombudsman
- 5 were out of jurisdiction (OOJ) for our Office
- 26 were related to our work on program specific matters (e.g. FOI or Reportable Conduct).

Figure 6 provides a breakdown of the enquiries received by topic area

Figure 6—Types of enquiries received by the ACT Ombudsman in the fourth quarter of 2019–20

Types of ACT enquiries received – Quarter four



Performance against service standards

Our Office has service standards in place which apply to complaints we receive about both the Australian Government and ACT Government agencies.³

We aim to resolve 60 per cent of all government complaints within 7 days. We are usually able to achieve this timeframe for routine or simple complaints, but more complex complaints will take longer. This means we may not always meet the 60% target where we receive a higher proportion of more complex complaints.

This quarter, consistent with last quarter, 38 per cent of complaints about ACT government agencies were closed within 7 days, with 80 per cent of complaints finalised in 30 days. Almost all (99 per cent) of our ACT complaints were finalised in 12 months as expected, with approximately 92 per cent finalised in 90 days.

We are developing separate service standards for added transparency and certainty to the work we do in the ACT. We also continue to explore ways to deliver efficiencies in complaints management, while ensuring we provide the ACT community with appropriate levels of service where complex complaints are made.

³ The ACT Ombudsman is also the Commonwealth Ombudsman. The same service standards are used for complaints to the Office of the Commonwealth Ombudsman about Australian government agencies. For more information about our complaint service standards see: <https://www.ombudsman.act.gov.au/making-a-complaint/what-we-do-with-your-complaint>.

We also aim to provide further reporting on our management of broader ACT enquiries to our Office for future reporting periods.

New and ongoing complaint trends

In this quarter, ACTCS (36), Housing ACT (24) and Access Canberra (9) recorded the three highest numbers of complaints.

Complaints about **ACTCS** (36) increased from the previous quarter (24). Our Office made two assisted complaint referrals to ACTCS. The complaints received continue to cover a wide range of issues in relation to the AMC, including:

- access to visits, which have been taking place virtually during the COVID-19 pandemic
- work assignments raising health concerns during the pandemic
- delays in parole hearings during the pandemic
- staff conduct, including communication with detainees
- unfair decisions
- access to medical treatment
- cleanliness of the prison and transport vehicles
- access to and interpretation of policies and procedures
- segregation practices aimed to address conflict between detainees, and
- missing property and/or treatment of personal property, including policies relating to the storage and release of personal items.

The number of complaints about **Housing ACT** (24) increased this quarter, up from 18 complaints in the previous quarter. Our Office made three assisted complaint referrals to Housing ACT.

The complaints related to similar issues to those raised previously, including:

- anti-social behaviour and neighbourhood disputes
- poor and delayed responses to requests for maintenance made to Housing ACT and the third party maintenance contractor in relation to issues such as water damage, heating and structural issues
- delays in Housing ACT investigations, and
- requests for new properties, for example where a complainant had been refused a transfer to a larger property or had requested priority housing but was unsure of the outcome.

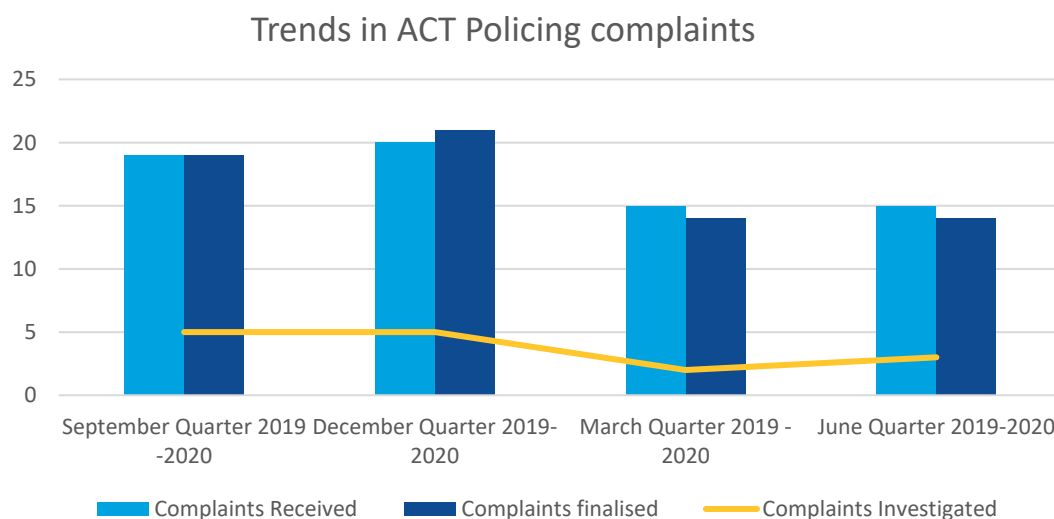
Part 3: ACT POLICING

The Ombudsman is able to receive and consider complaints about ACT Policing. As noted above, this quarter we received **15 complaints** about ACT Policing and finalised **14 complaints**. Of those complaints finalised, three were investigated.

