

# **T R A N S C R I P T**

## **I N T E G R I T Y   A N D   O V E R S I G H T   C O M M I T T E E**

### **Performance of the Victorian Integrity Agencies 2023/24 and 2024/25**

Melbourne – Monday 2 March 2026

#### **M E M B E R S**

Dr Tim Read – Chair

Hon Kim Wells – Deputy Chair

Ryan Batchelor

Jade Benham

Eden Foster

Paul Mercurio

Rachel Payne

Belinda Wilson

## WITNESSES

Marlo Baragwanath, Ombudsman,

Dan Nicholson, Deputy Ombudsman, Operations, and

Kerryn Ellis, Deputy Ombudsman, Corporate, Victorian Ombudsman.

**The CHAIR:** We are reopening the Integrity and Oversight Committee's Inquiry into the Performance of the Victorian Integrity Agencies 2023–24 and 2024–25. I just want to run through some formalities with the witnesses, so please bear with me.

Evidence taken by this Committee is generally protected by parliamentary privilege. You are protected against any action for what you say here today, but if you repeat the same things elsewhere, including on social media, those comments will not be protected by this privilege. Any deliberately false or misleading evidence may be considered a contempt of Parliament.

All evidence given today is being recorded by Hansard, and you will be provided with a proof version of the transcript to check once available. Verified transcripts will be placed on the Committee's website. Broadcasting or recording of this hearing by anyone other than Hansard is not permitted.

Now I welcome Victorian Ombudsman Marlo Baragwanath; Deputy Ombudsman, Operations, Dan Nicholson; and Deputy Ombudsman, Corporate, Kerryn Ellis, to give evidence today. Thank you all for coming in. We would welcome any brief opening comments, to be followed by questions from us.

**Marlo BARAGWANATH:** Thank you, Chair. I would like to begin by acknowledging that we are meeting today on the unceded lands of the Wurundjeri people of the Kulin nation and on behalf of my office, pay my respects to their elders past and present and recognise their enduring connection to the land and waterways.

Today I am joined by Dan Nicholson, Deputy Ombudsman, Operations, and Kerryn Ellis, Deputy Ombudsman, Corporate. I am pleased to be discussing the performance of my office across the 2023–24 and 2024–25 financial years and in doing so promoting greater visibility of our function. The Ombudsman's office exists to uphold fairness, integrity and human rights in public sector administration, and the fulfilment of this purpose was central to our work during the review period. Our vision, 'Victoria is fair', is articulated in our strategic plan. It has been informed by consultation with our people, the community and other key stakeholders, and this strategy reflects the clear expectation that the Victorian Ombudsman's [VO] role is to level the playing field for people in their dealings with public bodies.

Achieving our vision relies on Victoria's integrity system being adequately supported, modernised and protected from any perception of political influence, and I will continue to advocate for the transparency and resourcing necessary for the Victorian Ombudsman to remain independent and fully effective. This explains why we, together with IBAC [Independent Broad-based Anti-corruption Commission] and VAGO [Victorian Auditor-General's Office], recently released a joint paper making practical recommendations to strengthen budget transparency. It is also why I continue to call out that in real terms funding of the Ombudsman's office has gone backwards, with it now sitting significantly behind our Victorian peers, comprising only 39 per cent of the budget of our New South Wales counterpart and also falling short of international benchmarks.

By contrast, demand for our services remains consistently high. In 2023–24 we received 18,031 complaints. While we saw a small reduction to 16,943 in 2024–25, this was accompanied by marked increases in the complexity of issues raised, and we have since seen a rebound in the complaint numbers. At the same time we continued to resolve complaints quickly. In 2023–24, 94 per cent were finalised within 30 days, and 95 per cent in 2024–25.

Our investigations continued to expose systemic problems and drive practical reforms to improve public sector administration. Over the review period we tabled 10 reports. In each of these matters agencies largely accepted our recommendations, reflecting strong sector engagement, and we continue to monitor their implementation.

We also handled a significant volume of public interest disclosures. While the PID scheme is designed to protect whistleblowers, it remains overly complex, and as we have discussed here before, reform is needed to better support disclosers and use integrity resources more efficiently.

We have continued to strengthen our prevention function. A proactive approach to improving fairness, integrity and human rights in public sector administration is pivotal to achieving our vision. However, our capacity to do so is limited. Despite this, we continue to receive positive feedback on our education programs. We engaged with thousands of public sector staff and updated our good practice guide on complaints handling. We also completed complaints system reviews of Benalla Rural City Council, La Trobe University and the Office of the Public Advocate, with each accepting all recommendations for improvement.

