



Australian Government
Inspector-General of Taxation
Taxation Ombudsman

**IGOT
News**

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Update from the Inspector-General and Taxation Ombudsman



The COVID-19 pandemic has certainly created some exceptional and challenging circumstances – including unprecedented social and economic disruptions for large sections of the Australian community. Although it has changed the daily lives of all Australians – within families, businesses, education, charities and social communities – it is also remarkable to witness our ability to respond to these challenges and find innovative solutions.

Thank You to the IGTO Team

I wanted to personally acknowledge and thank everyone in the IGTO team for the agility, resilience and flexibility that has been displayed over the past few months as we continue to serve Australians whilst managing the transition to home based work and minimising the risk for those team members that are attending the office. I am continually impressed by the teamwork and innovation that has enabled us to move forward in this challenging environment.

In this edition of *IGOT News* we set out some of the current support available to those that have been affected by COVID-19 disruptions. We also report on some progress we have made - our website upgrade, reviews and complaints service. As you will see, we continue to help and support all Australians in dealing with the tax system, the Australian Taxation Office (ATO) and the Tax Practitioners Board (TPB).

Happy 5th Birthday – IGTO complaints handling service

On 1 May 2020, our complaints handling service celebrated its 5 year anniversary. Over the past five years, our team has received and handled over 12,000 complaints from taxpayers and tax practitioners across Australia. It is an incredible achievement and a testament to the dedication that our team members put in to help the Australian community navigate the tax system and to ensure that ATO and TPB actions are fair, equitable and transparent.

We continue to serve the community

We are committed to the health of the community and our staff. We continue to serve the community during the pandemic although like most of the country, we are working either remotely or where necessary, with reduced staff numbers attending our Sydney office.

We ask that you lodge your [complaint online](#).

However, for those who are unable to access the online form, you can also lodge a complaint by calling 1300 IGT TAX (**1300 44 88 29**) between 9am and 4pm, Monday to Wednesday, Australian Eastern Standard Time. We will ask you to provide an email address for further communication.

As always, we request that you seek to resolve your complaint in the first instance directly with either the ATO or TPB. Please note that you can contact either as follows:

- the Australian Taxation Office (ATO) on 1800 199 010 or on the [ATO complaints](#) web page; or
- the Tax Practitioners Board (TPB) on the [TPB complaints](#) web page.

Currently, we aim to contact you within 10 business days of receiving your complaint. Additional delays may be experienced if further actions to manage COVID-19 risks are required. Thank you for your co-operation and understanding.

Assistance for those affected by COVID-19 pandemic

There is a large amount of information on the support available for those affected by COVID-19. We have provided links below to the information issued by the ATO and the TPB.

[ATO COVID-19 Information](#)

[TPB COVID-19 Information](#)

The Treasury also provides a range of links to factsheets and other information relevant to the support available for:

- [Individuals and Households](#);
- [Businesses](#); and
- [Flow of Credit](#).

Information specific to small businesses may be found on the [Australian Small Business and Family Enterprise Ombudsman's webpage](#).

There is also a large amount of information regarding COVID-19 support available through [Services Australia](#).

Your State or Territory may also have its own support and assistance measures. Information about these measures are available from a range of different State and Territory departments. The relevant State or Territory Ombudsman should be able to direct you to the most appropriate agency.

It can be difficult to sort through the large amount of information available. We are aware of some scams that are seeking to exploit Australians during this difficult period. Please be vigilant.

If you are in doubt or unsure about the support offered, you should contact the ATO or Services Australia in the first instance. Alternatively, you can also consult tax professionals and advisers on the type of tax and other support that may be available to you, your employees and your business. We've also set out some information below on how to find the right help.

Finding the right help

The IGTO can investigate taxation administration complaints about the ATO and the TPB, including complaints about the administration of JobKeeper Payments and the Cash Flow Boost. We may be able to assist you by investigating issues such as:

- registration and receiving payments;
- the ATO's ability and willingness to correct mistakes made during application processes; and
- the appropriateness of decision making processes where eligibility is being considered.

