

ACCOUNTABILITY AND OVERSIGHT COMMITTEE

Inquiry into education, training and communications initiatives of Victorian oversight agencies

Melbourne — 7 August 2017

Members

Mr Neil Angus — Chair

Ms Jaclyn Symes — Deputy Chair

Mr Michael Gidley

Mr Luke O’Sullivan

Mr James Purcell

Mr Nick Staikos

Ms Marsha Thomson

Witnesses

Ms Deborah Glass, Ombudsman, and

Ms Christina DiPierdomenico, Head of the Executive Office, Victorian Ombudsman.

The CHAIR — I declare open the public hearing for the Accountability and Oversight Committee inquiry into education, training and communications initiatives of Victorian oversight agencies. I would like to welcome from the Office of the Victorian Ombudsman Ms Deborah Glass, the Victorian Ombudsman, and Ms Christina DiPierdomenico, the strategic advisor and manager from the executive office.

All evidence is taken by the committee under the provisions of the Parliamentary Committees Act. It attracts parliamentary privilege and is protected from judicial review. Comments made outside the hearing, including on social media, are not afforded such privilege. Witnesses will not be sworn and are requested to answer all questions succinctly, accurately and truthfully. Witnesses found to be giving false or misleading evidence may be in contempt of Parliament and subject to penalty. All evidence given today is being recorded by Hansard, and you will be provided with proof versions of the transcript for verification as soon as they are available. Verified transcripts, presentations and handouts will be placed on the committee's website as soon as possible. All written communication to witnesses must be provided via officers of the committee secretariat.

Members of the public gallery cannot participate in the committee's proceedings in any way and cannot photograph, audio record or video record any part of these proceedings. I do not think we have the media here, so we do not have to worry about them. I now invite the witnesses to make an opening statement, and that will be followed by questions from the committee members. Thank you both for coming along today.

Ms GLASS — Thank you for inviting me to appear before your inquiry today. As an independent officer of the Victorian Parliament, I am particularly keen on regular and meaningful engagement with my committee, and I am pleased to provide formal evidence for what I believe is the first time in your tenure. Your current inquiry is into education and training, and I am pleased to update you on the progress of my public sector education program.

First, some background. As you know, unlike some other Ombudsman offices in Australia or IBAC, I do not have a statutory function to deliver education and training. I suspect the reason for that is that the relevant parts of my legislation have not been updated since 1973, although happily this is also under review. But the practical result is that historically my office's education initiatives have been very limited — mostly ad hoc responses in response to invitations from the local and the state government sector.

This is an area I took a keen interest in when I came into the role three years ago as part of a broader focus to build the capacity of public sector agencies and to improve public sector administration. The advice from the Victorian Public Sector Commission was that there was little training available for frontline public servants, particularly in relation to core areas of Ombudsman work, such as complaints handling and managing conflicts of interest. I was also aware that both the New South Wales and Queensland Ombudsman offices deliver public sector education programs on a fee-for-service basis.

Last year my office began a pilot to deliver public sector education using a similar model to the New South Wales and Queensland Ombudsman offices. We identified four initial topics. In our first pilot year we developed and delivered programs on two of them: good complaint handling and identifying and managing conflicts of interest. Each stream is launched with a masterclass targeted at public sector leaders and followed up with a series of smaller interactive workshops. In the pilot year we ran 16 sessions for 519 public sector workers, consisting of three masterclasses and 13 workshops. The sessions delivered so far have been very successful, and I am pleased to provide the committee with a snapshot of the feedback. I may, perhaps, just hand this to you.

We have also begun to measure the program by following up with agencies to see how practice has improved as a result of the training. Over the next few years I plan to increase the program offerings to include investigation skills and responding to challenging behaviours, a subject which may even be of interest to members of Parliament.

The committee should be aware that I am not funded to carry out this function. While courses are offered on a fee-for-service basis, some investment is inevitably required to develop the courses, which has added somewhat to the strain on my existing resources. Despite this I am convinced of the importance of this work in complementing my enquiries and investigation work. For example, conflict of interest is a perennial issue for my office. A succession of Ombudsman reports over many years has highlighted the importance of managing conflicts, yet the cases continue. The education program is another, possibly more effective way to improve the

capacity of agencies to deal with this important issue. I am, of course, very happy to answer any questions you may have.

The CHAIR — Thank you very much for that. Thank you for that updated document as well. I just want to follow on from your comment made in your verbal submission just then but also in your written submission. In clause 35 you talked about the Ombudsman Act being amended to specifically include that educative function or role for your office. Could you just expand on that a little bit more in terms of how you might see that taking place?

