



Australian Government
Inspector-General of Taxation
Taxation Ombudsman

Quarterly Reporting Pack

Quarter 1, 2020-2021

The IGTO Quarterly Reporting Pack provides progressive updates against the latest IGTO Corporate Plan



The IGTO Corporate Plan can be accessed here: [Corporate Plan](#)

Part 1

Complaint Investigations

Case Study for Q1 FY21

These case studies illustrate how the IGTO has assisted taxpayers that have raised a complaint with us.

Case Study 1

A small business taxpayer raised concerns that the ATO denied further JobKeeper stimulus payments from the May 2020 period onwards. The taxpayer was informed that if they were dissatisfied with the decision, they could consider lodging an objection to the ATO's decision, but it may take up to 60 days for the ATO to reach a decision in relation to the objection. The taxpayer raised concerns in relation to the 60-day time frame, as there was a risk that it may become insolvent during this period, cease trading and let go of 17 staff members, to accommodate for the lack of funds coming through. The IGTO commenced an investigation and asked the ATO to internally review its decision, and to consider the taxpayers circumstances in line with the legislative criteria for JobKeeper. The ATO agreed to do so. As a result, the ATO determined that the taxpayer was eligible and the JobKeeper payments were processed within 2 weeks. The IGTO complaint investigation prevented a small business from becoming insolvent and in turn, being able to retain 17 of its staff members.

Case Study 2

An individual taxpayer was seeking to correct a HELP debt incorrectly attributed to their TFN and have it removed as owing against their name. The taxpayer contacted the IGTO to understand whether a complaint should be lodged with their university or the ATO.

It was explained to the taxpayer that the ATO has responsibility for the collection of these loans, however their university should be able to assist with correcting the error. The taxpayer was advised to contact their university. External weblinks were also provided to the taxpayer for additional information in relation to the Australian Government's Study Assist website as well as the relevant state Ombudsman should the matter not be appropriately resolved by their university.

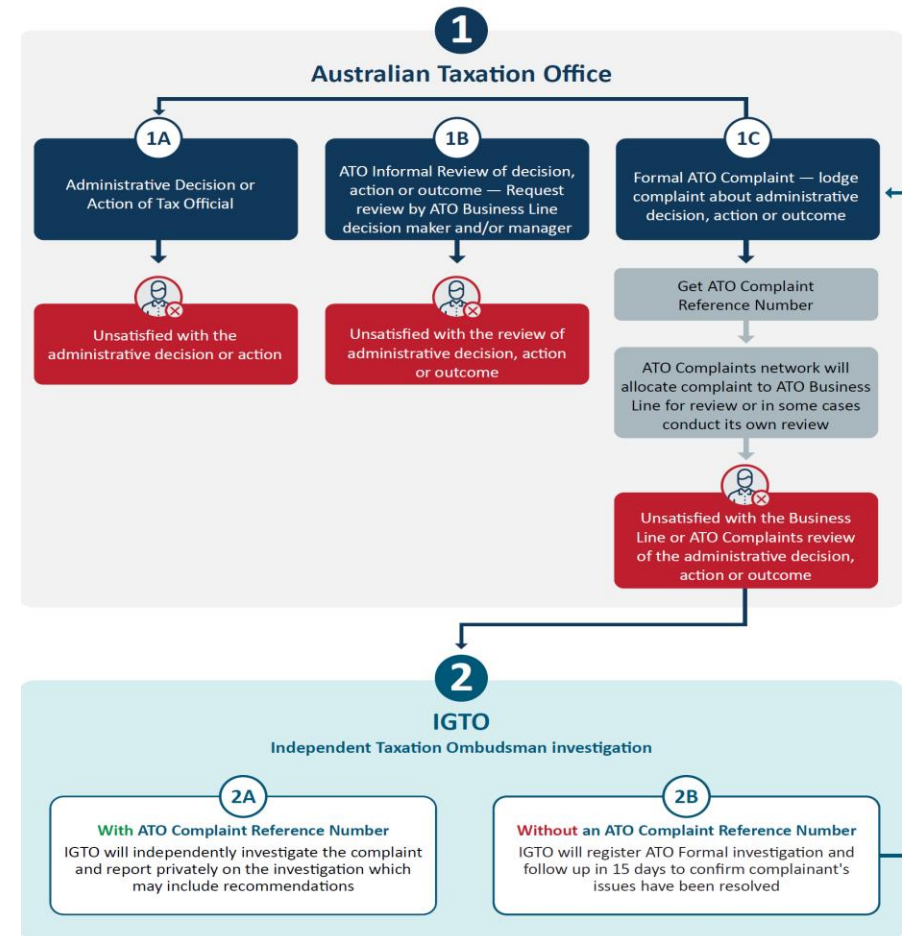
Making a Complaint - Overview

As the Taxation Ombudsman, we can help investigate taxation complaints about the Australian Taxation Office (ATO) or the Tax Practitioners Board (TPB).

A taxation complaint may be formally investigated and resolved in two stages:

Stage 1 – the complainant should first try to resolve their concerns directly with the ATO (or TPB) – by lodging a formal complaint.

Stage 2 – if the complainant remains unsatisfied, they may lodge a taxation complaint with us, the Taxation Ombudsman, for an independent investigation.