I would like to thank the people of the Ombudsman's office for their dedication and professionalism in often challenging circumstances. I am proud of the work we have delivered together and confident in our value to the Victorian community. We are committed to continuing to meet the community's expectations and to ensuring fairness.

On a final note, I would like to thank Dr Tim Read for his work as both a member and Chair of this Committee. I think this is likely to be the last IOC performance hearing that I will appear at before his time as a member of Parliament concludes, and I want to acknowledge his support for and interest in the integrity agencies and their work. On that note, I would welcome any questions.

**The CHAIR:** Thank you. The Deputy Chair is upset he has been left out.

**Marlo BARAGWANATH:** Sorry, Deputy. And I would like to thank the Deputy Chair for his avid interest in the integrity agencies and their work.

**The CHAIR:** Thank you. Could I take you to something you raised in your opening statement, which was that you have recently proposed a model for the funding of integrity agencies. Correct me if I am wrong, but the model proposed by the same three agencies about three years or so ago –

**Marlo BARAGWANATH:** 2022.

**The CHAIR:** Four years ago – was for an independent agency to determine the funding amount. You have come up with something which sounds like it might be a bit of a compromise. Part of this model is that it would give Parliament and this Committee, if I am understanding it correctly, more oversight of what the agencies are asking for and why and then what they get and why they got what they got. I wonder if you could go into why you think that oversight is important.

**Marlo BARAGWANATH:** Thanks, Dr Read. Yes, the model that we are proposing now is slightly different to that proposed in 2022. In 2022 it was proposed that an independent commission or tribunal oversight the funding process. This proposal instead recommends that there is more transparency in the process so that the Committee is consulted on what our budget bids are before it goes to cabinet for decision and we are all provided then with feedback via a debrief about what the funding decision was, and then the Treasurer actually should state in Parliament why we did or did not get the funding that we had requested so that there is real transparency. The reason I think that is important is that we are different to a lot of other public sector agencies. Not for a second do I suggest two things: (1) that I am looking for a blank cheque – I am not – or (2) that I am trying to diminish the importance of other critical services that are provided across the public service. It really is in recognition of the fact that although we are creatures of the public service, we do not report through to the government of the day or the minister; we report through to the Parliament, and the accountability mechanism is via this Integrity and Oversight Committee. It is really to make sure that we can access the secure and stable funding that we think we need to do our jobs of overseeing the government. It is a bit of an uncomfortable situation where we are seeking funding from those that we actively oversight.

**The CHAIR:** Good. Thank you. Why don't we go to the Deputy Chair.

**Kim WELLS:** Thanks, Chair. In 2024–25, investigations closed within 12 months improved, but it remains well below the target. What is the background to the VO returning to the 80 per cent benchmark for investigation closures?

**Marlo BARAGWANATH:** I will collaborate with my colleague Dan in order to answer this. Realistically, as this Committee knows, because I have presented here before on our BP3 [budget paper 3] measures, I think having a 12-month target for all types of investigations is a bit of a blunt instrument because, as we all know, investigations vary in complexity and scale. I think there are some we should probably be doing more quickly, and I think there are some that should take more time. So, for example, the two parliamentary referrals which we tabled at the end of last year – I think we did those in 16 and 17 months. And a lot of that is because of the consultation and engagement process we do when we have to send the report out for natural justice and also when we are developing policy recommendations. Those two investigations in particular are quite complex policy areas. It was a well-traversed landscape in relation to flooding where other recommendations had been made, and we are really trying to make recommendations that are fit for purpose or saying ‘That recommendation you have already had, do that’ rather than replicating and those sorts of things. So that is quite time-consuming. The reality is, with the parliamentary referrals that we have received – and not for a second do I suggest that we should not be getting the parliamentary referrals. They are often matters that the Parliament considers are of public interest, and of course we should be required to look into those. But for a small agency with a relatively small investigation team, there is a lag, because you are then reorganising your resources to try and put people onto the parliamentary referral when it comes in the door, because under our legislation we have to investigate forthwith – so, pretty quickly. That means other investigations can slow down in terms of the time they take, and then we are also trying to recruit additional resources to backfill the people that might be on the parliamentary referrals. So it is realistically just about managing the moving parts of that. Dan, I do not know whether there is anything to add.

