



Internal Ombudsman Shared Service

ANNUAL REPORT 2018 - 2019

CONTENTS

Introduction	3		
Letter to the Chairman of the Internal Ombudsman Shared Service Management Committee	3	Promotion	22
Message from the Chairman of the Internal Ombudsman Shared Service Management Committee	4	<i>Media activities</i>	22
Message from the Internal Ombudsman	5	Shared Services	23
About this Report	7	<i>Shared Model learnings</i>	24
1. About us	8	Our achievements	25
Who we are	8	3. Management and accountability	26
What we do	8	Internal Ombudsman Shared Service Management Committee	26
Our Mission Statement	9	Audit Risk and Improvement Committees	26
Contacting the Internal Ombudsman	10	Corporate Governance practices	26
2. Our year in review	11	<i>Risk Management and Business Continuity Planning</i>	26
Complaint handling and investigation	12	Financial summary	27
<i>Complaints facts and figures</i>	13	<i>Professional Development</i>	28
<i>Summary of recommendations provided for the investigations conducted</i>	15	External Stakeholder Liaison	28
<i>Trends identified in matters received or investigated</i>	17	4. The year ahead	29
Prevention	17	Managing complaints	29
<i>Policy review and development</i>	17	Continuing our work with the member Councils	29
<i>Probity advice</i>	18	Engaging with the community	30
Education	20	Appendices	31
<i>Training programs</i>	20		
<i>Briefings</i>	21		

Letter to the Chairman of the Internal Ombudsman Shared Service Management Committee

Mr Hamish McNulty

Chairman of the Internal Ombudsman Shared Service Management Committee

Cumberland Council

Dear Mr McNulty,

Internal Ombudsman Shared Service Annual Report 2018-2019

I am pleased to present the Second Annual Report for the Internal Ombudsman Shared Service with City of Parramatta, Cumberland and Inner West Councils. This report contains an account of our work for the period 1 July 2018 to 30 June 2019.

Yours sincerely,



Suellen Bullock

Internal Ombudsman

28 October 2019

Message from the Chairman of the Internal Ombudsman Shared Service Management Committee

The Internal Ombudsman Shared Service (IOSS) came into existence in September 2017 to provide an independent ear to the residents, community members, ratepayer, local businesses, staff, Councillors and other Council stakeholders of City of Parramatta, Cumberland and Inner West Councils.


It gives me great pleasure as Chair of the Internal Ombudsman Shared Service Management Committee to commend to you the activities of the IOSS as reflected in this second Annual Report.

2018/2019 has been a year of consolidation for the Internal Ombudsman Shared Service as it has continued to raise awareness of the work of the IOSS. The Service's work in terms of its triple governance track of Prevention, Education and the Investigation of Complaints has become more understood and utilised as reflected by an increase in the demands on the Service, particularly from the Member Councils' communities.

Of note in the achievements this year have been recommendations made following the investigation of complaints to improve Councils' information provided to the community, for example, in relation to development applications (DA) and decision-writing; pre-DA processes; Regulatory and Compliance Services processes; and, the Councils providing more transparent information about their responsibilities in relation to tree management and insurance claim procedures. Training has been developed and provided to the member Councils to assist with and improve the Councils' internal complaint handling procedures; and for Public Interest Disclosures Officers to ensure an up to date understanding of their responsibilities. Of particular note is the achievement of coordinating a three Council initiative to implement Code of Conduct training on the new Code of Conduct for all member Councils' Councillors and staff. Work has continued in the two forums established by the IOSS Councils: the Shared Council Children's Services Forum and the Shared Council Governance Forum. The Internal Ombudsman continues to attend each Council's Audit Risk

and Improvement Committee (ARIC) and has made recommendations for internal audits to be carried out following the receipt of complaints. From an external facing perspective, consultation has continued with agencies such as the NSW Ombudsman, the Independent Commission Against Corruption, the Office of Local Government and most recently, with the Audit Office of New South Wales.

As the IOSS is about to enter its third year, I congratulate the Service on its achievements and look forward, with the Management Committee, to the IOSS working towards its vision of assisting the three Councils to promote a high standard of ethical conduct and decision-making; improve administrative conduct and procedures; and, to strive for a corruption free organisation.



Hamish McNulty

**Chairman, Internal Ombudsman
Shared Service Management
Committee**
General Manager, Cumberland Council



Message from the Internal Ombudsman

It has been a busy year during 2018 -2019 and much has been achieved by the dedicated Internal Ombudsman Shared Service (IOSS) team of Rodney O'Donahue, Assistant Internal Ombudsman, Sarah Labone, Complaint Assessment and Administration Officer and myself. In this second IOSS Annual Report, there is information about our work in fulfilling our Triple Governance Track of Prevention, Education and the Investigation of Complaints. This Report: details the activities the IOSS has undertaken in relation to each Council; provides some case studies of the results of our investigation of complaints and resultant recommendations; reports on our accountability data as required by the IOSS Governance Charter; and, looks to our future directions.

As the role of IOSS has become more well-known and understood by the staff of the three member Councils and the three local government communities they serve of City of Parramatta, Cumberland and Inner West, the demands on the IOSS have increased. There has been, for example, an increase in the number of complaints since last reporting of 264%. Complaints provide an opportunity

to consider the work of a Council and identify what has been done well or where there can be improvement.

During the reporting year, a new Code of Conduct has been released by the Minister for Local Government containing new and stricter accountability requirements for Councils in NSW. The IOSS has been instrumental in organising with each Council's Governance Managers, face to face training on the new Code of Conduct for Councillors and Staff of all three IOSS member Councils, hence exercising economies of scale and ensuring consistency in the training delivered.

Also of note during the reporting year has been training developed and delivered by the IOSS in complaint handling and training for Disclosures Officers in line with each Council's statutory responsibilities under the *Public Interest Disclosures Act 1994*.

The IOSS is now in its third year of operation in terms of the three year formal Agreement between the IOSS member Councils. An external independent review has commenced on the work and role of the IOSS. The results of the review with any recommendations will be reported to the IOSS Management Committee consisting of the two Chief Executive Officers of City of Parramatta and Inner West Councils and the General Manager of Cumberland Council, for consideration in relation to the continuation of the Service. The results of the review will also be referred for the consideration of each Council's Audit Risk and Improvement Committee. Another initiative is the IOSS Survey of all staff of the three Councils into their understanding and contact with the IOSS. The Survey was commenced towards the end of the reporting year and the results are not yet finalised for all Councils. These results will be reported in the 2019-2020 Annual Report and will also be provided to the independent review of the IOSS.

It is a pleasure and privilege to work as part of the IOSS team. I thank the team members for their dedication and excellent work. I also wish to thank the members of the IOSS Management Committee and the Chairman for their commitment to the IOSS and its role and the respect the Management Committee shows for its independence. The good working relationship continues between the IOSS and each Council's Governance Managers and I

once again extend my thanks to these committed staff, who, with the IOSS, strive for good governance and a corruption free work place in their respective organisations.

This Annual Report will be provided to the IOSS Management Committee and to each Council's Audit Risk and Improvement Committee for consideration and endorsement. I commend this second Annual Report to you reflecting the work and achievements of the IOSS during the 2018 and 2019 reporting year.

A handwritten signature in cursive script, reading "A. M. Bullock".

Suellen Bullock

Internal Ombudsman

About this Report

This second Annual Report provides a comprehensive account of the IOSS's performance throughout the 2018-2019 financial year, as well as outlining the plan for the year ahead.

Whilst there is no requirement for the IOSS to present an annual report, the IOSS Governance Charter states that "*Where the Internal Ombudsman Shared Service considers it to be in the public interest, or in the interest of a person or the member Council, the Internal Ombudsman Shared*

Service may, with the endorsement of the Internal Ombudsman Shared Service Management Committee, publish a report relating generally to the performance of duties under this Governance Charter". The IOSS strives to be a leader in transparency and accountability and this document is a step towards meeting this commitment. It is also a source of information for all City of Parramatta, Cumberland, and Inner West Councils (IOSS member Councils), their communities and stakeholders, including ratepayers, residents, businesses, community and interest groups, news media, Council staff, Councillors and the wider general community.

This Annual Report is made up of four parts:

Part 1

About Us -

Details of the IOSS and who we are, what we do and how we go about our work.

Part 2

Our Year in Review-

Details of the IOSS's work on investigation, prevention, education and promotion activities, as well as their performance against the IOSS Strategic Plan for 2018-2019.

Part 3

Management and Accountability -

Information on how the IOSS is accountable and transparent, including its financial summary.

Part 4

The Year Ahead -

A summary of the IOSS's focus for 2019-2020.

Enquiries about this report should be directed to the Internal Ombudsman, Internal Ombudsman Shared Service. Contact details can be found on page 10 of this report.

PART 1: ABOUT US

Who we are

The term ‘ombudsman’ is loosely translated as ‘the citizen’s defender’ or ‘representative of the people’.

The IOSS was established by the *Internal Ombudsman Shared Service Agreement* between City of Parramatta, Cumberland and Inner West Councils, signed on 31 July 2017. Each Council financially contributes equally to the IOSS, with Cumberland Council designated the host Council for the purposes of administrative and financial arrangements.

The Internal Ombudsman Shared Service Management Committee (the Management Committee) governs the work of the IOSS and is comprised of the Internal Ombudsman, the General Manager of Cumberland Council and the two Chief Executive Officers of the City of Parramatta and Inner West Councils. The Management Committee has a Terms of Reference and an Agreement. The IOSS operates according to the IOSS Governance Charter which provides for the IOSS’ jurisdiction and how it undertakes its role and work.

During the reporting year, the IOSS was made up of Ms Suellen Bullock, Internal Ombudsman, Mr Rodney O’Donahue, Assistant Internal Ombudsman, and Ms Sarah Labone, Complaint Assessment and Administration Officer.

The operation of the IOSS reflects the commitment of each member Council in operating to a high standard of ethical conduct and decision-making; administrative conduct; corporate governance; and being corruption free.



What we do

Our purpose is to assist the three IOSS member Councils identify areas for improvement in each Council’s administrative conduct and decision-making and to assist in high standards of probity and governance. This includes for example: the delivery of services to each Council’s communities; ensuring they are acting fairly, with integrity and in their communities’ best interests; dealing effectively and fairly with service requests; and, working to improve each Council’s complaint handling systems. We also aim to promote best practice in the Councils’ operations.