The complaints investigated related to customer service and investigation delay. A better explanation was provided to the complainant as a result of each of these investigations. In the complaint about investigation delay, the Ombudsman also provided suggestions to ACT Policing about the timeliness of investigations and contact with complainants.

Figure 7 shows the trends in ACT Policing complaints received and finalised over the last four quarters.

Figure 7—Trends in ACT Policing complaints over the period 1 July 2019 to 31 June 2020



The Office is responsible for inspecting ACT Policing records related to the use of certain covert and intrusive powers under ACT legislation. No inspections were conducted during the period 1 April to 30 June 2020 due to travel and workplace health restrictions, imposed by the COVID-19 pandemic.

During the last quarter we finalised two reports on previously conducted inspections of ACT Policing, under the *Crimes (Surveillance Devices) Act 2010* (ACT) and the *Crimes (Child Sex Offenders) Act 2005* (ACT). The results of these inspections will be included in the ACT Ombudsman’s 2019–20 annual report. The next inspections of ACT Policing are scheduled in August and September 2020.

In this quarter, the Ombudsman appeared via videoconference before the Standing Committee on Justice and Community Safety’s (Standing Committee) Inquiry in the form of an evaluation of current ACT Policing arrangements. This followed a submission made by our Office to the Standing Committee in February 2020.⁴

⁴ https://www.ombudsman.act.gov.au/_data/assets/pdf_file/0025/109663/February-2020-ACT-Ombudsman-submission-into-ACT-Policing-and-AFP-inquiry.pdf

Part 4: ACT COMMUNITY OUTREACH ACTIVITIES

Engaging with the ACT community is particularly valuable for ensuring more vulnerable people are aware of our role.

During the pandemic, we shifted our community engagement to virtual forums, including communicating important information through our website and social media. For example, we published:

- a fact sheet about increased policing powers during the COVID-19 pandemic and how to make a complaint about ACT Policing⁵
- a fact sheet on the independent oversight bodies who deal with complaints and oversight of ACT policing, and
- information about making complaints about dangerous dogs in the ACT, including complaints about dog attacks or decisions by the Domestic Animal Service (DAS)⁶

Given the continuing impact of COVID-19 in the ACT, we will review our community engagement strategy and consider if other forms of engagement can be adopted in these circumstances.

Part 5: AGENCY ENGAGEMENT

Engagement with ACT agencies and directorates continued this quarter, with most engagement occurring virtually.

The Ombudsman and Deputy Ombudsman met with:

- the acting Director-General and deputy Director-General of CSD to discuss FOI and Reportable Conduct matters
- the CEO of Legal Aid to discuss FOI matters
- the newly appointed ACT Policing Chief Police Officer to discuss our oversight role
- JACS to discuss the AMC, FOI and reportable conduct matters
- the Education Directorate to discuss reportable conduct matters, and
- CMTEDD to discuss the ACT Service Agreement.

This quarter, we met with staff from the following agencies or bodies to discuss complaint trends, systemic issues and our oversight activities:

- ACT Housing
- JACS
- ACT Integrity Commission
- ACT Policing, and
- Joint advisory Council Chairs.

⁵ <https://www.ombudsman.act.gov.au/making-a-complaint/common-complaints/act-policing>

⁶ <https://www.ombudsman.act.gov.au/making-a-complaint/common-complaints/dangerous-dogs>

Building and planning issues

This quarter, we worked with the Environment, Planning and Sustainable Development Directorate (EPSDD) to clarify how the community can make building and planning complaints. This information is now available on our website.⁷

We also provided feedback to EPSDD on their complaints policies and procedures, and will continue to work with EPSDD to ensure remedies are available through complaints pathways and external review rights are clarified.

Public housing

This quarter, we worked with Housing ACT to clarify and document its complaint pathways and processes, particularly for maintenance requests which are largely managed by a third party contractor.

Complaints Assurance Program

In 2020, Housing ACT is participating in our Complaints Assurance Program (CAP). The aim of the CAP is to provide assurance that agencies have accessible and effective complaint handling services.

The process is progressing well and we have met with Housing ACT to discuss preliminary findings and likely recommendations. At this stage, the process for Housing ACT remains on track for finalisation in 2020.

ACTCS

In relation to our oversight of the prison in the ACT, we:

- attended regular meetings (virtually) with ACTCS, Official Visitors, the ACT Human Rights Commission and the Office of the Inspector of Custodial Services to ensure appropriate coordination of the oversight of the AMC, particularly in relation to COVID-19
- progressed new arrangements for managing complaints about AMC that are raised with more than one oversight agency at the same time, and
- provided feedback to ACTCS on numerous new and draft policies this year, including those relating to open access, parole and its detainee communications and policy framework.

