

# Office of the Ombudsman and Health Complaints Commissioner

## Statement of Duties

Title	Investigation and Review Officer - Right to Information
Number	357725
Award	Tasmanian State Service Award
Classification	General Stream Band 5
Agency	Office of the Ombudsman and Health Complaints Commissioner
Supervisor	Principal Officer - Right to Information
Direct Reports	Nil
Location	Hobart – remote work considered.
Terms of Employment	Fixed term for 12 months.

## The role

### Objective

- To contribute to the efficient operation of Ombudsman Tasmania by providing support in the performance of functions and the discharge of responsibilities of the Ombudsman under the *Right to Information Act 2009*.
- The Office of the Ombudsman has a historical backlog of external review applications under the *Right to Information Act 2009*, requiring formal written decisions to be made. This position involves the preparation of draft decisions to assist in the discharge of the Ombudsman's responsibilities under the *Right to Information Act 2009* and in particular the reduction of this backlog.

### Major Duties

1. Assist the Ombudsman in the fulfillment of the Ombudsman's responsibilities under the *Right to Information Act 2009*, the *Ombudsman Act 1978* and other legislation as required.
2. Conduct reviews under the *Right to Information Act 2009*. This will include negotiations with senior managers and officials of public authorities.
3. Provide the Ombudsman with advice and support in the fulfillment of the Ombudsman's responsibilities under the *Right to Information Act* and collate and review documents and evidence.
4. Prepare written decisions in relation to applications for review of decisions under the

*Right to Information Act*, and assist and advise other officers with the preparation of such decisions.

5. Participate in projects, activities and the provision of RTI training, as requested and generally assist in the delivery of education and training in relation to the RTI Act.
6. Provide thorough and timely advice to public authorities and the public regarding the operation of the RTI Act, including the conduct of external review matters.

## Scope of Work and Responsibility

- The Investigation and Review Officer - Right to Information is responsible for assisting in the delivery of the services by the Office of the Ombudsman which relate to the *Right to Information Act 2009*.
- The position reports to the Principal Officer - Right to Information and operates under broad direction and supervision from him or her. The officer is expected to work in close consultation with the Principal Officer - Right to Information and the Senior Investigation and Review Officer, but also to exercise a high level of initiative, judgement and discretion in a complex environment dealing with sensitive information.

## Selection criteria

The following specific selection criteria must be addressed by candidates by describing their: relevant personal and professional skills and abilities; qualifications, training and competencies; past achievements; and potential for development. The position objectives and duties can also be used to assist in addressing the selection criteria.

1. Sound knowledge and understanding of the *Right to Information Act 2009* and related legislation, or the capacity to quickly acquire that knowledge and understanding, including the ability to appropriately deal with sensitive or confidential information.
2. Well-developed legal skills and experience, including the ability to interpret and apply legislation, carry out legal research, and provide quality oral and written advice on complex legal issues.
3. Demonstrated strategic, conceptual and analytical skills, including an ability to understand the political, social and organisational environment.
4. Well-developed interpersonal, communication and conflict resolution skills, including the capacity to facilitate the early resolution of external review requests.
5. Demonstrated self-management skills, including the ability to plan, organise and prioritise workload, and to work under limited direction.
6. The ability to effectively assist in the provision of training and educational programs on complex topics

## Requirements

### Essential requirements

NIL

### Desirable requirements

- A relevant tertiary qualification
- A current driver's licence
- Current Tasmanian Working with Vulnerable People Registration (Registration Status - Employment).

### Pre-employment Checks

The Head of State Service has determined that the person nominated for this vacancy is to satisfy a pre-employment check before taking up the appointment, promotion or transfer.

The following checks are to be conducted:

1. Pre-employment checks
  - Arson and fire setting
  - Violent crimes and crimes against the person
  - Sex-related offences
  - Drug and alcohol related offences
  - Crimes involving dishonesty
  - Crimes involving deception
  - Making false declarations
  - Malicious damage and destruction to property
  - Serious traffic offences
  - Crimes against public order or relating to the Administration of Law and Justice
  - Crimes against Executive or the Legislative Power
  - Crimes involving Conspiracy
2. Disciplinary action in previous employment.
3. Identification check.

## Information about the Ombudsman and Health Complaints Commissioner

The Ombudsman is an independent officer appointed under the *Ombudsman Act 1978* and answerable to the Parliament. Under the Act, the Ombudsman investigates and resolves complaints related to the administrative actions of State and local government and public authorities; and works in partnership with those bodies to achieve optimum standards of equity and fairness in public administration.

The Ombudsman also holds appointment as the Health Complaints Commissioner under the *Health Complaints Act 1995*, and investigates complaints under that Act.

Additional statutory functions fall to the Ombudsman under legislation other than the Ombudsman Act. These include the receipt of complaints under the *Energy Ombudsman*

Act 1998, undertaking reviews under the *Right to Information Act 2009* and the *Personal Information Protection Act 2004*, and a range of functions under the *Public Interest Disclosures Act 2002*. The Office of the Ombudsman is currently divided into six principal sections: Ombudsman, Right to Information, Health Complaints Commissioner, Energy Ombudsman, Office of the Custodial Inspector Tasmania and Official Visitors Program Tasmania. For more information about the Office of the Ombudsman visit [www.ombudsman.tas.gov.au](http://www.ombudsman.tas.gov.au).

Employees of the Office are employed by the Department of Justice under the State Service Act 2000.

## Working environment

Employees are required to uphold and comply with the State Service Principles and the Code of Conduct.

The minimum standard of behaviour expected of all Department of Justice employees is to:

- Consider people equally without prejudice or favour.
- Act professionally with honesty, consistency and impartiality.
- Take responsibility for situations, showing leadership and courage.
- Place the public interest over personal interest.
- Appreciate difference and welcome learning from others.
- Uphold the law, institutions of government and democratic principles.
- Communicate intentions clearly and invite teamwork and collaboration.
- Provide transparency to enable public scrutiny.
- Be fiscally responsible and focus on efficient, effective and prudent use of resources.

The Department is committed to high standards of performance in the application of contemporary management practices and principles including workplace health and safety and workplace diversity. The department recognises and uses the diversity of the community it serves. In doing this, it acknowledges the individual differences that can contribute to the capacity of a person to perform the inherent requirements of the duties.

All employees are expected to participate in maintaining safe working conditions and practices and to promote and uphold the principle of fair and equitable access to employment/promotion, personal development and training and the elimination of workplace harassment and discrimination. All employees are responsible for participating actively and constructively in discussions regarding performance and for the implementation of agreed outcomes in accordance with the Performance Management policies and strategies of the Department.