The Internal Ombudsman Shared Service’s Agreement states that:

“Each of the Councils is desirous of providing residents, members of the public, ratepayers, local businesses, staff, Councillors and other Council stakeholders with an ‘independent ear’ regarding administrative complaints about unethical behaviour by Council; corrupt conduct; misconduct; or maladministration.

The Internal Ombudsman Shared Service will investigate matters and provide the relevant council and affected parties with results of the investigation and make recommendations regarding required corrective action, and process improvements where necessary. The Internal Ombudsman Shared Service will also provide member councils with a proactive education service in regard to continuous improvement in administrative processes and ethical decision making across all council services.”

The IOSS may also instigate its own investigations on matters without first receiving a complaint, as well as any matters that are considered systemic, reflect a pattern of conduct, and/or are serious and significant.

The IOSS also assists the member Councils with policy development and review and training in relation to good governance and administrative conduct, as well as providing ad-hoc or written probity advice to staff, Councillors, or Council delegates. It also provides a proactive education service regarding continuous improvement in administrative processes, good governance and ethical decision-making across all member Council services.

All operations of the IOSS are underpinned by the principles of procedural fairness, accountability and transparency. The IOSS is committed to providing effective, efficient, responsive, and high quality services. Our service standards encompass responsiveness, service quality, effectiveness, and efficiency.

The IOSS abides by each member Council’s Code of Conduct and relevant policies and procedures in relation to any work conducted for, in relation to, or on behalf of the relevant member Council to which the work relates.

Cumberland and Inner West Councils have delegated to the Internal Ombudsman and Assistant Internal Ombudsman, the function of Code of Conduct Complaints Coordinator in addition to the function of Public Interests

Coordinator. At City of Parramatta Council, the Internal Ombudsman and Assistant Internal Ombudsman are alternate Code of Conduct Complaints Coordinators and Public Interest Disclosures Coordinators.

As noted, a new Model Code of Conduct for Local Councils in NSW was introduced in December 2018. All IOSS member Councils have adopted this new Model Code of Conduct (Code of Conduct) and its associated Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW (the Procedures). The Code of Conduct includes a new clause which provides that an Internal Ombudsman may be a Code of Conduct Reviewer, if they meet the qualification criteria as prescribed under clause 3.5 of the Procedures.

Our Mission Statement

To provide guidance and focus to the IOSS's work, the team has a Mission and Values Statement. This is shown below:



Contacting the Internal Ombudsman Shared Service

Anyone can make a complaint to the IOSS as long as it concerns one of the member Council's administrative decision-making in relation to their operations and functions and is within the IOSS's jurisdiction. Complaints may be received from residents, community members, ratepayers, local businesses, staff, Councillors, and other Council stakeholders. IOSS staff are available in person, by email or by telephone to discuss matters as to whether the IOSS is the correct entity to handle the complaint, or refer matters appropriately. The IOSS Governance Charter outlines in greater detail the scope of the IOSS, including who can make complaints, what types of complaints will be investigated and how these will be resolved.

Before making a complaint, the complainant should take all reasonable steps to try and resolve the matter with the local Council through the Council's complaint handling policy. If the matter is about an administrative issue, the complainant should request the Council review its processes before contacting the Internal Ombudsman. If after a period of up to six weeks, the complaint to Council has not been reasonably, or justly resolved by Council, then a complainant can complain in writing to the Internal Ombudsman.



include full details of the matter/issue and any relevant documents. IOSS staff can provide assistance to persons who wish to make a complaint but are unable to submit a written complaint themselves. There is no charge to lodge a complaint to the IOSS or have a matter reviewed or investigated.

Complaints to the IOSS or requests for information about the IOSS, can be accessed:

Phone

Call: 02 8757 9044 between 9am and 5pm (AEST) Monday to Friday.

In writing or in person

The Internal Ombudsman Shared Service
11 Northumberland Road
Auburn NSW 2144

Online

Visit: City of Parramatta Council: www.cityofparramatta.nsw.gov.au/council/internal-ombudsman
Cumberland Council: www.cumberland.nsw.gov.au/council/about-council/internal-ombudsman
Inner West Council: www.innerwest.nsw.gov.au/about/the-council/internal-ombudsman

Email

Write to: City of Parramatta Council: internalombudsman@cityofparramatta.nsw.gov.au
Cumberland Council: internalombudsman@cumberland.nsw.gov.au
Inner West Council: internalombudsman@innerwest.nsw.gov.au

Services available to assist you:

If you are a non-English speaking person, we can help you through the Translating and Interpreting Service (TIS) on **131 450**. If other assistance is needed to communicate to the IOSS, this can be arranged by either email, post or by telephone.

PART 2: OUR YEAR IN REVIEW

The IOSS continue to provide a range of services to add value and assist in the provision of good administrative conduct and governance, corruption free operations and quality customer service for City of Parramatta, Cumberland and Inner West Councils.

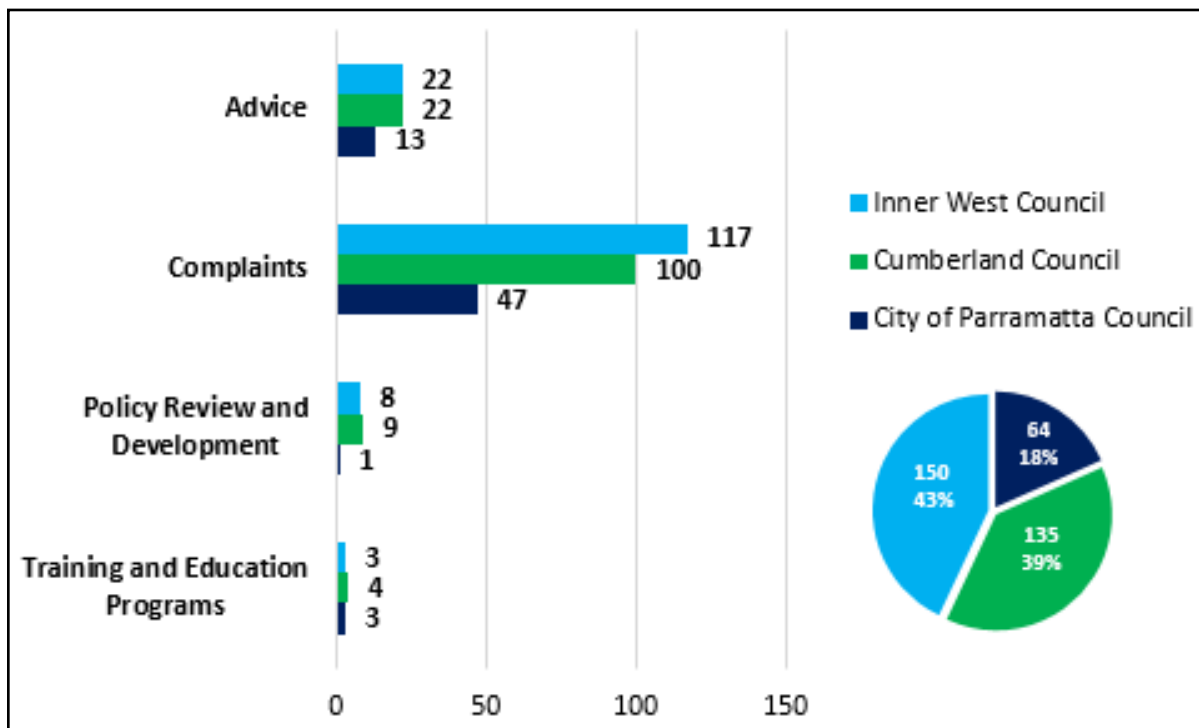
As previously noted, we do this in using what we call the ‘Triple Governance Track’, through

Prevention such as assisting in policy review and development, and providing advice on probity matters particularly to staff and Councillors; **Education**, through the delivery of or

training programmes; and **Investigation** of complaints within our jurisdiction and in accordance with each Council’s Complaint Handling Policy with the view to making recommendations for improvement. Our work is governed by the IOSS Governance Charter and this sets out what the Internal Ombudsman can and cannot do and how it is to undertake its work.



The following graph indicates the work of the IOSS with each of the member Councils for the 2018-2019 financial year:



*The variations in each of the member Council’s statistics may be due to population differences across the three Local Government Areas (LGA), demographics and geographic location/proximity.

Complaint handling and investigation

The Internal Ombudsman can investigate or refer for investigation matters including:

- all Council administrative processes
- any failure to comply with Council's Code of Conduct, policies or procedures
- Council's lack of attention to matters, or review of Council's complaint handling procedures
- allegations of poor administration, maladministration, corruption, or other alleged improper conduct by Council or Council Officials
- anonymous complaints if sufficient details are provided
- matters referred by the Management Committee

The Internal Ombudsman is unable to investigate matters:

- that have not firstly been reviewed or investigated in accordance with the member Council's relevant complaints handling policy/protocol
- that are not part of Council's functions or businesses
- that require initial referral to external agencies including but not limited to: the NSW Independent Commission Against Corruption (the ICAC), the NSW Office of Local Government, the NSW Ombudsman, or the NSW Police
- where adequate details of the complaint are not available to allow proper investigation
- that are frivolous, vexatious or not made in good faith or are trivial in nature

Case Study

Administrative processes around Development Applications

The Internal Ombudsman Shared Service (IOSS) investigated a complaint about a Development Application determination. Under the IOSS Governance Charter, complaints about a planning decision cannot be investigated but there can be an investigation about the administrative processes related to that decision. In this matter, the complaint was about a number of issues: the Pre-DA process; the alleged failure to consider objections to the proposed development; alleged administrative error in Council's failure to apply the appropriate standards and controls; and, Council's alleged failure to consider and/or reply to correspondence. Findings were made that the Pre-DA process was fair and the complainant's objection to the proposed development were properly considered by Council. It was further found that while the Assessment Determination contained breaches of some standards and controls, Council acknowledged these but applied section 4.15 of the *Environmental Planning and Assessment Act 1979* in addition to relevant clauses in the relevant Local Environmental Plan operating at the time. Findings were made that Council did not comply with its service standards in relation to responses to a customer/complainant and that some correspondence from the complainant was not responded to or there was a delay in the Council's response. As a result of the investigation, seven Recommendations were made including that:

- The Council develop further information on its website, Fact Sheets and for customer information sessions which explains the Pre-DA service more fully, including the difference between the Pre-DA process as compared to the development assessment process.
- The Council develop further information on its website, Fact Sheets and for customer information sessions which explain the tolerance in the development assessment process for breaches in standards and controls.
- The administrative head of the Council provide an apology to the complainant for Council's failure to respond at all to the complainant's correspondence or respond in a timely fashion.
- The Council develop a protocol and training for staff in terms of acknowledging correspondence and that Council staff be reminded of Council's service standards in relation to dealing with correspondence and complaints and that ongoing training be provided.

