

General Warning

The purpose of this fact sheet is to give general introductory information about the complaints process. It does not contain legal advice.

WARNING: Alternative legal action should be considered before making a complaint. What is included in a complaint may be relevant to any current or future legal proceedings. If you are involved in legal action you should immediately see a lawyer and not proceed with a complaint.

If you (or the complainant, if you are complaining on their behalf) want financial compensation, support or money you should see a lawyer before making a complaint.

General complaint information

Complaints are rarely about just one thing. When you have a problem, it may be that a number of things have gone wrong. Below are some of the common areas where issues may arise that could lead to a complaint.

Discrimination	Disability and NDIS services	Policing, Custody and Detention
Seniors and Aged Care supports and services	Consumer and Business disputes	Phone and Internet services
Banking, Insurance and Superannuation	Energy and Water services	Housing and Real Estate
Health Care services	Employment issues	Education and Training providers
Government Agencies and Departments	Child Safety and Protection	State Fines and Debts
Corruption	Privacy and Access to Information	Media and Publications

There are different complaint bodies to handle different types of complaints. You should consider the different pathways available to decide the most appropriate pathway for your circumstances. One event could lead to multiple complaints. That means you may need to lodge more than one complaint to have all of your concerns addressed.

[The online triage tool on this website can help you to identify the different complaint bodies that may be able to assist you.]

It is usually quickest and easiest to try to resolve a complaint directly with the person or body you are having a problem with. Many complaint handling bodies will not act on a complaint unless you to have tried to resolve your complaint directly. If you do not feel it is safe or appropriate to complain directly, you should contact the relevant complaint body to discuss your situation.

Complaints involving discrimination

There are state and federal complaints bodies that handle complaints that about discrimination. If your situation involves discrimination, you should consider making a



discrimination complaint in addition to any other complaints. Discrimination may occur when someone is treated less favourably on the basis of: race; sex; gender; disability; age; sexuality; relationship status; pregnancy; caring responsibilities; or having or being thought to have an infectious disease.

WARNING: The state and federal bodies that handle discrimination complaints have different rules, including time limits. You can make a complaint to both the state and federal complaint bodies, but they may decide not to address your concerns if you have already complained elsewhere. For example, if you have already lodged a discrimination complaint to anti-discrimination NSW, it is likely that Australian Human Rights Commission will decide not to act on your complaint. Please carefully review the discrimination factsheets for information about your options before making a discrimination complaint.

Victorian Ombudsman

In this fact sheet, we introduce the Victorian Ombudsman ('**VO**'). We outline how complaints can be made by people to the VO.

The VO is an impartial and independent body which investigates complaints about Victorian public organisations, including local councils and government departments. Their goal is to help ensure fair treatment and proper administrative actions.

Legislation and Key Terms

Relevant Legislation: Below are links to legislation that is relevant to the VO's complaint handling work.

- Ombudsman Act 1973 (Vic)
- Public Interest Disclosures Act 2012 (Vic)
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Privacy and Data Protection Act 2014 (Vic)
- Independent Broad-based Anti-Corruption Commission Act 2011 (Vic)
- Victorian Inspectorate Act 2011 (Vic)
- Constitution Act 1975 (Vic)
- Terrorism (Community Protection) Act 2003 (Vic)
- Corrections Act 1986

Key Terms: Below are key terms that appear throughout this factsheet and their meaning.

Administrative Action: Any act, decision, failure to act, or process carried out by a Victorian public organisation, including councils and government departments, when performing its duties.

Apology: A formal or informal statement of regret that the Ombudsman may recommend a public organisation give to acknowledge harm or unfair treatment.

Charter of Human Rights and Responsibilities Act 2006 (Vic): The Victorian law requiring public organisations to respect and consider human rights in their decisions and actions.



Complainant: A person who has made a complaint to the Victorian Ombudsman. This can include someone complaining on their own behalf or on behalf of another person.

Complaint: An expression of dissatisfaction about the actions, decisions, or processes of a Victorian public organisation where a response or resolution is wanted, expected, or required.

Community Service Organisations: Non-profit organisations funded or authorised by government (for example, child protection, housing, or disability services) that can be investigated by the Ombudsman.

Conciliation: A voluntary process run by the Ombudsman where an impartial conciliator helps a complainant and a public organisation discuss the complaint and try to reach agreement.

Correction Centres / Prisons: Public or private prisons, youth justice centres, and correctional services in Victoria. The Ombudsman can investigate complaints about treatment, conditions, and administration in these facilities.

DFFH: The Department of Families, Fairness and Housing, a Victorian Government department often the subject of complaints about housing, child protection, and community services.

Discretion: The Ombudsman's power to decide whether to investigate a complaint, considering factors such as timing, seriousness, whether another body is better placed, and whether the complaint is in the public interest.

Early Resolution: An informal way the Ombudsman resolves complaints quickly, often by contacting the public body to clarify issues, correct errors, or prompt action.

Exclusions: Specific people and bodies the Ombudsman cannot investigate, such as Victoria Police, judges, IBAC, courts, and federal agencies.

Financial Compensation: Money that the Ombudsman may recommend a public organisation pay to someone who has suffered loss or disadvantage due to poor administration.

Improper Conduct / Public Interest Disclosure: A serious report of corruption or wrongdoing in a public organisation made under the Public Interest Disclosures Act 2012 (Vic). These reports are confidential and legally protect whistleblowers.

Internal Review: A process where the Ombudsman re-examines its own decision about a complaint if the complainant requests a review within 60 days.

Investigation: A formal process where the Ombudsman collects information, interviews witnesses, and reviews documents to determine if a public organisation acted lawfully, reasonably, and fairly.

