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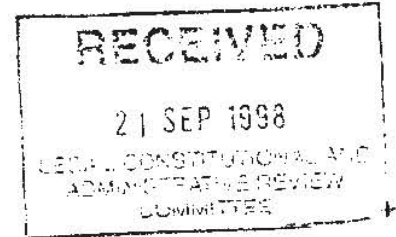
CHILDREN'S COMMISSION

OF QUEENSLAND

Telephone: 3247 5525
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Rarer To:
Your Ref:

September 21, 1998

Mr Gary Fenlon, MLA,
Chairman
Parliamentary Legal, Constitutional
and Administrative Review Committee
Parliament House
George Street
BRISBANE, Qld. 4000.



Dear Mr Fenlon

Thank you for the opportunity to respond to the report on the inaugural strategic review of the office of the Queensland Ombudsman.

For your information I attach comments in relation to the recommendations.

Yours sincerely

N.D. Alford
Children's Commissioner

Comments

- R.1. This is seen as a useful method of improving whole of government reporting and is strongly recommended. The evaluation of efficiency and effectiveness of measures from year to year is important to the management of these issues.
- R.2. This approach could be expected in time to lead to a far more proactive role for the office and is supported.
- R.3. The experience and expertise for these tasks in the PLCAR may need to be reinforced. This approach will require a high level of expertise and resources which will detract from the ordinary work of the Office. Since the additional funding is required for the ordinary work of the Office, this may be an unintentional detriment.
- R.4. The Treasury still has to fund all instrumentalities from the same finite amount. It may be more beneficial and less resource intensive for the Office to construct its budget and apply to Treasury for funding in the Budget discussions as normal but for Treasury to report to PLCAR to justify funding submission changes.
- R.5. This involves the whole of government concept and is endorsed.
- R.6. Public relations and publicity are distinct fields of expertise that would require the Office to retain specialist staff in this area with the consequent financial implications.
- R.7. This recommendation is strongly endorsed.
- R.8. The whole of government aspect of work is commendable but the recommendations involve heavy staff resources. Inter-agency cooperation may minimise the financial impact if all contribute to the training budget.
- The use of modern technology to further expand the network eg a web site will also facilitate this aspect.
- R.9. This is to be commended however other options may use resources more efficiently eg if the Office constructed a suitable framework which could be used by other agencies as reference material for use when relevant policy changes were desired and then evaluated the initiatives prior to discussions, time and resource usage may be minimised.

An area of general concern arises where government services are contracted out. Administrative law rights and remedies are often not available unless legislation specifically provides that such rights and remedies should continue. As part of the role of the Ombudsman, it should be ensured that where a government agency contracts out the delivery of a service the contract clearly specifies standards of performance and provides mechanisms for complaint handling and contract monitoring.

This would make it easier to identify responsibility and for standards of performance to be evaluated.

- R.10. This action is to be commended. It is the experience of the Children's Commission that initial assessment of complaints is conducive to efficient processing of casework.

This activity may also alleviate the perceived remoteness of the Office and assist it to become more client focused.

- R.11. Staff secondments will inject expertise from other agencies into the Office and the secondees will take the experience gained in the Office back to their home Departments. This is to be endorsed.

The major drawback to secondments is that expertise in the work of the Office is built up over a period and the secondees would be suboptimal in productivity in the first six to twelve months of their duty. This will be detrimental to the ordinary work of the office. The effects generated by using secondees should be managed to compensate for this effect eg by staggering the rotation of secondees, using a process of mentoring and by ensuring the period of secondment is for a minimum or optimal period.

- R.12. Evaluation of the work of the Office is essential but must be efficiently managed. This evaluation could also be accomplished by performance audit either by the Auditor-General or departmental internal audit as relevant and information supplied to the Office.

A tiered system of review should be considered and involve internal review by agencies and suitable referral to relevant other units.

- R.13. This recommendation would encourage productivity in the long term.

- R.14. The opportunity for this work would appear to be limited in view of the current constraints of time and staffing resources however, in the longer term, it may give an opportunity for the Office to contract for work in other areas.

- R.15. This recommendation implies the Office should have access to research data which is both easily and readily available. This may involve obtaining suitable specialist research staff for this operation with the consequent funding implications. Anything which improves the work of the Office is to be commended.

- R.16. The notion of the use of performance indicators as envisaged would provide an integrating mechanism which will add to coherence.

- R.17. Early intervention is more cost effective in the experience of the Children's Commission. This concept is supported.

- R.18. The recommendation is highly commendable. In the Children's Commission's experience this is cost effective and will assist in reducing the current backlog of cases.
- R.19. A more open management style is a prerequisite for the successful introduction of the new approaches envisaged.
- R.20. Although some compartmentalising is desirable, cross referencing is also required. This recommendation is supported.

R.21. – 28.

These recommendations are endorsed.

- R.29. The general thrust of the recommendation has appeal, however care must be taken with actions to ensure that client expectations and satisfaction are achieved.

In the case of the Children's Commission, the opportunity was taken to consolidate a number of appeal bodies into a single entity. These were in highly specialised compatible areas of activity. Aggregation of disparate specialised agencies is unlikely to achieve satisfactory outcomes in practice.

- R.30. This recommendation is to be commended. Referral of cases by the Ombudsman's Office to the Children's Commission has been facilitated by a close working relationship at the operational level. Cases so referred have been resolved expeditiously by the Children's Commission. Such prompt resolution of cases is seen to be of critical significance where children are involved. Six months is a long time in the life of a child.

The experience of the Children's Commission is that prompt resolution of complaints is greatly appreciated by the public and is frequently unfavourably compared with experience borne of the backlog of cases in the Ombudsman's Office.

Training and seminars would be useful. Bodies such as the Institute of Public Administration Australia perform a useful function to this end and this should be encouraged.