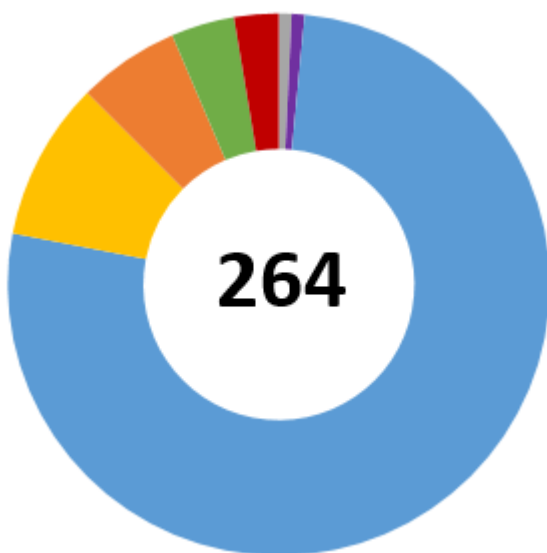
Complaints facts and figures

The IOSS receives complaints by a variety of methods, with email being the preferred method, followed by telephone.

During 2018/2019 we received 264 complaints. There has been a significant increase in complaints as awareness of the IOSS grows within each of the member Councils' communities.

The main source of complaints are from the community, with Council staff being the next source. Referrals of complaints from staff also tend to be a common method in which complaints are received by the IOSS.

The following graph shows the source of the 264 complaints:



- Anonymous (2)
- CEO/GM referral (10)
- Community (202)
- Councillor (7)
- NSW Ombudsman (2)
- Staff (16)
- Staff referral (25)

Complaints to the IOSS continue to cover many areas, including allegations about:

- Responsiveness and adequacy of responses provided
- Decision-making
- Corrupt conduct
- Customer Service
- Administrative conduct
- Code of Conduct matters
- Internal processes
- Probity and procurement practices

These include 49 approaches from Council staff, Councillors, and the community to enquire about how and whether to make a complaint. When people contact us, our aim is to understand their concerns and see if we can help them in some way. To do this well, we ensure that people contacting the IOSS are given any help they need and sufficient time to explain their problem and to let them know they have been heard. In doing so, it is important for the IOSS to remain objective and impartial as we are not an advocate for either a Council or a complainant. The IOSS undertakes a triage exercise with complaints to assess the information provided to us and then to accept the complaint and take appropriate action if it is within our jurisdiction. If the complaint is not within jurisdiction, we endeavour to provide information about where a complaint or enquiry should be directed. Our knowledge of the functions and policies of the member Councils enables us to give the most appropriate assistance to the people who contact us.

Of the total complaints received, 52 were in-jurisdiction. Although we declined (after assessing) approximately 62% of the formal complaints we received, we made preliminary enquiries with the member Councils about 50 matters which achieved positive outcomes and were finalised without having to commence an investigation. These included member Councils correcting errors, improving policies and procedures, and reviewing or changing their decisions. Of the complaints received, 20 per cent required more substantial investigation. 25 complaints are currently open.

Case Study

Trees/Development Application

The Internal Ombudsman Shared Service (IOSS) received a complaint which had three aspects: firstly, the unreasonable demands placed by the Council on an applicant in a Development Application (DA) for a dual occupancy (duplex); secondly, in relation to the maintenance of trees on the Council's property; and finally, in relation to the Council's complaint handling procedures. As noted in another case study, the IOSS has no jurisdiction under its Governance Charter to investigate a planning decision but can investigate the administrative processes associated with the planning decision. In this matter, it was found that there was delay in processing the complainant's DA, but this was contributed to both the Council and the builders/consultants representing the complainant in the DA. It was further found that the DA determination in relation to the dual occupancy was complex and the process would have been assisted if there had been a pre-development/pre-lodgement interview with the complainant to facilitate knowledge and understanding about the information required by the Council, but also to discuss the timelines for the applicant (complainant) and the Council. It was found that the Council did not mislead the complainant as alleged nor were the Council's requirements in relation to the DA unreasonable. In relation to the tree issue, it was found that the Council did have a contract with a company to undertake vegetation management and that regular maintenance was undertaken. The Internal Ombudsman made a finding that the complainant's complaint could have been dealt with much earlier as a Tier 1 complaint under the relevant Complaints Policy. Six recommendations were made including that:

- The Council should consider in all dual occupancy DAs, encouraging applicants to have a pre-lodgement/pre-development interview to highlight, but not limited to: the Council's planning process and statutory responsibilities; information required and why; the relevant fees and timelines; and relevant issues with the specific development site.
- The Council's website should contain further information about dual occupancy DAs, given the increase in this type of development and also in relation to tree management and the Council's statutory obligations in relation to endangered trees and bushland. Such information could also be included in the Frequently Asked Questions tab on the website.
- The Council's communication and coordination between different areas in the Council dealing with DAs need to be improved and reviewed and monitored, including consideration of resourcing.
- The Council write to the complainant to apologise for the delay in responding to the complaint.

The day-to-day contact we have with the public also enables us to gauge when the community is experiencing particular issues with an IOSS member Council's decisions or a problem with their services.

There have also been numerous matters that the IOSS has been involved in, which have required contact with various members of the member Councils' staff to discuss new/ongoing complaints or inquiries to assist in the resolution of them. These have ranged from tree issues, wildlife concerns, DA's, waste management and service issues, and have resulted in either resolution over the phone or following detailed requests with council staff.

Requests for review

When the IOSS has investigated a complaint and the complainant is unhappy with the IOSS's written decision and reasons, then a complaint can be made to an external agency such as the NSW Ombudsman or the NSW Independent Commission Against Corruption (ICAC). A complainant can complain to an external agency at any time, even if the IOSS is investigating a complaint.



Summary of the recommendations provided for the investigations conducted

If an investigation from the IOSS finds that there has been an act or omission by a Council Official contrary to a policy or procedure and/ or good administrative conduct, the Internal Ombudsman can recommend that specific appropriate action be taken.

The IOSS cannot amend any operational decisions made by Council or Council officers.

In making a confidential investigation report, the IOSS may recommend to the relevant General Manager or Chief Executive Officer or as appropriate, to the Mayor or the Council or the Chairman of the relevant member Council's Audit, Risk and Improvement Committee that:

- a) The matter be referred to the General Manager or Chief Executive Officer for further consideration;
- b) An omission or delay be rectified;
- c) A decision or recommendation by an employee or employees of the Council be revoked or varied;
- d) Reasons be given by an employee or employees of the Council for a decision;

A summary of the recommendations provided is as follows:

Keeping complainants informed

This point has been reinforced this year due to a number of matters raised with the IOSS that Councils are not always prompt and transparent with their communication with community members. While on many occasions there is a reasonable explanation for any delay, such information has not been provided to the community member. Councils need to ensure they keep complainants informed of progress in the investigation of complaints and if there is likely to be some delay in responding, for example, when there is some complexity, that the complainant be advised of this in accordance with Council's complaint handling policies or protocols.

- e) A practice or procedure be altered;
- f) A statute, regulation or by law be reconsidered;
- g) The Council pay compensation to a complainant;
- h) The Council provide a particular service;
- i) The Council amend, or not impose, a charge or condition in relation to a particular service, application or consent;
- j) The Council make an appropriate correction, deletion or addition to a record; or
- k) Such other steps are taken as the Internal Ombudsman Shared Service considers reasonable and just.

It is the General Manager or Chief Executive Officer's responsibility to address recommendations made by the Internal Ombudsman and ensure their implementation within the Council. Each member Council is required to record each recommendation made by the Internal Ombudsman, take appropriate action, and record what action has been taken by Council. The Internal Ombudsman has the right to request information regarding Council's action on previous report recommendations.



Ensuring appropriate communication in public spaces

Recommendations have been made to a number of Councils to ensure that communication that staff have with members of the community is professional and courteous. It is also incumbent on staff to ensure that they do not disrespect or talk inappropriately to or in the presence of a

Providing the community with more and clear information about development applications to applicants and objectors, about the pre-DA process and what considerations are taken into account in making a determination.

A number of complaints were made in relation to the development application process and determinations which highlighted that Councils' websites and other Council information could be expanded and made clearer so that applicants and objectors could be better informed.

Ensuring that before Council made a decision to restrict access to a service that the recipient of this potential restriction be afforded procedural fairness in providing a response to any proposed restriction.

Some complaints highlighted that a Council would make a decision restricting access to a service or event, without providing an opportunity for the subject of the restriction to provide any explanation/response to a restriction being imposed.



Referral to a Council's Audit Risk and Improvement Committee (ARIC) for the issue the subject of a complaint to be referred through the ARIC, for the Council's Internal Auditor to conduct an audit.

There were a number of complaints in different areas of the member Councils such as in children's services, building projects or the management of contracts in which it was clear that there may be some systemic issues requiring an audit of a Council's practice and procedure which would benefit from an internal audit to be conducted.

The IOSS also provided the Office of Local Government feedback in relation to their development of template policies for Local Councils. Given our role across three local Councils, we have seen the need for there to be more consistency across specific areas of Council, for example, Social Media and Bullying and Harassment policies.

Providing clearer information to the community about the Councils' tree management/maintenance procedures and the balancing of considerations in relation to environmental legislative requirements and the protection of human safety and property.

A number of complaints were received about the Councils' procedures in relation to the ongoing maintenance of trees and concerns that Councils valued trees more than they did people. It was recommended that the Councils needed to do more in providing information to their communities about the balancing of legislative and policy considerations.

Providing clearer information about how Council assesses claims for compensation

A number of complaints about the Councils' assessment of insurance claims again highlighted the need for clearer information about how claims are assessed.

Trends identified in matters received or investigated

Overall, we have seen a steady increase to the workflow of the IOSS and we anticipate that this will continue into the future as the work of the IOSS is more recognised and understood. We will continue to engage with the Council staff and the communities so that we can obtain a better understanding of what are the 'hot topics' and the trending issues with each IOSS member Council or across all three member Councils.

As with the 2017/2018 Annual Report, the majority of the complaints during 2018/2019 relate to dissatisfaction with development decisions and the administrative processes related to them including delay in responding and action being taken, and inadequacy of reasons for a decision. As previously noted, the IOSS' Charter does not allow the IOSS to investigate an actual planning decision, but does provide jurisdiction to investigate the administrative processes associated with a planning decision. The IOSS still considers that some work needs to be undertaken in relation to Councils providing better reasons for decisions, especially conveying information about adverse decisions, as well as improving timeliness of responses.