Jurisdiction: The legal authority of the Ombudsman to investigate complaints about Victorian public organisations and community service providers.

Local Councils: Municipal councils in Victoria. The Ombudsman can investigate their decisions, complaint handling, services, and compliance with law or policy.

Order / Recommendation: Formal findings or suggested actions the Ombudsman can make after investigating, such as fixing errors, apologising, changing procedures, or improving policies.

Practice or Policy Change: A systemic remedy where the Ombudsman recommends a public organisation update its rules, policies, or decision-making processes.

Public Authority: Any government department, agency, local council, or non-government body performing public functions on behalf of the Victorian Government.



Public Interest: An issue that affects the wider community. The Ombudsman may choose to investigate matters of significant public interest, even if they are older or complex.

Public Organisations: Victorian government departments, councils, statutory authorities, prisons, and community service organisations that the Ombudsman can investigate.

Remedy: The outcome the Ombudsman can recommend to fix a complaint, such as an apology, explanation, financial compensation, or systemic change.

Respondent: The Victorian public organisation (such as a department, council, agency, or funded community service provider) that the complaint is made against.

State Trustees: A state-owned company that manages finances for people unable to manage their own affairs, and which the Ombudsman can investigate if complaints arise.

Systemic Issues: Broader or repeated problems in public administration that the Ombudsman investigates to improve government systems and prevent future unfairness.



Step 1: What type of Complaints can be made to this body?

Complaints can be made about the conduct of public authorities and community service providers. The VO focuses on complaints about, but not limited to:

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Sub-category	Example
Child Protection	You should make a complaint if you're unhappy with how the Department of Families, Fairness and Housing (DFFH) or a community service provider has handled child protection matters.
	A complaint could be about:
	a placement that feels unsafe or too far from family
	 contact with family members (whether too much, not enough or if you are feeling unsafe);
	a case plan that doesn't match the child or young person's needs and goals
	issues with a case manager or carer
	 a leaving care plan that doesn't support a young person's transition from care
	not having a say about decisions being made
	how an organisation handled your complaint.
	The VO also take complaints from people caring for children in out-of-home care. For example, kinship carers.
	Example:
	 Lisa's teenage son was placed in a residential care facility due to behavioural issues. Despite Lisa's efforts to engage with the care providers and support her son, she feels that the facility is not providing adequate care or addressing his needs. She has raised her concerns with the DFFH but has not received a satisfactory response.
	Tina is a kinship carer of her granddaughter, Amanda. She had been caring for Amanda for 18 months but had not received a care allowance. Despite raising the issue with the DFFH, Tina has still not received any responses from DFFH or any care allowance.
Councils	You should make a complaint to the VO if you are not happy with the response a Council or the Council's Chief Executive Officer regarding a complaint you have made. The VO takes complaints about the actions and decision of Councils, including services, how the council responded to your complaint, compliance with policies, procedures or law and other actions or decisions which may be unreasonable.
	It is recommended to try resolve the matter with the relevant Council department and if you are not successful, make a written complaint to the Council's Chief Executive Officer.



The VO can consider actions and decisions of Councils, including:

- services (eg bin collection, local road maintenance, parking fines)
- poor customer service or communication
- how the Council responded to your complaint
- compliance with policies, procedures or law
- other actions or decisions which may be unreasonable.

Example:

- Michael reported a pothole on his street that has caused damage to several cars. Despite multiple reports and assurances from the council that the pothole would be repaired, no action has been taken. Michael is frustrated by the lack of response.
- Mary has a disability parking permit so was allowed to park for two hours in a one hour zone. However, her disability permit was not displayed on her windscreen so she received a fine. Mary raised her complaint with the Council. The Council was not prepared to review the parking fine.

Fines

You should make a complaint to the VO if, after already requested an internal review or enforcement review of a fine without success, you are still unhappy with the result.

The VO resolves some complaints about fines by making enquiries with the organisation. In some cases, they may withdraw a fine.

Generally speaking, you should first dispute a fine by following the steps set out on the Infringement Notice. This may involve you requesting the organisation to undertake an internal review, nominating another person (for vehicle offences) or electing to go to the Magistrates' Court. If a court has dealt with your fine or you have paid your fine in full, the VO usually will not get involved.

The VO take complaints about most organisations involved in the fines system including Councils and Fines Victoria, but not including some fines issued by Victoria Police.

The VO also considers complaints regarding an organisation's handling of other complaints, for example where the organisation:

- rejected their application for a 'payment plan' or a payment arrangement that would allow them to pay off the fine over time;
- sent an infringement notice to the wrong address, even though address details were up-to-date, and they incurred a penalty
- is taking unlawful or unfair action to enforce an infringement.

If you have complained to the organisation first but you are unhappy with their response, you can complain to the VO.

Example:



- Mark received a parking fine despite having a valid permit displayed.
 He requested an internal review, but the fine was upheld without a clear explanation. Mark feels the decision was unfair.
- Emma was fined for not having a valid train ticket, even though she purchased one but lost it during her travel. Her request for an internal review was denied and she believes the decision was unreasonable.
- Yolanda received a \$389 fine for a traffic offence. She could not afford to pay upfront, so entered into a payment plan. She paid \$50 per month at her local post office as part of the plan. She was careful to pay each instalment on time and kept all the receipts. Due to a processing error, Fines Victoria said she had missed a monthly payment. When she contacted them, they told her she had missed a payment. Yolanda told them she had proof of all her payments. They said they would investigate and call her back. But Yolanda never received a follow-up phone call. Three months later, Yolanda received a Penalty Reminder Notice and Notice of Final Demand. Penalty fees had been added to her original fine as a result of the 'missed' payment.