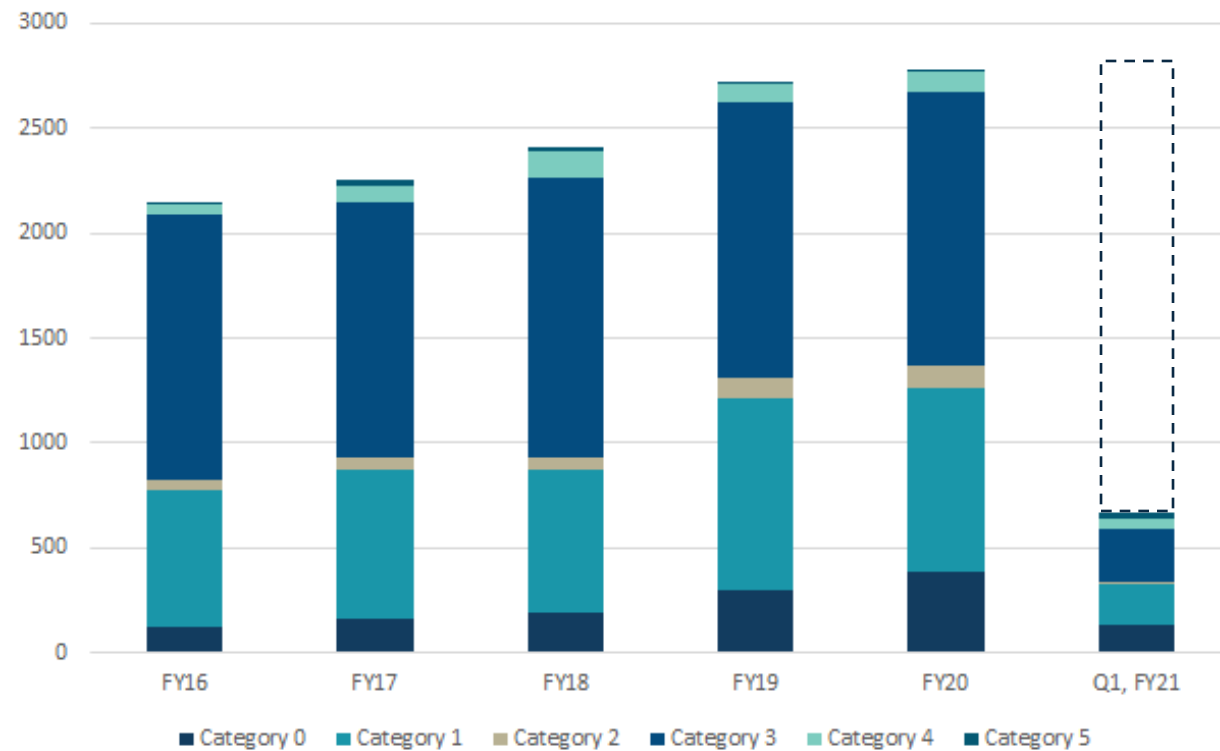
Complaint categorisations

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.

