



**SOUTH AUSTRALIAN CIVIL AND
ADMINISTRATIVE TRIBUNAL
2018-19 Annual Report**

South Australian Civil and Administrative Tribunal

100, Pirie Street, Adelaide, SA 5000

www.sacat.sa.gov.au

Contact phone number: 1800 723 767

Contact email: sacat@sacat.sa.gov.au

ISSN: 2205 9202

Date presented to Minister: enter date

To:

Vickie Chapman

Deputy Premier

Attorney - General

This annual report will be presented to Parliament to meet the statutory reporting requirements of *South Australian Civil and Administrative Tribunal Act 2013* and the requirements of Premier and Cabinet Circular *PC013 Annual Reporting*.

This report is verified to be accurate for the purposes of annual reporting to the Parliament of South Australia.

Submitted on behalf of the South Australian Civil and Administrative Tribunal by:

Justice Judy Hughes

President, SACAT

Date 14/8/19

Signature 

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Overview: about the agency

Our strategic focus

Our Purpose	SACAT is a state Tribunal that helps people in South Australia to resolve matters within civil and administrative law, either through agreement at a conference or mediation, or through a decision at a hearing. SACAT also conducts reviews of Government decisions.
Our Vision	SACAT strives to be accessible and responsive to user needs, and deals with cases in a range of areas (or jurisdictions), such as residential tenancies, mental health, guardianship & administration and a wide range of administrative decisions made by other areas of Government.
Our Values	<p>Respect – We value the individuality, needs, rights and dignity of all persons and we treat each other and Tribunal Users with professionalism.</p> <p>Service – We provide professional, efficient and accessible dispute resolution and decision making to achieve just outcomes for the community.</p> <p>Fairness – We listen with an open mind and consider issues in a balanced and impartial way to provide fair outcomes that are clearly explained.</p>
Our functions, objectives and deliverables	<p>In the exercise of its jurisdiction, to promote the best principles of public administration</p> <p>To be accessible by being easy to find and easy to access, and to be responsive to parties, especially people with special needs</p> <p>To ensure that applications are processed and resolved as quickly as possible while achieving a just outcome</p> <p>To keep costs to parties involved to a minimum insofar as is just and appropriate</p> <p>To use straightforward language and procedures</p> <p>To act with as little formality and technicality as possible</p> <p>To be flexible in the way in which the Tribunal conducts its business</p> <p>In relation to the above objectives, to consult and engage with appropriate agencies and organisations</p>

Our organisational structure

SACAT is headed by a President, Justice Judy Hughes, who is a Supreme Court judge. The SACAT registry is led by the Principal Registrar, Ms Anne Lindsay, who assists the President in the administration of the Tribunal and its day to day business. The Tribunal’s alternative dispute resolution and hearing work is

performed by members and statutory officers who work sessionally or on a full or part time basis. A full list of members is provided at Attachment 1.

SACAT is organised into three streams:

- Housing & Civil Stream
- Community Stream
- Administrative & Disciplinary Stream

In addition there is a corporate services area which supports the Tribunal through provision of financial, systems and administrative support.

SACAT's organisational chart is available [here](#).

Changes to the agency

During 2018-19 there were no changes to the agency's structure and objectives as a result of internal reviews or machinery of government changes.

However, additional jurisdictions were taken on and absorbed into the existing structure of SACAT. These additional jurisdictions include:

- Review of decisions made pursuant to the *Dog and Cat Management Act 1995*
- Review of decisions made pursuant to the *Children and Young People (Safety) Act 2017* (Phase 2)
- Review of decisions made pursuant to the *Births, Deaths and Marriages Registration Act 1996*
- Review of a range of administrative decisions made under the *Essential Services Commission Act 1991*, *Local Government Act 1999*, the *Electricity Act 1996*, the *Gas Act 1997* and the *Supported Residential Facilities Act 1992*.
- Disciplinary occupational applications made pursuant to the *Conveyancers Act 1994*, the *Land Agents Act 1994*, the *Land Valuers Act 1994*, the *Local Government Act 1999* and the *Survey Act 1992*.

Legislation administered by the agency

South Australian Civil and Administrative Tribunal Act 2013

SACAT currently provides dispute resolution services for jurisdiction referred by over 60 enabling Acts.

The agency’s performance

Performance at a glance

SACAT publishes statistics quarterly in relation to how quickly we process varying types of applications, the number of phone calls we receive and the number of views of our website. These can be viewed at <http://www.sacat.sa.gov.au/about-sacat/our-service>

Agency contribution to whole of Government objectives

Key objective	Agency’s contribution
Lower costs	SACAT ensures that its fees are as low as possible, and waives fees in circumstances where applicants have financial need or where it is in the interests of justice.
Better Services	SACAT continues to expand its jurisdiction to enable South Australians to have greater access to justice. When SACAT commences a new application type, the processes are assessed to ensure that the procedure is as straightforward and user friendly as possible. SACAT responds to feedback if an applicant finds the application process challenging and provides support through the process through well trained customer service.