Human Rights

You should make a complaint if you believe a public organisation has breached your human rights or failed to consider them properly in a decision.

Public organisations in Victoria must not act in a way that breaches the twenty rights set out in the Charter of Human Rights.¹ They must also properly think about a person's human rights when making their decisions. A person's human rights can be limited in some situations, but the limitation must be reasonable.

The VO looks to see if an organisation has breached human rights or not considered them properly. The VO can decide it is unlawful if an organisation limits a person's human rights in an unreasonable way. The VO can then suggest ways for the organisation to fix the problem.

Example:

- Alex was denied access to a public building due to a disability. He believes this action breaches his human rights and seeks assistance to address this issue.
- Maria was subjected to discriminatory remarks by a public service employee due to her ethnicity. She feels her human rights were violated.
- Naseem was told he wasn't allowed to speak a language other than English in a youth justice facility. Naseem considered this to be a breach of his human rights and raised his concern with the management of the youth justice facility. No action was taken and Naseem was feeling that he was not being heard.

Prisons

You should make a complaint to the VO if you are a prisoner and have a complaint or would like to make a complaint on behalf of a prisoner and have a complaint about a prison.

Prisoners can call the VO using a free call service available in prisons.

¹ Charter of Human Rights and Responsibilities Act 2006 (Vic).



In most cases, prisoners who wish to complain should raise concerns with your Unit Manager, if unhappy then write to the General Manager, and if you receive no response or are not satisfied, call the VO.

The VO will usually not be able to follow up on the complaint unless they can speak to the prisoner directly, as they need the prisoner's permission to make enquiries with the prison.

The VO can take complaints about prisons regarding:

- lost/damaged property
- visits
- · access to medical treatment
- mail/phone calls
- · buildings and facilities
- prisoners' funds
- a restricted regime
- harassment
- assault by officers
- drug testing
- unfair disciplinary hearing processes
- General Manager's Disciplinary Hearings.

The VO can also consider whether the prison has breached a prisoner's human rights or did not consider them properly.

Example:

- David, a prisoner, has had several personal items lost or damaged during a cell search conducted by prison officers. Despite raising the issue with his Unit Manager and the General Manager, he has not received any compensation or replacement for his lost property. Additionally, David feels the search was conducted in a manner that violated his privacy.
- Lucas is gay. Because of this, the prison had concerns for his safety at that particular time and put him in solitary for five days. Lucas was distressed about being in solitary. He said that in the past he had served a seven-month sentence in the general population without an issue. He had raised his concerns with both senior and junior unit officers at the prison. He wanted to speak to Lifeline for support but did not have their contact details.

Public Housing

You should make a complaint to the VO if you need help resolving a complaint about maintenance and repairs or eviction in public housing organisations. The VO will also consider complaints about whether they breached human rights or did not consider them properly.

However, in most cases, the VO are not able to change a Housing Victoria decision about eligibility, priority housing or rental rebates.

Example:



- Amy's public housing unit has a severe mould problem that has not been addressed despite multiple requests for maintenance.
- Tom received an eviction notice from Housing Victoria due to unpaid rent. He believes there has been a mistake and has tried to resolve the issue with Housing Victoria without success.
- Abigail was living in public housing. She requested a transfer to another housing property. The department inspected her property and found damage. They assumed she had abandoned the property. They applied to the Victorian Civil and Administrative Tribunal (VCAT) to evict her. Abigail did not attend the hearing because she was grieving as her child had recently died. Abigail was ordered to pay \$20,000 for damage to her public housing. She was the victim of family violence and had left the property temporarily. The Department had assumed that she had caused the damage when in fact she hadn't.

Universities and TAFE

You should make a complaint if you've completed the provider's internal complaints process and still feel the issue was handled unfairly. The VO generally will look at how the university or TAFE has responded to your complaint, including whether you have been treated fairly during the process.

Example:

- Liam complained about discrimination from a lecturer, but the university didn't investigate properly.
- Gemma's TAFE course was abruptly cancelled, and she was not offered a suitable alternative. Despite raising the issue with the TAFE for an internal review, she didn't receive an adequate response.

State Trustees

You should make a complaint to the VO if you have raised an issue with State Trustees and they have not made reasonable attempts to fix it. They will look at if the organisation acted in a way that was lawful, reasonable and fair and determine if they breached human rights or didn't consider them properly.

- Emily's financial affairs are managed by State Trustees, but she feels they have mismanaged her funds and not acted in her best interests. Emily raised the issue with State Trustees but did not get any resolution.
- Gus was overcharged for nursing home fees.

VicRoads

You should make a complaint if you're unhappy with VicRoads' response to a licensing, registration, or fines issue.

The VO can resolve complaints about VicRoads' issues such as:

- a licence being wrongly suspended or cancelled
- concession cardholders not receiving a registration discount
- taking too long to process a refund or to correct a payment error
- not understanding a medical opinion relating to a person's ability to drive



• unfairly extending the time of a condition placed on a driver's licence, such as an alcohol interlock device.

Examples:

- Adam's driver's license was suspended due to an administrative error by VicRoads. Despite multiple attempts to resolve the issue directly with VicRoads, the problem persists.
- Abdullah paid the full rate to register his car when he was actually entitled to a concessional rate. He asked VicRoads to refund the \$147 difference. They told him their records showed his payment was at the concessional rate. So, they said he was not owed a refund.
- Mario's ex-partner asked VicRoads to transfer the registration of Mario's car to her. VicRoads made the transfer. When Mario asked VicRoads to reverse the transfer, they refused and told him it was 'a civil matter' and to contact the police. It turned out that VicRoads had approved the registration transfer without receiving the necessary documentation. This was a breach of their own procedures.