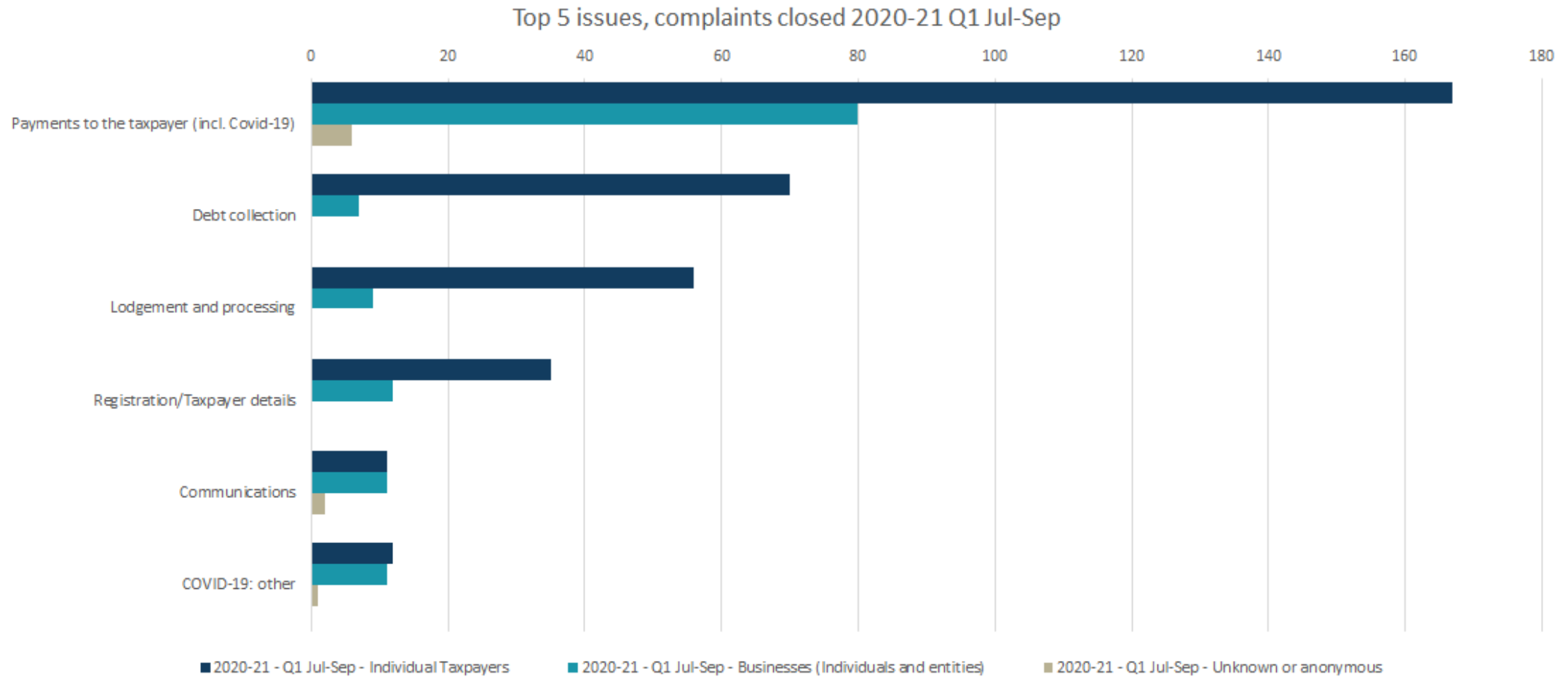
Independent Assistance and Assurance	
Category 0	Insufficient information (i.e. the complainant is unable to provide the IGTO with sufficient information to be able to assist)
Category 1	Translation/Navigation (i.e. IGTO helps the complainant to make sense of ATO/TPB explanations, provides independent assurance regarding ATO/TPB actions of concern and/or charts out the options that are open to the complainant)
Category 2	Referral (i.e. IGTO refers complainant's information to most appropriate agency and/or declines to investigate)
Independent Formal Investigation	
Category 3.1	ATO has no record of a previous complaint - IGTO identifies issues requiring formal investigation and options for resolution and requires the matter to be dealt with by an identifiable ATO/TPB officer providing accountability for the management and resolution of the complaint. IGTO also checks the ATO/TPB's handling of the complaint for satisfactory conclusion
Category 3.2	Uncomplicated Cases - IGTO investigates independently, engages with the ATO to verify facts/issues, determines the most appropriate and timely actions, and identifies who will take them for early resolution
Category 3.3	Frequently Raised Issues - IGTO identifies the case as involving a common area of complaint that is capable of being resolved efficiently and effectively through pre-agreed investigation processes
Category 4	Complex Cases - IGTO undertakes deeper inquiry and investigation to surface relevant evidence and determine the most appropriate options for resolution
Category 5	High Complex Cases - IGTO investigates by engaging directly with ATO senior management (SES), and provides ATO senior management with early warning of emerging risks and opportunity to address sensitive issues (by providing early warning of emerging risks)

Total complaints received each year



	FY16	FY17	FY18	FY19	FY20	Q1, FY21
Category 5	10	22	27	5	3	34
Category 4	47	79	122	84	99	43
Category 3	1270	1219	1331	1315	1303	253
Category 2	47	60	60	91	112	13
Category 1	652	712	676	919	869	192
Category 0	122	159	196	298	389	134