Inspector of the ACT Integrity Commission

This quarter, the Inspector received its first complaint about the Commission, which is currently being assessed.

The Inspector and the Integrity Commissioner signed a relationship protocol to assist both agencies to efficiently manage their respective statutory functions, while avoiding delay or unnecessary duplication.

⁷ <https://www.ombudsman.act.gov.au/making-a-complaint/common-complaints/building,-planning-and-development>

Part 6: REPORTABLE CONDUCT

Notifications received

This quarter, the Office received **40 initial notifications** from entities about allegations of reportable conduct, with six of these being notified to ACT Policing.

As outlined in Figure 8, this is a 13 per cent decrease in reporting, compared to the same quarter in the 2018–19 financial year. It is also an increase on the previous quarter (by 10 notifications).

We saw an increase in notifications in the first half of 2019–20 compared to the same period the previous year. The second half of the year saw a subsequent reduction. This may be attributed to COVID-19 restrictions such as, closures of schools and businesses and parents or carers choosing not to send their children to education and care service providers during the pandemic.

Figure 8—Reports received in the fourth quarter of 2019–20, compared to previous financial year

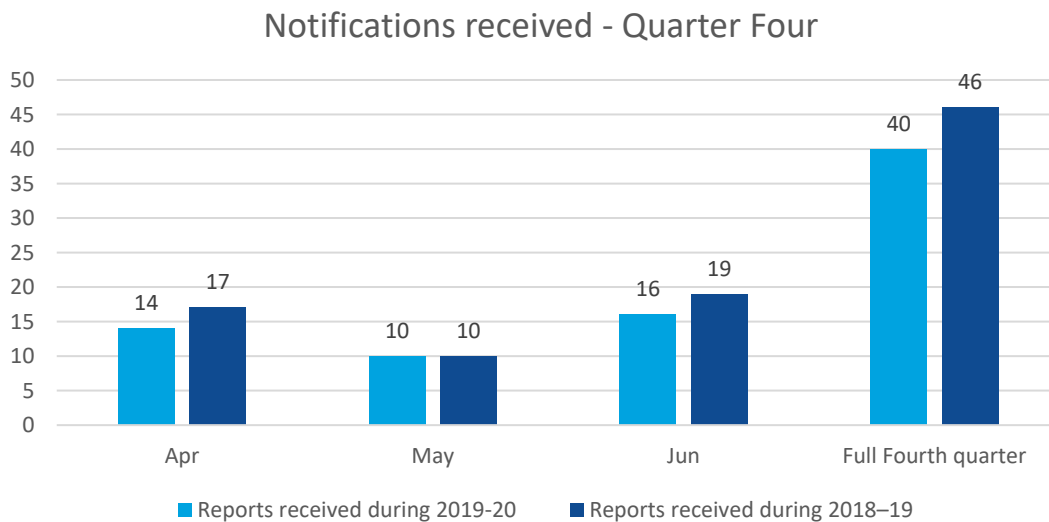
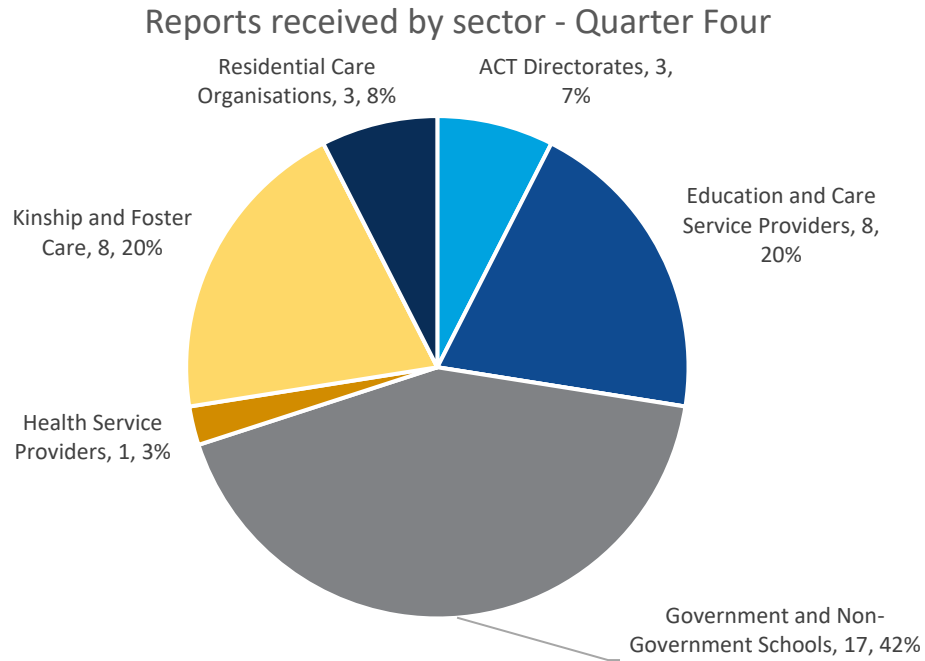


Figure 9 outlines the number of notifications received this quarter, by sector.

