

VOTE Ombudsmen

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OVERVIEW

Appropriations sought for Vote Ombudsmen in 1998/99 total \$3.491 million (GST inclusive). This is intended to be spent as follows:

- \$3.319 million on investigation and resolution of complaints about government agencies at central, regional and local levels.
- \$172,000 to permit the Ombudsmen to maintain a higher profile within the prison system.

Footnotes

Note 1	<i>The Office of the Ombudsmen is an Office of Parliament under the Public Finance Act 1989.</i>
Note 2	<i>“Other” appropriations meet the cost of the Chief Ombudsman’s remuneration pursuant to section 9 of the Ombudsmen Act 1975.</i>
Note 3	<i>Not applicable as Crown revenue is not appropriated.</i>
Note 4	<i>Appropriations are stated GST inclusive (where applicable).</i>

VOTE Ombudsmen

VOTE MINISTER: THE SPEAKER OF THE HOUSE

ADMINISTERING DEPARTMENT: OFFICE OF THE OMBUDSMEN (see note 1)

The Speaker is the Responsible Minister for the Office of the Ombudsmen

Part A - Statement of Objectives and Trends

Part A1 - Objectives for Vote Ombudsmen

The appropriations in Vote Ombudsmen help fulfil Parliament's intent through the Ombudsmen Act 1975, the Official Information Act 1982 and the Local Government Official Information and Meetings Act 1987 and make an important contribution to the maintenance and enhancement of "open" government within New Zealand.

Specifically, the Ombudsmen contribute to improved public administration and access to official information, and enhanced public confidence in government administration. The dissemination of information assists the public in understanding government administration.

The appropriations will fund:

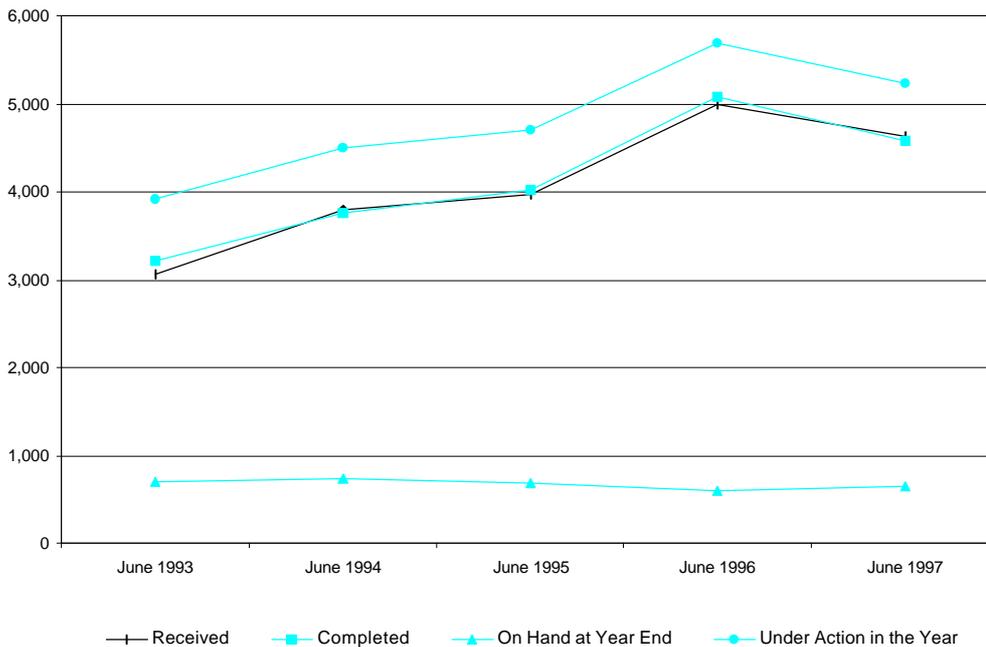
- the independent investigation of citizens' complaints:
 - under the Ombudsmen Act arising from any act, omission, decision or recommendation relating to a matter of administration and affecting persons in their personal capacity by any government agencies at central, regional or local level
 - under the Official Information Act and the Local Government Official Information and Meetings Act about decisions on requests for access to official information held by any Minister of the Crown, or any government agencies at central, regional or local level
 - where justified, the recommendation of appropriate remedial action to resolve those complaints
- investigations either on a complaint made to an Ombudsman by any person or group of persons, or in the case of investigations under the Ombudsmen Act, by an Ombudsman of their own motion
- the maintenance of the Ombudsmen's extended involvement in the investigation of complaints from inmates in penal institutions.