WorkSafe

You should make a complaint to the VO if you have made a WorkSafe claim, undergone conciliation but are still unhappy with the decision made.

The VO examines whether these organisations acted lawfully, reasonably, and fairly, and whether they properly considered human rights. If initial attempts to resolve these issues with the agent or self-insurer are unsuccessful, the VO can be contacted for assistance. Complaints are typically made by injured workers, their representatives, or treating doctors. Useful resources include the Accident Compensation Conciliation Service for claim disputes and WorkCover Assist for help with the dispute process.

Examples:

- Jane is a nurse and injured her back while lifting a patient. Despite
 providing substantial medical evidence, her workers compensation
 claim was denied by the insurance agent. This turns out to be an
 unsuccessful conciliation.
- Steve was working as a labourer when he injured his neck at work. He made a WorkCover claim, and an agent accepted it. Steve made a few attempts to return to work over the following years. He later had to stop work completely due to his injury. He also developed a secondary mental injury and chronic pain syndrome. He received weekly payments for loss of injury until the agent stopped his payments on the basis that he had or would have capacity to work in the foreseeable future. Steve disputed the decision at conciliation, but it was not resolved.

Victorian Government Departments

You should make a complaint if you're unhappy with a department's decisions or how they've handled your matter.

This covers departments such as Education, Justice and Community Safety, and Families, Fairness and Housing.

Examples:



	 Samantha hasn't received an update for six months on her public housing application.
	 David's school failed to take action after he raised concerns about bullying.
Victorian Government Organisations	You should make a complaint if you're unhappy with how a state agency has acted, such as WorkSafe, Fines Victoria, or VicRoads. These are public bodies that deliver services across Victoria. Examples:
	 Elena's WorkCover claim was denied without reason, despite medical support. Abdullah was denied a car registration discount he was eligible
	for.
Non- Government Entities Providing Public	You should make a complaint if a private organisation is delivering services for the government and you think they acted unfairly or caused harm. This includes community health providers or NGOs funded by the government.
Services	Example: A disability support service refused to meet Joseph's cultural dietary needs and dismissed his complaint.
Certain Professional Boards	You should make a complaint if you believe a regulatory board (like the Architects Registration Board or Legal Services Board) made an unfair decision or acted improperly. These boards regulate professional conduct but still must act lawfully and fairly. Examples:
	 An architect's licence renewal was unfairly delayed without explanation.
	 A solicitor complaint was dismissed by the Legal Services Board without proper investigation.
Complaints About the VO's Office	You should make a complaint if you believe that the VO's office has acted improperly, unreasonably, or breached procedural fairness in handling a matter. The Integrity and Oversight Committee oversees the VO and can investigate complaints about its conduct.
	Example: Jordan submitted a complaint to the Victorian Ombudsman regarding a local council decision. He believes the Ombudsman's office mishandled his case by not considering all relevant information and failing to communicate the outcome clearly. Jordan decides to lodge a complaint with the Integrity and Oversight Committee to address these concerns.
Improper Conduct (Whistleblower Reports)	You should report improper conduct if you believe someone working in a Victorian public organisation has engaged in serious wrongdoing, corruption, or has harmed the public interest. This is known as a "public interest disclosure". It's not a normal complaint, it is a protected report under the Public Interest Disclosures Act 2012 (Vic).
	The VO handles these reports confidentially and may refer them to the Independent Broad-based Anti-corruption Commission (IBAC), which



	 investigates serious misconduct and corruption. You are protected by law from being fired, penalised, or treated badly for speaking up. Examples of improper conduct include: A public employee taking bribes A council officer misusing public funds A staff member at a public organisation covering up serious risks to health or safety A manager in a government department bullying workers who try to report wrongdoing Example: Joan works for a government agency and becomes aware that a colleague is awarding contracts to friends without going through the proper tender process.
Additional Info	If your issue is primarily about discrimination, you may also be able to complain to the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) or the Australian Human Rights Commission (AHRC).
Exclusions	The Victoria Ombudsman is prevented or 'excluded' from investigating 19 types of conduct by public authorities. These exclusions are listed in Schedule 2 of the <i>Ombudsman Act</i> 1973 (Vic). ² Below are some of the more common exclusions, which include the conduct of: • Victoria Police and Members of Victoria Police Personnel • Office of the Governor, the Official Secretary and employees in the Office of the Governor • The IBAC and IBAC Officers • The Victorian Inspectorate and Victorian Inspectorate Officers • Victorian Court or VCAT • Royal Commissions and their Officers • Director of Public Prosecutions (DPP) These exclusion ensure that the VO focuses on administrative actions taken by or on behalf of government departments and other public authorities, while specialised bodies handle specific areas of conduct.

Step 2: What is the Jurisdiction of the complaints body?