The largest number of notifications received were from government and non-government schools (17 reports,) followed closely by the kinship and foster care sector and education and care providers, both with eight reports.

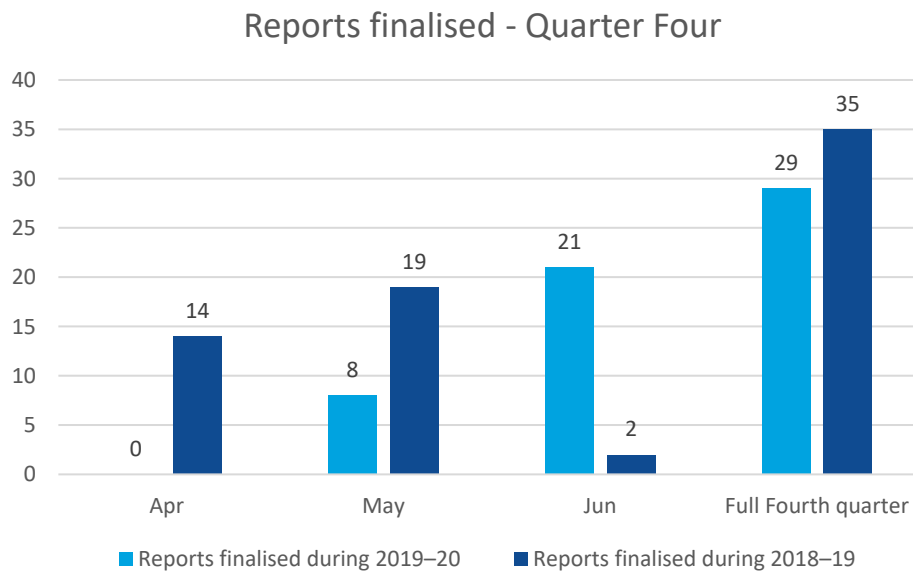
Figure 9—Notifications received in the fourth quarter of 2019–20 by sector.



Reports finalised

In this quarter, as outlined in Figure 10, the Office finalised **29 matters**—a 17 per cent decrease in finalised cases compared to the same quarter for the previous financial year. While there has been a decrease in the number of matters finalised, our focus during this COVID-19 transition period has been to manage immediate risk associated with incoming notifications and focus our oversight of current reportable conduct investigations by organisations.

Figure 10—Reports finalised in the fourth quarter of 2019–20, compared to previous financial year



After notifying the Office of a reportable conduct allegation, an organisation must update the Ombudsman on the outcome of its investigation and the action it has taken as a result. Figures 11 and 12 summarise the outcomes for each allegation and the actions taken by organisations, as provided to us in reports, finalised this quarter.⁸

Figure 11—Outcomes reported by organisations—finalised investigations in the fourth quarter of 2019–20

