



Annual Plan
2022-23

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The Victorian Ombudsman pays respect to First Nations custodians of Country throughout Victoria. This respect is extended to their Elders past, present and emerging. We acknowledge their sovereignty was never ceded.

Letter to the Legislative Council and the Legislative Assembly

To

The Honourable the President of the Legislative Council

and

The Honourable the Speaker of the Legislative Assembly

Dear Presiding Officers,

I am pleased to transmit, in accordance with section 24B of the *Ombudsman Act 1973* (Vic):
The Victorian Ombudsman's Annual Plan for the 2022-23 year.



Deborah Glass
Ombudsman

30 June 2022

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Foreword

I am pleased to present to Parliament my annual plan for the year 2022-23.

This is the second year I have been required to present a plan to Parliament, and last year's plan was ambitious, so I also provide an update on progress.

A key theme last year was increasing the accessibility of the office, which was inevitably affected by the continuing impacts of the pandemic, including the continuing need for my staff to work remotely. But we did make progress, including a pilot increase of our call centre contact hours, and increasing our use of social media to expand our reach. We also developed working relationships with several community legal centres and provided their staff with direct access to Ombudsman officers. This should assist their clients to obtain access to justice in the many instances where Ombudsman services can provide a free and timely alternative to the courts.

We also began implementation of our new functions, launching our conciliation services and carrying out our first review of agency complaints handling practices.

This year we plan to build on those achievements and set some new goals. Among other things, we want to significantly expand our community legal centre partnerships, and finalise and implement our Innovate Reconciliation Action Plan.

We also want to make better use of technology, to increase both our own efficiency and complainant satisfaction, and to use business intelligence to assist improvements in public administration.

What does not change, year on year, is my fundamental vision for the office – ensuring fairness for all Victorians in their dealings with the public sector and improving public administration. We seek to achieve it through our work resolving complaints, independently investigating serious and systemic matters, enhancing accountability and protecting human rights.

I thank the Integrity and Oversight Committee for its helpful suggestions on the plan, and look forward to reporting progress in my annual report and elsewhere.

Deborah Glass

Ombudsman

Strategic Framework 2020-24

Strategic Framework 2020-24

Ensure Fairness

ensuring fairness through independent and impartial complaint resolution and encouraging fair and reasonable decision making within the public sector

Our Vision

ensure fairness for Victorians in their public dealings with the public sector and improve public administration

Enhance integrity and accountability

enhancing accountability by independently investigating serious matters and reporting on improper conduct and poor administration

Protect Human Rights

protecting human rights by investigating whether an action or decision is incompatible with human rights and making it easier for vulnerable people to complain

Support innovation and improvements

supporting innovation and continuous improvement methods to assist public organisations to learn from complaints and investigations and by investigating systemic issues and identifying solutions

Our Values

Responsiveness | Integrity | Impartiality | Accountability | Respect | Leadership | Human Rights

Relevance

More people access and value our services

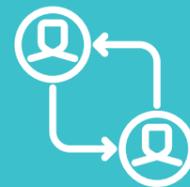


Strategies

1. Increase community awareness of and trust in the Victorian Ombudsman
2. Prioritise social justice and human rights related issues
3. Improve accessibility to people through tailored approaches, targeting regional communities, vulnerable communities, culturally and linguistically diverse communities and young people
4. Utilise new technologies to maximise the Victorian Ombudsman's accessibility efforts

Impact

Victorian public organisations deal fairly with people



Strategies

5. Engage with public organisations to promote good complaint handling, prevent maladministration and improper conduct
6. Review complaint practices and procedures and conduct alternative dispute resolution
7. Identify improvement opportunities translatable to public organisations, not only the investigation subjects
8. Better engagement between public organisations, the public, and the Victorian Ombudsman due to quality of decision-making; leading to fewer complaints
9. Engage with public organisations to ensure systemic change from Victorian Ombudsman investigations, enquiries, alternative dispute resolution and complaint reviews

Quality

Victorian Ombudsman staff are recognised for their integrity, values and skills



Strategies

10. Embed our values into our ways of working, and utilise our KPIs and quality assurance to aim for high performance and to guide our training
11. Continue to evolve our operations utilising advances in technology, prioritising people, performance and engagement
12. Publicise our decisions and our work to maintain our profile as a key member of Victoria's integrity system
13. Ensure capability building for future needs