Jurisdiction	Description
State	The VO has powers to hear complaints under the law of Victoria.
Geographical Scope	The VO has the power to act on complaints about the conduct of Victorian public authorities and community service providers,

² Schedule 2, *Ombudsman Act 1973* (Vic).



	regardless of where the conduct takes place, including if it occurs in
	another state.
Time Limitations	 The VO generally does not have specific historical time limitations for complaints. However, it does emphasise that complaints should be lodged as soon as possible after the issue arises. The VO may consider complaints outside of the usual timeframe if there are special circumstances, such as: The complainant being unaware of the issue The complainant being unable to lodge the complaint sooner due to significant reasons, or The matter is of significant public interest.
Exclusions	The VO can only investigate matters involving Victorian public bodies.
Exclusions	The VO may decline a complaint if:
	 You haven't first complained to the relevant body.
	 There is a better pathway (e.g. a dedicated complaints or appeal body).
	 The matter is being handled by another integrity agency (like IBAC, VEOHRC, or the Victorian Auditor-General).
	 The issue has been adequately dealt with already.
Exercise of discretion	The VO does not look into every complaint it receives. When deciding whether to investigate the complaint, the VO can consider any factors appropriate or relevant. Some factors that will commonly be considered include:
	If you are not directly affected by the issue, the VO may choose not to investigate.
	 The VO can only investigate complaints about Victorian public organisations. If your complaint falls outside of this jurisdiction, it may be declined.
	 If you have not first tried to resolve the issue directly with the organisation involved, you may be asked to do so before your complaint is considered.
	 Complaints should be made within a reasonable time frame. If a significant amount of time has passed since the issue occurred, your complaint may be declined.
	If the matter is currently before a court or tribunal, or a court decision is required, the VO usually cannot investigate those parts of the complaint.
	If the VO decides not to investigate your complaint, you will be informed about the outcome of their consideration, including the reasons for their conclusions.



Step 3: Who can you make a complaint against?

The VO deals with complaints about the actions and decisions of Victorian public organisations.	
Respondent	Description
Individuals	Complaints to the VO can be made about individuals working within Victorian public organisations. However, there is no requirement for the complainant to live or work in Victoria. For example, a complaint can be made against councils, Victorian government departments or organisations, universities and TAFEs, non-government entities, prisons or certain professional boards.
	This criteria ensures the VO can address complaints about individuals whose actions impact the public within Victorian public services.
Victorian Department and	There are many Victorian departments and authorities including, but not limited to:
Authorities	Department of Health
	Department of Education
	Department of Transport
	TAFE Victoria
	Universities
	Victorian Equal Opportunity and Human Rights Commission
	Environment Protection Authority Victoria
	Local Government Victoria
Local Councils	All Victorian local councils (also known as municipal councils or local government authorities) fall under the VO's jurisdiction. Complaints may relate to service delivery, local laws, complaint handling, or council decisions.
Corrective Services	Public and private Correction Centres and Youth Justice Centres. Corrections Victoria including Community Correction officers (parole or probation officers) and Justice Health. Also includes privately operated prisons contracted by the state.
Community Service Providers	The Department of Families, Fairness and Housing (DFFH) and non-government organisations that are funded, licensed, or authorised by DFFH to provide child protection, family support, community inclusion or specialist homelessness services.
Universities and TAFEs	Victorian public universities and Technical and Further Education (TAFE) institutions. Complaints generally relate to complaint handling processes or administrative decisions.



Non-Government Bodies Providing Public Services	Private or non-profit organisations contracted by Victorian government departments to deliver services on the state's behalf (e.g. health, housing, or disability services). The VO can investigate them as "public authorities" under the Ombudsman Act if they are delivering a public service.
Certain Professional Boards and Statutory Bodies	Regulatory bodies that perform public administrative functions, such as professional registrations, compliance, or licensing. Examples: Architects Registration Board of Victoria, Victorian Legal
	Services Board and Commissioner.
Services for Aboriginal People	Aboriginal Housing Victoria, Aboriginal Land Councils, the Office of the Registrar and the Aboriginal Land Rights Act 1983. ³
	You can also complain to the VO about how Victorian public organisations deliver services to Aboriginal and Torres Strait Islander people, including housing, justice, and child protection services. This includes cultural safety concerns or lack of culturally responsive service delivery.
Exclusions	The VO cannot investigate complaints about:
	Members of Parliament (MPs): The VO cannot investigate the actions or decisions of state Members of Parliament in their parliamentary or electoral roles.
	 Victoria Police (police misconduct): The VO generally cannot investigate the conduct of Victoria Police officers. Complaints about police conduct must go to the Independent Broad-based Anti-Corruption Commission (IBAC).
	 IBAC (Independent Broad-based Anti-Corruption Commission): The VO cannot investigate complaints about IBAC or its staff.
	 Judicial Officers and Courts: The VO cannot investigate the actions or decisions of judges, magistrates, or VCAT members when they are performing judicial or quasi-judicial functions. This includes court staff performing duties directly related to legal proceedings.
	 Commonwealth (Federal) Bodies: Federal government departments and services are out of scope. Examples: Centrelink, Medicare, Australian Taxation Office (ATO), Services Australia, Department of Home Affairs. These are handled by the Commonwealth Ombudsman.
	 Private Companies and Individuals (Not Performing Public Functions): The VO cannot investigate disputes involving private companies, landlords, or private individuals unless they are contracted by the government to deliver public services.

³ Aboriginal Land Rights Act 1983.



	 Private Schools and Universities: Private educational institutions fall outside the VO's jurisdiction, as they are not public authorities. Other State or Territory Bodies: Complaints about public organisations outside Victoria (e.g. NSW Department of Education, Queensland councils) must be directed to the relevant state ombudsman.
Additional information	If you are not sure if your complaint is within the jurisdiction of the VO, you can discuss your situation with the office's Assessments Unit by calling 1800 806 314 Monday to Friday, between 9am and 5pm. For more information about the types of complaints the VO can and cannot handle can be found on their website: Complaints We Can Look Into .

Step 4: Are you eligible to make a complaint?