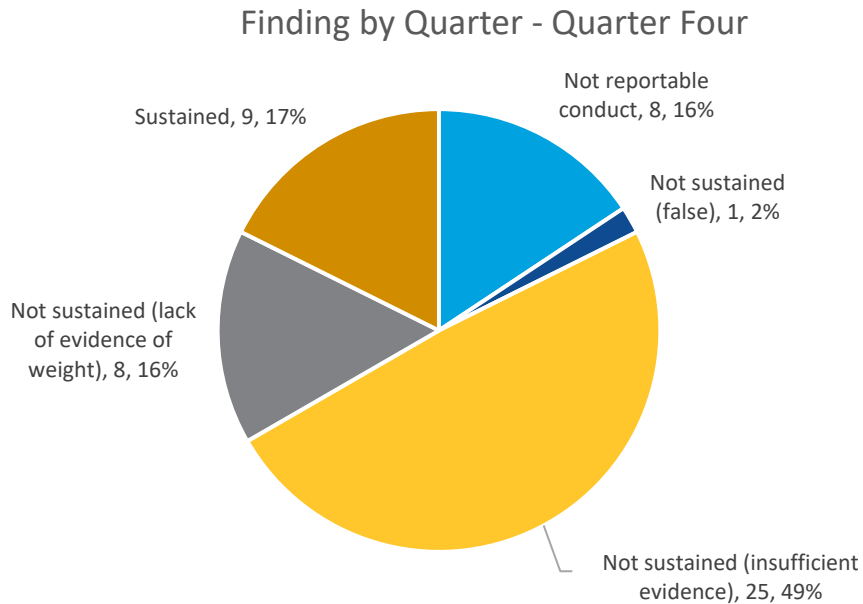
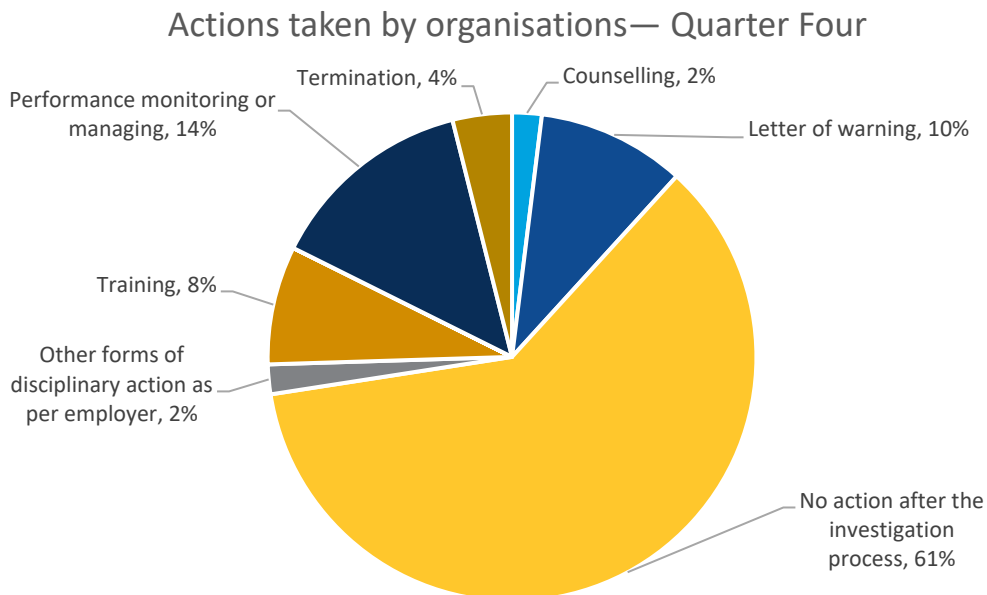


Figure 12—Actions taken by organisations—finalised in the fourth quarter of 2019–20



⁸ A notification may contain multiple allegations, each having a finding and action recorded.

Performance against service standards

Our Office has service standards in place for our reportable conduct function.⁹

When we receive a new notification from an organisation about an allegation of reportable conduct (s 17G notification), we assess the initial response by the organisation against criteria such as its reporting to other bodies, its risk assessment and investigation plan. This allows the organisation to take into account our feedback during its investigation. We aim to do this within seven days in 80 per cent of cases.

This quarter we assessed 74 per cent of initial notifications within seven days and overall for the financial year 2019–20, 82 per cent were assessed within the required timeframe.

When we receive a final report from an organisation following its investigation into reportable conduct allegations (s 17J report), we consider whether there was a proper investigation, appropriate action taken and whether we need further information from the organisation. This gives the organisation reasonable opportunity to act on our feedback or provide further information. We aim to complete this within 28 days in 80 per cent of cases.

This quarter we assessed 46 per cent of these assessments within this timeframe and overall for the financial year 2019–20, 73 per cent were assessed within the required timeframe. The Office experienced a high influx of final reports from organisations in quarter three (30) and quarter four (40). Due to COVID-19, this influx of reports has resulted in a backlog of s 17J reports still to be assessed. We have put measures in place, including a risk based approach to our triage and assessment of the backlog s 17J reports, while managing incoming s 17J reports and initial notifications. Our focus during this time is to manage immediate risk associated with incoming notifications and focus our oversight of current reportable conduct investigations by organisations.

Engagement and monitoring activities

The Office monitors the practices and procedures that organisations have in place for the prevention of reportable conduct and for dealing with reportable allegations and convictions. This quarter we continued to do so by providing feedback on policies, practices and procedures through our casework and liaison meetings.

While COVID-19 restrictions impacted engagement activities in the second half of this year, this quarter we maintained regular liaison with Barnardos, the Education Directorate, CMTEDD, the Public Advocate and Senior Practitioner. We attended the Children and Young People Oversight Agencies Group convened by the Public Advocate and the Children & Young People Commissioner and the Bimberi Oversight Group convened by CSD.