Ms GLASS — We do not need to reinvent the wheel here. IBAC has an education and training function in its legislation, as do some other Ombudsman offices around Australia and as indeed do industry ombudsmen, so what I would envisage — what would be consistent, I think, for my office, particularly bearing in mind that my office has far and away more contact with the public and far more intelligence relating to public concerns than IBAC or other integrity agencies in Victoria — is that it would complement my statutory functions to have something in the legislation that provided for it.

The CHAIR — Have you articulated that desire more broadly than with our committee?

Ms GLASS — Very much so. As you would be aware there was a consultation last year sponsored by the Department of Premier and Cabinet to all the integrity bodies. My office, among others, made submissions in response to that, and one of those was in relation to an explicit education and training function, and I understand that this is under review along with other amendments to the Ombudsman's jurisdiction.

Mr PURCELL — In regard to the training, how many public servants have actually been trained through your training processes?

Ms GLASS — To date I think the number I have given is 519.

Mr PURCELL — I just go back to the terms of reference that the inquiry is undertaking, and the second part of that is one that I would like your opinion on. It says:

How well are the roles, powers and processes of these bodies understood by the Victorian public?

How well do you believe that your role and the role of your office are understood by the public?

Ms GLASS — Not particularly well. I think the public sector is different; I think the public sector has a pretty good understanding of the role and functions of my office. I do not think that is the case with the public at large. For example, I get some 40 000 complaints a year to my office. First of all I suspect that is a fraction of the number of grievances that the public has in relation to their dealings with the public sector, bearing in mind this includes, for example, all local councils, but I think what is more telling is that many of the contacts to my office are not in fact even relevant to the Ombudsman's powers and functions. People will complain to my office about all kinds of things outside my jurisdiction, including their contacts with industry, their contacts with local businesses, so there is I think an important piece of work to be done, which I would be very keen to undertake, to provide better education and training to the Victorian public.

Mr PURCELL — So what you are saying is you believe that it is fairly well understood by the public service but by the general public not so well understood.

Ms GLASS — I do, yes.

Mr PURCELL — Okay, and probably the other is the fifth point of inquiry. It says:

Is there a need to strengthen the education and training functions for each of these bodies through legislation or other means?

Do you believe there should be increased legislation to require for the education and training?

Ms GLASS — I do. I think there needs to be a legislative function for my office to deliver education and training. Of course it is possible for me to do it without it, as indeed I am doing at present, but, without the specific function, first of all there is no funding stream attached to that. Admittedly there is not necessarily a funding stream anyway, but at least if Parliament requires me to do something, there is a much more powerful argument to ensure that I am properly equipped to do the job, as indeed IBAC is. They have a team of people

that engages in education and training. So it is necessary to ensure that it does not become one of those add-on functions that an office does if and when it has the capacity to do so. I think it is too important for that.

Mr PURCELL — And would you suggest that it needs to be fairly broad, that legislation, because of changes in methods of providing education? If we had written it 10 years ago, it would have been written to a thousand people, I presume, whereas now it would be through mass media and the rest of it. So it needs to be fairly broad, that legislation, would you suggest?

Ms GLASS — I think it does. It needs to provide that the function exists for the office, in the same way that my office has the function to investigate protected disclosures, for instance, and the detail of that does not need to be prescribed in legislation. It simply needs to provide for the function, and I think the practical reality would take care of itself.

Mr GIDLEY — Ms Glass, I was curious as to why there was not an educative function required, and you have outlined probably some of the reasons for that, particularly given other Ombudsman jurisdictions have had that. I would imagine, given the enormous amounts of demands on your resources, it would be quite difficult to prioritise an education function, not because it is not worthy but, if you do not have it as a legislated requirement, given the stretch on your resources.

Ms GLASS — That is right, but even so, as you will have heard from my opening remarks, it is still important enough without having the dedicated function to do it anyway. My colleague who sits alongside me in fact has been leading this program for the last few months and indeed delivering a number of the sessions herself, which is probably the reason that our feedback for facilitators is universally positive. She is very good at it.

That said, I am not required to do it, and indeed should there be enormous pressure on my office, as will arise from time to time, there is that focus on resources, which is always a challenge. I do not want to do this function unless I am doing it well, and at the moment we are doing it well, but I would not want to commit to doing it otherwise.

On the point around where do these things come from, the Victorian Ombudsman is one of the oldest of the parliamentary ombudsmen in Australia, and the early legislation was not looking at such matters as education and training. It really is only the later integrity agencies that have come into existence that are focused on this incredibly important area, and all of that simply highlights the need that I have spoken about elsewhere to bring the legislation of my office up to the modern day.

Mr GIDLEY — I would imagine on the education front — and maybe Ms DiPierdomenico could also comment on it — that there would be a range of skills and levels of the things you are providing in different agencies across Victoria. Could you provide any comments on the education functions that you might have done in the municipal sector in particular? How has that been received?

