



Tabled, by leave,
by Mr Faraway
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Clerk of the Parliaments
9 / 22

OMBUDSMAN LEGISLATION AMENDMENT BILL 2022

STATEMENT OF PUBLIC INTEREST

Need: Why is the policy needed based on factual evidence and stakeholder input?

The NSW Ombudsman's Office is an independent integrity agency that oversees the NSW public sector and investigates complaints about NSW government agencies, local councils and community service providers.

The NSW Ombudsman has requested minor amendments to the legislation governing the functions of the Ombudsman's Office, the *Ombudsman Act 1974* (Ombudsman Act) and the *Community Services (Complaints, Reviews and Monitoring) Act 1993* (Community Services Act) to clarify and enhance the Ombudsman's functions and powers. This Bill implements the changes that have been requested.

Objectives: What is the policy's objective couched in terms of the public interest?

There is a strong public interest in enhancing the Ombudsman's powers and improving the legislation governing the functions of the Ombudsman's Office by clarifying matters, resolving inconsistencies, and updating or repealing redundant provisions.

Options: What alternative policies and mechanisms were considered in advance of the bill?

The proposals requested by the Ombudsman can only be achieved through legislative amendment.

Analysis: What were the pros/cons and benefits/costs of each option considered?

The Ombudsman Act and the Community Services Act have not been significantly reviewed or substantively amended for a number of years. If the Bill was not proceeded with, the amendments requested by the Ombudsman would not be enacted, and the Ombudsman, and the broader community, would not receive the benefits of the proposed amendments to enhance the Ombudsman's powers and clarify matters relating to the functions of the Ombudsman's Office.

Pathway: What are the timetable and steps for the policy's rollout and who will administer it?

The Bill commences on the date of assent, and the amendments in the Bill will be predominantly administered by the Ombudsman's Office.

Consultation: Were the views of affected stakeholders sought and considered in making the policy?

The Bill has been prepared in consultation with the Ombudsman's Office. Consultation on the preparation of individual amendments has occurred with relevant agencies as required.