⁹ For further information about Reportable Conduct service standards see: <https://www.ombudsman.act.gov.au/improving-the-act/reportable-conduct>

Part 7: FREEDOM OF INFORMATION (FOI)

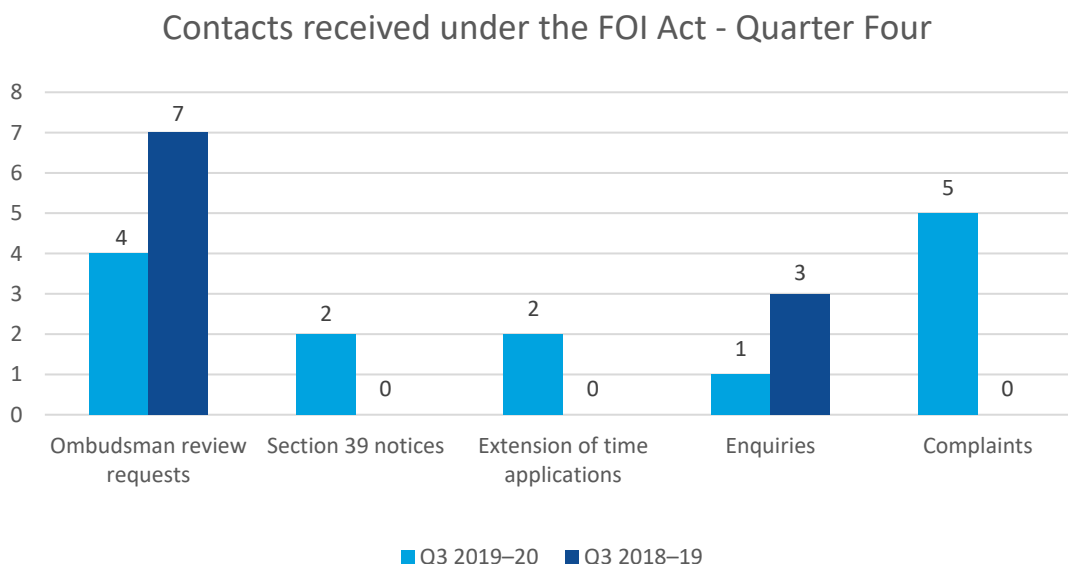
FOI contacts received

As outlined in Figure 13, the Office received **18 contacts** relating to our role under the FOI Act during the fourth quarter of 2019–20, which is a decrease on the 34 contacts received in the previous quarter.

This comprised:

- four applications for Ombudsman review
- two s 39 notices (notices given to the Ombudsman to advise that a decision on an access application was not made in time)
- two extension of time requests
- one enquiry, and
- five complaints.

Figure 13—Contacts received under the FOI Act in the fourth quarter of 2019–20, compared to the fourth quarter of 2018–19



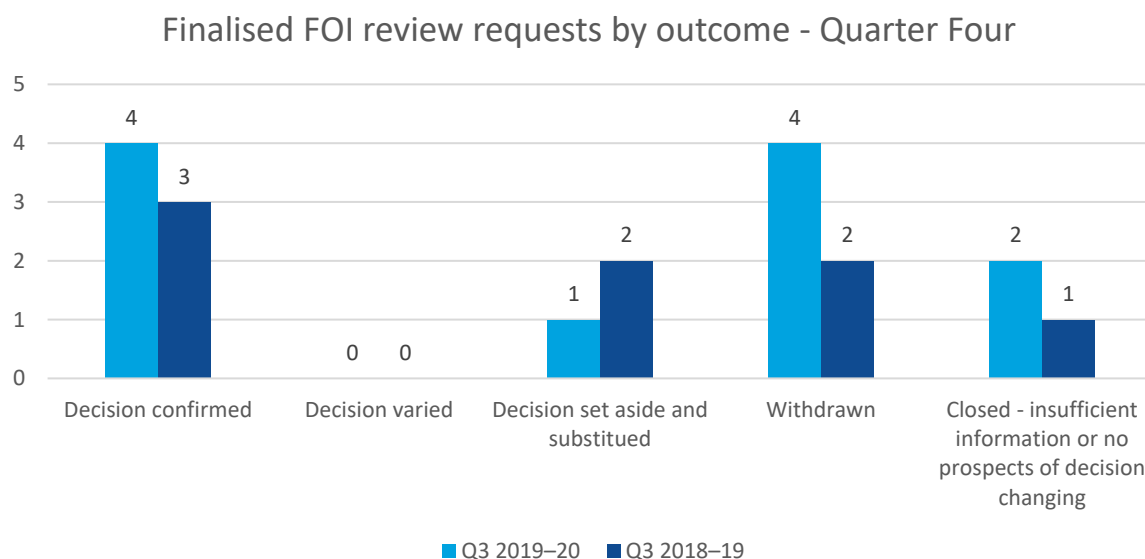
Finalised FOI reviews

As shown in Figure 14, the Office finalised **11 Ombudsman reviews** this quarter.

