



Australian Government

Inspector-General of Taxation

Taxation Ombudsman

Quarterly Reporting Pack

Quarter 2, 2019-2020

Part 1

Complaints Data

Complaint categorisations

Definition of a complaint per ISO standards:

Any expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

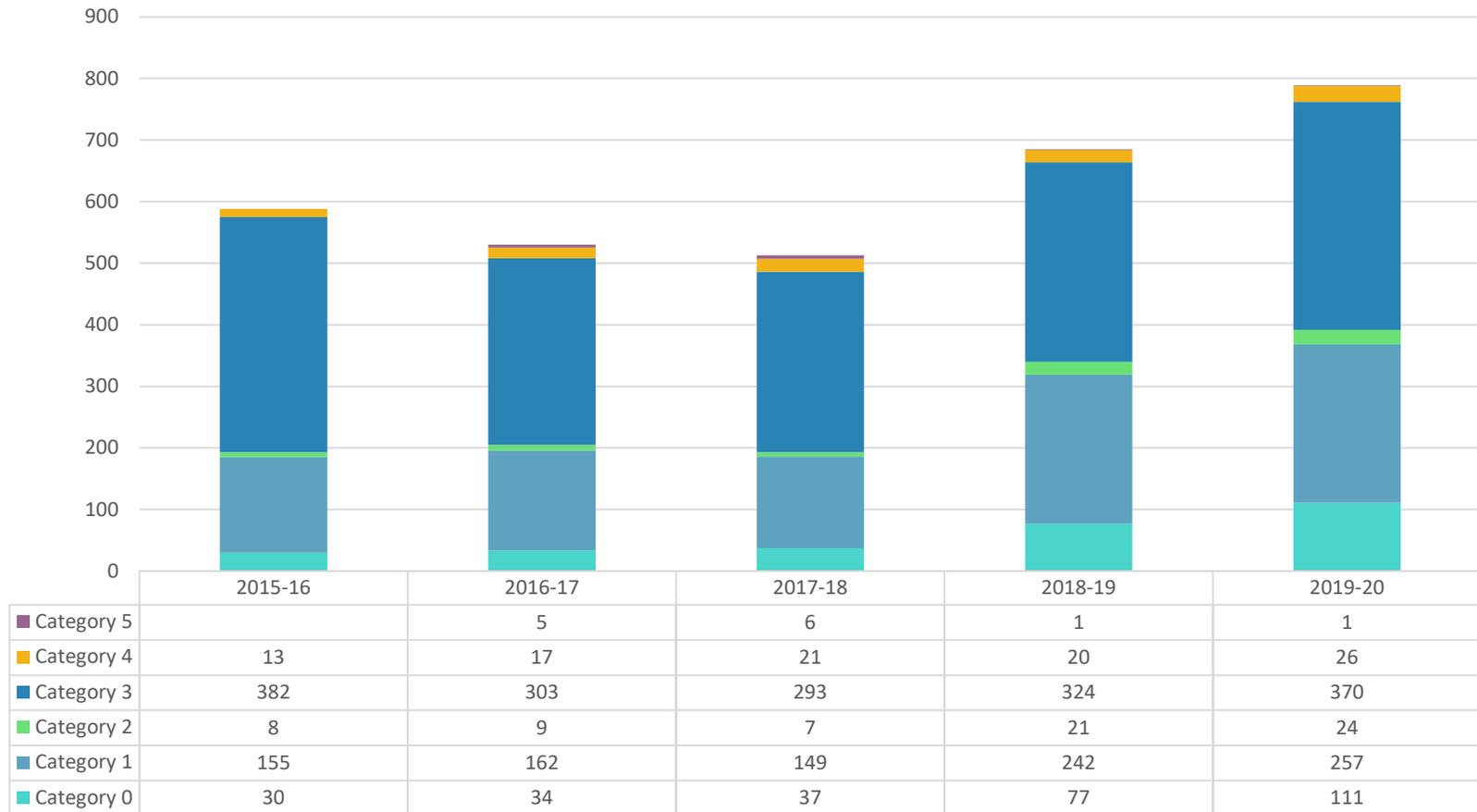
Categories where no investigation notice is sent to the ATO

Category 0	Complaints that are assessed and no further action is taken or contact is lost with the complainant.
Category 1	Complaints that are able to be resolved by the IGTO directly, including those which are referred elsewhere.
Category 2	Complaints: <ul style="list-style-type: none">- where feedback is being provided to the agency without an investigation;- transferred to another agency (e.g. Commonwealth Ombudsman); or- following consideration of the issues, is declined.

Categories where an investigation notice is sent to the ATO

Category 3	Relatively simple complaints that are expected to be resolved in a timely manner. Further divided into 3 sub-categories (below).
Category 3.1	Cases with minimal IGTO involvement (known as "Transfers" by the ATO).
Category 3.2	Cases where the IGTO and ATO reach common understanding on the issues and options for resolution (known as "Referrals" by the ATO).
Category 3.3	Cases that the IGTO and ATO seek to address through a pre-agreed process.
Category 4	Complex Complaints that warrant direct and ongoing IGTO involvement.
Category 5	Complex Complaints that require the involvement of SES responsible for the subject of the complaint.