Part A2 - Trends in Vote Ombudsmen

In 1993 it was thought that the introduction of the Privacy Act 1993 and redirection of complaints concerning personal privacy issues to the Office of the Privacy Commissioner would reduce the number of complaints received by the Ombudsmen. The reduction in work received did not eventuate. Since 1993, but particularly in recent times, there has been a noticeable increase in the number of Ombudsmen Act complaints received and in the complexity and sensitivity of Official Information Act complaints in particular. The growth in work is attributable to three factors:

- a growing awareness of the official information legislation and a willingness by members of the public to question and seek explanations of government at all levels for the decisions and actions affecting them
- greater use of the Official Information Act by parliamentarians and their research units
- following the Logan Report on Mangaroa Prison, the Ombudsmen adopted a higher profile within the prisons system from 1 April 1995.

Figure 1 - Throughput - All Complaints



	1993/94 Actual	1994/95 Actual	1995/96 Actual	1996/97 Actual	1997/98 Forecast	1998/99 Forecast
Complaints Operating Flows						
On hand 1 July	710	734	688	604	^b 650 -690	^b 750 -800
Received	3,784	^a 3,973	4,993	4,624	5,000	5,100
Completed	3,759	^a 4,015	5,080	4,582	^b 5,000	^B 5,000
Average working days to complete an:						
• Ombudsmen Act complaint	50	^c 45	31	29	45	42
• Official Information Act complaint	85	^c 84	57	68	62	68
• Local Government Official Information and Meetings Act complaint	-	^c 64	48	53	62	59
Staff numbers ^d	37	36	34	34	35	36

Notes: a From 1 April 1995 the Ombudsmen adopted a higher profile within the prison system.

b Estimate only.

c 1994/95 represents the first year that performance targets were set and measured.

d Excludes the Ombudsmen.

An improved understanding of the Ombudsmen Act, and official information legislation in particular, within the local, regional and central government sectors is expected to limit demand for investigations to the existing level of about 5,000 complaints in the current year. The annual figure represents cases for which a file is made and an investigation commenced or advice/guidance given.

Although the introduction of the Privacy Act was expected to reduce the work of the Ombudsmen, by removing to the Privacy Commissioner complaints about refusal of access to personal information about the requester, this has not happened. The workload for the Ombudsmen has increased, particularly in relation to requests for information about advice given to and by government agencies, government policy and other similar matters. By nature, these complaints are generally complex, sensitive and resource intensive. Over the past two years, the main driver of the increased demand has been requests for investigation received from “parliamentary” sources. The increased demand means that the Office expects to:

- complete fewer Official Information Act complaint investigations than it receives in the 1998/99 reporting year. Complaints on hand at 30 June 1998 (all jurisdictions) are expected to increase from a forecast 650 to 690 for the current year to 750 to 800 at 30 June 1999
- complete the 1998/99 financial year with a higher proportion (10%) of Official Information Act complaints aged 12 months or more from date of receipt

- increase the time required to resolve Official Information Act complaints.

Additionally the Office of the Ombudsmen extends advice to approximately 4,000 people each year, who approach it by telephone or in person.

Significant changes to the cost structure of the Office since 1993 are due to the following:

- From 1 April 1995 the Ombudsmen adopted a higher profile within the prison service.
- From February 1995 remuneration costs for the Ombudsman, previously met from Vote Ombudsmen, became a cost to Vote Courts. The cost of the Chief Ombudsman's remuneration remains a charge to Vote Ombudsmen.
- During the 1997/98 financial year, the Officers of Parliament Committee approved a baseline adjustment to assist the Office to deal with the increased number and complexity of complaints received.

Trends in Vote Ombudsmen - Summary of Appropriations and Crown Revenue

Types of Appropriation	1993/94	1994/95	1995/96	1996/97	1997/98		1998/99 Appropriations to be Used				Total
	Actual	Actual	Actual	Actual	Budget	Estimated	By the Department Administering the Vote		For Non-Departmental Transactions		
						Actual	Annual	Other (see note 2)	Annual	Other	
\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	
Operating Flows											
Classes of Outputs to be Supplied	3,167	3,147	3,124	3,255	3,466	3,463	3,288	203	-	-	3,491
Benefits and Other Unrequited Expenses	-	-	-	-	-	-	N/A	N/A	-	-	-
Borrowing Expenses	-	-	-	-	-	-	N/A	N/A	-	-	-
Other Expenses	-	-	-	-	-	-	-	-	-	-	-
Capital Flows											
Capital Contributions	-	-	-	-	-	-	-	-	-	-	-
Purchase or Development of Capital Assets	-	-	-	-	-	-	N/A	N/A	-	-	-
Repayment of Debt	-	-	-	-	-	-	N/A	N/A	-	-	-
Total Appropriations	3,167	3,147	3,124	3,255	3,466	3,463	3,288	203	-	-	3,491
Total Crown Revenue and Receipts (see note 3)	-	-	-	-	-	-	N/A	N/A	N/A	N/A	-