Eligibility	Description
Who can make a complaint?	Anyone can make a complaint to the VO.
Pre-requisite steps	Before making a complaint to the VO, you should first try and resolve the issue directly with the organisation involved. This step is important as the VO may ask if you have already attempted to address the problem with the relevant public authority or community service provider.
Can complaints be made on behalf of someone?	Complaints can be made on behalf of someone else. However, the VO will ask for their contact details to make sure they are happy to be contacted and have you acting on their behalf. You will then be responsible for updating them on any progress or informing them of the outcome.
Exclusions	 You can lodge a complaint with the VO at any time, however, there are some limitations if: The conduct occurred too long ago The complainant is not directly involved in the matter The complaint falls outside of the VO's jurisdiction The complainant has not yet tried to resolve the issue directly with the organisation involved Please see Step 2, 'Time Limitations' for more information.
Additional information you need to know	The VO's services are free. You do not need a lawyer for the complaint process, however you can seek legal advice at any time.



Under section 18L of the *Ombudsman Act* 1973 (Vic),⁴ an employer must not dismiss or threaten to dismiss an employee or take other detrimental action because they have given information to the VO.

The VO has the discretion to decline to investigate certain complaints if they are deemed frivolous or not made in good faith. If the complainant doesn't have a sufficient interest in the subject matter, or if there is an adequate provision for review under an administrative practice. The VO may require that the complainant first attempt to resolve the issue directly with the relevant public authority.

Step 5: What remedies are available at this body?

Power	Description
Alternative Dispute Resolution – Conciliation	Conciliation is a voluntary process used by the VO to resolve complaints about public organisations. It involves a conciliator assisting both parties in discussing the complaint and suggesting solutions.
	This remedy is beneficial as it offers a speedy resolution, a confidential environment, and an opportunity for parties to understand each other's viewpoints. Conciliation is particularly suitable for ongoing relationships where continued disagreement may be detrimental, but it may not be appropriate for complex or serious issues. The VO decides on a case-by-case basis whether conciliation is suitable, considering factors such as the potential for informal resolution and the parties' willingness to engage in good faith.
	If an agreement is reached, the complaint is closed. If not, further enquiries or an investigation may follow. Parties should come prepared to listen, engage respectfully, and may bring a support person to the process.
Early Resolution (Informal Resolution)	The VO often resolves complaints quickly by contacting the organisation directly to clarify issues, correct errors, or prompt action.
	This can lead to apologies, explanation, re-opening of applications, correction of errors, or prompt action. It occurs before formal investigation or conciliation.
	Example: A housing repair request is completed after VO contacts the department to prompt action.

⁴ s 18L, Ombudsman Act 1973 (Vic).



Investigation, Reports and Recommendations	The VO has the authority to investigate complaints about public organisations particularly those raising serious or systematic issues. These investigations involve gathering evidence, interviewing witnesses, and reviewing documents to determine if there has been any wrongdoing. If an investigation is warranted, the VO will produce a report detailing the findings, which is often tablet and made public to ensure transparency. Based on the findings, the VO can make several recommendations to the public authority involved. These recommendations may include: Reconsidering or changing the conduct Take action to rectify, mitigate or change the conduct or its consequences Provide reasons for the conduct Changing any relevant laws or practices Pay compensation to the affected individuals, or Take any other appropriate steps to address the issue
Apology	While not enforceable, the VO may recommend a formal or informal apology from the respondent agency when harm or unfairness is acknowledged.
Financial Compensation	In limited circumstances, the VO may recommend that a public organisation make a payment to recognise that someone has suffered loss or disadvantage due to poor administration. These payments are not enforceable, but organisations usually agree to them.
Practice or Policy Change	Where a systemic issue is identified, the VO may recommend the agency updates its policies, procedures, or decision-making processes.
Public Exposure / Publication of Findings	In systemic or high-profile cases, the VO may choose to publish findings, either through a report to Parliament or on its website.
Direct Referral	The VO has the authority to refer complaints to other agencies when it is deemed that the receiving agency is better suited to handle the matter. This process, known as a direct referral, is guided by the Ombudsman Act 1973 (Vic). ⁵ Complaints can be referred to any of the bodies specified in Schedule 3 of the Act, ⁶ or to the relevant authority with the complainant's consent. This allows complaints to be addressed by the agency best equipped to resolve the issue, ensuring efficient and effective handling.

Ombudsman Act 1973 (Vic).
 Schedule 3, Ombudsman Act 1973 (Vic).



	The VO may also notify certain agencies of complaints that fall outside its jurisdiction. Once a complaint is referred, the VO typically ceases to handle the matter to avoid duplication of effort and potential inconsistencies. However, the VO may reconsider the complaint if necessary.
Ongoing Monitoring and Follow-Up	The VO may monitor whether agencies implement recommendations, particularly in serious or systemic matters.

Step 6: Preparing your complaint. What should it include?

Requirement	Description
Format	Complaints to the VO may be made over the phone, however under section 14(2) of the Ombudsman Act 1973 (Vic), ⁷ it may require the complainant to confirm the statement in writing. Though, complaints can also be made using an online form, email, letter or verbally. Complex or less urgent issues complaints are usually better submitted in writing so you can provide supporting documentation. If you would like the assistance of an interpreter or translator, this can be arranged by the VO, free of charge.
Personal Details	You can choose to lodge your complaint anonymously. However, this may stop the VO being able to respond to you, or further look into your concerns. If you are uncomfortable providing your personal information this should include your: • First and last name • Age range (11-17, 18-24, 25 and above) • Contact number • Email and postal address The VO's online complaint form will not progress unless you complete the above personal details field. However, if you wish to remain anonymous you can enter made-up details.
Respondent's Details	You should provide the name of the Victorian public authority or community service provider you are complaining about.
Relevant Facts	 When preparing your complaint to the VO, ensure you include all relevant facts such as: Date, Place and Time: specify when and where the issue occurred Witnesses: list any witnesses who were present Impact of the Problem: describe the effects of the problem (financial, emotional and physical)

⁷ s 14(2), Ombudsman Act 1973 (Vic).