Top 5 complaint issues in Quarter 1

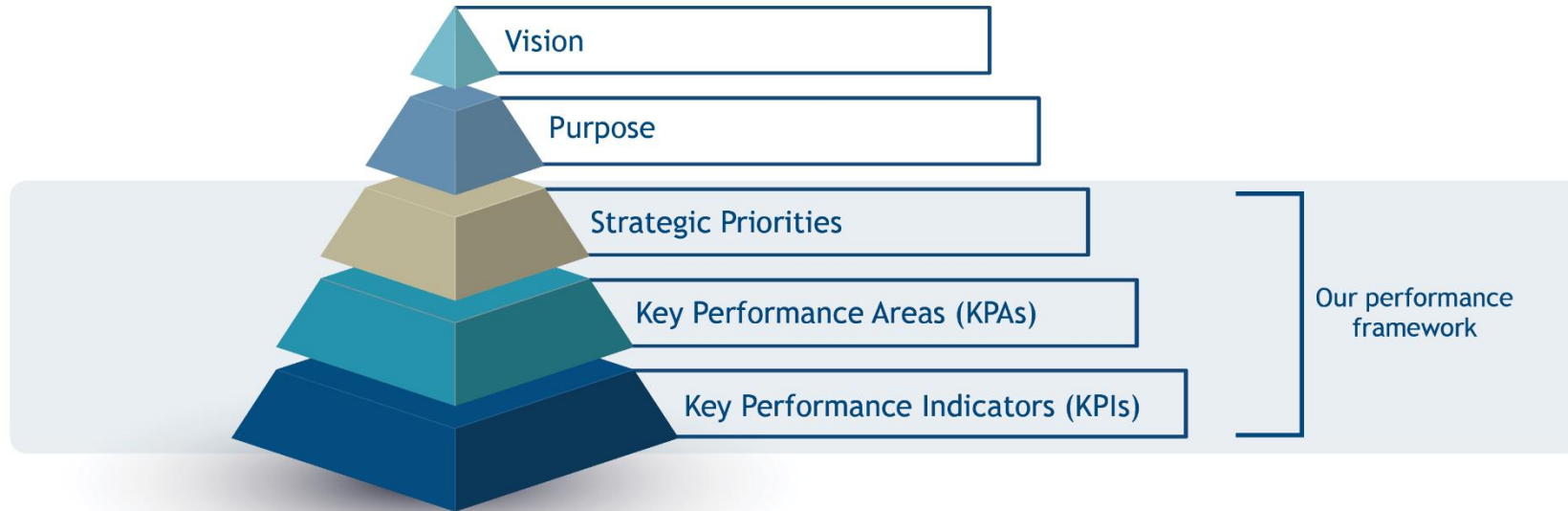


Part 2






Key Performance Indicator (KPI) results for Q1, FY21

Our performance framework



Our performance framework is intended to inform Parliament and other stakeholders of our activities and to ensure we are accountable to the Australian community. It naturally supports our vision and purpose. Our strategic priorities inform our framework and outline the areas we must focus on to meet our objective of improving tax administration for the benefit of the Australian community. Key performance areas (KPAs) and indicators (KPIs) assess our performance in achieving these priorities.



Our strategic priorities

	Communicate clearly and effectively	<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>
	Be approachable, contactable and responsive	<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>
	Improve the skills, expertise and resilience of our people and organisation	<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.</p> <p>The complexity of the Australian taxation laws necessitates specialist expertise in taxation to navigate options and make recommendations.</p>
	Independent thought leadership and expertise	<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>
	Engage with stakeholders in the tax administration system	<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>

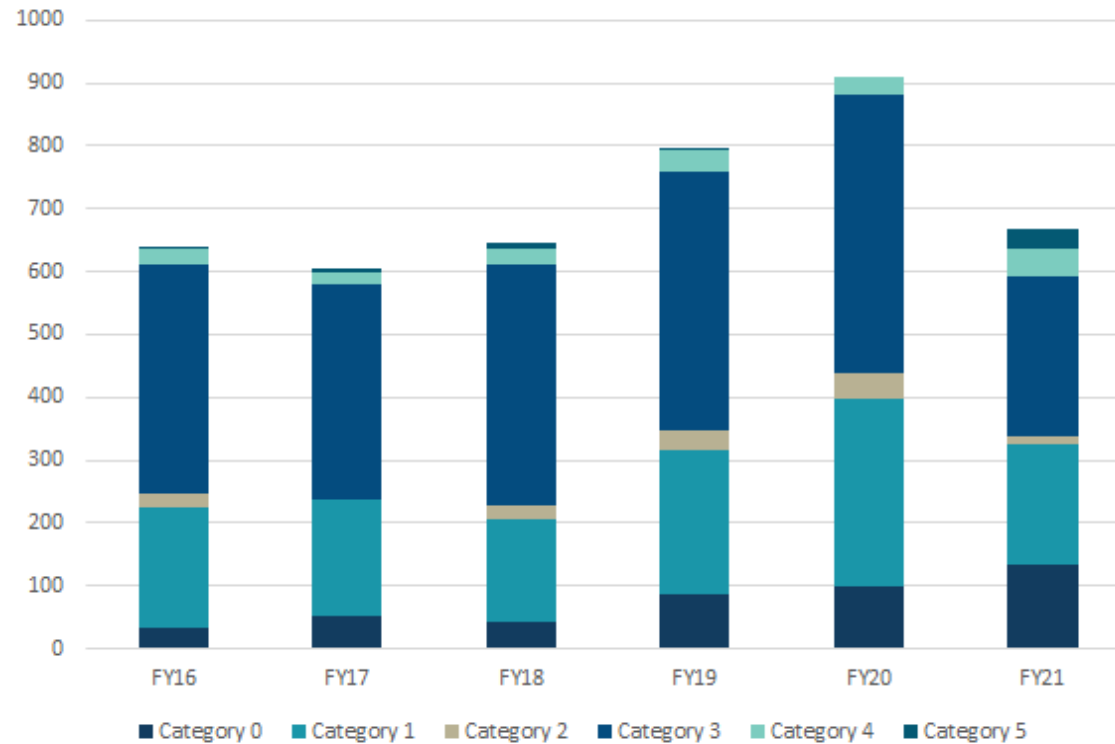
Key performance areas

KPA 1 Provide an independent, efficient and effective tax complaints service for taxpayers	<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. 	   
KPA 2 Identify and investigate priority areas for improved tax administration	<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. 	    
KPA 3 Provide advice that is independent, timely and relevant to the administration of taxation laws in Australia	<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. 	   
KPA 4 Co-operate and collaborate with relevant agencies and stakeholders – both domestically and internationally	<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. 	    
KPA 5 Develop and foster a diverse, engaged and resilient team	<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