The IOSS commenced meeting with each Council's Complaints Coordinator to discuss the complaints handling process in relation to: first and second tier complaint handling; what training is needed/ being developed to enhance staff's skills in complaint handling; and sharing of trends coming from complaints. Some complaints to the IOSS led to recommendations in relation to a Council's complaint handling processes.

Increasingly, a number of matters are being seen by the IOSS in which it becomes apparent that a Council has been, or is conducting an investigation/responding to a community member. The IOSS has monitored the progress of the matter to ensure that there is an appropriate resolution. This type of action from the IOSS is becoming more common as community members will often contact the IOSS while the Council is still undertaking its own inquiries. On occasion, the IOSS has offered advice to Council staff about how to progress/manage this Tier 1 investigation/inquiry.



The IOSS has found that there have been a number of matters that have involved a customer who has displayed unreasonable complainant conduct as defined in the NSW Ombudsman's *Unreasonable Complainant Conduct Guidelines* (the Guidelines) on such matters. This has resulted in the complainant being dealt with in line with the Guidelines. The IOSS subsequently developed and presented Complaint Handling Training to one of the IOSS member Councils Management group over three sessions. An external consultant was also engaged to deliver Unreasonable Complainant Conduct training to front line staff so that staff are aware of why a customer may display unreasonable complainant conduct and have been provided with strategies to deal with such behaviour.

Prevention

Policy review and development



The IOSS continues to provide significant input into the review of existing policies or newly developed policies with each of the member Councils. Involvement in the review and development of policy is important as it creates good governance from the outset.

The individual Council policy reviews and/or development of new policies work completed by the IOSS in the reporting year are detailed on the following page:

City of Parramatta Council

- The IOSS previously provided Council's Service Manager Risk and Audit with the IOSS's work on another Council's new Social Media Policy and the reviewed Media Policy.
- Master Data Strategy, Data Policies, and Open Data Policy.



Cumberland Council

- Compliance Operational Guidelines.
- Unlawful Development Enforcement Operational Guidelines Tool.
- Social Media Policy.
- Fraud and Corruption Control Policy including an Investigation and Decision-Making Guideline.
- Gifts and Benefits Guidelines.
- Good Governance Guide.
- Sister City Policy.
- Reportable Conduct (Child Protection) flowchart.
- Children and Families Strategy.
- Public Interest Disclosure Policy (to be provided at request of Executive Manager, Corporate Services when review undertaken prior to August 2019).

Inner West Council

- Compliance and Enforcement Policy, and Compliance and Enforcement Procedures.
- Bullying & Harassment Prevention Protocol.
- Asbestos Policy.
- Enforcement Guidelines – preliminary discussions.
- Investigation and Decision-Making Guideline.
- Grants Guidelines.
- Planning Agreements Policy.

Probity advice

Advice is often requested from the IOSS across a number of issues and has included:

City of Parramatta Council

- Advice regarding the use of recruitment consultants.
- Request for independent review of an unreasonable complainant conduct restriction.
- Request for advice about the process for a child protection matter arising at an early learning centre.
- Probity advice to Councillors and staff in relation to a number of administrative matters.
- Advice about Code of Conduct complaints.

Cumberland Council

- Advice regarding a potential unreasonable complainant conduct restriction.
- Request for assistance with an investigation into a breach of privacy.
- Advice regarding a customer's conduct in relation to a Council service.
- Advice provided regarding various child protection incidents at separate Child Care Centres, including as part of the new triage process.

- Advice provided about the effectiveness of the Compliance Review Panel.
- Advice and review of Council's Unlawful Development Enforcement Operational Guidelines Tool.
- Advice sought regarding consistency with a booking application for a community centre and the approach taken by the then A/Deputy General Manager.
- Advice regarding a potential code of conduct complaint.
- Advice in relation to staff allegedly being influenced by a member of staff from an MP's office.
- Advice regarding a development compliance matter.
- Further advice has been provided to the Director Community Development to assist in a referral to the ARIC for possible inclusion in Council's Internal Audit program.
- Other advice has also led to the consideration of a referral to the ARIC for inclusion in Council's Internal Audit of the Family Day Care scheme and transport issues relating to after school hours care providers.
- Advice about action to be taken following Council's inadvertent sending of an email to a member of the public.
- Referral of a matter involving an allegation in relation to a child protection matter against a volunteer.
- Allegations of corruption against a staff member.
- Investigation and advice about an alleged fraudulent activity with a Council's program.
- Potential conflict of interest with the awarding of contracts.
- Advice regarding the process with various insurance claims.

Inner West Council

- Advice regarding councillor interactions with staff.
- Advice sought regarding a potential conflict of interest.
- Advice regarding a potential breach of Council policy.
- Advice sought regarding the application of infringements.
- Advice regarding a Code of Conduct matter.
- Advice sought in relation to probity concerns with a project.
- Advice sought regarding the probity and governance for membership of Council Committees.
- Advice about the protocols with releasing code of conduct information to the media.
- Request for an independent review of insurance related matters.
- Advice in relation to the probity process for a tender matter.
- Advice regarding staffing/recruitment processes
- Advice sought regarding fostering harmonious relationships in the workplace.
- Advice regarding potential code of conduct complaints.
- Advice sought regarding training for dealing with difficult customers and unreasonable complainants.
- Advice regarding a historical lease agreement and obligations when working with children.
- Advice regarding potential fraud by staff.

Education

Training programs

An important area of our work is providing training and education to Council staff and Councillors to help them fulfil their responsibilities under the Code of Conduct, and to assist in fraud and corruption strategies.

The IOSS with the three Councils' Governance groups for the IOSS agreed for a joint approach to deliver face to face Code of Conduct Training to all staff and Councillors, once the new Model Code of Conduct for Local Councils in NSW was released by the Minister for Local Government. This is currently being delivered across the IOSS member Councils by an external consultant, SINC Solutions.

The IOSS has met with the Governance teams across the three member Councils and developed and begun to deliver Public Interest Disclosure (PID) Training. PID training has been delivered to City of Parramatta Council staff who are Public Interest Disclosures Officers on 29 May 2019 and to the City of Parramatta Council HR team so that they are aware of the legislation as they may be frontline staff who receive an initial disclosure that may meet the requirements of a PID. There is still a number of staff to deliver the training to within City of Parramatta Council.

At Cumberland Council, once the PID Policy is reviewed and new Disclosures Officers appointed, training will be provided for their Disclosures Officers. With Inner West Council, the IOSS plans to provide training for PID Disclosures Officers in this Council during 2019.

The IOSS has provided significant input into various training programs with the member Councils, and has also developed and delivered some of these programs. They include:

- Development and delivery of complaint handling skills training to Inner West Council senior staff. Sessions were completed in April 2019.
- A consultant has been engaged to deliver Unreasonable Complainant Conduct training to Inner West Council staff in July/August 2019.
- Further delivery of Cumberland Council's Probity in Procurement training package to Facilities, Parks and Children's Services groups during September and October 2018.
- Discussions to be arranged with Cumberland Council's Manager Procurement during 2019-2020, regarding the ongoing delivery of Probity in Procurement training to other Cumberland Council staff.



Briefings

Conducting briefings to Council staff and Councillors is an important aspect of raising awareness of the IOSS and its role. The following briefings have been undertaken:

- Briefings were conducted in late 2018 and early 2019 for all Councillors of the three Councils regarding the work of the IOSS as outlined in the previous annual report 2017-2018.
- Depot toolbox talks were held for outdoor staff at City of Parramatta Council's Rydalmere Operations Centre on during November and December 2018.
- Met with Inner West Council's new CEO, Mr Michael Deegan, on 27 February 2019 to outline the role of the IOSS.
- Continuing to present on the role of the IOSS at all three Councils' Induction sessions for new staff.
- Monthly briefing to Cumberland Council's Executive Team, with the General Manager and Directors.
- The IOSS continues to meet bi-monthly with Inner West Council's Enterprise Risk group to discuss matters of mutual interest and to discuss issues which arise out of complaints or other IOSS activities which may be relevant to the work of the Enterprise Risk group.
- Monthly meetings with City of Parramatta Council Governance Team.
- A meeting with Mr Mark Stapleton, the then new CEO of City of Parramatta Council, to outline the role of the IOSS and discuss the opportunity to collaborate and work with City of Parramatta Council more closely .
- The IOSS continue to attend Face to Face/Staff Forum/Depot talks have at the three Councils at their depots and buildings for both indoor and outdoor staff. Updates on the work of the IOSS are also provided at these meetings.
- Forthcoming attendance at the upcoming four Cumberland Council Face to Face talks at Council's Auburn and Merrylands offices, and Guildford depots on 2 and 3 July 2019 to outline the IOSS staff survey as well as provide an update on the progress of the 'Speak Up' program of work being undertaken by the three Councils.
- Briefing about the IOSS at the four City of Parramatta Council's Staff Forums on 8 May 2019.
- Briefing about the IOSS with Cumberland Council's Environment and Planning leadership team on 27 June 2019.
- Forthcoming briefings about the IOSS and its current priorities to be arranged with City of Parramatta and Cumberland Councils' Leadership Team meetings. It is hoped that a similar briefing can also be arranged with Inner West Council's Leadership Team.
- Bi-Monthly meeting with Cumberland Council's Group Manager of Transformation and Business Excellence, to discuss synergies in our work and to provide input to the culture awareness program.
- Meeting on 6 September 2018 with the Assistant Auditor-General, Performance Audit of the Audit Office of New South Wales, to discuss the IOSS, as relevant to the Audit Office of New South Wales' recent Report of Shared Services in Local Government.



- Briefing about the IOSS to City of Parramatta Council’s City Strategy Leadership Team on 6 March 2019.
- Briefing about the IOSS to City of Parramatta Council’s City Identity Leadership Team on 21 March 2019.
- Meeting held with City of Parramatta Council’s Head of HR on 6 February 2019.
- Briefing about the IOSS with City of Parramatta Council’s Human Resources group.
- Individual meetings held with each of Cumberland Council’s new Directors during February and March 2019.
- Meetings will be organised with each of City of Parramatta Council’s new Executive Directors.
- Briefing to Cumberland Council’s People and Performance leadership team on 28 February 2019.
- Briefing to Inner West Council’s Environment and Sustainability leadership team on 26 February 2019.
- Meeting with Inner West Council’s Parking and Ranger Services team on 6 March 2019. The IOSS team also provided advice at this meeting regarding the consistency and the use of discretion with infringements.