Agency specific objectives and performance

Agency objectives	Indicators	Performance
To be accessible by being easy to find and easy to access, and to be responsive to parties, especially people with special needs.	Provide all services in one location.	In January 2019 SACAT co-located its operations into a single site.
To be flexible in the way in which the Tribunal conducts its business.	Adapt to the needs of additional jurisdictions.	Transitioned additional jurisdictions into SACAT including part of the Child Protection jurisdiction.
To be flexible in the way in which the Tribunal conducts its business.	Responding to decisions of the Tribunal, Supreme Court and High Court that may affect the practices for the Tribunal.	Collaborated with the Magistrates Court to hear tenancy disputes which have one party as a resident in another state in response to a recent High Court decision at the Tribunals premises for the benefit of parties.
In relation to SACAT's objectives, to consult and engage with appropriate agencies and organisations.	Meeting and communicating with Stakeholders.	Established a social media presence for SACAT to enhance information sharing and engagement with the public.
To use straightforward language and procedures.	Respond to public feedback as effectively as possible.	Revised feedback and complaints procedures and processes to better respond to stakeholder and community concerns.

Corporate performance summary

Employment opportunity programs

Refer to AGD Annual Report

Agency performance management and development systems

Refer to AGD Annual Report

Work health, safety and return to work programs

Refer to AGD Annual Report

Workplace injury claims

Refer to AGD Annual Report

Work health and safety regulations

Refer to AGD Annual Report

Return to work costs

Refer to AGD Annual Report

Executive employment in the agency

Executive classification	Number of executives
Refer to the AGD Annual Report for details. SACAT executive equivalents are statutory appointees and included in the AGD Annual Report	

The [Office of the Commissioner for Public Sector Employment](#) has a [workforce information](#) page that provides further information on the breakdown of executive gender, salary and tenure by agency.

Financial performance

Data on financial performance of SACAT is included in the AGD Annual Report Consultants disclosure

Consultants disclosure

Consultancies with a contract value below \$10,000 each

Consultancies	Purpose	\$ Actual payment
Refer to AGD Annual Report		

Consultancies with a contract value above \$10,000 each

Consultancies	Purpose	\$ Actual payment
Refer to AGD Annual Report		

Contractors disclosure

The following is a summary of external contractors that have been engaged by the agency, the nature of work undertaken, and the actual payments made for work undertaken during the financial year.

Contractors with a contract value below \$10,000

Contractors	Purpose	\$ Actual payment
Refer to AGD Annual Report		

Contractors with a contract value above \$10,000 each

Contractors	Purpose	\$ Actual payment
Refer to AGD Annual Report		

The details of South Australian Government-awarded contracts for goods, services, and works are displayed on the SA Tenders and Contracts website. [View the agency list of contracts](#).

The website also provides details of [across government contracts](#).

Risk management

Fraud detected in the agency

Category/nature of fraud	Number of instances
Refer to AGD Annual Report	

NB: Fraud reported includes actual and reasonably suspected incidents of fraud.

Strategies implemented to control and prevent fraud

Refer to AGD Annual Report

Whistle-blowers disclosure

Number of occasions on which public interest information has been disclosed to a responsible officer of the agency under the *Whistle-blowers' Protection Act 1993*

Refer to AGD Annual Report

Reporting required under any other act or regulation

Act or Regulation	Requirement
South Australian Civil and Administrative Tribunal Regulations 2015	Pursuant to section 92(3) of the Act, a report under section 92 of the Act must include the following particulars of all warrants issued by the Tribunal under the <i>Guardianship and Administration Act 1993</i> during the financial year to which the report relates.

In 2018-19 there were no warrants issued by the Tribunal under the *Guardianship and Administration Act 1993*.

Public complaints

In the reporting year, SACAT received 24,731 applications in total. The staff are required to provide accessible and timely customer service to all participants for each application.

Complaints are only placed in one category.

Number of public complaints reported

Complaint categories	Sub-categories	Example	Number of Complaints 2018-19
Service delivery	Process	Processing error; incorrect process used; delay in processing application; process not customer responsive	61
Service delivery	Systems/technology	System offline; inaccessible to customer; incorrect result/information provided; poor system design	3
Service delivery	Access to services	Service difficult to find; location poor; facilities/ environment poor standard; not accessible to customers with disabilities	3
Referred	Referred to another agency or business unit	Complaints are referred to a range of agencies and business units including the Ombudsman.	34
No case to answer	No case to answer	Third party; customer misunderstanding; redirected to another agency; insufficient information to investigate	17
Professional behaviour	Staff and Tribunal member competency	Failure to action service request; poorly informed decisions; incorrect or incomplete service provided	16
Professional behaviour	Staff and Tribunal Member attitude	Failure to demonstrate values such as empathy, respect, fairness, courtesy, extra mile; cultural competency	9
Professional behaviour	Staff and Tribunal Member knowledge	Lack of service specific knowledge; incomplete or out-of-date knowledge	0