**Dan NICHOLSON:** The only thing I would add, which we talked about last year, is that we have a very high volume of public interest complaints coming in. As we talked about last year, and as the Committee recommended, we have limited discretion in how to deal with those complaints, so we have to open a significant number of investigations. That just means we have quite limited control over the types of matters that we investigate.

**Kim WELLS:** When you send a report out for natural justice, is there a standard time or does it depend on the report?

**Marlo BARAGWANATH:** We would generally specify two weeks for people to respond. Having said that, often, particularly with the more complex matters, people will ask for more time, and then if we do not provide more time without good reason, they may complain to our friends at Integrity Oversight Victoria, so we have to consider each request as it comes in the door. It is generally a couple of weeks, but sometimes there can be a lot of back and forth about what is in the report. We do it as quickly as we can, and there is no legislative timeframe.

**Dan NICHOLSON:** And often we have to do multiple sets of procedural fairness in a particular order, so it can take some time.

**Kim WELLS:** Sure.

**The CHAIR:** Good. Ryan Batchelor.

**Ryan BATCHELOR:** Thanks, Chair. Just on the question of parliamentary referrals, can you remind us how many you have got currently on foot and how many you have recently completed?

**Marlo BARAGWANATH:** We have had four referrals in my time in office, and I started at the end of March 2024. We got four referrals in that time period, three from the Legislative Council and one from one of the upper house committees.

**Ryan BATCHELOR:** The Legal and Social Issues Committee.

**Marlo BARAGWANATH:** Yes, it was. So we tabled two last year, one into VMIA’s handling of domestic building insurance disputes and the other one into the flooding incident at Kensington Banks and Rivervue. At the moment we have also got an investigation into what was QARD [Quality Assessment and Regulation Division] – it is now called VECRA [Victorian Early Childhood Regulatory Authority] – and the circumstances that led to some of the issues that arose in early childhood education. We also received one in relation to the Ambulance Victoria guards of honour issue.

**Ryan BATCHELOR:** The annual report essentially says – and Mr Wells got to this – that the reason that the performance measure on investigations closing within 12 months has been affected considerably is because of your requirement to forthwith investigate these matters from the Parliament. I have a couple of questions. As I understood it, the Ombudsman’s practice, given the additional costs associated with the parliamentary referrals, was to effectively bill the –

**Marlo BARAGWANATH:** We receive a Treasurer’s Advance at the end of the financial year to cover those, yes.

**Ryan BATCHELOR:** So what does each of those referrals cost?

**Marlo BARAGWANATH:** Off the top of my head, I do not actually know. That might be something that we need to take on notice. But we do time record. With the exception of me, because I am paid out of special appropriations, all the staff actually record the time that they spend on those investigations, so it is relatively rigorous. Any subject matter experts that we get on board to assist us with some of the policy analysis, they are also obviously on contract, so yes, we can give you those figures.

**Ryan BATCHELOR:** That would be great. Mr Nicholson, on your point that effectively there is a whole lot of PIC [public interest complaint] referrals that come through and need to be investigated, and the parliamentary referrals which require investigation forthwith. If they are a significant portion of the work that you are doing and that you are being driven to do by legislation, what percentage of your total workload do you think –

**Marlo BARAGWANATH:** Last year 100 per cent of our investigations started from parliamentary referrals or PIDs [public interest disclosures]. We did not start one out of our own discretion or from a complaint.

**Ryan BATCHELOR:** So last year no –

**Marlo BARAGWANATH:** The ones that commenced, the ones that commenced last year, and it has been an ever-declining number of own-motion or investigations arising from complaints we have received in the door over the last few years. We have got those figures somewhere and we can pull them out. When I was appointed, people were like, ‘Fantastic job, you have got all of this discretion to look at issues of maladministration or unfairness across the public service.’ We have got such limited resourcing to do that, so the consequence –

**Ryan BATCHELOR:** Limited resourcing, though, given your bill – the parliamentary referrals are not coming off your funding appropriation.

**Marlo BARAGWANATH:** No, they are not. But we are such a small organisation, to reorient and to then recruit and backfill, we are constantly in this scramble of ‘Well, we are moving those four people off that investigation over to that,’ and recognising that not everyone at our workplace is an investigator. I think we have got a team of just over 20 investigators, so it is a relatively small team. You are constantly juggling, and then they are also having to deal with the volume of PIDs coming in the door that often have quite vulnerable whistleblowers on the end of it. So we cannot let those slide either. There is very little sort of room to move.