Promotion

Media activities

The IOSS with the endorsement of the Management Committee, may issue media statements and make public comment on any matters relating to the IOSS.

No media releases were issued by the IOSS during the 2019-2019 financial year.

Connecting with our communities

The following promotion activities have also been undertaken by the IOSS to assist in promoting the IOSS to staff and the community:

- Assistant Internal Ombudsman, Rodney O’Donahue, provided a presentation “Innovating your approach to fraud and corruption” at the Public Sector Fraud and Corruption Prevention Forum on 5 June 2019. The presentation was well received and Rodney received a high rating in participants’ formal feedback.
- Article about the IOSS following Local Government Week 2018, in the local press (Auburn Review) on 28 August 2018.



- The Annual Report 2018-2019 has been made available on each Council's website and staff intranet.
- The Internal Ombudsman presented on shared services with the NSW Audit Office at the LGNSW Good Governance Forum on 29 November 2018.
- Promotion of the IOSS in the brochure sent to residents as part of Cumberland Council's Local Government Week.
- Media Release by Cumberland Council on 25 July 2018 to remind the community about the IOSS.
- Article reminding the community about the IOSS in Cumberland Council's E-Newsletter on 7 August 2018.
- Article in the Inner West Courier on 6 November 2018 regarding the Lilyfield Cycleway issue raised with the IOSS by Mayor Darcy Byrne.
- Promotion of the IOSS in Cumberland Council's community booklet.
- The Internal Ombudsman drafted an article on the IOSS which was published in the April 2019 edition of LG Focus.
- Briefing with Lewis Rangott, Executive Director Corruption Prevention Division with the ICAC on 7 March 2019.



Shared Services

The IOSS continues to meet regularly with Inner West Council's Enterprise Risk team to discuss matters of mutual interest and to discuss issues which arise out of complaints or other IOSS activities which may be relevant to the work of the Enterprise Risk group. The IOSS also meets regularly with Cumberland Council Transformation and Business Excellence Team to discuss matters of mutual relevance to our work and with City of Parramatta Council's Governance and Risk group to discuss complaint handling, training and other governance and risk issues.

As previously reported, the IOSS re-established the Internal Ombudsman Network (ION) with other Internal Ombudsmen across NSW Local Councils, being ; Central Coast Council; Dubbo Regional Council; Lake Macquarie Council; Liverpool Council; Waverley Council; and Wollongong Council;;. The ION meets quarterly to discuss matters of common interest and shared learnings, including code of conduct issues and training, building capacity and culture in Local Councils by way of a 'Speak Up Culture' and key challenges for an Internal Ombudsman within NSW Local Councils. In attendance at ION meetings from time to time are also representatives from external government agencies, including the NSW Ombudsman, the ICAC and the Office of Local Government, where the ION's views are sought on a range of matters, including discussion papers and code of conduct complaints about Councillors. A Fact Sheet about the role of an Internal Ombudsman was finalised by the IOSS and approved by the ION, with the view to providing NSW Local Government General Managers, Chief Executive Officers and Mayors, with information about the role of an Internal Ombudsman service and its benefits. This approach is in line with the OLG's support for other NSW Councils to establish an Internal Ombudsman role.

The IOSS presented at the LGNSW "Good Governance: Focus on Performance" forum about the shared services model which addresses the challenges and helps to develop capability in other local Council's to develop and deliver shared services or a shared service model. The Office of Local Government is interested in pursuing with NSW Councils,

Shared Internal Ombudsman Services.

The IOSS was also invited to present at the Public Sector Fraud & Corruption Prevention Forum, on the topic of 'Innovating your approach to fraud and corruption management'. The overall feedback from this presentation was positive and very well received.

In November 2019, the IOSS will also be presenting at an Institute of Internal Auditors Australia (IIA) Local Government Assurance Forum in relation to 'Building better governance through the internal ombudsman'



Shared Model learnings

The IOSS continues to provide to the three Councils significant input into the review of existing policies or newly developed policies. As part of the benefit of the shared learning across the three Councils, the IOSS has provided the other two Councils with any policy review/development of a new policy for the other member Council. This sharing of information has greatly benefited all three member councils.

The IOSS continues to hold regular Governance Forums between the member Councils to share learnings and promote economies of scale in relation to governance activities. A key focus of this forum has been the implementation of training for staff and Councillors on the new Model Code of Conduct from the Office of Local Government, released in December 2018.. Training has commenced at Cumberland and Inner West Councils with City of Parramatta Council to be completed by November 2019.

The IOSS also continues to hold regular Children's Services Forum meetings with each Council's Children's Services practitioners and strives for best practice in dealing with child protection matters, including the development of child protection policies and guidelines. The Forum has developed a scope/mission document which outlines the strategic direction of the group. Discussions have commenced with external agencies to meet with the Forum to plan and discuss how the group can liaise and collaborate with the other NSW Government agencies such as the NSW Police Force, the NSW Ombudsman, the NSW

Department of Health and the NSW Department of Education and Training. The benefit of collaborating with these NSW Government agencies provides the opportunity for the three Councils to be recognised as the leaders in Local Government and for the Child Protection Policy and associated guidelines to be shared and utilised across Local Councils in NSW.

Cumberland Council introduced a new Child Protection Policy with the addition of associated guidelines to support the policy. This is likely to occur within both City of Parramatta and Inner West Council over the next year given the recent outcome of the Royal Commission into Institutional Responses to Child Sexual Abuse and new national legislation as well as the recommendation that institutions implement '*Child Safe Standards*'.

Speak-Up Culture – This initiative was commenced by the IOSS and first raised with the IOSSMC. It was decided by the Management Committee that instead of investing in a dedicated Public Interest Disclosure (PID) Hotline, that it would be beneficial to establish a "*Speak Up*" culture in each of the Councils to encourage staff to speak up about issues including safety, bullying and harassment, and PIDs.

Three meetings have been held with the then Inner West Council's Group Manager Human Resources, Ms Melodie Whiting, Cumberland Council's Director People and Performance, Ms Melissa Attia, and City of Parramatta Council's Acting Head of Human Resources, Ms Christalla Michael. The most recent meeting was held on 17 June 2019.

The first part of the program has involved determining what the current landscape looks like at each Council. Therefore a short survey for staff and managers has been developed, which will be followed by focus groups, and inclusion in manager's performance review requirements. Endorsement by each Council's Executive team will be critical to its success. The survey will be sent to the General Manager and Chief Executive Officers of the member Councils for consideration along with information on the group's strategy

The IOSS will continue to work with the member Councils to identify any key areas that can benefit from shared forums.



Our achievements



The IOSS continues to develop its ongoing working relationships with each Council's staff.



Input has continued to be provided to the development and/or review of key governance policies and training either delivered by the IOSS or input provided to Council-developed training, including in relation to complaint handling and public interest disclosures.



Finalisation of the IOSS Risk Management Plan.



Briefings continue to be provided to Councillors and the Internal Ombudsman continues to attend each Council's Audit Risk and Improvement Committee (ARIC).



Finalisation of the IOSS Business Continuity Plan.



Strategic goals continue to be reviewed at monthly Strategic Planning Meetings.



Ongoing liaison with other government agencies including ICAC, NSW Ombudsman, NSW Audit Office, and OLG.



Facilitation of Code of Conduct training for all Councillors and staff as a result of the shared service model.



Recommendations following investigations leading to improvements in the information Councils provide to their communities and to greater responsiveness and accountability of the Councils.



Recognition of the role and work of the Internal Ombudsman Shared Service as reflected in invitations to present at conferences and in advice being sought from external agencies and other Councils.

PART 3: MANAGEMENT AND ACCOUNTABILITY

Internal Ombudsman Shared Service Management Committee

The IOSS Management Committee (the Management Committee) is comprised of the Internal Ombudsman, the General Manager and two Chief Executive Officer of the three Councils, and has its own terms of reference. The Management Committee was required to meet quarterly during its first two years of operation and the Internal Ombudsman prepared and submitted a report on the IOSS's operations (the Report). The IOSS Governance Charter sets out the mandatory reporting requirements to be included in the Report, which are: a summary of the matters received; a summary of the investigations conducted and their recommendations; education activities conducted; probity advice provided; promotion and media activities; issues identified for future review; trends identified in matters received or investigated; other performance indicators; financial performance; future directions; and, other procedural matters of note.

An individual report has also been provided to the General Managers and Chief Executive Officer in respect of the individual activities of the IOSS with each Council. The Internal Ombudsman then met separately with each General Manager and Chief Executive Officer to present and discuss the individual Council report, prior to Management Committee meetings.

The Internal Ombudsman also attends the monthly Executive Team Meeting at Cumberland Council to provide an update on the activities of the IOSS and any issues identified. This is a very fruitful meeting and the Internal Ombudsman has recommended to City of Parramatta and Inner West Councils that a similar approach would be beneficial.

Audit Risk and Improvement Committees

The Internal Ombudsman continues to attend the Audit, Risk and Improvement Committees (ARIC) for City of Parramatta, Cumberland and Inner West Councils. The Internal

Ombudsman attends ARIC meetings to advise of the work of the IOSS and any concerns or issues which may be relevant to ARIC. The benefit of attending such meetings is that some of the issues being dealt with by the IOSS may impact on the considerations of ARIC. By way of example, at Cumberland Council ARIC, the work being undertaken by the Internal Ombudsman in relation to policy review and development has been greatly welcomed and acknowledged by the Chairperson of the ARIC.

Corporate Governance practices Risk Management and Business Continuity Planning

It is important that we identify and manage any potential events which could stop us achieving our objectives. The IOSS has finalised its Risk Management Plan, which has identified key risks and mitigation strategies that apply to its operational and strategic work. The risk register will be reviewed on an annual basis as part of the business planning process.

The IOSS has finalised its risk management plan and business continuity plan to ensure that the IOSS can achieve its objectives and have strategies in place to continue its business. This is reviewed bi-annually with Cumberland Council's Risk Management Coordinator.

Our Business Continuity Plan is one of the IOSS's key risk management strategies. It sets out our strategies for ensuring that the most critical work of the IOSS can continue to be done, or quickly resumed, in the event of a disaster. This is reviewed on an annual basis.

Financial summary

Each member Council is to financially contribute equally to the IOSS, with Cumberland Council designated the host Council for the purposes of administrative and financial arrangements. The Table on the following page provides a financial summary of the IOSS for the period 1 July 2018 to 30 June 2019.