Total complaints received in Quarter 1 of each Financial Year



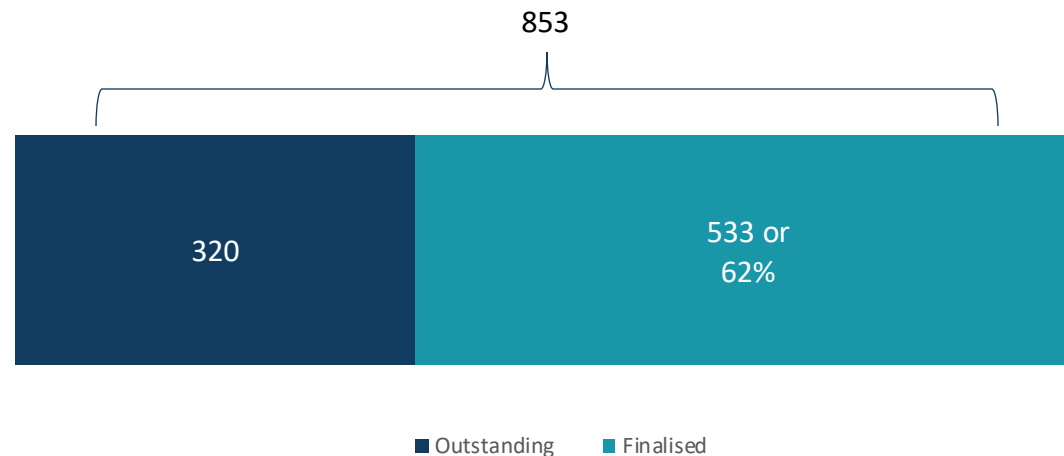
	FY16	FY17	FY18	FY19	FY20	FY21
Category 5	3	5	7	3	0	34
Category 4	23	20	27	34	29	43
Category 3	366	340	383	413	441	253
Category 2	22	1	21	30	42	13
Category 1	192	187	164	229	299	192
Category 0	32	51	43	88	98	134

Percentage of complaint investigations on hand and received that were finalised

IGTO had a total of 853 complaints that were:

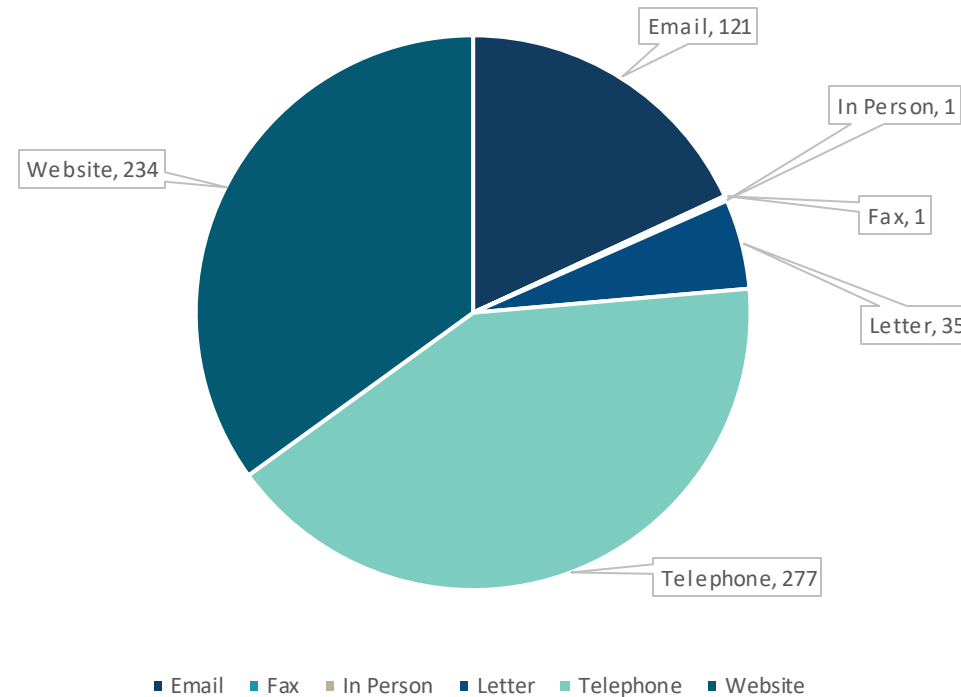
- on hand as at 1 July 2020 (carried forward from the previous quarter)
- received in Quarter 1 of FY21)

533/853 or 62% were finalised in Q1 of FY21



Percentage of complaints lodged via dedicated complaints webform or email

Of the 669 complaints lodged during Quarter 1 of FY21, 53% of those complaints were lodged via the complaints webform or email.