Innovation

Sustainable Victorian Ombudsman, lean internally and efficient externally



Strategies

14. Evidence-based budget bids and engagement with key stakeholders
15. Contemporary service delivery model that is quick and easy to use
16. Our operations reflect environmental and sustainability considerations

Victorian Ombudsman Annual Plan Achievements 2021-22

Objective 1		Objective 2	
 Relevance More people access and value our services		 Impact Victorian public organisations deal fairly with people	
Action	Outcome	Action	Outcome
Pilot expanded Victorian Ombudsman contact hours to 7am-7pm	<ul style="list-style-type: none"> An extended hours pilot was conducted over a 4-week period in November/December 2021. Following the analysis of the demand versus resourcing implications, VO will consider expanding its opening hours. 	Develop business intelligence capability to assist public organisations learn from their complaints	<ul style="list-style-type: none"> Investment in staffing capability and systems has resulted in Power BI reports now used daily to inform decision making. Regular report sharing with public organisations was piloted.
Expand Victorian Ombudsman contact methods to include SMS and webchat	<ul style="list-style-type: none"> SMS was successfully introduced to support automated complaint progress updates via complainant's mobile device. Webchat was successfully implemented to support warm handovers of non-jurisdictional complaints to the correct entity, whilst also allowing the complainant the ability to lodge their complaint via the messaging platform. 	Conduct at least one joint investigation or project with IBAC	<ul style="list-style-type: none"> Conducted joint "Operation Watts" investigation in partnership with IBAC with a scheduled tabling in early FY2022-23.
Pilot a partnership with a metro and a regional Community Legal Centre (CLC)	<ul style="list-style-type: none"> Partnerships with Peninsula and Loddon Campaspe CLCs were successfully piloted with plans to expand the model to several other CLCs. The two CLCs now have a greater level of understanding of the VO's jurisdiction and a complainant referral service has been established. 	Increase the number of public education workshops, including at least one Victorian Ombudsman-led initiative with other integrity agencies	<ul style="list-style-type: none"> A joint webinar with IBAC and VAGO on best practice procurement practices attracted approximately 800 registrations. A joint webinar with IBAC and VPSC, facilitated by IPAA, on public service impartiality attracted over 700 registrations.
Conduct outreach programs targeting regional communities, vulnerable communities, culturally and linguistically diverse communities and young people	<ul style="list-style-type: none"> COVID-19 has significantly impacted the full achievement of this goal. Engagement and awareness-raising programs have been held with the Federation of Ethnic Communities' Councils of Australia and the Victorian Multicultural Commission. The realisation of the goal will continue in the coming years as part of VO's business-as-usual work. 	Conduct quarterly workshops for public organisations on emerging issues	<ul style="list-style-type: none"> In addition to the webinars on procurement practice, public sector impartiality, human rights complaints and an ADR information session, a workshop with local councils on best practice complaints handling was held.
Conduct a social justice/human rights-focused investigation	<ul style="list-style-type: none"> A human rights casebook was tabled, illustrating the rights of children and families, kinship carers, injured workers, activists and prisoners: <i>The Ombudsman for Human Rights: A Casebook</i> The Border Permits investigation was tabled, featuring a strong human rights and social justice focus: <i>Investigation into decision-making under the Victorian Border Crossing Permit Directions</i> Victorian Ombudsman A webinar with the Victorian Aboriginal Legal Service on human rights complaints is scheduled to take place in late June 2022. 	Enhance efficiencies in enquiries and investigations by improving Ombudsman liaisons with public organisations	<ul style="list-style-type: none"> COVID-19 has significantly impacted the full achievement of this goal both in the ability to engage face to face and due to staff turnover within VO and public organisations. Recognising the prevalence of local government complainants in VO work, in person and online sessions with Local Government liaison officers were hosted.
Expand community awareness (especially of young people) of the Victorian Ombudsman's role through increased use of social media channels	<ul style="list-style-type: none"> The Victorian Ombudsman's TikTok channel was introduced, targeting the 18-25 year old age group and aims at increasing the level of awareness of young people in the role of the Victorian Ombudsman. This is the age group that continues to be underrepresented as complainants. The realisation of the goal will continue in the coming years as part of VO's business-as-usual work. 	Commence at least two systemic investigations into issues of public concern	<ul style="list-style-type: none"> Systemic investigations into Social Housing and Environmental Protection Agency were conducted. The investigation into the Environment Protection Authority was tabled on 31 May 2022: <i>Investigation into Environment Protection Authority decisions on West Gate Tunnel Project spoil disposal</i> The Social Housing investigation will be tabled in July 2022.
Implement the complaint practices and procedures review function and conduct reviews of complaint practices and procedures in at least one department and one public body	<ul style="list-style-type: none"> A complaint review process, embedded as part of VO's Early Resolution and Assessments team, was developed. A complaint review of the Legal Services Board and Commissioner has been completed. Targeted identification of public organisations suitable for complaints review will continue in the coming year. 		
Implement the alternative dispute resolution function	<ul style="list-style-type: none"> The alternative dispute resolution (ADR) function, has been established, inclusive of staff recruitment and policy and process development. Intensive internal training of types of complaints that lend themselves to an ADR consideration has taken place. A targeted public organisations awareness-raising campaign is underway with a successful session with local councils already completed. 		
Conduct a follow-up community awareness survey	<ul style="list-style-type: none"> A community awareness survey was completed, pointing to a strong favourable perception of the VO among the Victorian community and further opportunities to continue to clarify jurisdictional powers and limitations through targeted social media channels as well as a better complainant referral process to the VO by public organisations. 		