**Dan NICHOLSON:** And obviously there is limited funding certainty. So what you are doing is recruiting a large number of investigators on 12-month contracts to try and fill those parliamentary –

**Ryan BATCHELOR:** Because of the short-term nature of the parliamentary –

**Marlo BARAGWANATH:** Yes, which is not attractive to a lot of people.

**Dan NICHOLSON:** And just on the figures, in 2023–24, 19 investigations completed, 14 came from PIDs. In 2024–25, 23 investigations and 22 of those came from PIDs.

**Ryan BATCHELOR:** Twenty-two out of 23?

**Dan NICHOLSON:** Twenty-two out of 23, correct.

**Marlo BARAGWANATH:** That is completed, yes. And I think that the other thing probably, which again we talked about last year, is that a lot of the matters that get referred to us as PIDs are fairly low level. I am not saying they are not misconduct – they are – but it is of such a low level that I do not think it is something

that the public or the Parliament would actually expect their integrity agencies to be dealing with, and it could be just as effective for, say, the department's HR or internal investigations area to deal with it with some oversight by, say, IBAC or the Ombudsman's office. One day we can talk anecdotes and I can tell you about some of them, but I do not think they are things that you would conceivably think we should be spending our time on.

**Ryan BATCHELOR:** I think this is a serious issue, and we do need to figure out a way through, because if virtually no public complaints are being progressed through to an investigations phase, that to me is worrying.

**Marlo BARAGWANATH:** Yes. And there are a number of things that we would love to investigate. We often have the investigators saying, 'We have come across this thing. We really need to look at it,' and we are in that constant juggling of when we can get to it. Also recognising that it might be something that you should look at now, but if you do not have the resources to do it now, in 12 or 18 months' time it may be stale and not something that you should be looking at because something else of a greater priority has come in the door. I mean, all agencies have to do the constant juggle. I am not saying that we should not do that, but we are incredibly hamstrung, and I think particularly what complainants to our office would expect is that for some of the complaints that come in the door, we should be doing a far deeper dive than we are capable of doing. As much as our complaints team do a really good job in getting the complaint resolved, I think the public should quite rightly expect that we are doing a deeper dive into some of the issues they are raising with the office.

**Dan NICHOLSON:** I mean, the heart of the Ombudsman's role is to look at the experiences of ordinary Victorians with the government and look at issues of fairness and respect for human rights. Many of the public interest complaints push us more into the role of being the public sector workplace police, and if we are spending all our time on that, that is taking away our ability to look at those key systemic issues of fairness and respect for human rights of ordinary Victorians.

**The CHAIR:** I think this is really important. If you want to flesh that out with more data or ideas in questions on notice, we would be receptive as a Committee to hearing this.

**Marlo BARAGWANATH:** I think we could definitely provide a little bit more colour and movement about the types of things we get through the PID scheme, through sort of various classifications. Dan is right: a lot of them relate to workplace issues – I would also say, with my policeman's hat on if I had one, they are things that the public sector should know better, and I cannot believe we are still having to look at them.

**The CHAIR:** Thank you. Are we happy to move on? Jade Benham.

**Jade BENHAM:** Thank you, Chair. Ombudsman, does the organisation ever seek Treasurer's Advances?

**Marlo BARAGWANATH:** Pretty much every year since I think 2019.

**Jade BENHAM:** Okay.

**Marlo BARAGWANATH:** And we have received them every year except for this year and last year. We will get Treasurer's Advances for the parliamentary referrals we have conducted, but we have been underfunded and having to make up funding either through Treasurer's Advances or putting in place other savings mechanisms since 2019.

**Jade BENHAM:** Okay. So for 2023–24, what was that figure?

**Kerryn ELLIS:** The Treasurer's Advance? Let me see if I have got it here. That was the last one that we received. We did put in a request for 2024–25 but we were not successful.

**Jade BENHAM:** You were not successful?

**Kerryn ELLIS:** No.

**Jade BENHAM:** Interesting.

**Kerryn ELLIS:** Let me keep looking for you.

**Jade BENHAM:** Let us ask other questions. For parliamentary referrals –

**Marlo BARAGWANATH:** But we also have to ask for them for other things.

**Jade BENHAM:** Such as?

**Marlo BARAGWANATH:** Well, we never receive enough funding to cover the enterprise agreement increases every year, so that is another thing that puts us further and further behind the eight ball. For some of our IT issues, we have been requesting funding. It is not great to fund staff out of Treasurer's Advances because it is non-recurrent so you cannot plan.