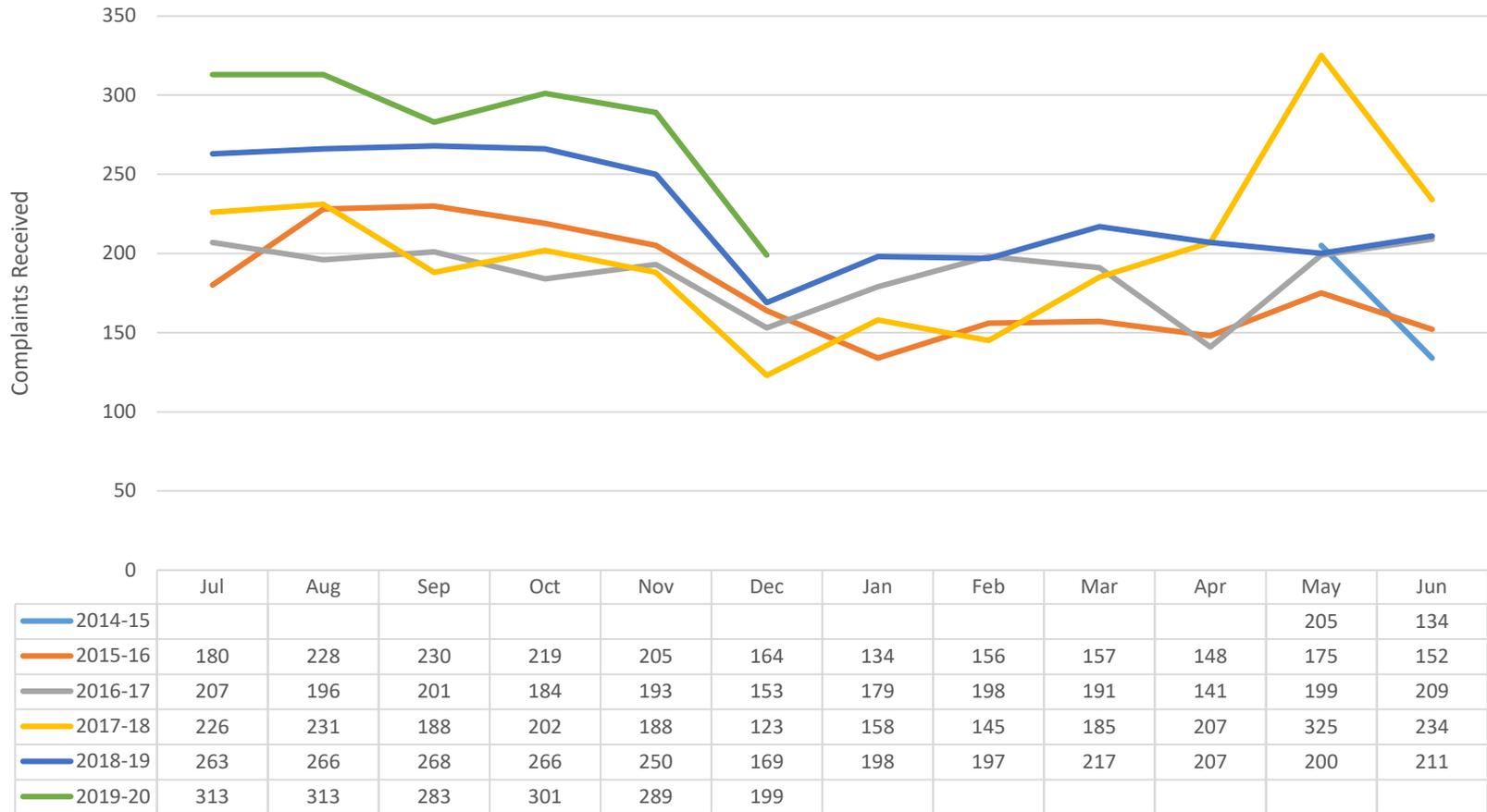
Total complaints received in Quarter 2 each year



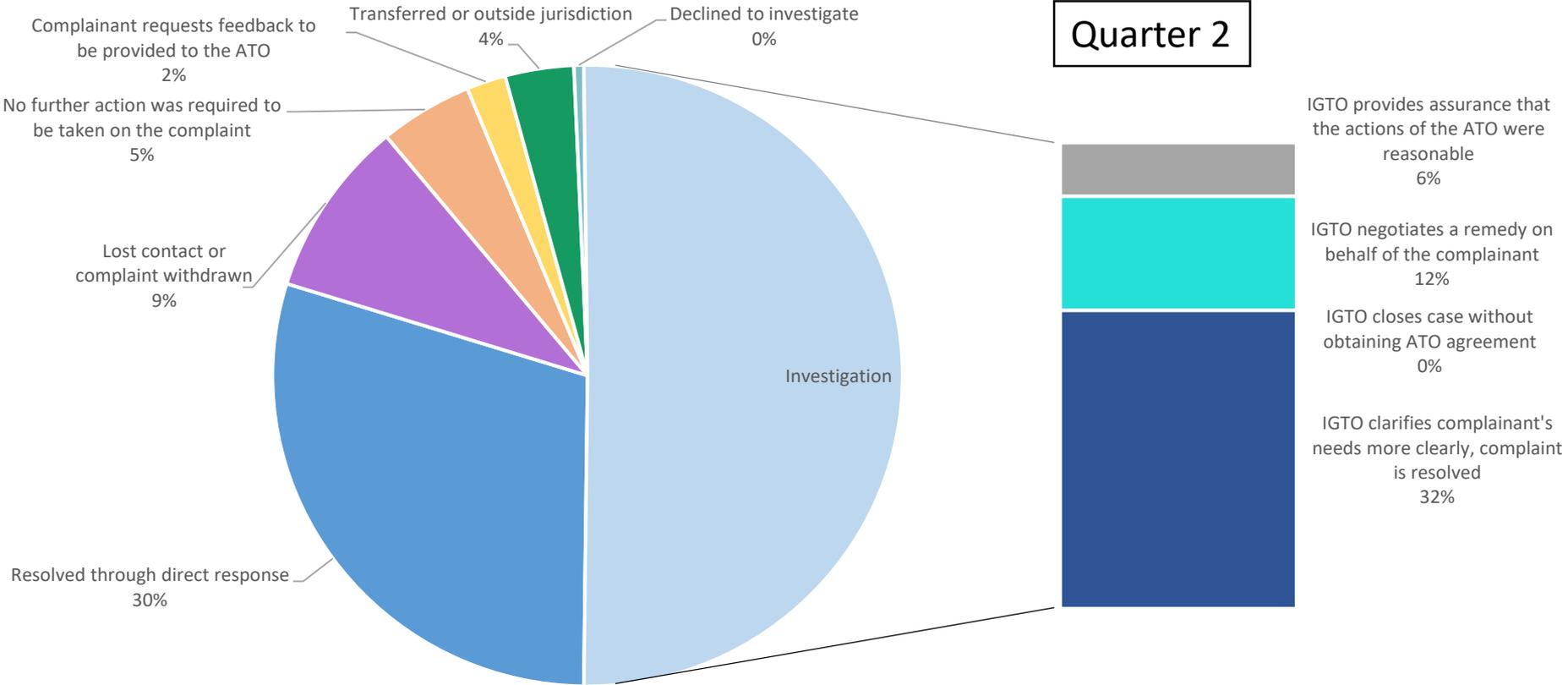
Total complaints received each year



Total complaints received each year



Complaint investigations are typically resolved by Agreement



Top 5 complaint issues with the ATO in Quarter 2

1. Debt collection

- How has the ATO calculated this debt and why is it using my refund to pay it?
- Why has the ATO issued me a Director Penalty Notice and garnished funds from my bank accounts?
- The ATO won't accept my payment arrangement offer and wants to bankrupt me

2. Lodgement and processing

- The ATO won't process my amendment
- Why does the ATO say I'm not eligible for a tax offset?
- I can't lodge my tax return electronically

3. Payments to the taxpayer

- The ATO hasn't paid me my tax refund
- Why isn't the ATO making my employer pay me super?