Victorian Ombudsman Annual Plan Achievements 2021-22

Objective 3		Objective 4	
 Quality Victorian Ombudsman staff are recognised for their integrity, values and skills		 Innovation Sustainable Victorian Ombudsman, lean internally and efficient externally	
Action	Outcome	Action	Outcome
Implement a capability framework focusing on people and their development, particularly at leadership and management levels	<ul style="list-style-type: none"> Capacity constraints resulting from COVID-19 focused work has significantly impacted the full achievement of this goal. A capability framework has been developed and the implementation will commence in FY2022-23. 	Deliver on process and system efficiencies through case management system automation, including complaint correspondence integration	<ul style="list-style-type: none"> Ongoing case management system improvements have become part of business-as-usual work. Automation to send direct correspondence is scheduled to be implemented in early FY2022-23. Project management methodology to support investigations has been piloted.
Identify key workforce gaps and address them through targeting recruitment and training	<ul style="list-style-type: none"> Capacity constraints resulting from COVID-19 focused work has significantly impacted the full achievement of this goal. "The great resignation" has further prevented the realisation of this goal. VO has increased the use of recruitment agencies to assist in addressing key skills shortage with limited success. Leadership program investment was prioritised. This goal will continue to be the focus in FY2022-23. 	Pilot a 'warm handover'* of premature complaints to a department/agency	<ul style="list-style-type: none"> Capacity constraints by both VO and IT service providers have significantly impacted the full achievement of this goal. While a technology-focused solution continues to be explored, VO staff continue to be 'a bridge' between complainants and responding department/agency.
Develop a Diversity and Inclusion Plan and an Accessibility Action Plan	<ul style="list-style-type: none"> A Gender Equality Action Plan was developed and endorsed by the Gender Equality Commission. The Accessibility Action Plan was developed and reviewed by Scope Australia: Accessibility Action Plan Victorian Ombudsman An overarching Diversity and Inclusion Plan will be prioritised for FY2022-23. 	Develop a website-driven 'warm handover' for non-jurisdictional complaints	<ul style="list-style-type: none"> Direct linkage from the VO's online complaints form to a non-jurisdictional entity has been successfully piloted, leading to fewer touch-points by VO staff. The aim is to continue to expand this solution to other agencies in FY2022-23.
Embed 6-monthly administrative decision-making and human rights training for staff	<ul style="list-style-type: none"> Administrative decision-making and human rights training to staff has been created and implemented with a regular training schedule in place. 	Deliver on process and system efficiencies through the new finance system implementation	<ul style="list-style-type: none"> As part of the Victorian Ombudsman's budget independence obligations a new finance system, focused on automation and user self-service was implemented and is fully functional.
Develop real-time Victorian Ombudsman performance metrics to be displayed on the website	<ul style="list-style-type: none"> Real time performance reporting of the VO output performance measures is now displayed on the Victorian Ombudsman's website. 	Enhance the Victorian Ombudsman's social responsibility through a digital-first approach** and smart space utilisation***	<ul style="list-style-type: none"> Document digitisation has been completed within the Microsoft 365 environment and SharePoint has been partly implemented. The development of an Information Management Framework to support greater governance and user knowledge has been delayed by staff shortages. Hybrid working initiatives such as desk-sharing and office rostering were piloted and will be further explored through the sustainable hybrid working model in FY2022-23.
Develop Innovate RAP and have it approved by Reconciliation Australia	<ul style="list-style-type: none"> A second, Innovate Reconciliation Action Plan has had two sets of feedback from Reconciliation Australia and is due to be endorsed in FY2022-23. It will be published following their endorsement. 		