Please note that given the current broad spectrum of work that is being undertaken by a range of different State and Federal departments and agencies, we may refer you directly to other agencies where we believe that they will be able to better assist in addressing your complaint. We have set out some of these agencies below:

- [Australian Financial Complaints Authority](#) – to investigate actions of superannuation funds, banks and other financial institutions
- [Commonwealth Ombudsman](#) – to investigate complaints in relation to other government agencies and departments, including Services Australia
- The [Fair Work Ombudsman](#) – to investigate employment-related complaints
- The [Australian Competition and Consumer Commission](#) along with [State and Territory fair trading offices](#) – to investigate consumer affairs complaints
- The [Australian Small Business and Family Enterprise Ombudsman](#) – to provide advice to small businesses
- [State and Territory Ombudsman services](#) – to investigate the actions of certain State and Territory departments and agencies

Update on IGTO Activities and What to expect in Q4 of FY20

While Q3 FY20 has certainly presented a range of challenges, it has also presented significant learning opportunities for us to augment how we can work remotely and continue to support the community. While our complaints handling service is now operating differently and sometimes remotely, we continue to ensure that calls made to our complaints line are answered (where possible) and voicemail returned. Where complaints are lodged through our website, they are managed as they were previously, albeit with slightly longer handling times.

Website Update

Speaking of our website, in March 2020, we refreshed our website to make it easier to find information about our services and to lodge complaints via our electronic complaints form. We welcome any feedback on the new website and ways in which it can be further improved.

Here's what you can expect from us in Q4 FY20.

April 2020

- Lodge our submission to the House of Representatives Standing Committee on Tax and Revenue's [Inquiry into the Development of an Australian Corporate Bond Market](#).
- Lodge our submission to the House of Representatives Standing Committee on Tax and Revenue's [Inquiry into the Tax Treatment of Employee Share Schemes](#).
- Publish a register of potential review topics as suggested by Stakeholders – see below.

May 2020

- Lodge our submission to the House of Representatives Standing Committee on Tax and Revenue's [Inquiry into the Commissioner of Taxation Annual Report 2018-19](#).
- Publish our Q3 FY20 Quarterly Reporting Pack to provide insight on our activities during the period 1 January 2020 to 31 March 2020. Earlier editions of the Quarterly Reporting Pack are available on our [website](#).
- 14 May 2020 – revised reporting date for the Senate Economics Legislation Committee [Inquiry into the performance of the Inspector-General of Taxation](#).

June 2020

- Finalise and publish our report – *Death and Taxes: An Investigation into the ATO's Systems and Processes for Dealing with Deceased Estates*.
- Prepare for Tax Time 2020.

Publication of Register of Potential Review Topics

On 28 April 2020 we published a register of potential review investigation topics on our [website](#).

There are currently 27 topics on the register.

Potential review topics for investigation are identified from our engagement with stakeholders, themes raised in complaint cases and representations made to the IGTO's office, as well as other sources. Reviews selected from these potential topics are also commenced following consultation with stakeholders which may include tax professionals and their representative bodies and government bodies such as the Australian National Audit Office, Commonwealth Ombudsman, ATO and Tax Practitioners Board. We also engage with Parliamentary committees and relevant Ministers (especially the Treasurer, Assistant Treasurer and Minister for Superannuation and Financial Services) as appropriate.

Please note that the Register does not reflect a formal or proposed work program – given the resource requirements that would be needed to investigate the complete list. However, in the interests of transparency and consistent with the Recommendations made by the House of Representatives Standing Committee on Tax and Revenue [see External Scrutiny of the Australian Taxation Office (April 2016)], we wanted to let the community know what issues have been raised.

The Register will be regularly reviewed by the IGTO and any additions to the Register will be notified via updates in this newsletter.

The IGTO welcomes comments, feedback and suggestions from interested parties, including tax professionals and members of the public, on these and other potential topics for IGTO review investigation.