4. Communications

- The ATO never sent me that notice
- The call centre gave me the wrong information

5. Audit and review

- The ATO has not properly considered my evidence and circumstances in its audit
- I don't understand the ATO's decision

Top 5 complaint issues with the TPB in Quarter 2

1. Breach of code of conduct (of tax practitioners)
 - The TPB is not investigating my tax agent's conduct
2. Registration
 - The TPB is not helping me to renew my registration
3. Sanctions
 - The TPB has decided I've breached the code of conduct without conducting a proper investigation
 - The TPB has cancelled my company and tax agent registration unfairly
4. Unregistered tax agent action
 - The TPB is not taking action against unregistered tax agents
5. Registration and taxpayer details
 - I'm having issues using the TPB's proof of identity system for registration

Part 2

Key Performance Indicator (KPI) results for Quarter 2, 2020

Our Strategic Priorities

	<p>Communicate clearly and effectively</p>	<p>Clear communication is an important strategic priority for the IGTO. Clear communication is important in all aspects of the delivery of our services to the community:</p> <ul style="list-style-type: none"> • Providing access to information; • understanding issues raised in complaints; • understanding stakeholder issues; • investigating complaints; • understanding and analysing the sources of complaints and misunderstandings; • conducting reviews; • preparing submissions to Parliamentary Committees and Government; and • reporting our key findings and recommendations to the Minister, Government, Parliament, ATO, TPB and ultimately for the community. <p>Communication is critical and one of the main tasks that we have as complaint handlers is to assist in re-establishing communication between the ATO and taxpayers. This is particularly important in the context of audits and reviews and managing debt compliance – such as arrangements for time for payment.</p>
	<p>Be approachable, contactable and responsive</p>	<p>The success of our delivery of services to the community depends on IGTO being easy to work with, being accessible and responsive in our investigation of complaints and reviews. Whilst responsiveness may necessarily vary with the complexity of the matters investigated – it is a priority for all of our reviews and complaint investigations.</p>
	<p>Improve the skills, expertise and resilience of our people and organisation</p>	<p>Our team needs to have both tax technical skills and the expertise and skills to work with people, sometimes in moments of high stress and anxiety. The complexity of the Australian taxation laws necessitates specialist expertise in taxation to navigate options and make recommendations.</p>
	<p>Independent thought leadership and expertise</p>	<p>IGTO can provide some unique insights on the operation of the taxation administration laws – both domestically and by way of international comparisons. Our thought leadership contribution to the taxation community is another opportunity to contribute to improved taxation administration laws.</p>
	<p>Engage with stakeholders in the tax administration system</p>	<p>Stakeholder engagement is a strategic priority for IGTO – to ensure we stay connected with the tax community. This is critical to allow us to identify priority areas for review, to keep on top of the ‘current’ experiences in the market and tax community and to promote community awareness of the service we provide and assistance we can deliver.</p>