INTERNAL OMBUDSMAN SHARED SERVICE
Financial Performance for the period to 30.6.2019

	Original Budget	YTD (Q3) Budget	YTD Actual	YTD Variance	Notes
	\$	\$	\$	\$	
Income					
City of Parramatta Contribution	210,000	210,000	210,000	-	
Cumberland Council Contribution	210,000	210,000	210,000	-	
Inner West Council Contribution	210,000	210,000	210,000	-	
Additional Contributions		50,000	50,000	-	1
Training fund to receive		88,500	36,816	(51,684)	
Subtotal	630,000	768,500	716,816	(51,684)	
Other Income	72,250	72,250	42,240	(30,010)	2
Total Income	702,250	840,750	759,056	(81,694)	
Expenses					
Staff Costs					
Salary & On-Costs	508,520	523,826	542,650	(18,824)	
MV Allowance	7,653	6,368	6,695	(327)	
Training & Conferences	8,000	96,500	46,427	50,073	
Total Staff Costs	524,173	626,694	595,772	30,922	
Contractors & Consultants					
Consultants	20,000	20,000	-	20,000	
Professional Services	47,250	67,250	65,177	2,073	2
Total Contractor & Consultants	67,250	87,250	65,177	22,073	
Accommodation & Substances					
Stationary and Office Supplies	6,000	5,020	1,535	3,485	
Occupancy Costs	30,300	27,200	27,200	-	
Information Technology	43,668	48,768	48,768	-	
Media & Communication	500	500	500	-	
Human Resources	7,140	7,140	7,140	-	
Administration	20,400	21,253	21,253	-	
Depreciation		10,227	10,150	77	
Total Accommodation & Substance	108,008	120,108	116,546	3,562	
Total Expenditure	699,431	834,052	777,495	56,557	
Net Surplus	2,819	6,698	(18,439)	(25,137)	

Notes

1. As per IOSS management Committee meeting resolution 20/12/18.
2. Recoverable Consultant Fees budgeted but not yet spent and recouped.

The IOSS recorded a small surplus of \$25,137.00 in 2018–2019 which will be carried forward to the next financial year.

Professional Development

Members of the IOSS have attended the following professional development opportunities:

- Corruption Prevention Network Lunchtime seminar on Whistle-blower legislation and management of internal disclosures on 15 May 2019.
- NSW Ombudsman Public Interest Symposium on 16 and 17 April 2019.
- Matthews Folbigg Lawyers webinar on Enforcement Options for Councils on 16 May 2019.
- Attendance and Presentation at the Public Sector Fraud and Corruption Forum on 5 June 2019.
- 12th National Investigations Symposium 14 and 15 November 2018.
- Promapp Training, attended by the Assistant Internal Ombudsman and Complaint Assessment and Administration Officer.
- Whistleblowing Conference 1 November 2018, attended by the Complaint Assessment and Administration Officer.
- LGNSW Good Governance Forum on 29 November 2018 – The Assistant Internal Ombudsman attended in addition to presenting at the Forum.
- NSW Ombudsman PID Practitioner's Forum 4 December 2018, attended by the Complaint Assessment and Administration Officer.
- ICAC Corruption Prevention in Procurement and Contract Management Workshop 27 March 2018 and 26 June 2018.
- ICAC Probity Forum 27 February 2019.
- Corruption Prevention Network Lunchtime Seminar 20 March 2019.
- ICAC Strategic approaches to corruption prevention senior executive workshop 27 March 2019.

External Stakeholder Liaison

The IOSS continues to engage with other external agencies, including the NSW Ombudsman, Independent Commission Against Corruption, the NSW Audit Office and the Office of Local Government, regarding the work of the IOSS and ongoing liaison.

PART 4: THE YEAR AHEAD

Looking forward, the IOSS again has a busy year ahead, and achieving our strategic goals will be undertaken within a tight resource environment.

Managing complaints

Firstly, we need to ensure that people who come to us receive a service that is fair, professional and as useful as possible. With the increasing volume of complaints, we need to make use of technology so that people can contact us easily, and so that we can find the most efficient way to assist people. While managing individual complaints is important, also of great systemic importance is maintaining a critical eye on areas of complaints that highlight with each Council, trends or issues that need to be addressed at the training, program or policy design and implementation level. This is in line with our Triple Governance Track.

The IOSS has developed a case management system to assist in its complaint management function. Work is currently being undertaken to transfer data into the system to establish a data base. This case management system will provide the platform for the IOSS to report and identify trends more accurately, and enhance the IOSS' accountability mechanisms.

The IOSS has developed a complaint form, which will assist complainants with providing the information necessary for investigating a complaint. This will be made available on the IOSS webpage of each Council's website. The IOSS will also be looking to develop an online form to make it easier for complainants to lodge a complaint

Continuing our work with the member Councils

The IOSS' future direction at this point clearly lies with assisting the three Councils to harmonise and streamline processes and policies to better serve the community, Council staff, Councillors and stakeholders.

The IOSS has met with consultant, Ms Kath Roach, SINC Solutions who was initially



engaged by the member Councils to assist in the establishment of the IOSS in 2017. As detailed earlier in this Report, the IOSS Management Committee agreed that it is prudent, leading into the IOSS' third year of operation, to commence an independent review of the role and work of the IOSS with its findings and any recommendations providing an opportunity for consolidation and improvements to the IOSS.

In anticipation of the independent two-year review of the IOSS' operation, the IOSS has developed a short survey that was provided to all of the Council's staff for their input. This survey will assist in analysing staff's knowledge, understanding and use of the IOSS. City of Parramatta Council's Research and Insights Team have assisted in the development of the survey and analysis of the data collected. The IOSS completed the survey for City of Parramatta Council staff during 3-14 June 2019. The survey was completed at Cumberland Council running from 24 June-5 July 2019, and was completed at Inner West Council 22 July 2019 – 2 August 2019.

We also intend to provide further training and education to the three Councils' staff regarding Code of Conduct, fraud and corruption prevention, probity and procurement, bullying and harassment and other training issues as they arise. We will work with the existing areas of each Council in such matters to hopefully add value to the work already being undertaken.

We will continue to meet with all Council staff at Face-To-Face/Staff Forum/Depot Toolbox talks, to ensure that both internal and outdoor staff are aware of the IOSS and its role and what we have achieved in our second year of operation. With our continued exposure and promotion, staff will continue to see that the IOSS is an avenue of approach if they need to discuss a matter or raise an issue with us, as has been the case previously.

Engaging with the community

City of Parramatta, Cumberland and Inner West Councils are some of the most culturally diverse Local Government Areas (LGA) in NSW, with diverse communities from many non-English speaking backgrounds, religious beliefs and countries of birth creating an unrivalled vibrancy to the LGA.

It's important that we are accessible to all members of community. We are committed to raising awareness of our office by participating in community events, visiting community groups to talk about our work, and ensuring that information about our services is readily available to everyone in an accessible form.

The IOSS is therefore currently developing a strategy with each member Council's Communications team for increased community engagement across the LGA of the member Councils.

APPENDICES

1. Internal Ombudsman Shared Service – Governance Charter
2. Internal Ombudsman Shared Service – Fact Sheet
3. Internal Ombudsman Shared Service – Service Standards



Internal Ombudsman Shared Service

City of Parramatta, Cumberland and Inner West Councils

Governance Charter

1. The Role of the Internal Ombudsman Shared Service

1.1 The Internal Council Ombudsman is a service provided to member Councils who have opted to pool resourcing to fund and facilitate an Internal Ombudsman Shared Service that conducts independent and impartial investigations and reviews into administrative processes and services provided by the member Councils.

1.2 The Internal Ombudsman Shared Service provides residents, community members, ratepayers, local businesses, staff, Councillors and other Council stakeholders with an 'independent ear' regarding complaints about: administrative conduct; unethical behaviour by Council; corrupt conduct; misconduct; or maladministration. All operations of the Internal Ombudsman Shared Service are underpinned by the principles of procedural fairness; accountability; transparency; and fairness.

1.3 The Internal Ombudsman Shared Service will investigate matters within jurisdiction and provide the relevant Council and affected parties with the results of the investigation and make recommendations regarding required corrective action and process improvements where relevant. The Internal Ombudsman Shared Service will also provide member Councils with a proactive education service regarding continuous improvement in administrative processes, good governance and ethical decision-making across all member Council services.

1.4 This Governance Charter and the operation of the Internal Ombudsman Shared Service reflect the commitment of each member Council in operating to a high standard of ethical conduct and decision-making; administrative conduct; corporate governance; and being corruption free.

1.5 This Governance Charter has been agreed upon and adopted by each member Council and the Internal Ombudsman Shared Service Management Committee, and provides a framework for the operation of the service and relevant delegations. This Governance Charter details the functions and powers of the Internal Ombudsman Shared Service and these are subject to change. The Internal

Ombudsman's Governance Charter will be reviewed annually but initially at the end of the first six months of the commencement of the Internal Ombudsman's Shared Service.

1.6 Councils who are part of this shared service have all signed a legal Agreement detailing their obligations in regards to the Internal Ombudsman Shared Service resourcing; scope of the operations; and their required participation on the Internal Ombudsman Shared Service Management Committee.

1.7 The Internal Ombudsman Shared Service will abide by each member Council's Code of Conduct and relevant policies and procedures in relation to any work conducted for, in relation to, or on behalf of the relevant member Council to which the work relates.

2. Scope of the Internal Ombudsman Shared Service

2.1 The operations of the Internal Ombudsman Shared Service apply to all Council functions and activities; staff; Councillors; and other delegates for each member Council.

2.2 All staff, Councillors, and other delegates for each member Council are to cooperate fully with the Internal Ombudsman Shared Service in any investigation to be carried out, and must comply with any lawful direction given by the Internal Ombudsman or associated staff in connection with any investigation undertaken or any recommendation made by the Internal Ombudsman Shared Service pursuant to this Governance Charter.

2.3 All staff, Councillors, and other delegates for each member Council shall be bound by the Internal Ombudsman Shared Service recommendations, once, as relevant to the circumstances, the General Manager or Chief Executive Officer, or Mayor or the elected Council or a Council's Audit, Risk and Improvement Committee has accepted them. The complainant cannot be bound.

3. Management Committee

3.1 The role, functions, resourcing and budget of the Internal Ombudsman Shared Service is administered by the Internal Ombudsman Shared Service Management Committee which is a committee comprising of one (1) representative from each member Council. The Internal Ombudsman Shared Service Management Committee has its own Terms of Reference.