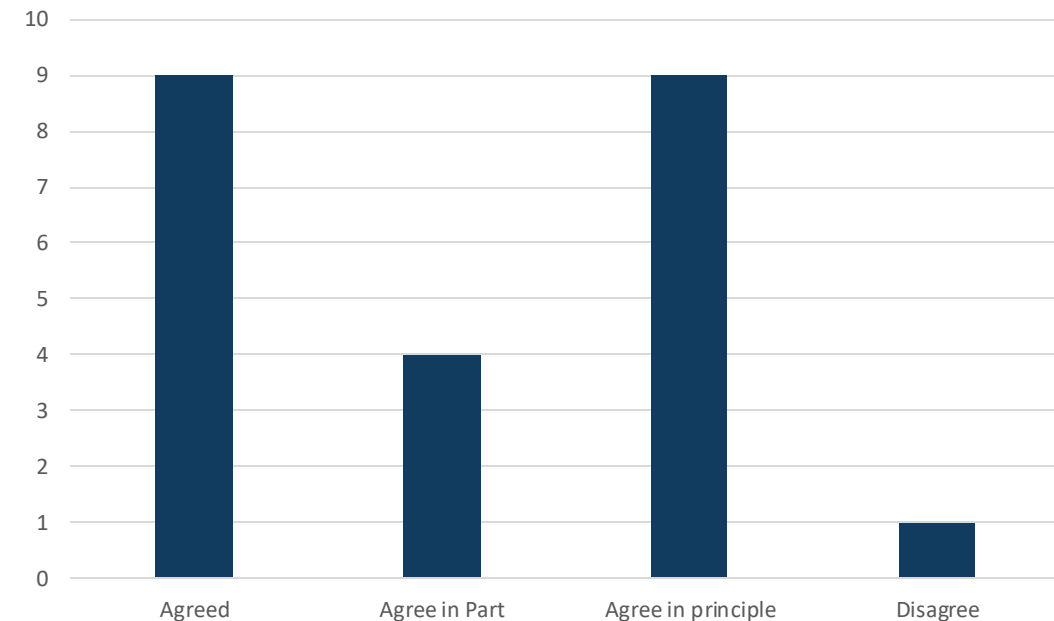
KPA 2 & KPA 3

Identify and investigate priority areas for improved tax administration

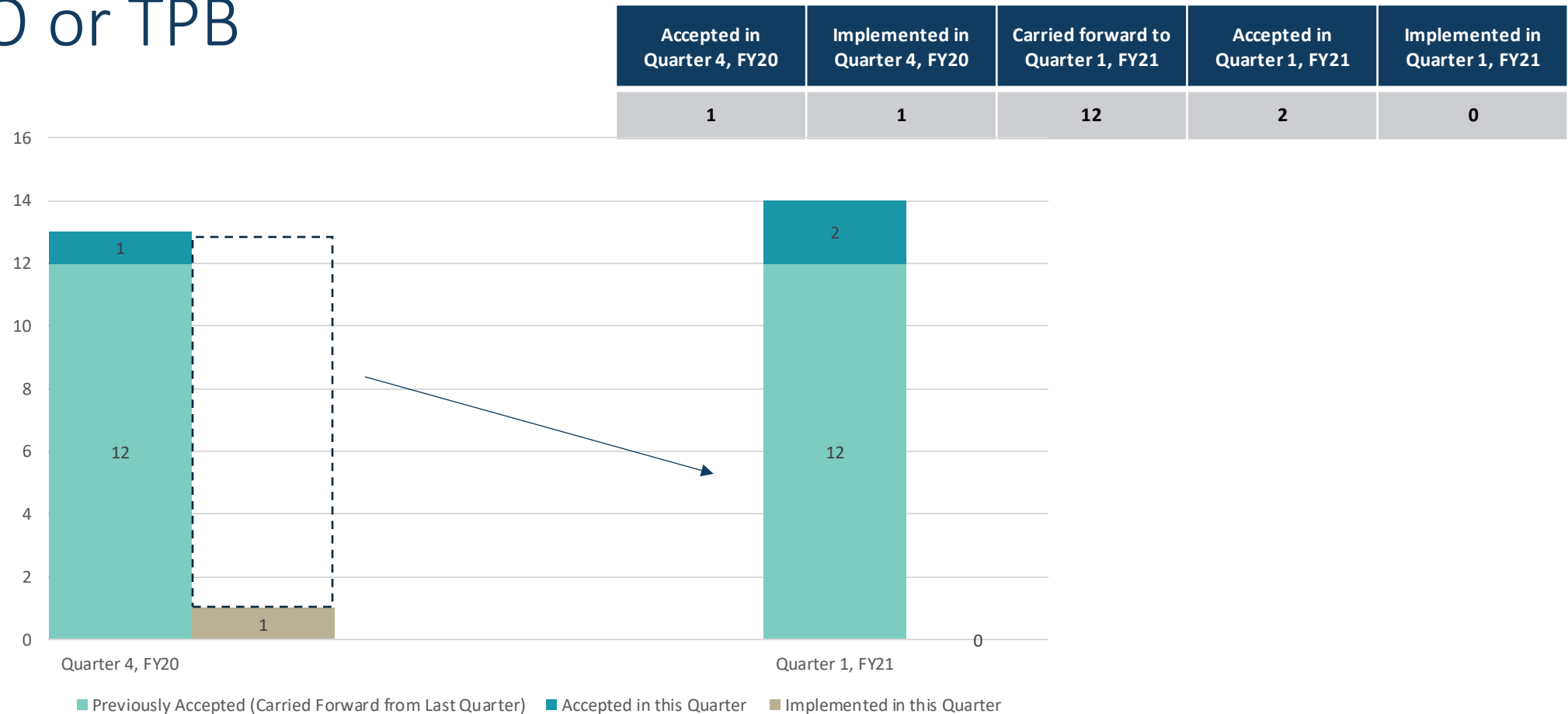
Provide advice that is independent, timely and relevant to the administration of taxation laws in Australia

Number of IGTO Review investigation reports published and percentage of review investigation recommendations accepted

- The IGTO published its report, *“Death and Taxes: an Investigation into Australian Taxation Office Systems and Processes for Dealing with Deceased Estates”*, in July 2020.
- The report made 10 recommendations, divided into 23 parts.
- The ATO agreed to 96% of the IGTO’s recommendations either in whole, in part or in principle.