**Jade BENHAM:** Correct, and I am trying to understand – Treasurer's Advances to me, and historically, have been used for emergencies and big one-off expenditure.

**Marlo BARAGWANATH:** Parliamentary referrals.

**Jade BENHAM:** Parliamentary referrals, for example. Correct. We heard from IBAC earlier that also Treasurer's Advances there are being used for that differential in EBAs [enterprise bargaining agreements]. In your opinion, and you may not be able to give your opinion, wouldn't it be a much better use of resources to adequately fund – you said you were getting 39 per cent of what your counterparts in New South Wales get.

**Marlo BARAGWANATH:** Yes.

**Jade BENHAM:** Would it not be a more secure, sustainable organisation to adequately fund the base that you need to do the job and then get through all of those investigations or cases that –

**Marlo BARAGWANATH:** Well, yes, which is why we have been advocating for budget transparency. In particular, so that this Committee gets some oversight of what our requests are. Again, I am not asking for a blank cheque; I am not even asking for the 61 per cent that New South Wales gets that I do not. I am not suggesting that for a second, but yes, it makes it very difficult for us to plan sustainably, particularly around investments like in IT case management systems and then additional staff to pick up some of the functions that we are trying to do either in the investigative team or the prevention team. I would dearly love some additional resources to do more prevention work in talking to stakeholders across the public sector and across the community.

People are like 'Could you get more guidance out to us?' The New South Wales Ombudsman's office puts out guidance it feels like every other week. We are now getting to the stage where we are just going to copy what they have written and 'Victorianise' it a little bit and try and put that out. I do not mind being effective and sharing knowledge from other states and those sorts of things, but we are very hamstrung in terms of what we can put out. We have not put out a casebook report for a couple of years about what we are seeing in complaints and the trends and things that we have done with complaints so the public service can learn from that; we need to do that. We just do not have the resources to do it. We try to put out guidance on what we consider fairness in public administration to be – we are struggling to get resources for that. So it is a whole host of things. It is not just investigations; it is also that we recognise that we probably need to do more in complaints handling for some complainants. We struggle to do that as well. New South Wales has double the number of complaints officers that Victoria has. There is a whole range of things that we would like to be on a more sustainable footing to fund.

**Jade BENHAM:** What was the response? I think the IBAC Commissioner stated 3.9 was the Treasurer's Advance from 2024–25. What was the response when you were not successful with an advance this year?

**Marlo BARAGWANATH:** I would have to revisit the correspondence, but it was –

**Kerryn ELLIS:** Effectively encouraging us to fund our operations within our budget appropriation. I think the challenge is because our staff are employed under the VPS agreement, we are obviously obliged to pay those rates. We are not funded by the government when those EBA rates increase, so effectively that means that the service that we can offer to the community or to complainants is diminished because there is a gap.

**Jade BENHAM:** Greatly diminished, I would expect.

**Kerryn ELLIS:** Yes.

**Jade BENHAM:** That is all I have got, Chair. Thank you.

**The CHAIR:** Thank you. Rachel Payne.

**Rachel PAYNE:** Thank you, Chair. Thank you to you all for coming and presenting before us today. The VO strategic plan recognises that a modern Ombudsman should have a well-developed prevention and capacity-building function to complement complaints and investigations. What does the function look like in the future?

**Marlo BARAGWANATH:** In the future, as I said, we would like to be putting out more guidance and information to help the public service raise its standards in terms of complaints handling. We recently put out the second edition of our good complaints handling guide, and we are doing one that is local government-specific soon, but we would like to be doing more casebooks. Our education program – at the moment we charge for that. It was a function that was put into our legislation in 2019. We were not funded for it, but we were instead permitted to charge people to attend. With fiscal restraint across the public sector, though, the number of attendees has nearly fallen off a cliff, so I do not even think it would be recovering its own costs at the moment, but we persist with it because we have really high satisfaction ratings for that training and we think it is important, particularly for public sector agencies that we see are struggling with good complaints handling, to get out there and talk to them about it. We are struggling to fund that, because we think it is really important.