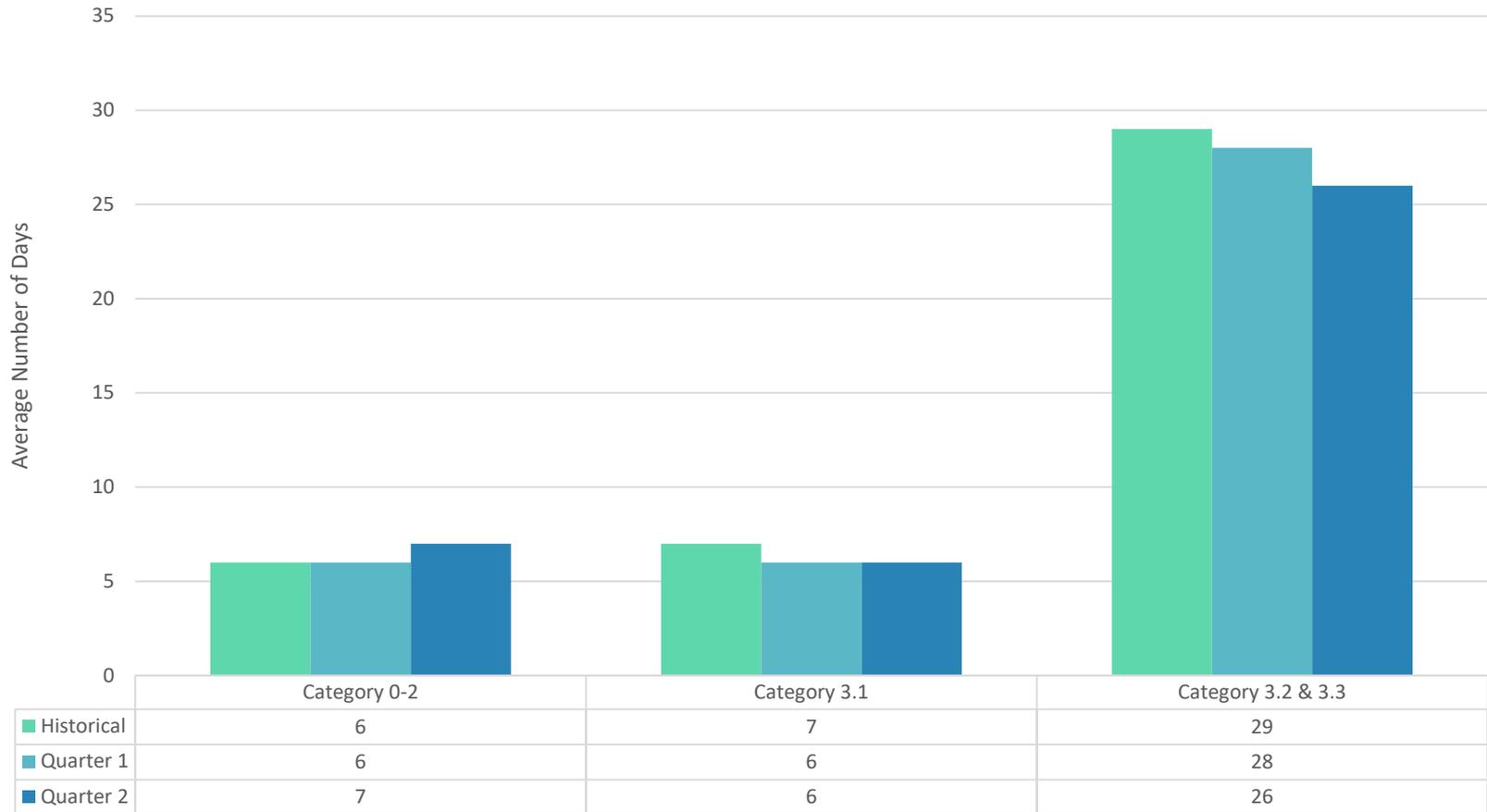
Key performance areas

<p>KPA 1</p> <p>Provide an independent, efficient and effective tax complaints service for taxpayers</p>	<ul style="list-style-type: none"> Actively investigate complaints in a fair, independent and timely manner. Provide understandable reasons for our decisions. Maintain cooperative relationships with the ATO and TPB. Identify and share improvement opportunities, internally and also with the ATO and TPB, to support prompt and effective delivery. Provide targeted training and development to staff in order to maintain a tax specialist complaints team. 	
<p>KPA 2</p> <p>Identify and investigate priority areas for improved tax administration</p>	<ul style="list-style-type: none"> Analyse data and feedback obtained from complaints together with consultation with stakeholders to identify broader tax administration issues. Allocate resources appropriately to priority areas. 	
<p>KPA 3</p> <p>Provide advice that is independent, timely and relevant to the administration of taxation laws in Australia</p>	<ul style="list-style-type: none"> Be responsive to the community, including the Government, the ATO and the TPB in making effective recommendations for improving tax administration. Allocate resources to conduct reviews appropriately. 	
<p>KPA 4</p> <p>Co-operate and collaborate with relevant agencies and stakeholders - both domestically and internationally</p>	<ul style="list-style-type: none"> Engage with the Government, ATO and the TPB to communicate effectively and efficiently on areas of concern. Foster relations with other government agencies and Ombudsman to ensure tax administration complaints are referred to our office. Engage with the broader community using a variety of channels. 	
<p>KPA 5</p> <p>Foster a diverse, engaged and resilient team</p>	<ul style="list-style-type: none"> Provide a workplace environment in which our staff are supported, engaged and inspired to provide the best service and outcomes. Develop our specialist capabilities through targeted training and development opportunities. Ensure our office is made up of diverse people with varied qualifications, skills and experience. 	

KPA 1

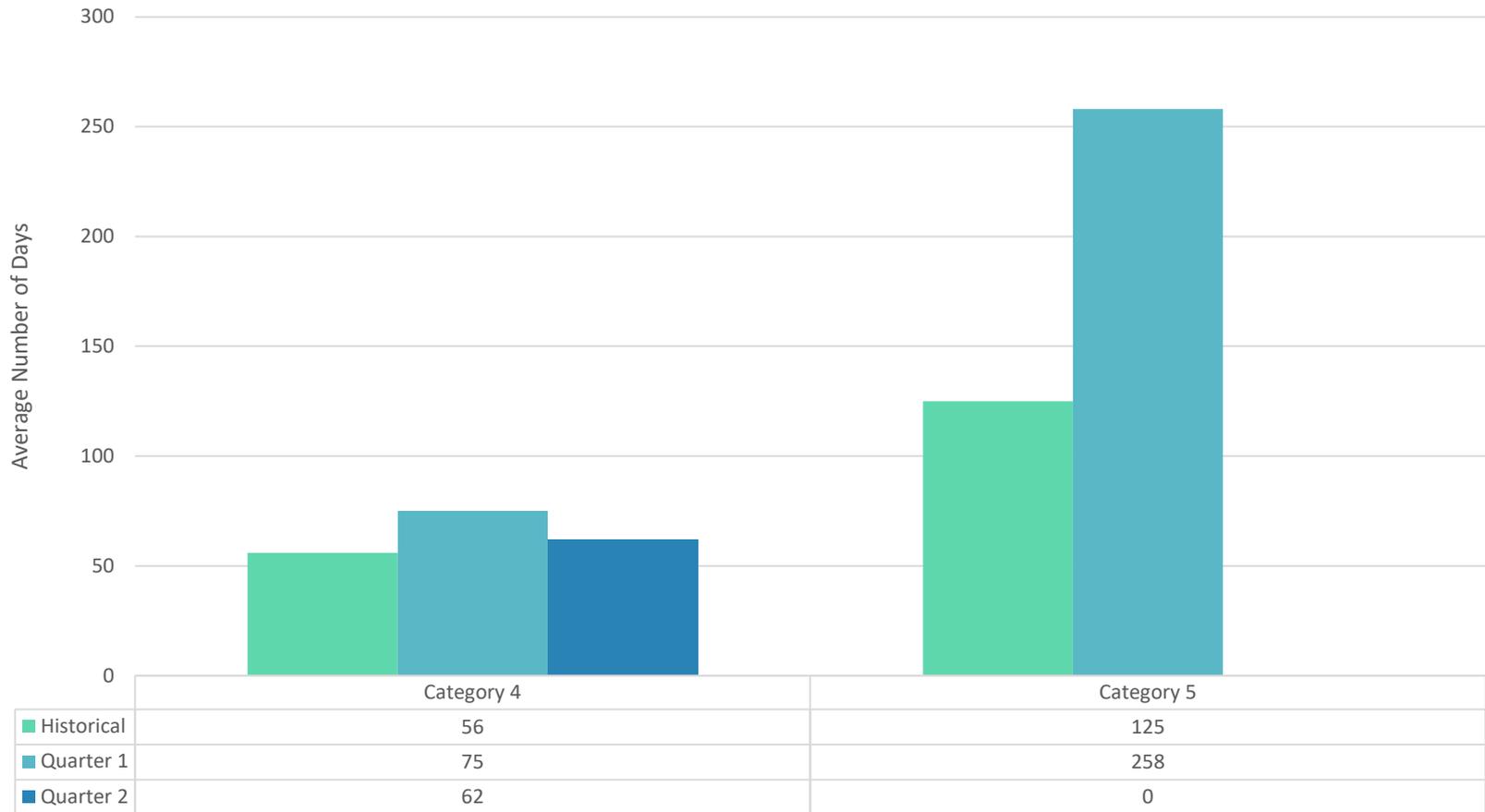
Provide an independent, efficient and effective tax complaints service for taxpayers

