



Southern Downs
REGIONAL COUNCIL

**Please address all
communications to:**

The Chief Executive Officer
Southern Downs
Regional Council
PO Box 26
Warwick Qld 4370

mail@sdrq.qld.gov.au
www.sdrq.qld.gov.au

abn 59 786 792 651

Warwick Office

64 Fitzroy Street
Warwick Qld 4370

Stanthorpe Office

61 Marsh Street
Stanthorpe Qld 4380

t **1300 MY SDRC**
(1300 697 372)

f **07 4661 0333**

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28 March 2018

Committee Secretary
Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000

Email: lacsc@parliament.qld.gov.au

Dear Sir/Madam

Inquiry into the Strategic Review of the Office of the Queensland Ombudsman

I refer to the Report regarding the Strategic Review of the Office of the Queensland Ombudsman authored by Simone Webbe (January 2018) and tabled with the Committee on 15 February 2018.

Council provided a written submission to be considered as part of the Strategic Review on 8 November 2017 and it is pleasing to see that some of the feedback has been considered as part of the final report.

In addition to the original submission, Council would like to make the following comments in relation to the recommendations outlined in the report:

Recommendation 3

Council notes the suggested amendments to section 22 of the *Ombudsman Act 2001* and supports this legislative clarification in order to qualify the validity of complaints prior to an investigation taking place, as outlined in Council's original submission.

Recommendations 6, 18, 48 and 51

The Master List of potential issues as outlined in Recommendation 6, could be utilised to examine common areas of complaints, along with trends within the local government sector. This information could then be shared amongst local governments to promote best practice across the sector as suggested in Council's original submission. Similarly, the publication of the common results/trends across CMS reviews would assist Council's to continually improve its system of dealing with complaints.

Council strongly supports this proactive knowledge management approach whereby learnings from previous investigations and reviews are accessible by all.

Recommendation 9

Council notes that the report recommends that no fee be charged to lodge a complaint with the Office of the Queensland Ombudsman, however consideration should be given to imposing financial imposts on repetitive complainants where their

complaints are deemed to be frivolous, vexatious or trivial. Council notes that the cost of dealing with complaints is increasing significantly, as is the level of resources required to undertake investigations at the request of different agencies.

Recommendation 11

Council notes this recommendation, however as per Council's original submission, it would be preferable to qualify the validity of the complaint prior to commencing an investigation.

Recommendations 17 and 49

Council supports this recommendation and as per the original submission, strongly advocates that staff from the Office of the Queensland Ombudsman regularly engage with Council, in addition to expanding the already successful training programs. This would also prove beneficial to the Office of the Queensland Ombudsman's staff in expanding their understanding of the local government sector.

Recommendation 20

This recommendation could be expanded to also include information sharing between the Department of Local Government, Racing and Multicultural Affairs and the Office of the Information Commissioner. Additionally, a clear pathway and hierarchy should be implemented to reduce the prospect of different agencies dealing with the same complaint concurrently.

Council believes that it would be appropriate for the Office of the Queensland Ombudsman to lead a complete review of how complaints are dealt with across the various Government Departments, Agencies and local government. This review should focus particularly on policies and additionally procedures and processes that lead to a consistent, equitable and fair system.

Recommendation 35

It is unclear what the intent of the latter part of this recommendation is, however Council supports the Ombudsman's right to refuse to investigate a complaint under section 23 of the *Ombudsman Act 2001* for other reasons such as where the complaint is trivial or where it is unnecessary or unjustifiable to investigate.

It is hoped that these further comments will provide a valuable contribution to improving the Office of the Queensland Ombudsman's functions. Council looks forward to the publication of the final report in due course.

Should you have any queries please do not hesitate to contact me on 1300 697 372.

Yours faithfully



Tracy Dobie
Mayor