Number of Agreed Business Improvements from Complaint Investigations accepted and implemented by the ATO or TPB



Percentage of responses to Government, Treasury or Parliamentary inquiries that relate to taxation administration where the IGTO requested to contribute

On 16 September 2020, the IGTO lodged a submission to the Senate Economics Legislation Committee's (SELC) Inquiry into the *Treasury Laws Amendment (Self Managed Superannuation Funds) Bill 2020*.

The Bill will allow for an increase in the maximum allowable membership of self-managed superannuation funds. The full submission is available on our [website](#).

KPA 4

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

Meetings or Briefings with the ATO and/or TPB on IGTO review investigations or the complaints service

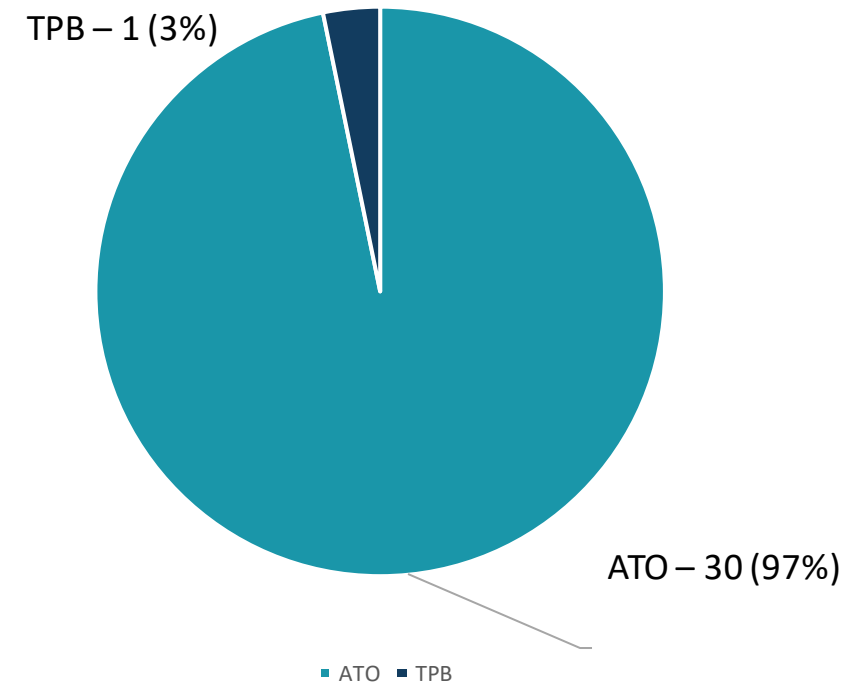
The IGTO attended a total of 31 meetings with the ATO and/or TPB in Q1 of FY21:

ATO

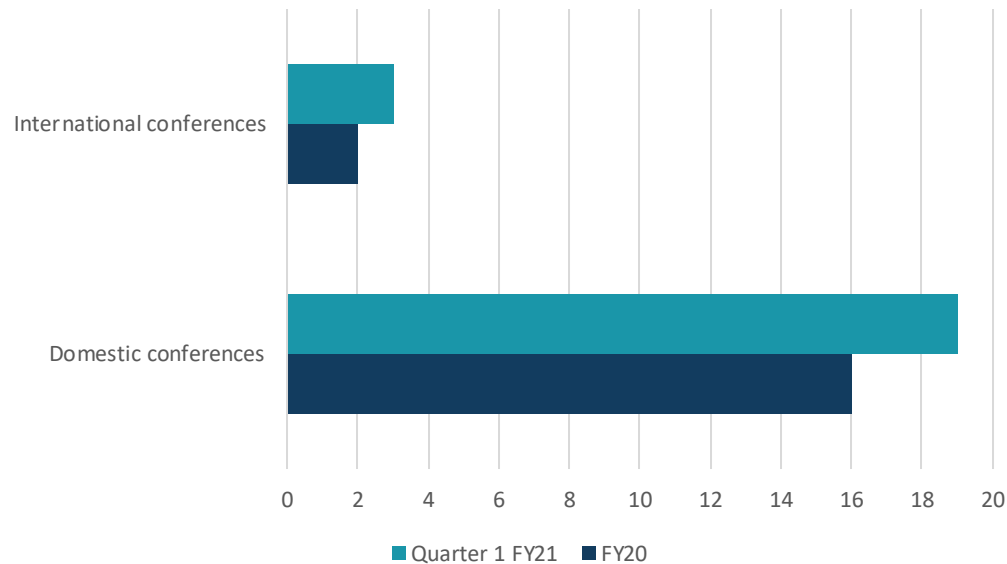
29 meetings in relation to the complaints service and 1 meeting in relation to review investigations

TPB

1 meeting in relation to the complaints service



Number of domestic and international conferences and forums, stakeholder discussion groups or workshops attended by the IGT0



	Domestic conferences	International conferences
Quarter 1 FY21	19	3
Quarter 1 FY20	16	2

Examples of conferences attended in Q1, FY21 include:

- The Tax Institute
- CAANZ
- CTA
- Law Council of Australia
- Wolters Kluwer
- Accountants Daily
- ANZOA