Average number of days to resolve complaints (Categories 0-3*)



* 96.5% of complaints

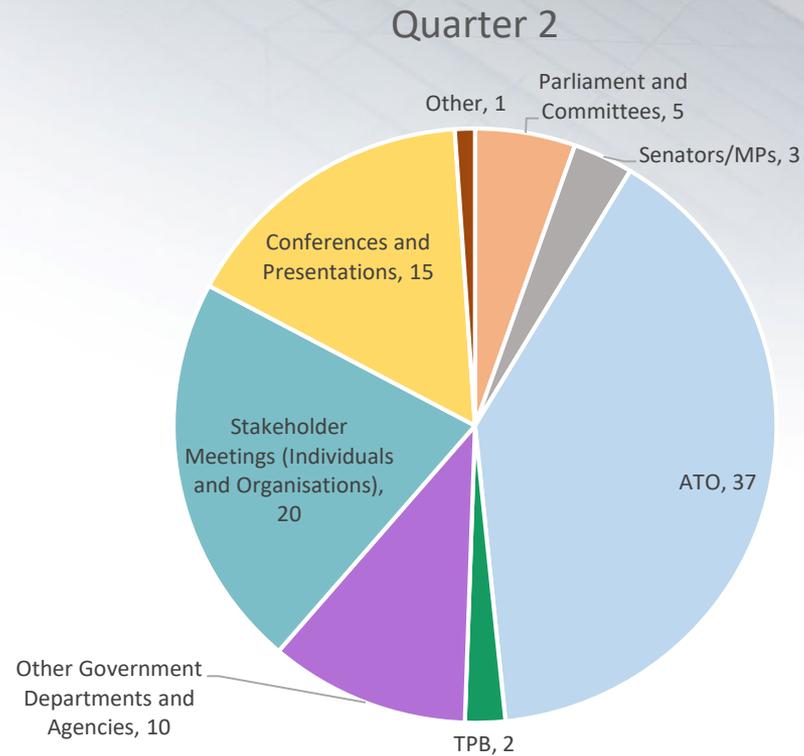
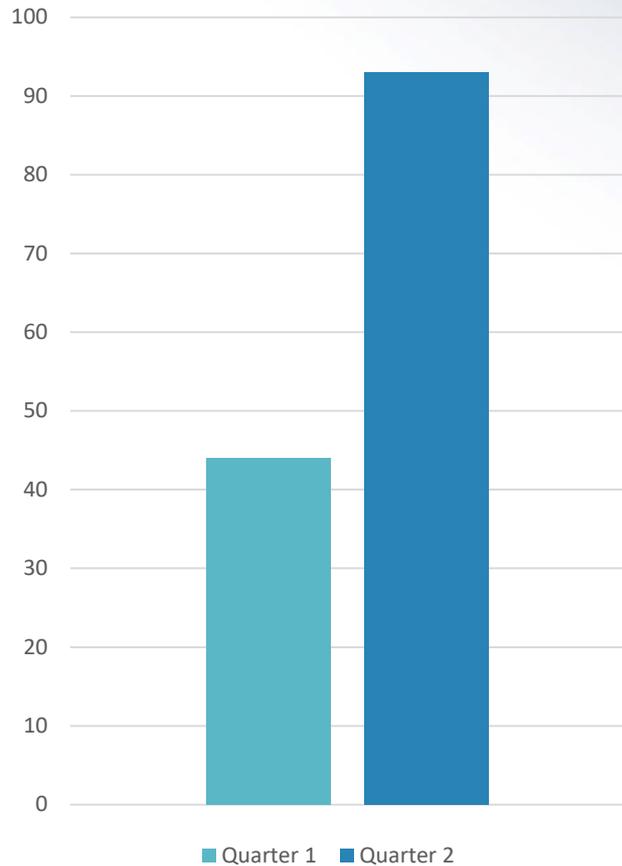
Average number of days to resolve complaints (Categories 4-5)



KPA 2

**Identify and investigate priority areas
for improved tax administration**

Meetings and engagement with stakeholders



Reviews Commenced

Investigation and Exploration of Undisputed Tax Debts in Australia

Commenced 31 October 2019	<p>The purpose of the review is to understand the trends and landscape of outstanding tax debts in Australia. The results can assist to identify and gain greater insight into which segments of the economy are experiencing increases in undisputed debt collections – that is, areas for further and targeted investigation.</p> <p>The investigation will also consider international jurisdictions associated with low levels of undisputed tax debts and their related environments. Whilst direct international comparison is rarely possible owing to differences in tax systems, there may be some lessons or insights from overseas experiences that can be identified for further exploration.</p>
------------------------------	---