Part B - Statement of Appropriations

Part B1 - Details of 1998/99 Appropriations (see note 4)

Appropriations	1997/98				1998/99		Description of 1998/99 Appropriations
	Vote		Estimated Actual		Vote		
	Annual \$000	Other \$000	Annual \$000	Other \$000	Annual \$000	Other \$000	
Departmental Output Classes (Mode B Gross)							
D1 Investigation and Resolution of Complaints about Government Administration	3,260	206	3,257	206	3,288	203	The investigation and resolution of complaints about the administrative acts, omissions and decisions of the Government at central, regional or local levels.
Total Appropriations for Departmental Output Classes (Mode B Gross)	3,260	206	3,257	206	3,288	203	Refer to Part C1 for a full description.
Total Appropriations	3,260	206	3,257	206	3,288	203	

Part C - Explanation of Appropriations for Output Classes

Introduction

The Ombudsmen are independent Officers of Parliament appointed by the Governor-General on the recommendation of the House of Representatives. Their functions are to investigate and form opinions on the merits of complaints about the administrative acts and decisions of government agencies at central, regional and local levels and to review decisions about requests for access to official information held by any Minister of the Crown or central, regional or local government department or organisation. They report annually and are accountable to Parliament rather than the Government.

The appropriations in this Vote were commended to the Governor-General by the House of Representatives in an address, on the recommendation of the Officers of Parliament Committee.

Part C1 - Departmental Output Classes

Output Class D1 - Investigation and Resolution of Complaints about Government Administration

Description

This class of outputs involves the investigation under the Ombudsmen Act of complaints arising from the acts, omissions, decisions and recommendations of government agencies at central, regional and local levels, including decisions on requests for information under the Official Information Act and the Local Government and Official Information and Meetings Act.

Quantity

The Chief Ombudsman expects to provide Parliament with:

- 3,300 completed investigations pursuant to the Ombudsmen Act
- 1,140 completed investigations pursuant to the official information legislation
- 560 completed complaint investigations which require preliminary consideration and/or investigation but which are found to be outside Ombudsmen jurisdiction
- 10 visits to rural centres (clinics) and visits to local authorities, and an average of nine visits to each of the 25 penal institutions throughout New Zealand.

Quality

The quality of investigations is to be assured through Ombudsmen involvement in each and every complaint investigation and by ensuring that all complaints are investigated by suitably qualified and trained investigating staff.

Timeliness

All reports and investigations and inquiries will be responded to within the following timeframes agreed by the Ombudsmen and published in the Office's 1998/99 annual *Departmental Forecast Report*, and reported in its *Annual Report*.

Average number of working days to complete investigations under:

- Ombudsmen Act 42 working days
- Official Information Act 68 working days
- Local Government Official Information and Meetings Act 59 working days

Cost

Year	Cost GST incl \$000	Cost GST excl \$000	Total Revenue GST excl \$000	Revenue Crown GST excl \$000	Revenue Other GST excl \$000
1998/99	3,491	3,125	3,135	3,125	10
1997/98	3,466	3,104	3,104	3,101	3

Part D - Explanation of Appropriations for Other Operating Flows

Part D1 - Benefits and Other Unrequited Expenses

There is no appropriation in respect of Part D1.

Part D2 - Borrowing Expenses

There is no appropriation in respect of Part D2.

Part D3 - Other Expenses

There is no appropriation in respect of Part D3.

Part E - Explanation of Appropriations for Capital Flows

Part E1 - Capital Contributions

There is no appropriation in respect of Part E1.

Net Worth of Entities Owned

Statement of Estimated and Forecast Net Worth

	Balance Date	Estimated Net Worth 1998 \$ million	Forecast Net Worth 1999 \$ million
Office of the Ombudsmen	30 June	0.037	0.037

Part E2 - Purchase or Development of Capital Assets by the Crown

There is no appropriation in respect of Part E2.

Part E3 - Repayment of Debt

There is no appropriation in respect of Part E3.