The outcomes of these reviews were:

- the original decision was **confirmed** in four cases
- the original decision was **set aside** in one case
- four matters were **withdrawn** by the applicant following informal resolution activities, and
- two matters were **finalised without review**, with our Office having found there were no reasonable prospects of success.

Figure 14—FOI review requests finalised in the fourth quarter of 2019–20, compared to the fourth quarter of 2018–19



Performance against service standards

Our Office has service standards in place for our FOI review applications.¹⁰

This quarter, we met two of the three standards with:

- 36 per cent of FOI review matters finalised within 6 weeks (above the standard of 30 per cent)
- 55 per cent finalised in 12 weeks (below the standard of 60 per cent), and
- 100 per cent finalised in six months, as required.

FOI review matters can generally be finalised in six weeks where informal resolution is successful. As a result, our ability to meet the 30 per cent service standard is expected to vary depending on the amount of cases that are able to be finalised through informal resolution processes. In this quarter, we were able to meet this service standard, with four out of 11 matters informally resolved.

Where a formal decision is required, routine matters are expected to take 12 weeks to finalise and complex matters can take longer.

Published decisions

At 30 June 2020, we have published **47 decisions** on the ACT Ombudsman website.¹¹

Ten of these decisions were published during this reporting period. Publication of decisions provides agencies and applicants with guidance on the FOI Act, including the application of the public interest test.

¹⁰ For more information on Freedom of Information service standards see: <https://www.ombudsman.act.gov.au/improving-the-act/freedom-of-information/foi-complaints-and-reviews>

¹¹ See <http://www.ombudsman.act.gov.au/improving-the-act/freedom-of-information/foi-review-decisions>

Finalisation of FOI Guidelines

A priority for our Office in 2019–20 was the development of a set of FOI Guidelines to assist agencies to implement and improve their processes under the FOI Act. With assistance and support from ACT Directorates and agencies, we finalised the development of the six FOI Guidelines, which are now published on our website:

- [*Freedom of Information Guideline 1 of 6: Open Access Information*](#)
- [*Freedom of Information Guideline 2 of 6: Informal Requests for Government Information*](#)
- [*Freedom of Information Guideline 3 of 6: Dealing with access applications*](#)
- [*Freedom of Information Guideline 4 of 6: Considering the public interest*](#)
- [*Freedom of Information Guideline 5 of 6: Amending personal information*](#)
- [*Freedom of Information Guideline 6 of 6: Ombudsman reviews*](#)

These guidelines are notifiable instruments and available on the [ACT legislation register](#).

Open Access monitoring strategy

In this quarter, our Office continued its monitoring of ACT government agencies' compliance with their Open Access obligations under Part 4 of the FOI Act.

We completed our first two phases of our Open Access monitoring strategy, including agency self-assessments and our desktop audits of agency websites to assess their compliance. Due to the COVID-19 pandemic, we postponed more formal audits and will instead provide more detailed feedback for participating agencies and directorates in the next quarter.

Our initial analysis of the desktop audit indicates agencies are aware of their Open Access obligations and have up-to-date and well maintained disclosure logs. The quantity and quality of information published by agencies varies, in particular, in the category of policy documents. Some agencies are not publishing the most up-to-date versions of documents.

We also conducted an assessment of our Office's compliance with Open Access requirements. We identified several areas for improvement, notably the need for our own Open Access Strategy, which has been finalised and [published](#).¹² The Strategy sets out:

- what information will be made publicly available
- how it will be made available
- how published information will be reviewed, to ensure that it remains accurate, up to date and complete, and
- when information may not be made publicly available because it is contrary to public interest and how we will publish our reasons for these decisions.

The strategy will support our staff to better understand and comply with Open Access requirements, aiming to guide agencies and directorates in developing their own.

¹² https://www.ombudsman.act.gov.au/_data/assets/pdf_file/0014/111182/Open-Access-Strategy.pdf

APPENDIX A

Complaints received by Directorate and agency for the fourth quarter of 2019–20

Directorate/Agency	Total received	Total finalised	Finalised with investigation	Finalised without investigation
Canberra Health Services	-	-	-	-
Chief Minister, Treasury and Economic Development Directorate	27	28	2	26
Access Canberra	9	10	1	9
ACT Revenue Office	5	5	1	4
Canberra Institute of Technology	2	3	-	3
University of Canberra	8	7	-	7
Chief Minister, Treasury and Economic Development - other	3	3	-	3
Community Services Directorate	27	25	2	23
Housing ACT	24	21	2	19
Community Services - other	3	4	-	4
Education Directorate	2	2	-	2
Environment Planning and Sustainable Development Directorate	6	6	1	5
Health Directorate	4	4	-	4
Justice and Community Safety Directorate	37	42	5	37
ACT Corrective Services	36	41	5	36
Justice and Community Safety - other	1	1	-	1
Transport Canberra and City Services Directorate	6	6	1	5
ACTION Bus	-	-	-	-
Transport Canberra and City Services - other	6	6	1	5

