

Disclosures and legal compliance

Certification of Key Performance Indicators

I hereby certify that the performance indicators are based on proper records, are relevant and appropriate for assisting users to assess the office of the Commissioner for Equal Opportunity's performance, and fairly represent the performance of the Commission for the financial year ended 30 June 2016.



A. Macdonald
Acting Commissioner for Equal Opportunity

13 September 2016

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Report on key performance indicators

The Commissioner for Equal Opportunity provides information on equal opportunity and human rights issues as well as avenues of redress to individuals who experience unlawful discrimination.

Government Goal Outcome Based Service Delivery	Desired Outcome	Services
Greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.	The people of Western Australia are provided with information and advice about equal opportunity and human rights issues and have accessible avenues of redress under the relevant legislation.	Provision of information and advice regarding equal opportunity and human rights Avenues of redress for unlawful discrimination and unreasonable treatment.

The Commission's effectiveness indicators demonstrate the extent to which the Commissioner for Equal Opportunity meets the Desired Outcomes through its services, and the efficiency indicators measure the cost of providing those services which are:

- the provision of information and advice regarding equal opportunity and human rights issues, and
- avenues of redress for unlawful discrimination and unreasonable treatment under the relevant legislation.

All target figures have been reported in the 2015-16 Budget Papers, Vol 2, Division 39.

Key effectiveness indicators relating to desired outcomes

The people of Western Australia are provided with information and advice about equal opportunity and human rights issues and have accessible avenues of redress under relevant legislation.

Outcome 1: Awareness and promotion of equality of opportunity

Indicator: Community awareness of the *Equal Opportunity Act 1984* and belief it is of benefit

The extent to which the Western Australian community is aware of equality of opportunity, and recognises and accepts the *Equal Opportunity Act 1984* (the Act) is assessed by conducting a community-wide survey every three years to ascertain community attitudes to equal opportunity. The figures provided for this report are therefore based on surveys conducted in 2015.

This effectiveness indicator is derived by combining the results of the questions relating to community awareness of the Act and belief in the benefit of having such legislation. These results are set out in Table 1, with more details shown in Table 2.

Table 1
Awareness of the *Equal Opportunity Act (1984)*
2006 – 2015

	2006 %	2009 %	2012 %	2015 Target %	2015 Actual %
Community awareness of the EO Act and belief it is of benefit	84.3	81.4	82.1	82.0	76.5

The decrease shown in this indicator is largely due to a decline in awareness of the Act. The survey conducted in early 2015 found that 65% of the Western Australian community has heard of the *Equal Opportunity Act 1984*. This is a decrease on the previous survey from 73% and could be attributed to the uncertainty for the Commission during the period of the government 'Review into the organisations set up under the *Equal Opportunity Act 1984*'. Evidence supporting this is apparent in the decrease in number of new complaints received during this period.

Background and details of survey of community awareness

In May 2015, Patterson Research Group (PRG) undertook a survey of community awareness across Western Australia to assess public levels of awareness and views of the Act and its provisions, as well as levels of community concern for equal opportunity and human rights issues.

This survey is now in its seventh wave. It commenced in 1997 and was most recently conducted in May 2015 as indicated above. The figures for this reporting year are based on this survey and therefore could not show any variation from the 2014-15 results.

Results of the key survey questions from 2006 to 2015 are shown in Table 2.

The survey methodology comprised a telephone survey of a random sample of the adult population. In total 400 respondents were interviewed, with 300 from the Perth metro area and 100 from country WA. The resultant survey error for WA overall is $\pm 4.9\%$ at the 95% confidence level. Post data collection, the data was weighted according to the latest census data available from the Australian Bureau of Statistics (ABS) to ensure the respondents are representative of the Western Australian population

The response rate of 11% is calculated as the number of interviews as a proportion of the calls made. A total of 3511 calls were made. In its final report PRG stated that response rate of 11%, which is typical of for this type of survey which has specific age and gender specific quotas.

The table shows the key results for the whole of Western Australia.