* A 'warm handover' allows complaints to be transferred directly to another department/agency without requiring the complainant to take further steps

** Under a digital-first approach, VO will reduce its environmental impact by minimising hard-copy printing.

*** Under a smart space utilisation approach, VO will enable desk-sharing (subject to Public Health COVID advice).

Victorian Ombudsman Annual Plan Actions 2022-23

<h2>Relevance</h2> <p>More people access and value our services</p> 	<h2>Impact</h2> <p>Victorian public organisations deal fairly with people</p> 	<h2>Quality</h2> <p>Victorian Ombudsman staff are recognised for their integrity, values and skills</p> 	<h2>Innovation</h2> <p>Sustainable Victorian Ombudsman, lean internally and efficient externally</p> 
<p>Mark the VO's 50th anniversary by showcasing the office's impact since 1973 through a report to be tabled in Parliament</p>	<p>Conduct quarterly, VO-led maladministration prevention webinars, including an annual webinar with IBAC and VAGO</p>	<p>Implement a capability framework focusing on people and their development, particularly at leadership and management levels [carry over from 2021-22 AP]</p>	<p>In preparation for the IOC performance audit, cement evidence of effectiveness and impact</p>
<p>Host the Australasian and Pacific Ombudsman Region (APOR) conference</p>	<p>Promote VO's alternative dispute resolution function as an effective complaints resolution mechanism</p>	<p>Develop a sustainable hybrid working model</p>	<p>Implement a three and five-year financial planning and forward estimates of operating and capital plan budgets, inclusive of a workforce planning tool</p>
<p>Commence at least one human rights investigation through the lens of OPCAT</p>	<p>Commence targeted and thematic reviews of complaints handling across four public organisations aimed at best practice complaint handling</p>	<p>Develop an Employee Value Proposition to support engagement, recruitment and retention</p>	<p>Pilot a 'warm handover' of premature complaints (putting complainants directly in contact with the relevant department/agency) [partial carry over from 2021-22 AP]</p>
<p>Finalise reviews of complaint practices and procedures in at least one public organisation [partial carry over from 2021-22 AP]</p>	<p>Publish an updated Best Practice Complaint Handling guide</p>	<p>Develop digital methods to promote service excellence, including from complainant surveys and quality assurance activities</p>	<p>Develop and operationalise automated 'warm handover' for non-jurisdictional complaints for the most common areas of complaint</p>
<p>Operationalise at least two metropolitan and two regional CLC partnerships</p>	<p>Introduce VO's business intelligence capability to public organisations and seek to customise data where possible to assist improvements in public administration</p>	<p>Develop a Diversity and Inclusion Plan [carry over from 2021-22 AP]</p>	<p>Deliver on process and system efficiencies through case management system automation, including complaint correspondence integration [partial carry over from 2021-22 AP]</p>
<p>Commence the Innovate RAP implementation, focusing on at least two Indigenous partnerships</p>	<p>Promote awareness of the VO's expanded jurisdiction with publicly-funded organisations</p>	<p>Prioritise mental health, wellbeing and resilience training</p>	<p>As part of VO's digital first approach to integrated telephony under Microsoft 365, VO will seek to decommission and recycle physical phones</p>
<p>Reduce the number of non-jurisdictional matters through continued investment in digital contact platforms, such as webchat, social media, online complaint form as well as phone and website redirect services</p>	<p>Conduct at least two systemic investigations into issues of public concern</p>		<p>VO will continue to reduce its paper consumption by replacing paper-based forms with workflows and automation within the Microsoft 365 environment</p>
<p>Pilot the case management system complainant portal to allow complainants to see status updates and upload additional information</p>			

Consulting on our work program

The consultation with the Integrity and Oversight Committee (IOC) provides transparency in the directions and actions we plan to undertake whilst providing the opportunity for considered feedback.

