

# Statement of Expectations

## This statement:

- 1** Sets out the Ombudsman's expectations of organisations we oversee ('organisations') when engaging with them in carrying out our statutory oversight functions.
- 2** Applies to all organisations the Ombudsman oversees, including heads of organisations, all employees and contractors.

## 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 to 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.



## We expect that organisations will:

1

**Engage with us in good faith and actively assist** us to perform our statutory functions including providing information, documents and access to staff, premises and systems.

This means organisations will:

- Provide **correct and complete responses to requests for information** in the specified timeframe. Where a timeframe cannot be met, organisations will contact us promptly to request additional time and explain the reason why more time is needed. Where an organisation does not provide a response within the specified timeframe and does not seek or is not granted more time, its response will be recorded as being provided late. We may proceed to form a view based on the information already available, and refer to instances where a response was not received, including in a public report.
- Be **honest, transparent and thorough** when providing assistance by submitting all information or documents that could reasonably be considered relevant, even if not specifically referred to in the request or requirement.

- If unsure whether information or documents are relevant or useful, or unsure about the Ombudsman's power to request certain information or documents, the organisation will promptly contact us to **seek clarification**.
- If asked to do so, organisations will **identify and make available staff** who are best suited to answer questions and/or assist us to locate and extract relevant information from records management and customer management systems.

Organisations should ensure responses to our requests and investigations are not led or overseen by individuals or teams with direct involvement in matters under consideration. If we detect conflicted staff are overseeing entity responses, we will call this out.



2

**Provide formal responses to recommendations** within the specified timeframe and provide updates on implementation as required.

This means organisations will:

- Provide clear **responses to each suggestion or recommendation** – accept, or not accept – within the specified timeframe. Organisations will also provide information about how each recommendation will be implemented and accurate and achievable timeframes for full implementation of each recommendation. Equivocal responses such as ‘noted’ will be recorded as not accepted.
- Provide **prompt updates on implementation**, including evidence of implementation, proactively or in response to requests made by the Ombudsman.

3

**Proactively advise us about issues affecting the organisation’s ability to deliver its functions** in accordance with applicable legislation and policy, or which might otherwise result in unfair or unreasonable outcomes for the community.

Organisations do not need to have all the answers (including a fix) before approaching us and should contact us **as soon as practicable** once they become aware of an issue which may impact members of the community. This is because the Office may be receiving complaints as a result of the issue and can better assist complainants if we know about the issue.

4

**Act in a timely way to implement and report to us progress** against suggestions and recommendations arising from our oversight activities.

This means organisations will:

- Actively implement and monitor implementation of our recommendations and suggestions for improvement.
- Providing evidence of implementation of our recommendations and suggestions.

5

**Provide and maintain accurate details for designated points of contact** within their organisation.

**NOTE:** In most instances we will use these contact points but note we may contact any officer or team within an organisation if we consider that person or team is best placed to assist us to perform our statutory functions.