

MAKING A COMPLAINT

How long does it take?

The length of time will depend on the particular matter. The aim is to complete each investigation as quickly as possible, and we therefore request timely responses from Government agencies.

COMPLAINT PROCESS	NOTES
<p>OR</p> <p>Ombudsman may investigate in the public interest even if no complaint</p>	<ul style="list-style-type: none"> • "Own Motion Investigation"
<p>Complaint received from public</p>	<p>Complaints may be:</p> <ul style="list-style-type: none"> • oral, electronic, written • by persons aggrieved (or family if persons cannot act for themselves) • within 1 year of event
<p>Do we have jurisdiction?</p> <p>NO → Refer complaint to more appropriate authority or decline complaint</p>	<ul style="list-style-type: none"> • Is complaint about a Government Board, Department, or Public Authority? • Is matter exempt (Cabinet, court proceeding, crime or employment issue)?
<p>Did complainant try existing complaint or appeal process, if any?</p> <p>NO → Refer Complaint to appropriate process</p>	<ul style="list-style-type: none"> • Ombudsman can investigate even if matter cannot be further appealed or is final
<p>Preliminary Inquiries</p> <p>Decline with reasons Refer to mediation</p>	<ul style="list-style-type: none"> • Inquiries resolve complaint; or Investigation or mediation; or Ombudsman declines
<p>Investigate</p>	<ul style="list-style-type: none"> • Ombudsman may visit sites, require documents, question under oath, summon any witness • Due process opportunity to respond • Update complaint periodically
<p>Findings and Conclusions</p> <p>Maladministration with Recommendations</p> <p>No Maladministration Report</p>	<p>Ombudsman makes:</p> <ul style="list-style-type: none"> • specific recommendations re complaint and/or • general recommendations on how to improve practices and procedures
<p>Report</p>	<ul style="list-style-type: none"> • Notify Ombudsman of steps taken or proposed to the Agency to implement or reasons for not doing so • Ombudsman accepts if adequate or appropriate
<p>Monitor response to recommendations</p> <p>Special Report to the House of Assembly if response is inadequate or inappropriate</p>	<ul style="list-style-type: none"> • For other complaints, Ombudsman may summarise (without names) in Annual Report