	 Steps Already Taken: outline attempts to resolve the issue with the organisation involved Desired Outcome: state what you hope to achieve Supporting Documentation: provide relevant evidence (emails, letters, photos)
What NOT to include	Do not include false or misleading statements. This may be an offence.
Additional information you need to know	A copy of the complaint will be given to the respondent, and they will be informed about who has made the complaint. You can receive support from the body to prepare your complaint.
	Complainants who are minors need the authority of a guardian to lodge a complaint. Additionally, reasons for any delay in lodging a complaint should be provided.

Step 7: Lodging your complaint and next steps.

Step	Description
Where to lodge your complaint	 Online form: https://www.ombudsman.vic.gov.au/complaints/make-complaint/ Email: complaints@ombudsman.vic.gov.au Post: Level 2, 570 Bourke Street, Melbourne, VIC 3000 Telephone: 1800 806 314 Monday to Friday 9am – 5pm In person: Level 2, 570 Bourke Street, Melbourne, VIC 3000 Monday to Friday 9am – 5pm
Receipt	When you submit a complaint to the VO, you will receive a written acknowledgement within 5 working days, confirming that your complaint has been received and lodged. The VO's office will then assess your complaint to determine if it falls within their jurisdiction and if further investigation is warranted. If your complaint is accepted, an investigation will be conducted, which may involve gathering information from you and the relevant public organisation. After the investigation, you will be informed of the outcome, which can include recommendations for the public organisation to address issues raised. If you are not satisfied with the outcome, you can request an internal review within 60 days of your case being closed. This process ensures that your concerns are properly addressed and provides a clear pathway for a resolution.
Initial Assessment	Once your complaint is received by the VO, it will be reviewed to determine if it is within their jurisdiction.
Conciliation	Conciliation with the VO is a voluntary process designed to help resolve complaints about public organisations. The VO's conciliators will assist the parties in discussing the complaint; they will evaluate



	the parties positions and suggest options to help the parties resolve the complaint.
	This process is confidential and aims to achieve a speedy resolution in a respectful and controlled environment. The VO's office supports equitable participation in conciliation by allowing you to bring a support person if needed, which ensures fairness and an effective process.
	However, you do not need a lawyer to participate in a conciliation with the VO, but you are welcome to seek legal advice if you feel it would be beneficial.
Reporting Improper Conduct	Reporting improper conduct to the VO is a process designed to ensure transparency and accountability within public organisations. Anyone can report improper conduct or harmful actions, and those who do, are protected from retaliation under the <i>Public Interest Disclosures Act</i> 2022.8
	You can contact the VO for a confidential discussion, where they will assess if you report needs to be referred to the Independent Broadbased Anti-corruption Commission (IBAC). If IBAC takes on the report, they will investigate, dismiss, or refer it back to the VO or another organisation.
	Throughout this process, you will be kept informed and provided with an outcome.
	You can contact the VO for a confidential chat on (03) 9613 6222.
Additional information you need to know	You should try to provide all relevant information and documentation when you first lodge your complaint. This helps to ensure your concerns are understood and action can be taken as quickly as possible.
	You should update the VO about any changes that can impact your complaint, including if the problem has been resolved.
	It is a good idea to keep a copy of your complaint for your reference.

Step 8: Post-complaint – what if you are not happy with the outcome of your complaint?

Avenue	Description
Internal review opportunities	If you are not satisfied with an outcome of a complaint to the VO, you can request an internal review within 60 days of your case being closed. This request should be made in writing, clearly stating why you are not happy with the outcome.
	A senior officer who wasn't involved in the original investigation will conduct the review, providing an unbiased assessment. The VO's office aims to complete this review within 30 working days, keeping you informed throughout.
	The outcome can confirm the original decision, recommend further investigation or suggest alternative resolutions, with a written

⁸ Public Interest Disclosures Act 2022.



	explanation provided. This process ensures your concerns are thoroughly re-examined and offers a clear pathway for addressing any issues with the initial handling of your complaint.
External review/ remedies	If you aren't satisfied with your outcome of your complaint after the internal review by the VO, you have several external review and appeal options.
	You can escalate your claim to an oversight body such as the Independent Broad-based Anti-corruption Commission (IBAC) to establish if it involves serious misconduct or corruption. Additionally, you can seek a judicial review of the VO's decision in the Supreme Court of Victoria, where the court will examine the legality of the decision-making process. It is recommended that you seek legal advice, before pursuing this avenue.

Step 9: Overlapping or Related Jurisdiction to the complaints body?

Complaint body	Description	
Australian Human Rights Commission	The Australian Human Rights Commission (AHRC) can handle complaints about discrimination that occurs in employment, education, the provision of goods and services, accommodation, sport or the administration of Commonwealth laws and services. If you have experienced discrimination, bullying or harassment on the basis of your sex, disability, race, age or sexual preference, the AHRC may be able to help. There are also State Government discrimination complaint bodies who may also be able to assist.	
Office of the Australian Information Commissioner	The Office of the Australian Information Commissioner (OAIC) can handle complaints about the way personal information has been handled by Australian Government agencies and some private organisations. The OAIC can also review freedom of information decisions that are made by Australian Government agencies and ministers. There are also State Government privacy and information complaint bodies who may also be able to assist.	
National Anti- Corruption Commission	The National Anti-Corruption Commission (NACC) handles complaints about serious or systemic corruption in the Australian Government public sector. There are also a State Government corruption complaint bodies who may also be able to assist.	
Health Care Complaints Commission	The Health Care Complaints Commissioner (HCCC) handles complaints about health related matters involving public authorities. Complaints regarding clinical or medical decisions are best handled by the HCCC as they are expertise in these matters.	