I think we would like to do more community outreach. I would struggle to count the tens of thousands of kilometres the three of us and others have done in the car, getting out to different communities and talking to them about what we do. I think we have not had the ability to identify communities that we do not hear from, and that really worries us because we do not know that they are aware that we are here and how we can help them, so better identification and building of relationships with various communities to do those sorts of things, so a lot more, I think.

**Rachel PAYNE:** Thank you. Thanks, Chair.

**The CHAIR:** Paul Mercurio.

**Paul MERCURIO:** Thank you, Chair. The VO has noted that recommendations from its investigation into health care for Aboriginal people in Victorian prisons were accepted in principle and that VO will monitor implementation closely. What does the implementation look like? And how will Parliament and the public see that –

**Marlo BARAGWANATH:** Implementation.

**Paul MERCURIO:** Thank you – and its progress?

**Marlo BARAGWANATH:** Generally we publish follow-up reports a couple of years after most reports, reporting on progress. We generally get six-monthly updates from most agencies unless we request that we get them more frequently than six monthly. Off the top of my head I cannot remember what they are saying about implementation of that report, but it is obviously a very critical one. We, over time, would actually like to not have to do reports. We would like to have a dashboard that is on our website so people can go in at any point in time and work out where X recommendation from Y report is at, but that is a little while away. We do follow up on the recommendations, and we do subsequently report on their status.

**Paul MERCURIO:** I would just like to enter into the Hansard that I can say ‘implementation’. How has the VO embedded First Peoples’ expertise or culturally safe approaches in prison oversight work?

**Marlo BARAGWANATH:** I will get Dan to speak to this one.

**Dan NICHOLSON:** Just to note that about 5 per cent of our complaints come from people who, when asked, identify as First Peoples, which is slightly more than the population proportion in Victoria. That said, overwhelmingly our complaints from First Peoples come in three areas, which are prisons, child protection and housing. We obviously would like to do more outreach to the community more generally to get a wider range of complaints. During this reporting period we had an Aboriginal liaison officer who worked with our complaints officers, but only one person is in that role.

We have recently hired a manager of First Nations complaints, and we will bring in a senior complaints resolution officer under that person. We conduct cultural capability training for our staff, but we have also done

things like a thematic audit of our complaints with First People to see what we are doing well and what we can improve. So I think there is still more for us to do. We obviously have some more obligations under the treaty arrangements, including to develop cultural capability frameworks, which is very welcome. We are working on that at the moment.

**Paul MERCURIO:** Okay. Thank you.

**Dan NICHOLSON:** I should say we also regularly meet with ACCOs, Aboriginal community controlled organisations, like VALS [Victorian Aboriginal Legal Service] and VACCHO [Victorian Aboriginal Community Controlled Health Organisation] and get very rich feedback from them about what we are doing well and what we can improve.

**The CHAIR:** Great. Belinda Wilson.

**Belinda WILSON:** Thank you, Chair. I have got a couple of questions, but my first one is about visiting communities. Where do you go? Because I have never heard of that before. Now, am I making it public that everyone's going to ask you to come and visit their community. But what sort of groups are you speaking to?

**Marlo BARAGWANATH:** When I got to the office a lot of the focus was on getting out with the community legal centres across Victoria and getting out to those groups and a lot of the ACCOs out in community areas. We still do a lot of that. We sort of tend to focus on a particular area per year. We also do things like attend, for example, Whittlesea council's 'Fix it Friday', where people come in to a community centre with their complaints. We go and attend those and people come in. Or 'Bring your bills day'. We are not so much – the TIO [Telecommunications Industry Ombudsman] and EWOV [Energy and Water Ombudsman] are there often about telecoms and energy and water bills, but we are obviously there often looking at other fines and charges that the Victorian government imposes. So we do a lot of that. We also collaborate with Victoria Law Foundation and get out at Law Week. We speak in schools, trying to educate kids, and to various community groupings, community houses – all sorts of things. I am more than happy to be invited, more than happy to impose myself in various communities.

**Belinda WILSON:** We will add that to our list. My second question is: your performance audit pointed to the need for an outcome-focused workforce plan. What workforce capabilities are most constrained at present, and what is your plan to address them?