ACT Ombudsman—Quarterly report, 1 April to 30 June 2020

Directorate/Agency	Total received	Total finalised	Finalised with investigation	Finalised without investigation
Independent statutory offices	4	5	1	4
ACT Court or Tribunal	-	-	-	-
ACT Human Rights Commission	-	-	-	-
Director of Public Prosecutions	1	1	-	1
Legal Aid ACT	1	1	-	1
Public Trustee and Guardian for the ACT	2	3	1	2
Prescribed authorities	-	1	-	1
ACT Law Society	-	1	-	1
Territory-owned corporations	-	-	-	-
ACT Long Service Leave Authority	-	-	-	-
Icon Water	-	-	-	-
Total ACT Government	113	119	12	107
ACT Policing	15	14	3	11
Total ACT	128	133	15	118

APPENDIX B

Outcomes of finalised complaint investigations by agency and outcome for fourth quarter of 2019–20

Directorate or agency	Investigations finalised	No remedy	Action expedited	Apology	Change to law, policy or practice	Decision changed or reconsidered	Better explanation by Ombudsman	Better explanation by agency	Agency officer counselled/disciplined	Remedy provided by agency	Penalty waived or reduced	Total positive remedies achieved
Canberra Health Services	-	-	-	-	-	-	-	-	-	-	-	-
Chief Minister, Treasury and Economic Development Directorate	2	-	-	-	-	-	2	-	-	-	-	2
Access Canberra	1	-	-	-	-	-	1	-	-	-	-	1
ACT Revenue Office	1	-	-	-	-	-	1	-	-	-	-	1
Canberra Institute of Technology	-	-	-	-	-	-	-	-	-	-	-	-
Canberra Institute of Technology - International	-	-	-	-	-	-	-	-	-	-	-	-
University of Canberra	-	-	-	-	-	-	-	-	-	-	-	-
University of Canberra - International	-	-	-	-	-	-	-	-	-	-	-	-
Chief Minister, Treasury and Economic Development	-	-	-	-	-	-	-	-	-	-	-	-
Community Services Directorate	2	-	-	-	-	2	1	2	-	-	-	5
Housing ACT	2	-	-	-	-	2	1	2	-	-	-	5
Community Services - other	-	-	-	-	-	-	-	-	-	-	-	-
Education Directorate	-	-	-	-	-	-	-	-	-	-	-	-
Environment Planning and Sustainable Development Directorate	1	-	-	-	-	-	1	-	-	-	-	1
Health Directorate	-	-	-	-	-	-	-	-	-	-	-	-
Justice and Community Safety Directorate	5	-	-	-	-	1	4	2	-	-	-	7
ACT Corrective Services	5	-	-	-	-	1	4	2	-	-	-	7
ACT Emergency Services Agency	-	-	-	-	-	-	-	-	-	-	-	-
Justice and Community Safety – other	-	-	-	-	-	-	-	-	-	-	-	-

Directorate or agency	Investigations finalised	No remedy	Action expedited	Apology	Change to law, policy or practice	Decision changed or reconsidered	Better explanation by Ombudsman	Better explanation by agency	Agency officer counselled/ disciplined	Remedy provided by agency	Penalty waived or reduced	Total positive remedies achieved
Transport Canberra and City Services Directorate	1	-	-	-	-	-	1	-	-	-	-	1
ACTION Bus	-	-	-	-	-	-	1	-	-	-	-	1
Transport Canberra and City Services - other	1	-	-	-	-	-	-	-	-	-	-	-
Independent statutory offices	1	-	-	-	-	-	-	1	-	-	-	1
ACT Court or Tribunal	-	-	-	-	-	-	-	-	-	-	-	-
ACT Human Rights Commission	-	-	-	-	-	-	-	-	-	-	-	-
Director of Public Prosecutions	-	-	-	-	-	-	-	-	-	-	-	-
Legal Aid ACT	-	-	-	-	-	-	-	-	-	-	-	-
Public Trustee and Guardian for the ACT	1	-	-	-	-	-	-	1	-	-	-	1
Prescribed authorities	-	-	-	-	-	-	-	-	-	-	-	-
ACT Law Society	-	-	-	-	-	-	-	-	-	-	-	-
Territory-owned corporations	-	-	-	-	-	-	-	-	-	-	-	-
ACT Long Service Leave Authority	-	-	-	-	-	-	-	-	-	-	-	-
ICON Water	-	-	-	-	-	-	-	-	-	-	-	-
Total ACT Government	12	-	-	-	-	3	9	5	-	-	-	17
ACT Policing	3	-	-	-	-	-	4	-	-	1	-	5
Total ACT	15	-	-	-	-	3	13	5	-	1	-	22