The feedback received was reviewed to provide greater alignment to the overall actions within this plan. Recommendations from the IOC have been incorporated where appropriate in our FY2022-23 Annual Plan.

Objective	Annual Plan Action	IOC Recommendation	VO Response
Relevance	<ul style="list-style-type: none"> Reduce the number of non-jurisdictional matters through continued investment in digital contact channels and in particular ongoing enhancements of the VO's online complaints form 	That the VO specify the 'digital contact channels' it will invest in, as well as any other digital measures it will implement.	Recommendation accepted and examples of 'digital contact channels' are now reflected in the plan.
Relevance	<ul style="list-style-type: none"> Pilot the case management system complainant portal to allow complainants to see status updates and upload additional information 	That the VO specify the intended duration of the pilot and any key resources or influences (such as similar systems used by the Victorian Civil and Administrative Tribunal).	Recommendation noted, however no change is reflected in the plan. The duration of the pilot will depend on the resourcing availability (both from the VO and the case management vendor). VO strives to learn from best practice elsewhere and will be informed by VCAT's solution design, to the extent that is applicable.
Impact	<ul style="list-style-type: none"> Conduct quarterly, VO-led maladministration prevention webinars, including an annual webinar with IBAC and VAGO 	That the VO specify how this strategy will be achieved in coordination with its corruption prevention and education-related work.	Recommendation noted, however no change is reflected in the plan. VO has reviewed the Education and Prevention Functions of Victoria's Integrity Agencies report and, as always, will be working with other relevant agencies, where (legislatively) appropriate and practical in the delivery of its education and prevention function.
Impact	<ul style="list-style-type: none"> Commence targeted and thematic reviews of complaints handling across four public organisations aimed at best practice complaint handling 	That the VO specify which four public organisations will be contacted. In addition, an explanation of why these organisations were chosen is required.	Recommendation noted, however no change has been reflected in the plan. It is premature for the VO to name specific organisations prior to them being contacted.
Impact	<ul style="list-style-type: none"> Promote VO's alternative dispute resolution function as an effective complaints resolution mechanism 	That the VO clarify how the promotion of its ADR function will be managed in relation to its Early Resolution Team.	Recommendation noted, however no change has been reflected in the plan. The ADR function sits alongside the ERT team and ERT staff have been provided training in identifying potential matters for resolution via conciliation.
Quality	<ul style="list-style-type: none"> Develop a Diversity and Inclusion Plan Implement a capability framework focusing on people and their development, particularly at leadership and management levels 	That the VO prioritise implementing its 'Diversity and Inclusion Plan' and 'Accessibly Action Plan'.	Recommendation accepted. VO will prioritise the implementation of a Diversity and Inclusion Plan. The Accessibility Action Plan has been developed and reviewed by Scope Australia and is available at Accessibility Action Plan Victorian Ombudsman
Quality	<ul style="list-style-type: none"> Develop a sustainable hybrid working model 	That the VO include relevant actions addressing the development of a sustainable hybrid working model, as well as managing VO staff working remotely (particularly in relation to risks relating to corruption).	<p>Recommendation noted, however no change has been made to the plan. It is premature for VO to detail specific actions prior to the finalisation of the plan. VO's hybrid working model will be informed by the work currently being done by VPSC in relation to this.</p> <p>Regarding IOC's concerns that working from home leads to a risk of corruption, VO has robust financial management and other internal controls to minimise risks of corruption, including a comprehensive internal audit regime and an external audit, overseen by a Audit and Risk Management Committee.</p> <p>VO's data security and phishing practices are guided by the Victorian Protective Data Security Framework and are routinely audited to ensure compliance with the necessary standards.</p>
Innovation	<ul style="list-style-type: none"> Our operations reflect environmental and sustainability considerations 	That the VO include actions regarding Strategy 16	Recommendation accepted and new goals are now reflected in the plan.

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