	Complaints about the administrative actions, decisions of hospitals, and health services provided in correctional settings are more appropriately handled by the VO.
Office of the Victorian Information Commissioner	The Office of the Victorian Information Commissioner (OVIC) manages complaints about the handling of personal information by Victorian public sector agencies and oversees freedom of information (FOI) requests. OVIC provides independent advice on information privacy, data protection, and FOI, ensuring public sector compliance with relevant laws. If a complaint involves broader administrative issues beyond privacy concerns, OVIC can refer the matter to the VO.
Local Government Victoria	The Local Government Victoria (LGV) supports and oversees the local government sector in Victoria. The LGV develops policies and projects to strengthen councils, provides guidance on governance and financial management, and ensure effective service delivery. The LGV also work with councils on emergency management, overseeing sector investments, and promoting good governance and integrity. By fostering partnerships between the state government and local councils, LGV helps to address shared challenges and align
	priorities to enhance local governance. The LGV can guide complainants to seek assistance from the VO, if it involves broader issues or decisions by councils that fall within the VO's jurisdiction.
Victorian Equal Opportunity and Human Rights Commission	The Victorian Equal Opportunity and Human Rights Commission (VEOHRC) is a state body which handles complaints about discrimination, sexual harassment, and victimisation in various areas such as employment, education and services.
	VEOHRC protects and promotes human rights and equal opportunity to provide education and resources to help individuals and organisations understand their rights and responsibilities.
	If a complaint involves administrative actions or decisions by public authorities that may also constitute discrimination, VEOHRC can refer the matter to the VO with the complaint's consent.
Victorian Auditor- General's Office	The Victorian Auditor-General's Office (VAGO) provides independent assurance to Parliament and the Victorian community on the financial integrity and performance of the state. VAGO conducts financial and performance audits of public sectors entities, promoting accountability and transparency. Complaints can only be referred with the express consent of the complainant.
Office of the Inspector-General for Emergency Management	The Office of the Inspector-General for Emergency Management (IGEM) reviews and monitors management arrangements in Victoria, including issue in custodial settings.



	IGEM provides assurance to the government and community regarding emergency management and supports continuous improvement. Complaints can only be referred to the VO if they have the express consent of the complainant.
Energy and Water Ombudsman Victoria	The Energy and Water Ombudsman Victoria (EWOV) handles complaints about energy and water providers in Victoria. EWOV is an independent and impartial service which resolves disputes between customers and providers regarding billing, service quality, and other issues. If a complaint involves issues beyond energy and water services, it can be referred to the VO with the express consent of the complainant.
Independent Broad-based Anti-corruption Commission	The Independent Broad-based Anti-corruption Commission (IBAC) investigates serious corruption and misconduct in the Victorian public sector, including police misconduct. IBAC has powers to compel the production of documents, enter and search premises and hold hearings. It focuses on preventing corruption through education and outreach. If IBAC identifies issues related to administrative actions or decisions that fall within the VO's jurisdiction, it can refer these matters to the VO with the consent of the complainant.
Victorian Civil and Administrative Tribunal	The Victorian Civil and Administrative Tribunal (VCAT) resolves various legal disputes and can make binding determinations. VCAT deals with matters such as residential tenancies, planning and environment, civil claims and human rights. It provides a less formal and more accessible alternatives to court. If a complaint involves administrative actions or decisions by public authorities that fall within the VO's jurisdiction, VCAT can refer these matters the VO with the consent of the complainant.
Victorian Legal Services Board and Commission	The Victorian Legal Service Board and Commission (VLSB) manages complaints about legal services in Victoria, including misconduct by lawyers. The VLSB regulates the legal profession, ensuring high standards of conduct and service. It also provides education and resources to both consumers and legal practitioners. If a complaint involves administrative actions or decisions by public authorities that fall within the VO's jurisdiction, VCAT can refer these matters the VO with the consent of the complainant.



Need help to preparing or pursuing your complaint?

Below are organisations that may be able to help you to make your complaint, provide support or advocacy during the complaint process or give you more information.

Organisation	Contact Details	How they can help
Victorian Ombudsman	Website: https://www.ombudsman.vic.gov.au/ Email: complaints@ombudsman.vic.gov.au Telephone: 1800 806 314	You can contact the VO directly if you have any further questions or need assistance with your complaint.
Translating and Interpreter Service	Website: www.tisnational.gov.au Telephone: 131 450	Provides interpreting and translation services for people if English is not their first language.
National Relay Service	Website: www.accesshub.gov.au	Provides a range of services to support people who are deaf or have a hearing or speech impairment to communicate.
Deaf or Hearing Impaired Users	Telephone: Choose preferred NRS channel then 1800 806 314	Provides communication support for deaf or hearing impaired individuals through the National Relay Service (NRS), where you can choose their channel for assistance.

Self-help tools and additional resources

Resource	How this helps
Where to Make a Complaint	A list of complaint services depending on your complaint type from the VO.
How to Make a Complaint	Guidance from the VO on how to make a complaint.
Call It Out	Online register for racism/discrimination experienced or witnessed towards First Nations Australians. Not an official complaints body.
Law Society: Know Your Rights	Guidance for individuals who are uncertain about where to start when seeking legal advice.