Complaint categories	Sub-categories	Example	Number of Complaints 2018-19
Service quality	Information	Incorrect, incomplete, out dated or inadequate information; not fit for purpose	8
Service quality	Access to information	Information difficult to understand, hard to find or difficult to use; not plain English	0
Service quality	Timeliness	Lack of staff punctuality; excessive waiting times (outside of service standard); timelines not met	0
Service quality	Safety	Maintenance; personal or family safety; duty of care not shown; poor security service/ premises; poor cleanliness	0
Service quality	Service responsiveness	Service design doesn't meet customer needs; poor service fit with customer expectations	0
Communication	Communication quality	Inadequate, delayed or absent communication with customer	4
Communication	Confidentiality	Customer's confidentiality or privacy not respected; information shared incorrectly	0
Policy	Policy application	Incorrect policy interpretation; incorrect policy applied; conflicting policy advice given	2
Policy	Policy content	Policy content difficult to understand; policy unreasonable or disadvantages customer	2
		Total	159

Additional Metrics	Total
Number of positive feedback comments (compliments)	45
Number of negative feedback comments	87
Total number of feedback comments	132
% complaints resolved within policy timeframes	91.2%

Service improvements for period

Service improvements that responded to customer complaints or feedback
<p>Improvements have been made to SACAT's external website content following feedback from Tribunal users.</p> <p>SACAT has also selected an alternative on-line forms platform that allows for improved functionality to be introduced over 2018-19.</p> <p>Both complaints and compliments are used in staff and Tribunal Member performance reviews and appraisals.</p>

Attachment 1 - SACAT Sessional Members – 2018-19

Title	Name	Appointment start date	Appointment Expiry Date
Mr	Armour, Richard Mark	17/11/2016	16/11/2019
Dr	Bagato, Maya [now Dr Maya Berg]	4/10/2017	3/10/2020
Ms	Barnes, Jeanette	4/10/2017	21/12/2018
Ms	Bills, Alicia Mary Devitt	5/12/2017	4/12/2020
Ms	Bishop, Elizabeth Mary	31/03/2016	30/03/2019
Ms	Carlton, Suzanne Elizabeth	5/12/2017	4/12/2020
Ms	Clark, Lee-Anne	1/10/2014	30/09/2019
Ms	Clark, Sandra Mary	5/12/2017	8/02/2019
Ms	Cowdroy, Julie	5/12/2017	4/12/2020
Dr	Coyte, David Trevlyn	4/10/2017	3/10/2020
Ms	D'Arcy, Candida Jane	17/11/2016	16/11/2019
Ms	Day, Bernadette Marie	1/10/2014	7/02/2019
Ms	Demosthenous, Maria	5/12/2017	4/12/2020
Mr	Duffy, Peter John	1/10/2014	30/09/2019
Ms	Dunstone, Julia Susan	4/10/2017	3/10/2022
Ms	Faulkner, Angela Catherine	4/10/2017	3/10/2020
Mr	Files, Ashley David	17/11/2016	16/11/2019
Ms	Forgan, Julie Dianne	1/10/2014	30/09/2019
Dr	Fuller, Mark Ewart	5/12/2017	4/12/2020
Dr	Gipslis, Janina	4/10/2017	3/10/2020
Mr	Griffin, Timothy David	17/11/2016	16/11/2019
Ms	Gursansky, Dianne Elizabeth	1/10/2014	30/09/2019
Ms	Hastwell, Lesley	1/10/2014	30/09/2019
Dr	Hundertmark, James David	31/03/2016	30/03/2021
Mr	Hunter, Allan Roy	5/12/2017	4/12/2020
Mr	Irving, John	31/03/2016	30/03/2024
Mr	Kennedy, Marten Thomas	17/11/2016	16/11/2019
Ms	King, Anita Gabriela	4/10/2017	3/10/2022
Dr	Lammersma, Johanna	4/10/2017	3/10/2020
Mr	Larkin, Christopher Edwin	31/03/2016	30/03/2019
Mr	Lazarevich, Alexander	31/03/2016	30/03/2024
Ms	McGrath, Jane Louise	5/12/2017	4/12/2020
Ms	Maerschel, Rebecca Elizabeth	4/10/2017	3/10/2022
Ms	Mares, Helen Rebecca	4/10/2017	3/10/2022
Ms	McEvoy, Kathleen Patricia	5/02/2015	4/02/2020
Ms	Mickan, Patricia Kaye	1/10/2014	30/09/2019
Ms	Millar, Kathryn Jane	1/10/2014	30/09/2019
Ms	Moroney, Anne Veronica	5/12/2017	4/12/2020
Mr	Murphy, Matt	5/12/2017	4/12/2020
Prof	Parker, David Roland Rupert	31/03/2016	30/03/2024
Ms	Petrie, Janece Maree	1/10/2014	30/09/2019
Mr	Radin, Atanas Michael	1/10/2014	30/09/2019
Mr	Rathman, David John	31/03/2016	30/03/2019
Dr	Rawson, George Leonard Donald	4/10/2017	3/10/2020
Ms	Richardson, Joanna Catherine	4/10/2017	3/10/2020