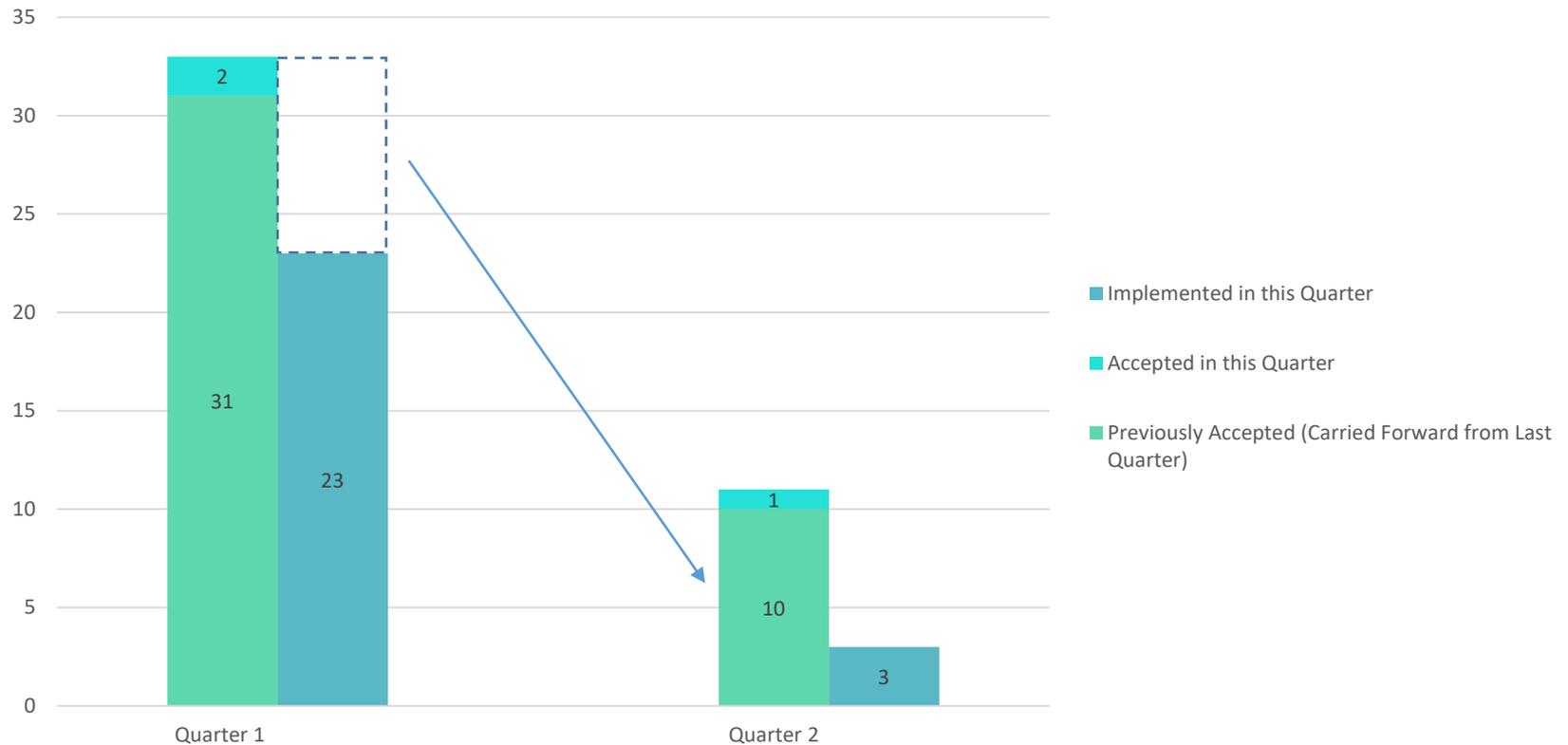
Death and Taxes – Investigation into ATO Systems and Processes for Dealing with Deceased Estates

Commenced 31 October 2019	<p>The investigation seeks to identify opportunities to improve the administration of deceased estate tax compliance. The IGTO will examine and consider:</p> <ol style="list-style-type: none">1. the experiences of the community (family and friends) in managing the tax affairs for the deceased;2. the ATO's policies, processes and guidelines for receiving information from and dealing with deceased estates;3. the public guidance issued by the ATO to assist executors or administrators;4. the ATO's systems, including the ATO Portals, for dealing with deceased estates;5. any legislative impediments to the efficient administration of deceased estates; and6. any other relevant issues to the administration of deceased estate tax obligations.
------------------------------	---

KPA 3

**Provide advice that is independent,
timely and relevant to the
administration of taxation laws in
Australia**

Agreed Business Improvements accepted and implemented by the ATO and TPB



Reponses to Government, Treasury or Parliamentary reviews that relate to taxation administration

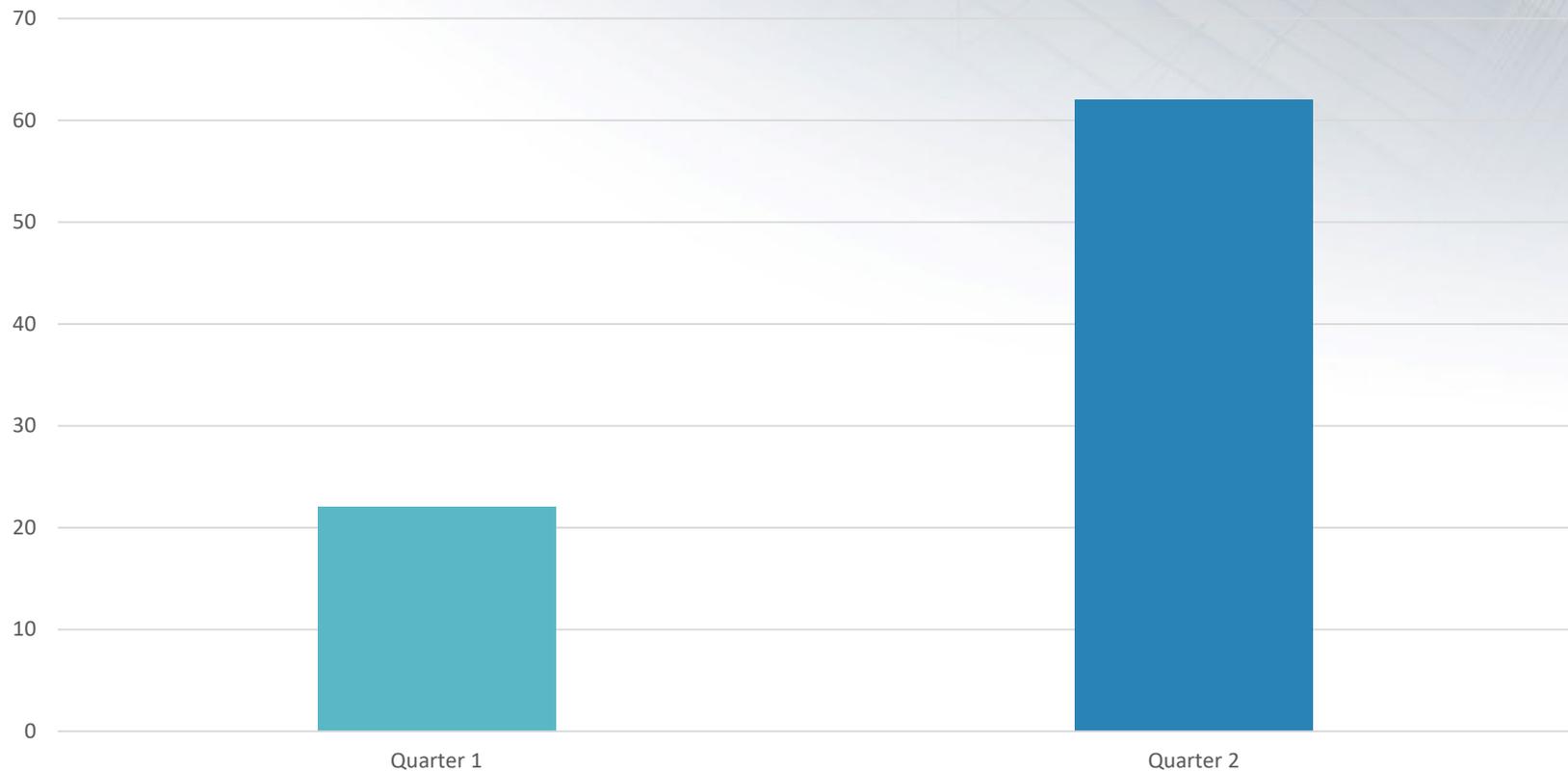
2019-20 Quarter 2

27 November 2019	Supplementary submission to the Senate Economics Legislation Committee's Review into the Performance of the IGTO (1)
27 November 2019	Supplementary submission to the Senate Economics Legislation Committee's Review into the Performance of the IGTO (2)
6 December 2019	Public hearing before the Senate Economics Legislation Committee in relation to the Review into the Performance of the IGTO