**Marlo BARAGWANATH:** Kerry, I might hand to you for that one.

**Kerry ELLIS:** Yes. Thank you very much for the question. We are in the process of developing our first workforce plan now actually, which is quite exciting for us. So you are right, that was one of the recommendations. We started by developing a comprehensive people strategy, which was adopted late last calendar year, which was exciting for us. And workforce planning is next. I would say we have a very capable workforce at the moment, but what we are really trying to do is build in a greater degree of flexibility in skills and capability so that we can be more responsive when things like parliamentary referrals happen or indeed that we can provide a greater breadth of approaches to oversight. Obviously we have got a lot of capability in our traditional areas – complaints handling and investigations – potentially looking at doing things that are a little more flexible and dynamic in a proactive way in the prevention space but also ensuring that our investigations and complaint handling have a really good range of skills and capability, complemented by the right technology as well.

**Belinda WILSON:** Great. Thank you.

**The CHAIR:** Thanks, Belinda. I want to come back to a question which I think you might have kind of partly answered. In 2023–24 the VO exceeded the 30-day closure target for complaints, but only 37 per cent of investigations were closed within 12 months. What is driving the difference between those two figures, and how are you responding?

**Marlo BARAGWANATH:** They are different teams. We have a complaints-handling team, which is roughly 30, 35 –

**Kerry ELLIS:** Forty.

**Marlo BARAGWANATH:** Forty complaints handlers work on that, whereas we have got a separate

investigations team, which is only just over 20 investigators, I think. That year, as you will recall, I came in the last quarter of the year. My predecessor had a fairly significant parliamentary referral that she was getting on with that year about politicisation in the public service, and as I understand it from people in the office, that absorbed a significant number of the resources in the office at the time. So, yes, we are pretty good at closing the complaints. The investigations are a little bit trickier to get closed in that sort of 12-month time frame.

**The CHAIR:** Yes, fair enough. Any other questions from the Committee? Okay. I might just go to one more, and then we will wrap it up. What do you understand to be the factors behind the VO not meeting complainant satisfaction targets in 2024–25 and consistent satisfaction levels of only around 50 per cent?

**Marlo BARAGWANATH:** I will answer in part, then I will throw it to Dan to answer. We obviously survey that regularly because we are keenly interested in it. I think the community sometimes expects us to take a deeper dive into complaints when we simply do not have the resources to do it. I think we are probably not as good at keeping people up to date. We are limited in our sort of IT solutions and the ways in which we can communicate with people, and on that note, I will hand to Dan.

**Dan NICHOLSON:** Yes, so it is below target. That said, those declines are pretty consistent with other government services, and as I understand it, our numbers are pretty consistent with or better than equivalent parliamentary ombudsmen.

**Marlo BARAGWANATH:** In other states.

**Dan NICHOLSON:** I mean, I think generally people's perception of the outcome strongly colours their perception of the service you give them, and in many cases, we do not have control of the outcome they will get from a government agency. That does colour their perception of whether we were effective or fair in what we did. But we do look at a lot of the data, not just the headline figure. We score very high on accessibility, high on professionalism of our staff and high on treating people with respect and listening to their complaints well. That is all great, but there is more that we could do to explain what our role is and to help keep people updated through the process. That really reflects that the complaint system in Victoria is very complicated, and there is more that we can do to help people navigate it effectively. That is partly personnel, partly process and partly tech. We could do more with all of those things.

**Marlo BARAGWANATH:** And I think by the time people get to us they have often become frustrated with whatever agency they are dealing with and whether the frustration colours the experience as well.

**The CHAIR:** In terms of frustration colouring experience, I think politicians know what you mean by that.

**Paul MERCURIO:** There is one other question here I might ask.

**The CHAIR:** Please, go ahead.

**Paul MERCURIO:** Do you analyse satisfaction or service outcomes by cohort, including Aboriginal complainants, people in prison, regional Victorians and CARM [culturally and racially marginalised] communities to identify unequal experiences?

**Dan NICHOLSON:** We do capture some of those cohorts. I know off the top of my head that, for example, people in prison are more satisfied with our complaint service than people in the community, which is interesting. I think we do separate the cohort of people who identify with a disability, but I can give you some more data if that would be helpful.

**Paul MERCURIO:** You can give us more data. I just wanted to ask the question.

**Dan NICHOLSON:** So, to some extent we do, yes.

**Paul MERCURIO:** Okay. Thank you.

**The CHAIR:** Great. All right. Thank you all very much for coming in and answering all of those questions, and there will be more questions on notice, I think. I declare the public hearing closed.

**Committee adjourned.**