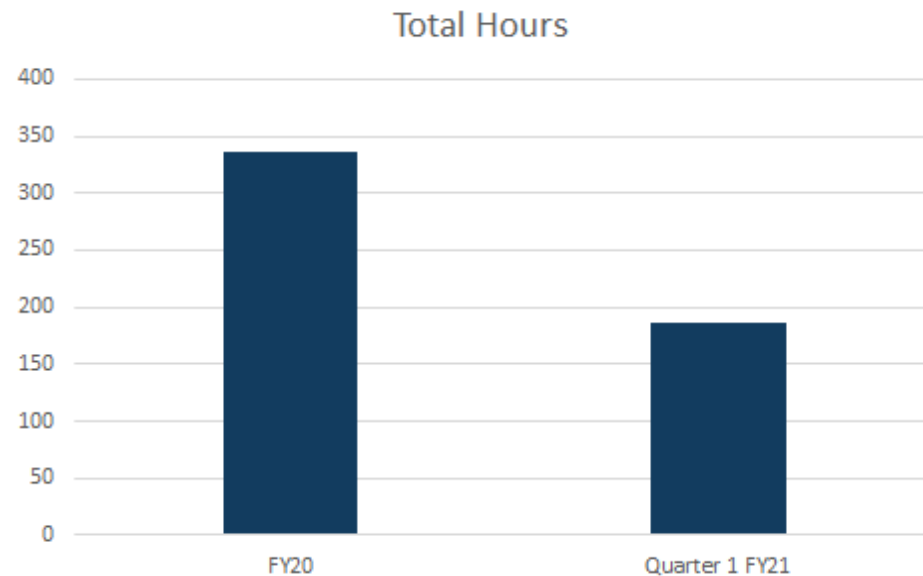
KPA 5

Develop and foster a diverse, engaged and resilient team

IGTO Workforce

	Male			Female			Total
	FT	PT	Sub-Total	FT	PT	Sub-Total	
Q1 FY21	16	0	16	10	4	14	30
30 June 2020	16	0	16	9	1	10	26
30 June 2019	18	0	18	9	1	10	28
30 June 2018	18	0	18	8	1	9	27

Number of hours in undertaking Learning & Development/ training including those that contribute to the continuing professional development (CPD) requirement for the various professional associations

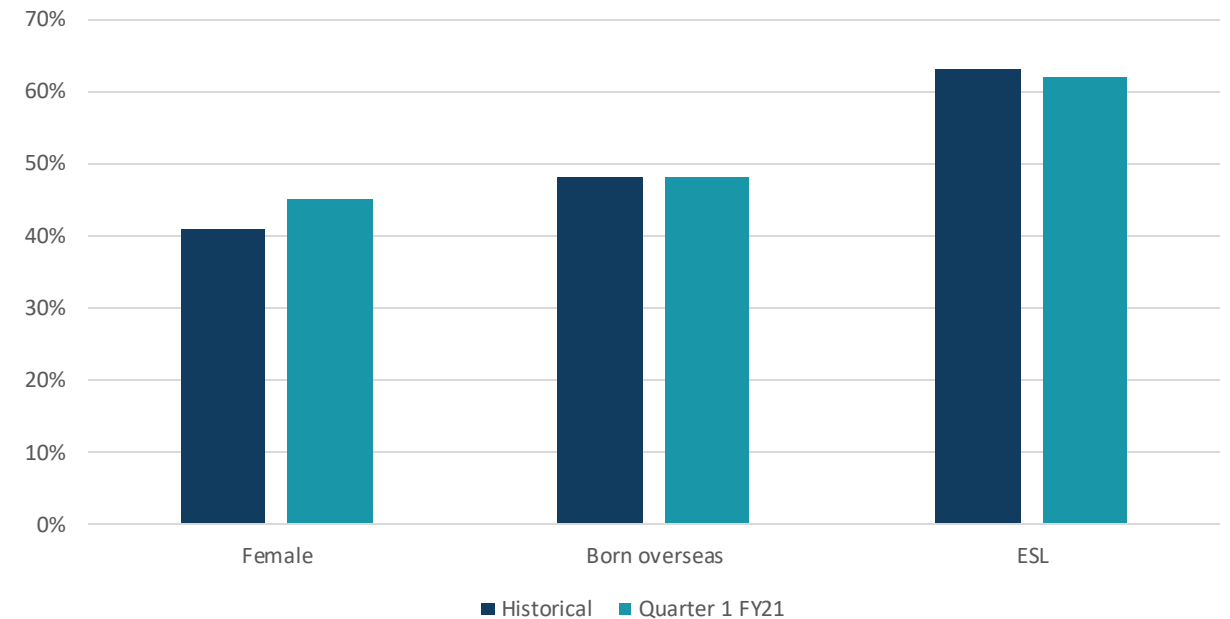


Examples of training attended in Q1 FY21 include:

- Leadership and coaching skills
- Complaints resolution
- Resilience

Monitor diversity in the agency – including the percentage of female and culturally and linguistically diverse (CALD) staff across all levels

	Female	Born overseas	ESL
Historical	41%	48%	63%
Q1 FY21	45%	48%	62%



www.igt.gov.au

enquiries@igt.gov.au

(02) 8239 2100



Facebook



Linkedin



Twitter