Table 2
Community survey of public awareness, recognition and acceptance of the *Equal Opportunity Act 1984* 2006 – 2015

	2006 Survey		2009 Survey		2012 Survey		2015 Survey	
	Perth	Whole of WA	Perth	Perth	Whole of WA	Whole of WA	Perth	Whole of WA
	%	%	%	%	%	%	%	%
Who had heard of the EO Act	77.5	76.8	76.7	73.8	74.3	73.0	64.0	65.0
Of those who had heard of the EO Act, who recognised one or more grounds of discrimination	99.6	99.1	100	100	98.3	98.3	100	100
Who believed that people are generally very or quite concerned about equal opportunity issues	43.1	46.1	48.4	47.5	52.1	48.8	55.0	53.0
Who were generally very or quite concerned about equal opportunity issues	64.7	63.4	63.6	62.6	63.2	60.4	60.0	60.0
Who believe that it is of benefit to have an Act that deals with discrimination	93.8	91.7	89.2	89.0	91.1	91.1	88.0	88.0

Outcome 2: Redress for unlawful discrimination and unreasonable treatment

Indicator: Percentage of complaints finalised within six and 12 months

Feedback from complainants and respondents has shown that finalising complaints in a timely manner can contribute to a mutually agreed resolution of complaints, and allow participants to get on with their lives.

The Commissioner has continued to enhance procedures which work towards reducing the time taken to finalise complaints without compromising the ability of all participants to be treated fairly and achieve satisfactory outcomes.

Table 3 shows the targets set for the finalisation of complaints within both six (6) and 12 months is consistent with the budget target.

Table 3
Percentage of complaints finalised within six and 12 months
2012-13 to 2015-16

Percentage of complaints finalised within:	2012-13 %	2013-14 %	2014-15 %	2015-16 Budget Target %	2015-16 Actual %
Six months	89.1	91.7	96.8	95	97.5
12 months	99.1	100	99.8	99	100

Key efficiency indicators relating to services

Service 1: Awareness and promotion of equality of opportunity

Indicator: Average hourly cost of development and delivery of training courses

The provision of fee-for-service training courses for government, non-government and private sector organisations is one of the two streams conducted by the Commissioner. These courses, for which a fee is charged, centre on the responsibilities of these organisations under the *Equal Opportunity Act 1984* both in their employment practices, and in the provision of services.

The total hours of preparation and delivery of fee-for-service training for the current year, 427 hours, has declined compared with the previous year's total of 672 hours. The total cost of fee-for-service training was \$475,073 compared with \$669,891 in the previous year.

The variance between 2015-16 and 2014-15 coincided with a slowing economy and a reduction in the training budgets of government, private sector and non-government organisations. This was reflected with many established and potential clients failing to contract the Commission to provide fee-for-service training services.

The higher average hourly cost of training courses is explained by the Commission's staffing and other costs for developing and delivering courses remaining constant during 2015-16, whilst the number of fee for service courses delivered has fallen.

Table 4
Average hourly cost of development and delivery of training courses 2012-13 to 2015-16

	2012-13 \$	2013-14 \$	2014-15 \$	2015-16 Budget Target \$	2015-16 Actual \$
Average hourly cost of development and delivery of training courses	938	1,152	996	935	1,113

Service 2: Redress for unlawful discrimination and unreasonable treatment

Indicator: Average cost of complaints handled

This indicator reflects the costs involved in investigating and seeking to conciliate allegations of unlawful discrimination lodged by members of the community. It is based on the total number of complaints handled, including those closed and those still under investigation in the financial year. Details of this process can be found in the Report on Operations chapter of this report.

The 526 complaints handled in 2015-16 year was lower than the 653 handled in 2014-15 with associated costs of \$1,709,789 and \$1,542,008 respectively.

The variance between the budget target and actual has occurred because the estimated numbers of complaints handled did not eventuate due to the lower numbers of new complaints received post budget estimates.

A number of factors contributed to the lower number of complaints. The economic downturn coincided with a reduction of complaints from traditional sectors such as mining (complaints down 54.9% from 51 in 2014-15 to 23 this financial year) and retail (down 39.7% from 78 complaints to 47). In addition, the absence of the Commissioner for 10 months due to ill health, resulted in a reduction in public speaking engagements, a lower media presence, and fewer promotional activities, which have previously helped to maintain the Commission's profile at a higher level..

The higher cost of handling complaints is explained by the Commission's staffing and other costs remaining constant during 2015-16, whilst the number of complaints received has fallen.

Table 5
Average cost per complaint handled
2012-13 to 2015-16

	2012-13 \$	2013-14 \$	2014-15 \$	2015-16 Budget Target \$	2015-16 Actual \$
Average cost per complaint handled	1,465	2,466	2,361	1,832	3,251