Reviews update

An investigation and exploration of undisputed tax debts in Australia

On 9 April 2020, the IGTO decided to defer progress of the investigation and finalisation of the report given the exceptional circumstances arising from the COVID-19 pandemic. Deferring our report will provide a number of benefits as set out below. It will also provide an opportunity to observe and identify learnings from dealing with and recovering from these exceptional circumstances.

Deferring the completion of this review investigation will allow:

- ATO staff to focus on the front-line delivery of the Government's stimulus package and measures to support the economy to recover from the COVID-19 pandemic;

- IGTO staff to focus on the complaints service delivery which is also critical to the successful delivery of the Government's stimulus package and measures to support economic recovery from the COVID-19 pandemic;
- the investigation to consider any lessons learned from the consolidation of the ATO systems for income tax and activity statements which took place in December 2019/January 2020;
- any final report to include more up-to-date data for the financial year ended 30 June 2020;
- the investigation to incorporate insights into the operation of the debt collection provisions in the taxation administration system where there is a deliberate administrative decision to defer the collection and payment of taxation — that is, not to collect tax — because of a natural disaster (floods or bush-fires) or a pandemic (such as COVID-19).

We will provide further updates once the review investigation resumes.

Death and Taxes: An investigation into ATO systems and processes for dealing with deceased estates

On 6 April 2020, the IGTO provided the ATO with a draft of our report of the investigation into the ATO's systems and processes for dealing with deceased estates. This step of the IGTO review process allows the Commissioner of Taxation (the Commissioner) an opportunity to consider and respond to the recommendations. It also accords with a statutory requirement for the IGTO to afford the Commissioner opportunities to make submissions on any expressed or implied criticisms or factual errors contained in the draft report.

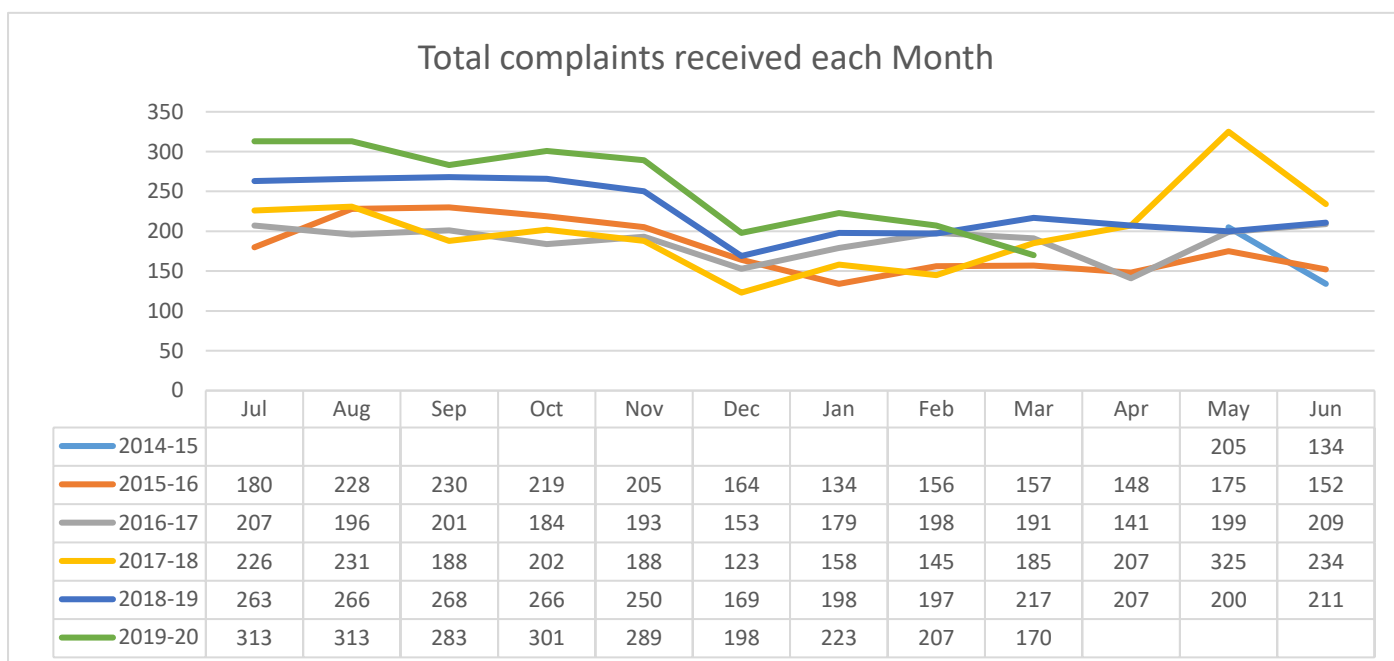
The usual period for an ATO response to an IGTO draft report is 4 weeks (as per the [IGTO-ATO Review Operational Guidelines](#)). However, the IGTO considers that it would be appropriate to extend the response timeframe to 8 weeks – until 29 May 2020. This is in recognition of the Easter break and school holidays and the fact that a number of the ATO officers involved in the review are currently undertaking critical COVID-19 response work.