4. What the Internal Ombudsman Shared Service will investigate

4.1 The Internal Ombudsman Shared Service will review and investigate the following types of matters including, but not limited to:

- a) All Council administrative processes, including matters such as: development processes; waste management; sporting and community operations; recreation and environment Council operations; Council Committees; and other staff matters as determined by the Chief Executive Officer or General Manager;
- b) Any failure to comply with Council's Code of Conduct or policies or procedures including but not limited to conflict of interests; tender processes; release of confidential information; other employment; and gifts and benefits. (The applicable provisions of the Procedures of the

Administration of the Model Code of Conduct for Local Councils in NSW will be applied during these reviews where required);

c) Council's lack of attention to matters, or review of Council's complaint handling procedures;

d) Anonymous matters will be considered for review or investigation, but only if adequate detail is provided to allow the matter to be reviewed or investigated;

e) Receipt and referral of allegations of poor administration; unreasonableness; maladministration; corruption; or other alleged improper conduct by Council or Council Officials;

f) Referral of internal matters from a General Manager or Chief Executive Officer, Mayors, Internal Audit; and external government agencies including but not limited to the following agencies: the NSW Independent Commission for Corruption (the ICAC); the NSW Ombudsman; or the Office of the Local Government;

g) Public Interest Disclosures and including breaches of disclosure obligations.

4.2 The Internal Ombudsman Shared Service may instigate its own investigations on matters without first receiving a complaint, upon approval from the Internal Ombudsman Shared Service Management Committee.

4.3 The Internal Ombudsman Shared Service may also provide ad-hoc or written probity advice to staff; Councillors; or Council delegates.

5. What the Internal Ombudsman Shared Service will not investigate

5.1 The Internal Ombudsman Shared Service will NOT review and investigate, or will cease to investigate the following types of matters including, but not limited to, matters in which:

a) They have not firstly been reviewed or investigated in accordance with the member Council's relevant Complaints Management Policy;

b) They are not part of Council's functions or businesses;

c) The complainant has had knowledge of the matter for more than six (6) months before making the complaint unless it is a complaint about a staff member or a Councillor (see below);

d) They relate to the conduct of staff or Councillors or delegates, where the complainant has had knowledge of the matter for more than three (3) months before making the complaint (refer to the Procedures of the Administration of the Model Code of Conduct for Local Councils in NSW);

e) They require initial referral to external agencies including but not limited to: the NSW Independent Commission for Corruption (the ICAC); or the Office of the Local Government; or the NSW Ombudsman; or the NSW Police;

f) Adequate details of the complaint are not available to allow proper investigation;

g) They are frivolous, vexatious or not made in good faith or concern a trivial matter;

h) An adequate remedy of right of appeal already exists, whether or not the complainant uses that remedy or right of appeal;

i) They are already before or under investigation by a court, coroner or other tribunal or government agency;

j) They relate to the appointment or dismissal of an employee or any industrial or disciplinary issue, other than in relation to the administrative process of the appointment, dismissal or disciplinary issue;

k) They concern a private individual;

l) Resources are not available, or the matter is of a low priority;

- m) The complainant declines or refuses to provide further information to allow investigation and/or there are threats made against Council;
- n) It concerns a review of a decision of the elected Council, or committee of Council, or matters awaiting determination;
- o) It relates to a planning decision.

5.2 However, any matters that are listed above but are considered systemic; reflect a pattern of conduct; and/or are serious and significant; may be investigated immediately, or reviewed by the Internal Ombudsman Shared Service at the Internal Ombudsman Shared Service Management Committee's discretion.

5.3 The Internal Ombudsman Shared Service may refer matters as appropriate to any other internal Council departments or senior person to investigate a matter; or to any external government agency to investigate as appropriate.

5.4 The Internal Ombudsman Shared Service will not act as a community advocate, nor support any organisation or body; or defend Council.

5.5 When the Internal Ombudsman Shared Service decides not to investigate, or ceases to investigate a matter, the Internal Ombudsman Shared Service will inform the complainant in writing of the decision and provide the reason for the decision.

6. Who can make complaints?

6.1 Anyone can make a complaint to the Internal Ombudsman Shared Service as long as it concerns one of the member council's operations and functions and is within the Internal Ombudsman Shared Service's jurisdiction. Complaints may be received from: residents; community members; ratepayers; local businesses; staff; Councillors; and other Council stakeholders.

6.2 Complaints must be made in writing to either the member Council, or direct to the Internal Ombudsman Shared Service.

6.3 Internal Ombudsman Shared Service staff are available in person or by telephone to discuss matters as to whether the Internal Ombudsman Shared Service is the correct entity to handle the complaint, or refer matters appropriately.

6.4 Internal Ombudsman Shared Service staff can provide assistance to persons who wish to make a complaint but are unable to submit a written complaint themselves.

7. Who pays for the services?

7.1 Each member Council contributes financially to the operation of the Internal Ombudsman Shared Service, as agreed upon and detailed within the *Internal Ombudsman Shared Service Management Committee – Terms of Reference*, and the legal Agreement between the member Councils.

7.2 There is no charge to lodge a complaint to the Internal Ombudsman Shared Service or have a matter reviewed or investigated.

8. Confidentiality and Privacy

8.1 All parties to a matter investigated by the Internal Ombudsman Shared Service are required to maintain confidentiality in relation to all correspondence and reports; any conversations or discussions; and any interviews conducted. The processes of the Internal Ombudsman Shared Service are undertaken in private, and in a secure location.

8.2 Records management and the handling of personal and private information within the Internal Ombudsman Shared Service are in accordance with the relevant member Council's Code of Conduct. The Internal Ombudsman Shared Service will manage and maintain strict separation and confidentiality of each individual member Council's records.

8.3 Staff and Councillors are also bound by the confidentiality and privacy provisions of Council's Code of Conduct.

8.4 Complainant's details will not be disclosed unless written consent from the complainant has been provided.

9. Access to information

9.1 The Internal Ombudsman Shared Service will have access to all relevant information upon which to conduct a fair investigation, and will not seek to access any irrelevant information from any member Council or related party. Each Council's records will be managed separately and confidentiality will be maintained individually for each Council and in accordance with the Code of Conduct. Any investigation of electronic information held by Council, will be undertaken in accordance with relevant legislation and Council policies.

9.2 The Internal Ombudsman Shared Service may enter and inspect any member Council premises and engage in conversations with persons; obtain or create records; make requests for information or records; and remove information or records from Council premises.

10. Reviews and Investigations

10.1 The process for reviews and investigations conducted by the Internal Ombudsman Shared Service will operate around the following basic principles, as the Internal Ombudsman Shared Service considers necessary:

- a) Review of the matter as to its jurisdiction and priority allocated;
- b) An acknowledgement letter will be sent to the complainant;
- c) Preliminary documentation review of any records or information available in relation to the issues raised; including any current policies and procedures applicable to the matter; and site inspections where relevant;
- d) Interviews with the relevant person(s);
- e) Preparation of a confidential report to the relevant General Manager or Chief Executive Officer or as appropriate to the Mayor or the Council (see 11.3) or the Chairman of the member Council's Audit, Risk and Improvement Committee, which will include:
 - i. A review of the evidence available to the investigation.
 - ii. Determinations on the complaint.

- iii. Appropriate recommendations on the matters investigated.
 - iv. Any other issues identified which are not directly associated with the matters under review or investigation will be noted for further review by Council.
- f) A letter to the complainant detailing the results of the investigation, and any actions, if appropriate giving consideration to relevant privacy legislative requirements. Information provided to the complainant detailing the results of some investigations may therefore be limited.

10.2 The procedures adopted and undertaken by the Internal Ombudsman Shared Service will comply at all times with relevant legislation, Council policies and follow best practice.

10.3 The timeframe for the investigation will be determined by the allocation of the priority of the matter, and other work constraints of the Internal Ombudsman Shared Service.

10.4 The Internal Ombudsman Shared Service may refer matters to other bodies, internal or external to Council for investigation, due to the nature of the matter; or the current resourcing or skills of the Internal Ombudsman Shared Service; or the urgency of the matter.

11. Reports and Recommendations

11.1 Where, after completing an investigation, the Internal Ombudsman is of the opinion that a decision, recommendation, act, omission or procedure of an employee or Councillor or delegate of the Council:

- a) Is contrary to law;
- b) Is unjust, oppressive or improperly discriminatory;
- c) Is based on a rule of law or practice that is unjust, oppressive or improperly discriminatory;
- d) Is based in whole or in part on a mistake of law or fact or on an irrelevant ground or consideration;
- e) Is related to the application of arbitrary, unreasonable or unfair procedure;
- f) Was made without providing adequate reasons; or
- g) involves maladministration or misconduct of any kind;

then the Internal Ombudsman Shared Service shall provide a confidential written report of the opinion, with reasons, to the relevant General Manager or Chief Executive Officer, or as appropriate, to the Mayor or the Council (see 11.3) or the Chairman of the relevant member Council's Audit, Risk and Improvement Committee.

11.2 In making an investigation report, the Internal Ombudsman Shared Service may recommend to the relevant General Manager or Chief Executive Officer or as appropriate, to the Mayor or the Council (see 11.3) or the Chairman of the relevant member Council's Audit, Risk and Improvement Committee that:

- a) The matter be referred to the General Manager or Chief Executive Officer for further consideration;
- b) An omission or delay be rectified;
- c) A decision or recommendation by an employee or employees of the Council be revoked or varied;
- d) Reasons be given by an employee or employees of the Council for a decision;
- e) A practice or procedure be altered;

- f) A statute, regulation or by law be reconsidered;
- g) The Council pay compensation to a complainant;
- h) The Council provide a particular service;
- i) The Council amend, or not impose, a charge or condition in relation to a particular service, application or consent;
- j) The Council supply a good or service or undertake any necessary corrective or other work to resolve a complaint;
- k) The Council make an appropriate correction, deletion or addition to a record; or
- l) Such other steps are taken as the Internal Ombudsman Shared Service considers reasonable and just.

