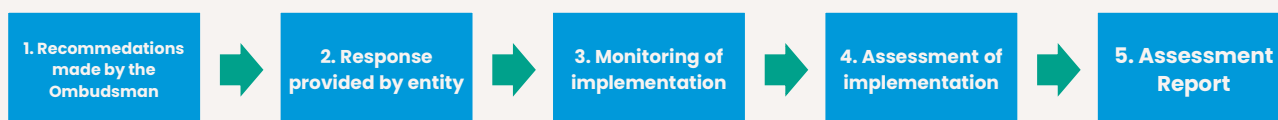


How the Commonwealth Ombudsman monitors, assesses, and reports on entity implementation of recommendations and suggestions

This factsheet outlines the process followed by the Ombudsman after recommendations and suggestions are made as the result of an Ombudsman investigation, and what entities should expect when we seek assurance that recommendations and suggestions have been implemented.



1. Recommendations made by the Ombudsman

An Ombudsman investigation can result in recommendations and/or suggestions being made to influence systemic improvement in public administration.

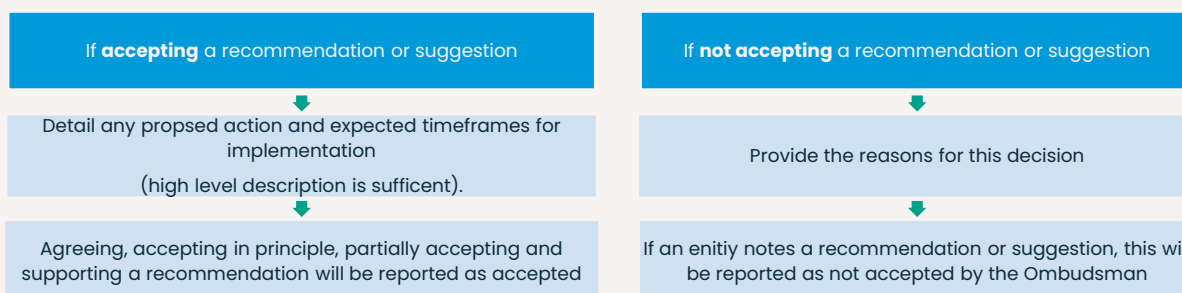
Recommendations are aimed at addressing actions or inaction which is:

- Contrary to law
- Unjust
- Oppressive or improperly discriminatory
- Unreasonable
- Based on a mistake of law or fact
- Otherwise wrong, in all the circumstances.

We make suggestions where remedial action is necessary but the issue does not meet the level of seriousness required to make a recommendation.

2. Response provided by the entity

Entities are expected to provide a response to our investigation report advising whether each of our recommendations and/or suggestions have been accepted. The Ombudsman may provide a template for the entity’s response and may decide to publish the entity’s response.

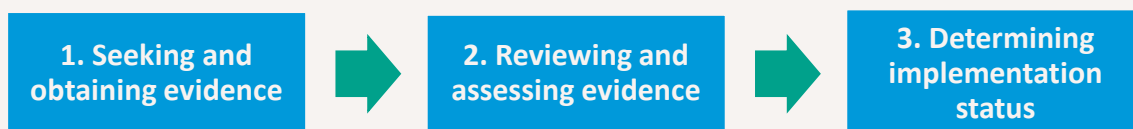


3. Monitoring implementation

- Monitoring enables us to track an entity's progress in implementing accepted recommendations and/or suggestions.
- We typically monitor activities in the period between the recommendation or suggestion being made and the expected implementation date.
- During this period, we may reach out to seek updates on an entity's implementation progress.
- Not all recommendations and suggestions will require active monitoring by the Ombudsman.

4. Assessing implementation

What is involved in the assessment process?



Why do we assess implementation?

We assess implementation of all accepted recommendations and suggestions. We do this to ensure entities take appropriate action to address the issues we have identified.

When do we commence our assessment?

Assessment usually happens after the expected implementation date. We will contact the entity when we are ready to commence assessment activities.

What information do we need?

To form a view on implementation status, we need specific information and evidence on action the entity has taken.

When providing evidence, entities should explain how the evidence provided demonstrates that the recommendation or suggestion is implemented.



How do we determine implementation status?

The Office will analyse the information and evidence provided to form a view about whether a recommendation or suggestion has been implemented, partially implemented, or not implemented.

| Not implemented | Partially implemented | Implemented | Met the intention |
|---|---|---|--|
| <ul style="list-style-type: none">• No or very limited action has taken place, or• we have not received enough information to form a view on implementation status | <ul style="list-style-type: none">• Some of the required actions have been completed as described in the recommendation or suggestion | <ul style="list-style-type: none">• The required actions have been completed as described in the recommendation or suggestion | <ul style="list-style-type: none">• Action taken achieves the intended result• Processes are in place to sufficiently address the issue if it reoccurs• Entity has taken all action within their power |

5. Assessment report

- Reporting on the outcomes of our implementation assessment is important to provide transparency to the public and hold entities accountable.
- We may publicly report on an entity's implementation of recommendations and suggestions where we are satisfied that it is in the interest of the entity, a person or the public to do so.
- When publishing information that may be seen as critical of an entity, we will provide procedural fairness to the entity (in accordance with our legislative requirements).

When do we stop monitoring and assessment of implementation?

We stop monitoring if we assess an entity has implemented the accepted recommendations. However, if the Office decides to cease monitoring and assessing after finding that an entity has not implemented or partially implemented a recommendation or suggestion, the Office will formally advise the entity and may decide to include our decision in a public report.

It is also open to the Ombudsman to:

- make a report to Parliament
- discuss the matter with the relevant Minister
- Inform the Prime Minister under section 16 of the *Ombudsman Act 1976* (Cth)