2019-20 Quarter 1

13 August 2019	Submission to the Australian Information Commissioner's Discussion Paper on Disclosure of Public Servants' Names and Contact Details
15 August 2019	Submission to the Senate Economics Legislation Committee's review of the Treasury Laws Amendment (2019 Tax Integrity and Other Measures No 1) Bill 2019 (in relation to Tax Debt Transparency)
19 August 2019	Public hearing before Senate Economics Legislation Committee on Tax Debt Transparency
30 August 2019	Submission to the Senate Economics Legislation Committee's Review into the Performance of the IGTO
6 September 2019	Submission to the Treasury's Review into the Tax Practitioners' Board

Mentions of the IGT0 in professional newsletters, updates, reports and conference papers

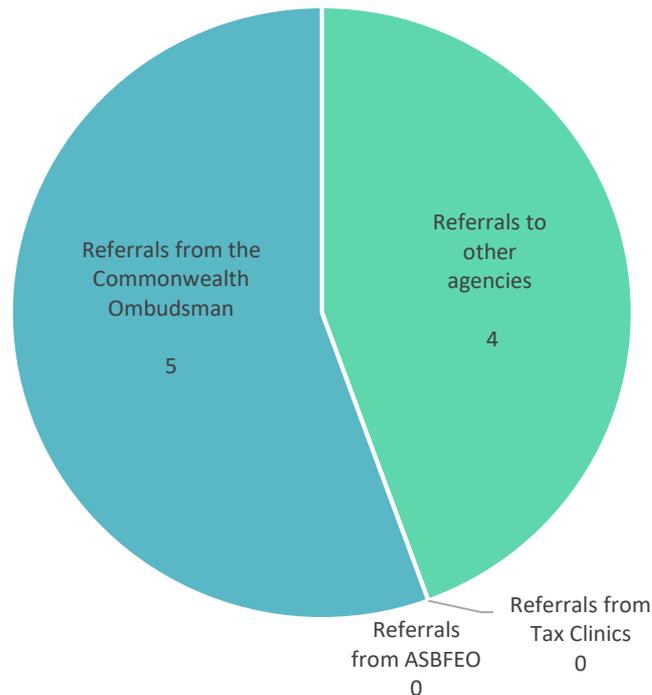


KPA 4

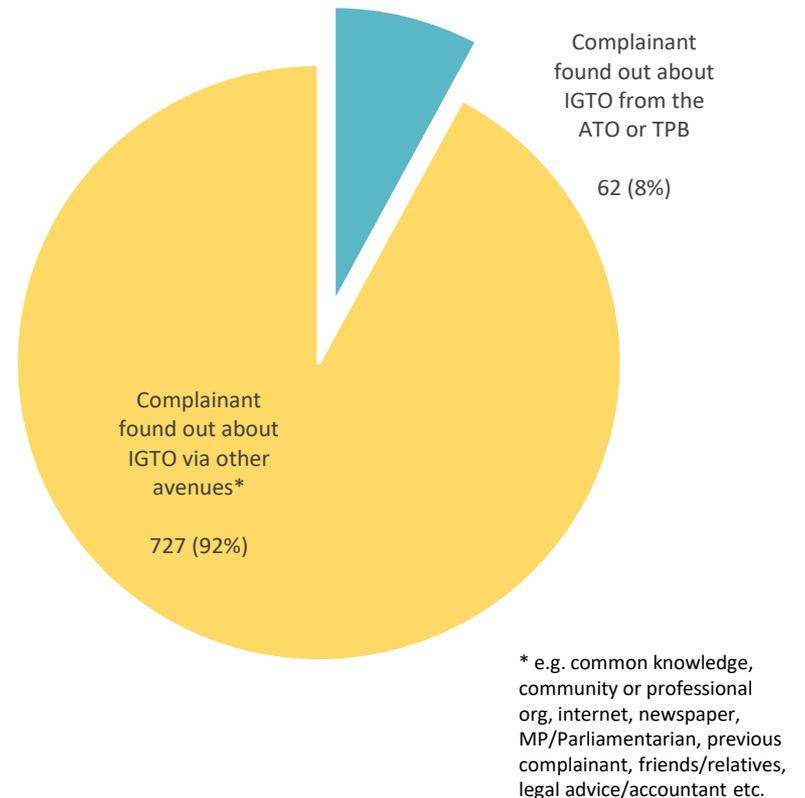
Co-operate and collaborate with relevant agencies and stakeholders – both domestically and internationally