The IGTO will aim to finalise and publish the report together with the official ATO response to our recommendations before 30 June 2020.

Q3 FY2020 Complaints Handling Service Report

In Q3 FY20, we received 600 complaints, a 2% decrease over the same period last year (612 cases). The decrease relates to the month of March, as shown below.

Although we have not confirmed the possible reasons, the need to respond to the COVID-19 pandemic has altered priorities for families and businesses alike. During this period, our dedicated complaints telephone line was also unavailable for a period - as a result of us implementing responsible social distancing and work from home initiatives.



Q3 complaints were made up as follows:

Stakeholders	Number	Percentage
Self-represented individuals	372	62%
Represented individuals	48	8%
Self-represented organisations	115	19%
Represented organisations	25	4%
Unknown - Represented	2	<1%
Unknown – Self-Represented	38	6%
TOTAL	600	100%

The majority of complainants, both individuals and small businesses were self-represented (81%), with just 12% of complainants being represented. 40 complaints were lodged anonymously or contained insufficient information to determine whether the complainant was an individual or an organisation although representation status could be determined.

Represented complainants (75 in total) were mainly represented by accountants or tax practitioners (39%) and family or friends (36%). Legal practitioners represented approximately 8% of all represented complainants in this quarter.

Representative	Number	Percentage
Accountant/Tax Practitioner	29	39%
Family/Friends	27	36%
Lawyer	6	8%
Other	13	17%
TOTAL	75	100%

The top 5 issues that were the subject of complaints to the IGTO differed from those observed in Q2.

Complaints about payments to taxpayers accounted for 32% of cases, while debt collection issues which typically are the subject of the highest complaint numbers accounted for 19%. This change is significant and likely reflects the ATO shifting its resources away from revenue and debt collection and focusing them on delivering support payments to taxpayers as part of the COVID-19 pandemic stimulus response.

Lodgement and processing (19%), ATO communications (10%) and the registration of taxpayer details (8%) rounded out the top 5 issues. Concerns such as registration and taxpayer details being accurately reflected are likely also related to COVID-19 issues, as taxpayers seek to ensure that the ATO has their accurate and complete details for the purposes of accessing government support.

Issue	Number	Percentage
Payments to the taxpayer	191	32%
Debt collection	112	19%
Lodgement and processing	111	19%
Communications	61	10%
Registration/Taxpayer details	46	8%

Stay in touch

We value your feedback, so please stay in touch. You can contact me directly at any time using the details below. You can also keep up to date with the IGTO's activities via our website or follow us on [Facebook](#), [Twitter](#) or [LinkedIn](#).

Kind Regards
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The Inspector-General of Taxation and Taxation Ombudsman acknowledges the traditional owners and their ongoing cultural connection to Country, throughout Australia. We pay our respects to their Elders past, present and future.