

# Statement of Commitments

## This statement:

Sets out the Ombudsman's commitments to organisations we oversee ('organisations') about how we will engage with them in carrying out our statutory oversight functions.

## The ACT Ombudsman seeks to:

Influence systemic improvement in administration and provide assurance that organisations we oversee act with integrity and treat people fairly.



## We do this by:

- independent, impartial review of complaints about government administrative action
- oversight of the ACT Freedom of Information framework, the ACT Reportable Conduct Scheme, ACT Policing and the ACT Integrity Commission (as Inspector)
- influencing government agencies be accountable, lawful, fair transparent and responsive
- providing assurance that law enforcement, integrity and regulatory agencies are complying with legal requirements when using covert, intrusive and coercive powers
- inspecting places of detention as part of the ACT National Preventive Mechanism
- providing support to the Judicial Council as its Principal Officer.

## Our role

Under the *ACT Self-Government (Consequential Provisions) Amendment Act 1989 (Cth)*, and by arrangement between the Australian and ACT Governments, the Commonwealth Ombudsman is also the Ombudsman for the ACT. The Office of the Commonwealth Ombudsman, while performing the role of the ACT Ombudsman, is a Commonwealth entity and required to comply with Commonwealth legislation.



## The Office will:

1

**Provide organisations with clear and timely information** when we commence and during an investigation, inspection or other oversight activity.

This includes providing relevant background, explaining what information, documents, access and/or other assistance the organisation is expected to provide, and specifying any related timeframe/s.

2

**Consider carefully** whether and when to act informally or formally, including whether and when to use coercive powers.

3

**Set appropriate timeframes for requests or requirements** of organisations, having regard to the urgency and complexity of the matter and the scope and complexity of the request/requirement and any legislative requirements.

We will consider requests from organisations for additional time to respond to our requests/requirements, having regard to urgency, scope and complexity. We will also consider the reason/s additional time is needed and the organisation's timeliness in past matters.

If we do not agree to allow additional time, we will explain our reasons.

4

**Safely collect, store, archive and destroy** any information and data shared with us.

5

**Notify organisations** when we finalise an investigation,<sup>1</sup> inspection or other oversight activity.

<sup>1</sup> We will not notify organisations when we finalise complaints without contacting the organisation – see s 15(2) of the *Ombudsman Act 1989* (ACT) and s257 of the *Integrity Commission Act 2019*.



6

## **Act fairly**

We do this by:

- explaining the grounds for our findings, comments, suggestions and recommendations and inviting the affected organisation/s to provide a response (including identifying any apparent errors of facts or law)
- considering the affected organisation's response in finalising our position (noting we may not agree)
- including organisations' formal response/s to findings and recommendations in our published reports.

7

**Publish reports, issues papers, fact sheets and other guidance materials** to inform best practice.

8

**Provide organisations with insights** about their administration and recommendations, suggestions and comments to improve their administration.

9

**Provide organisations with current, correct details for key points of contact** within our Office.