Cross referrals to/from other agencies

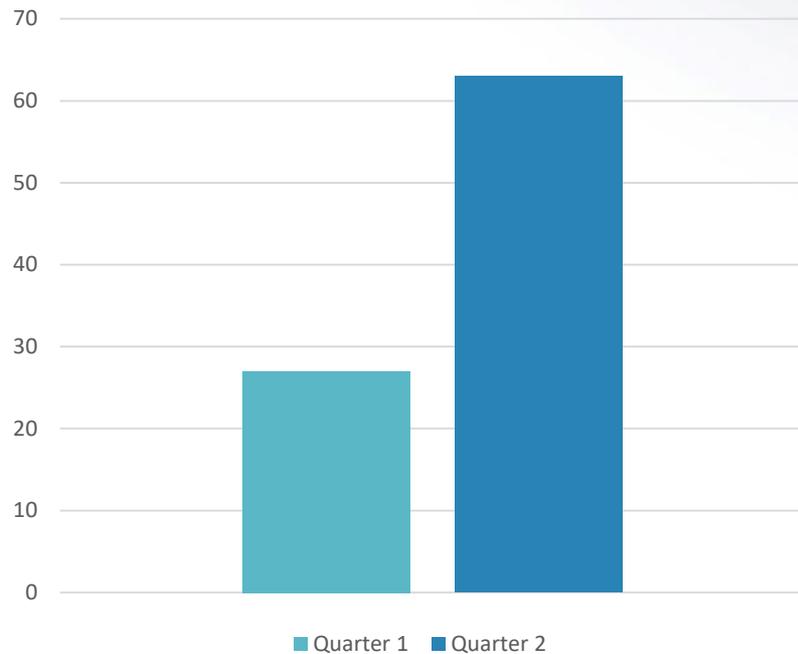
Referrals



How complainants found out about the IGTO



Briefings with the Government, the Australian Parliament, the ATO and/or the TPB



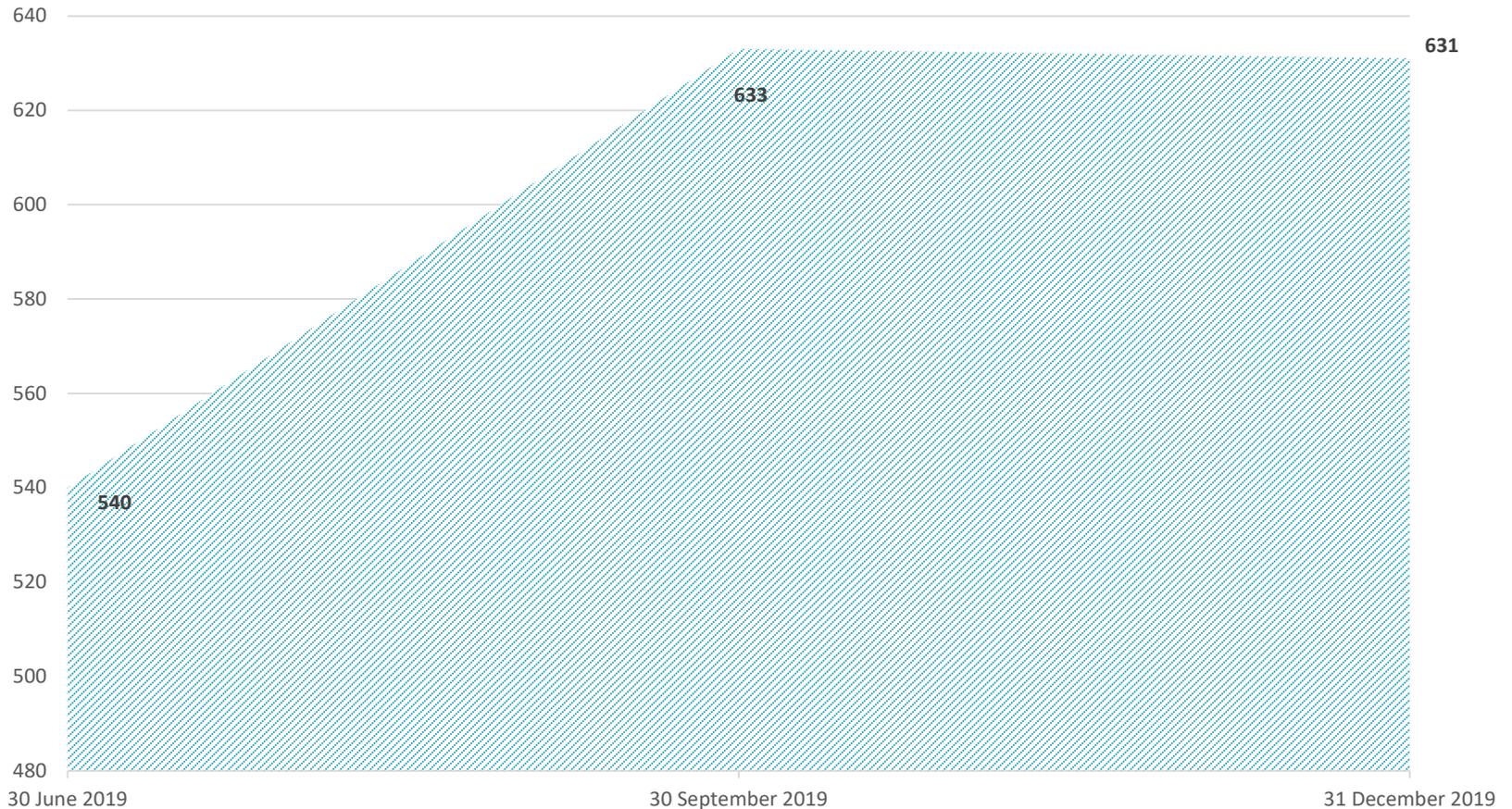
Briefings in Quarter 2 2020	
Parliament and Committees	5
Ministers and Government	1
Senators/MPs	3
ATO	37
TPB	2
Treasury	3
Other Government Departments and Agencies	10
Other	2

Participation at relevant domestic and international conferences and forums



2019-20 Conferences
Quarter 1
United States Ombudsman Association
Australasian and Pacific Ombudsman Region (Taiwan)
SOCAP Symposium
Women in Leadership Symposium
Tax Institute Tax Disputes Conference
IPA Women in Practice Conference
Tax Institute 52 nd Western Australia National Convention
Quarter 2
Law Council of Australia Taxation Workshop
IPA National Congress – Adelaide
Australian and New Zealand Ombudsman Association AGM
UNSW Seminar on Taxation and Business Law

Registered subscribers to IGTO newsletter via website



Website and Social Media

KPI	Description	Quarter 1 2020	Quarter 2 2020
Up-to-date IGTO website links and information referring to related agencies	Percentage and total website links to other agencies are up-to-date	100% (15 of 15)	100% (15 of 15)
	Percentage and total number of other agencies listed on the IGTO website which contain valid links to the IGTO website	33.3% (5 of 15)	33.3% (5 of 15)
Website hits	Total website hits	40,963	40,489
Social media engagement	Total number of Facebook fans	5,692	6,196
	Total number of Twitter followers	687	718

KPA 5

Foster a diverse, engaged and resilient team

Average hours per staff attending specialist training annually



Specialist training attended in Quarter 2 2020

Coaching Skills for Managers (USYD)

Frontline Staff (NSW Ombudsman)

Managing Unreasonable Conduct (NSW Ombudsman)

Each IGTO staff member attended on average **10.85** hours of specialist training in Quarters 1 and 2 of 2020.

In addition to the above, there were 6 IGTO staff members who were, in Quarter 2 of 2020, engaged in Postgraduate, Professional Course or Long Term Study.

Monitor diversity in the agency including the percentage of female staff across all levels