11.3 It is the General Manager or Chief Executive Officer's responsibility to address recommendations made by the Internal Ombudsman Shared Service and ensure their implementation within the Council. The exception to this is when a conflict of interests may occur by referring the matter to the General Manager or Chief Executive Officer in which case the matter is referred to the Mayor. If for some reasons both the General Manager or Chief Executive Officer and the Mayor are perceived to have a conflict of interests, then the matter is referred direct to the elected Council to address the recommendations. The report on a complaint against the Mayor, General Manager or a Councillor in relation to a Code of Conduct breach, is reported in accordance with the Procedures of the Administration of the Model Code of Conduct for Local Councils in NSW. In the Internal Ombudsman Shared Services model, subject to the requirements of the Model Code of Conduct for Local Councils in NSW, the General Managers and Chief Executive Officer have agreed that in relation to the Internal Ombudsman's report following investigation of a complaint against one of them, this may be referred by the Internal Ombudsman to either the Chief Executive Officer or General Manager of the other Member Councils.

11.4 Each member Council is required to record each recommendation made by the Internal Ombudsman Shared Service; take appropriate action; and record what action has been taken by Council, by whom and when, for each recommendation made by the Internal Ombudsman Shared Service. The Internal Ombudsman Shared Service has the right to request at any time from each member Council, information regarding Council's action on previous report recommendations. Any concerns that the Internal Ombudsman Shared Service has regarding the failure of the member Council to implement the Internal Ombudsman Shared Service recommendations, may be reported to the elected Council, the Chairman of a Council's Audit, Risk and Improvement Committee and/or the relevant government agency as appropriate. A matter would be referred directly to the Chairman of the relevant member Council's Audit, Risk and Improvement Committee should the Internal Ombudsman Shared Service have concerns regarding Council's inaction or in serious matters.

11.5 The Internal Ombudsman Shared Service cannot amend any operational decisions made by Council or Council officers.

11.6 The Internal Ombudsman Shared Service may from time to time document and implement its own specific procedures and processes regarding the management and investigation of matters.

12. Review of an Internal Ombudsman Decision

12.1 No proceeding of the Internal Ombudsman Shared Service is necessarily negated or invalid because of technical defects in the conduct of the investigation. Any such defects in the conduct of an investigation will be considered individually in terms of their impact on the outcome of the investigation.

12.2 The Internal Ombudsman Shared Service's recommendations can only be reviewed by a body external to the Internal Ombudsman Shared Service and member Council.

13. Breach and Penalty

13.1 A person who wilfully and without justification:

- a) Obstructs, hinders or resists the Internal Ombudsman Shared Service or any other person in the performance of the functions and duties of the Internal Ombudsman Shared Service under this Governance Charter;
- b) Fails to comply with a request of the Internal Ombudsman Shared Service; or
- c) Makes a false statement to, or misleads or attempts to mislead, the Internal Ombudsman Shared Service or any other person in the exercise or performance of the functions and duties of the Internal Ombudsman Shared Service under this Governance Charter;

will be guilty of a breach of this Governance Charter and if a Council official, may be liable to disciplinary action in accordance with Council's Code of Conduct and other relevant policies.

14. Performance Reporting

14.1 In addition to the confidential reporting of each matter investigated to the member Council, the Internal Ombudsman Shared Service will prepare and submit quarterly reports to each member Council, or as determined by the Internal Ombudsman Shared Service Management Committee, on the operations of the Internal Ombudsman Shared Service shared service.

14.2 The Internal Ombudsman Shared Service Performance Report will include but not limited to the following details:

- a) A summary of the matters received including: how they were processed; the source of the complaint; and the types of complaints received.
- b) A summary of the investigations conducted and their recommendations.
- c) Educations activities conducted.
- d) Probity advice provided.
- e) Promotion and media activities.
- f) Issues identified for future review.
- g) Trends identified in matters received or investigated.
- h) Other performance indicators.
- i) Financial performance.
- j) Future directions
- k) Other procedural matters of note.

15. Resourcing and Review

15.1 Staffing of the Internal Ombudsman Shared Service regarding the number of staff appointed to the service; who is appointed to the key roles; and their ongoing performance and other staff related matters; are determinations made by the Internal Ombudsman Shared Service Management Committee. Staff will be appointed to the Internal Ombudsman Shared Service based upon merit selection, and shall have no relevant conflict of interests with the member Councils, or have any public political affiliations.

15.2 The term of appointment of the Internal Ombudsman will be for three (3) years and is subject to ongoing satisfactory performance.

15.3 The Internal Ombudsman Shared Service shall report administratively to each member Council's General Manager or Chief Executive Officer, and to the Internal Ombudsman Shared Service Management Committee regarding all other matters.

15.4 Other resources required by the Internal Ombudsman Shared Service to effectively operate the service will be determined and funded by the Internal Ombudsman Shared Service Management Committee.

15.5 Apart from the initial review of the new Governance Charter after the first six months of operation, the operation of the Internal Ombudsman Shared Service and this Governance Charter will be reviewed on an annual basis by the Internal Ombudsman Shared Service Management Committee.

16. Media Policy

16.1 The Internal Ombudsman Shared Service with the endorsement of the Internal Ombudsman Shared Service Management Committee, may issue media statements and make public comment on any matters relating to the Internal Ombudsman Shared Service.

16.2 All media inquiries regarding the Internal Ombudsman Shared Service are to be directed to, and addressed by the Internal Ombudsman.

16.3 Where the Internal Ombudsman Shared Service considers it to be in the public interest, or in the interest of a person or the member Council, the Internal Ombudsman Shared Service may, with the endorsement of the Internal Ombudsman Shared Service Management Committee, publish a report relating generally to the performance of duties under this Governance Charter or to a case investigated by the Internal Ombudsman Shared Service, whether or not the matters in the report are the subject of a report to Council under this Governance Charter.

17. Definitions

Confidentiality Means the characteristic of information being disclosed only to authorised people or organisations in the authorised manner.

Corruption As per the definition in the *Independent Commissions Against Corruption Act 1988* Section 8.

Council	Means all member Councils who have signed the Agreement to be part of the Internal Ombudsman Shared Service, and may include the elected Council and/or an appointed Administrator.
Councillors	Means the elected Councillors of each member Council.
General Manager/Chief Executive Officer	Means the General Manager or Chief Executive Officer (or equivalent, or their delegate) as appointed by each member elected Council.
Internal Ombudsman	Means the person appointed to the position of Internal Ombudsman of the Office of the Internal Ombudsman established by the Internal Ombudsman Shared Service Management Committee on behalf of its member Councils.
Internal Ombudsman Shared Service	Means the staff; procedures; and activities of the Internal Ombudsman Shared Service established by the Internal Ombudsman Shared Service Management Committee on behalf of its member Councils.
Maladministration	As per the definition in the <i>Public Interest Disclosures Act 1994</i> .
Procedural Fairness	Means that a person is entitled to know the facts and issues of a matter to be determined in order to allow preparation of the person's case. Decisions should be made, without bias, in a timely manner but with a person being given adequate time to present their case and participate in the decisions which affect them.
Unreasonableness	Means decisions or actions so unreasonable that no reasonable person would so decide or act. This term could include arbitrary, unfair or inequitable decisions or actions; the application of a policy inflexibly without regard to the merits of the incurred case; serious delays in making a decision or taking action.

18. References

Internal Ombudsman Shared Service Management Committee - Terms of Reference

Office of Local Government Model Code of Conduct for Local Councils in NSW

Office of Local Government Procedures of the Administration of the Model Code of Conduct for Local Councils in NSW

Local Government Act 1993

Ombudsman Act 1974

NSW Ombudsman's Effective Complaint Handling Guidelines

Independent Commission Against Corruption Act 1988

Public Interest Disclosures Act 1994

Privacy and Personal Information Protection Act 1998



Internal Ombudsman Shared Service City Of Parramatta, Cumberland and Inner West Councils Service Standards

The Internal Ombudsman Shared Service provides a range of services to add value and assist in the provision of good administrative conduct, governance and customer service for City of Parramatta, Cumberland and Inner West Councils.

We do this in three main ways, using what we call the 'Triple Governance Track', through **Prevention** such as assisting in policy review and development, and providing advice on probity matters particularly to staff and Councillors; **Education**, through the delivery of or assistance with the development of various training programmes; and **Investigation** of complaints within our jurisdiction and in accordance with each Council's Complaint Handling Policy with the view to making recommendations for improvement. Our work is governed by the Internal Ombudsman Shared Service Governance Charter and this sets out what the Internal Ombudsman can and cannot do and how it is to undertake its work.

The purpose of this Service Standards document is to identify common requests and services of the Internal Ombudsman Shared Service, and set baseline Service Standard deliverables for them. Requests for the Internal Ombudsman's involvement come from the community and from staff and Councillors within City of Parramatta, Cumberland and Inner West Councils.

The following table details common requests and services we receive by phone, email or in person, and our commitment to you:

Service/Request	Description	Service Standard
General Advice	Providing advice on probity matters to Council staff and Councillors.	Response provided within 5 working days
Policy Review	Request to review Council policies.	Response provided within 5 working days
Policy Development	Development of new policies for Council.	Response provided within 7 working days
Training Development	Assistance with the development of various training programs for Council.	Response provided within 10 working days
Training Delivery	Delivery of various training programs for Council.	Acknowledgement provided within 3 working days, with timeframe for delivery as agreed

Child Protection Matters	Assistance with child protection matters, including notification to the NSW Ombudsman, for Council.	Acknowledgement provided within 1 working day and responsive action according to seriousness
Documentation Review	Request to review Council documentation.	Response provided within 5 working days
Complaint - Acknowledgment	Acknowledgement for new complaints from the community, staff and Councillors.	Acknowledgement provided within 3 working days
Complaint - Investigation	Investigation for new complaints.	Investigation completed within 6 weeks, unless complex at which point the complainant will be provided with reasoning for delay in investigation
Complaint – Final Report	Final report to be provided to the General Managers or Chief Executive Officer of the relevant Council for the complaint.	Final report provided within 2 weeks of the completion of the investigation
Complaint – Recommendations	Follow up of the recommendations with the General Managers or Chief Executive Officer of the relevant Council for the complaint.	Within 3 weeks of the final report being provided
Management Committee Report	Report of the IOSS work provided quarterly to the General Managers and Chief Executive Officer of the member Councils.	Report provided within 5 working days of the management committee meeting

We are committed to providing effective, efficient, responsive, and high quality services to all our customers; our internal service standards encompass:

Responsiveness – we will respond promptly to written, telephone, and email inquiries in a pleasant, helpful, and professional manner with notice of completion date.

Service Quality – we will be knowledgeable, courteous, and dedicated to the effective and professional performance of our duties and responsibilities.

Effectiveness - we will strive to find solutions.

Efficiency - we will respond promptly to requests for assistance or advice; and we will make every effort to provide concise and accurate information.