Ms DiPIERDOMENICO — We have people within both the VPS and local councils who come to our workshops. In the pilot year we ran workshops on good complaint handling and on dealing with conflict of interest. We were also invited by Northern Grampians Shire Council to actually go out to them and deliver our good complaint handling workshop to all of their managers and senior leaders as well, so what we are getting is really good engagement from local councils.

We also have another couple of councils in this part of the year that we will be going out and delivering both good complaint handling and dealing with conflict of interest to, and part of that, as you will see in the feedback form that we have given you, is that one of the councils who attended our early training has then changed their complaints policy to align with what we see as good practice and has invited us back to actually now deliver training to their staff as well.

Mr PURCELL — Just one if I may, through the Chair. I see that the office undertook a survey in 2015 of 1000 people et cetera, and it resulted in that younger people were less likely to know of the office. Has there been any work done since that for similar surveys?

Ms GLASS — We have not yet followed that up. I intend to do so. The intention was always to do that in probably three, four-year cycles. So yes, that is something that will be planned but has not yet been undertaken. What that survey has done has given us a good benchmark, however, on which to measure.

The CHAIR — Just coming back to your written submission, in relation to the diploma of government investigations you said at paragraph 10 that you were looking at offering a separate but similar diploma course in 2017. Can you please just update the committee in relation to the status of that and the take-up and so on?

Ms GLASS — That has been postponed, that particular one. One of the things we probably had not quite as accurately estimated as we might have is the length of time it takes to develop a really high-quality offering. So yes, we could have delivered the same sort of course we had done previously, but what we wanted to do was ensure that it was the best it could be, and given the work we already had in train, given the courses that we had already developed and were on offer and given the very limited resources we have actually been able to devote to this, we are having to pace our offerings. So that one will not be delivered in 2017–18.

The CHAIR — Thank you for that. Just following on from Mr Purcell's question in relation to the survey of 1000 people, in general terms can you just expand again for the committee in relation to: when someone does a course with you — you have gone out there — how are you evaluating that? Are people providing feedback at the time, or are you looking down the track? How does that process work?

Ms GLASS — There are two different issues. The survey was simply a public survey that we commissioned, the same way that anybody would commission a survey about any issue to ensure that it was statistically accurate. That is not the same as the feedback we get in relation to the specific offerings we make. I am not quite sure which —

The CHAIR — No, in terms of the feedback from your specific offerings, then, can you just expand for us in relation to how that is obtained? Is that voluntary? Do people do it at the time?

Ms GLASS — Perhaps I could invite my colleague.

Ms DiPIERDOMENICO — At the end of each workshop we give people a feedback form to fill out. It is absolutely voluntary for them to fill it out, and we have had an almost 100 per cent completion rate around that. In the form that we have given you, you will see the KPIs that we actually measure against. We ask three key questions at the time: 'Was it useful content?', 'Were the facilitators engaging?' and 'Overall were you satisfied with the course?'. We also ask them some free text questions around how we can improve our training but also what they have learned and what they are going to implement back in their workplace.

We have recently also started a pilot of doing some measuring of the impact, kind of three to six months after people have attended our training. In those questions we ask them: 'What were some of the key messages that you have taken?' and 'What have you done' — essentially — 'and what have you implemented since we delivered the training or you attended the workshop?'. We are evaluating that now and are looking to how we roll that out in an effective way down the track.

The CHAIR — On that then, have you had a reasonable take-up in terms of people responding to that subsequent inquiry?

Ms DiPIERDOMENICO — Yes, so we have run a pilot, and that pilot has been successful. People have responded to that for us.

The CHAIR — So they are happy to come back to you?

Ms DiPIERDOMENICO — Yes, they are happy to come back to us to say, 'Here's what we've done since then'. In this particular pilot it was, 'We've implemented a new complaints policy and procedure' — referring back to the council I was talking about before — and they are asking the Ombudsman to actually now come back and deliver training to all of their staff. One of their key takeaways was that they sent three or four people through to our workshop. They found that really valuable because it starts to build a culture within the organisation to then start to make some cultural change as well.

The CHAIR — Okay, that is good. So you have had no shortage of feedback from your participants?

Ms GLASS — No, no. We get excellent feedback, and we invite and encourage it.

The CHAIR — That is good. That is excellent. That obviously gives strength to your argument about your whole role in that space.

Ms GLASS — Indeed.

The CHAIR — That essentially concludes the hearing. I thank you both for coming. You did not have any questions on notice, but having said that, the committee will be sifting through the material as we draw our inquiry to a conclusion, and we may have some other matters that we will wish to raise with you, and we might send them by email in due course. I thank you for your attendance today, and I appreciate your time.

Ms GLASS — You are very welcome. Should the committee have any further questions, we will of course be very happy to answer them.

The CHAIR — Great. Thank you very much. That concludes the hearing.

Ms GLASS — Thank you.

Committee adjourned.