

Welcome from the editor—Jo Carden

Welcome to the first edition of the Ombudsman Victoria Bulletin. This will be a quarterly update providing information about Ombudsman Victoria's activities and learnings for the industry. Please forward this bulletin on to others in your organisations who may benefit from this information.

Message from the Ombudsman

“In October my jurisdiction increased and I established a new unit to specialise in TAC and WorkCover matters. Jo Carden joined Ombudsman Victoria to head the new unit. She has established a strong network encouraging effective complaints management and I look forward to further improvement across the industry.”

—G E Brouwer, Ombudsman.

The new unit

Ombudsman Victoria has established the Transport Accident and WorkCover Unit.



The new unit: Manager Jo Carden, outreach coordinator Alexa Powell and investigation officers Kirrily Graydon and Russell Bennett.

The purpose of the new team is to:

- Concentrate expertise within Ombudsman Victoria;
- Create strong networks for complaints resolution;
- Educate the public and industry about Ombudsman Victoria;
- Educate the public and industry about the legislative change that has extended jurisdiction; and
- Ensure industry improvement in complaints management in the longer-term.



The unit's update

We have met with many people working to resolve complaints and improve service delivery throughout TAC, VWA, WorkCover agents and the self-insured organisations.

In addition to this, we have met other interested parties such as Members of Parliament, union representatives, Union Assist, WorkCover Assist, the Medical Panel and ACCS.

You may see targeted media coverage in the industry as Ombudsman Victoria continues to raise the awareness of its enhanced role and jurisdiction.

Ombudsman Victoria needs to be satisfied there are sound complaints management processes throughout the industry. In November, the TAC and VWA provided Ombudsman Victoria with an overview of their complaints management systems and process changes and I look forward to gathering the same information across the industry. This provides a valuable insight into your complaints management framework and helps us understand a complainant's experience when these processes are used.

Previous complaints review

Ombudsman Victoria has completed a review of previous complaints. From a sample of complaints received in 2003 to 2005, 70 per cent were about medical and rehabilitation, income benefits and service delivery. Complaints appear to be driven by failure to respond to requests; failure to pay for treatment; failure to communicate a decision; or delays in making a decision. Other complaint types include premiums, eligibility, conduct, Work Safe and access to information.

The key learnings from this review were identified and some have been outlined as follows:

Meeting expectations

People are more likely to complain if an expectation is not met.

Consider the messages in your communication products such as websites, letters, service charters, guidelines, policies and the expectations set in daily claims management.

Timely responses

Complaint escalation is more likely to occur if the resolution is not efficient.

Consider the timeliness of the response and keeping people up to date.

Learning-at the local level

Not involving the decision maker in the complaint management can result in repeated complaints about the same issue.

Consider the preservation of your long-term relationship with injured workers/clients.

Learning-at the corporate level

A complaint is an opportunity to review a work practice, strategy, policy or tool.

Consider the resolution of one complaint as an opportunity to avoid future complaints.

Complaint enquiries by Ombudsman Victoria were resolved quickly when the agent:

- Clearly documented its actions during the decision making process;

- Included in the decision letters the list of evidence considered when making the decision, the detailed reasons and the appeal options;
- Clearly documented its actions during the complaint management process; and
- Communicated the complaint review outcomes in writing to the complainant.

Ombudsman Victoria may refer a complaint to an agent for a direct response. Exercising the internal complaints management processes provides an opportunity for the agent to resolve a matter without a third party being involved and maintains the relationship with an injured worker or client. Of the complaints we referred back to an agent, 40 per cent returned to this office. This reinforces the role of Ombudsman Victoria as an office of last resort.

Request for information

Freedom Of Information Act 1982 and Section 107 Accident Compensation Act 1985

Ombudsman Victoria receives a number of complaints that requested information cannot be found by the agent. After Ombudsman Victoria makes enquiries, the information is often subsequently located. You may find the following checks useful in locating files and documents at the time of the request, which may prevent the matter being escalated to a complaint:

Electronic documents and files

Consider the databases searched and by what method. Consider the network drives and folders searched and by what method.

Hard copy documents and files

Consider the searches undertaken to locate physical documents relevant to the request including: what archive/storage files were searched, other files and by what method.

Who and how

Review the relevant areas and officers to undertake searches. Consider a call for files through email or memos as well as a physical search.

Emails

Look at how backups are conducted of your computer network and how often. Consider the software used to conduct the backup, the methods available to search the backup, and who conducts the backup.

Lost documents

To assist an applicant, consider reconstruction of lost records using other system data.

Ombudsman Victoria has an interest in ensuring applicants are able to access information in accordance with their legal rights. Dallas Mischkulnig, Manager of the Legislative Compliance Unit, and I are planning an information session next year for those people in the industry who receive the requests for information and manage the complaints that arise from these requests.

Future editions

We welcome enquiries about this publication. The purpose is to provide you with information that can assist you in your roles and the relationship you have with Ombudsman Victoria. Recommendations for future editions can be forwarded to:

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