

Performance Information for Appropriations

Vote Ombudsmen

MINISTER(S) RESPONSIBLE FOR APPROPRIATIONS: Speaker of the House of Representatives (M78)

ADMINISTERING DEPARTMENT: Office of the Ombudsmen

MINISTER RESPONSIBLE FOR OFFICE OF THE OMBUDSMEN: Speaker of the House of Representatives

Part 1 - Summary of the Vote

Part 1.1 - Overview of the Vote

The Speaker of the House of Representatives is responsible for appropriations in Vote Ombudsmen in 2012/13 totalling \$9.490 million (GST exclusive). This comprises:

- \$8.695 million annual appropriation for the Office of the Ombudsmen
- \$630,000 permanent legislative authority of Ombudsmen remuneration, and
- \$165,000 permanent legislative authority for capital expenditure.

The whole of the Vote is committed to the investigation, resolution of complaints and the provision of advice relating to central and local government administrative actions, and monitoring compliance with international conventions.

Details of these appropriations are set out in Parts 2-6 below.

Part 1.2 - High-Level Objectives of the Vote

Objectives of the Vote

The appropriations in Vote Ombudsmen help fulfil Parliament's intent through the Ombudsmen Act 1975, the Official Information Act 1982, the Local Government Official Information and Meetings Act 1987, the Crimes of Torture Act 1989, the Protected Disclosures Act 2000, the Land Transport Act 1998 and the United Nations Convention on the Rights of Persons with Disabilities and make an important contribution to the maintenance and enhancement of "open" government within New Zealand. Specifically, the Ombudsmen contribute to strengthening the New Zealand system of democracy through improved public administration and access to official information, and enhanced public confidence in government administration. The dissemination of information assists the public in understanding and participating in government administration. The overall outcome sought is that people feel that they are treated fairly in their dealings with New Zealand government agencies.

The appropriations will purchase the independent investigation of complaints:

Under the Ombudsmen Act 1975:

- made by the public arising from any act, omission, decision or recommendation relating to a matter of administration and affecting any person or body of persons in his/her/its personal capacity by any government agencies at central, regional or local level
- by an Ombudsman of his/her own motion
- from prisoners in penal institutions including selected serious incidents and the monitoring of death in custody investigations conducted by Inspectors of Corrections, and
- concerning the rights of person with disabilities.

Under the Official Information Act 1982 and the Local Government Official Information and Meetings Act 1987:

- 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, and where justified, the recommendation of appropriate remedial action to resolve those complaints.

Under the Crimes of Torture Act 1989:

- fulfilling the requirements as "National Preventive Mechanism" for prisons, mental health, immigration detention facilities and residences established under section 364 of the Children, Young Persons and Their Families Act 1989, and
- reporting annually to Parliament in respect of inspections undertaken under the Act.

Under the Protected Disclosures Act 2000:

- to provide an employee who has made, or is considering making, a protected disclosure, information and guidance on the application of the legislation, and
- where a protected disclosure is made to an Ombudsman in their capacity as an "appropriate authority", to take such action on the matter as prescribed in the Act.

Under the Land Transport Act 1998:

- the Secretary for Transport must consult the Ombudsmen on applications for authorisation to access personal information held on the motor vehicle register.

Under the United Nations Convention on the Rights of Persons with Disabilities:

- protecting and monitoring New Zealand's implementation of the Convention.

For further information on the intended impacts, outcomes and objectives of the Office of the Ombudsmen please see the Office's 2012-2015 Statement of Intent.

Part 1.3 - Trends in the Vote

Summary of Financial Activity

	2007/08	2008/09	2009/10	2010/11	2011/12		2012/13			2013/14	2014/15	2015/16
	Actual \$000	Actual \$000	Actual \$000	Actual \$000	Budgeted \$000	Estimated Actual \$000	Departmental Transactions Budget \$000	Non- Departmental Transactions Budget \$000	Total Budget \$000	Estimated \$000	Estimated \$000	Estimated \$000
Appropriations												
Output Expenses	6,148	6,854	7,403	7,948	8,140	8,140	8,695	-	8,695	8,324	8,307	8,307
Benefits and Other Unrequited Expenses	-	-	-	-	-	-	N/A	-	-	-	-	-
Borrowing Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Other Expenses	727	621	615	763	628	628	630	-	630	630	630	630
Capital Expenditure	214	360	146	222	165	165	165	-	165	165	165	165
Intelligence and Security Department Expenses and Capital Expenditure	-	-	-	-	-	-	-	N/A	-	-	-	-
Total Appropriations	7,089	7,835	8,164	8,933	8,933	8,933	9,490	-	9,490	9,119	9,102	9,102
Crown Revenue and Capital Receipts												
Tax Revenue	-	-	-	-	-	-	N/A	-	-	-	-	-
Non-Tax Revenue	-	-	-	-	-	-	N/A	-	-	-	-	-
Capital Receipts	-	-	-	-	-	-	N/A	-	-	-	-	-
Total Crown Revenue and Capital Receipts	-	-	-	-	-	-	N/A	-	-	-	-	-

New Policy Initiatives

Policy Initiative	Appropriation	2011/12 Budgeted \$000	2012/13 Budget \$000	2013/14 Estimated \$000	2014/15 Estimated \$000	2015/16 Estimated \$000
Capability maintenance	Investigation and Resolution of Complaints about Government Administration	-	300	300	300	300
Capability maintenance - depreciation associated with Christchurch earthquake	Investigation and Resolution of Complaints about Government Administration	65	51	17	-	-

Analysis of Significant Trends

The bulk of the movement in departmental appropriations in Vote Ombudsmen which are detailed in the Summary of Financial Activity table above, are largely driven by movements in departmental output expenses required to maintain an efficient, effective and professional Ombudsman function. More recent movements include new work responsibilities given the Ombudsmen. Details of significant movements within each appropriation are shown below.

Departmental Output Expenses

The baseline movements amounting to approximately \$2.300 million during the period detailed in the Summary of Financial Activity are due to:

- the 2007/08 Estimates provide 'one-off' increases to the office baseline to meet costs associated with hosting the 2007 Information Commissioners International Conference and recruitment costs for a 3rd permanent Ombudsman. Additional funding was provided to allow staff remuneration to more closely reflect rates paid by other government sector employers. The funding was provided half in the 2007/08 year and half in the 2008/09 year. Funding was also provided for costs associated with the Ombudsmen being designated the "National Preventive Mechanism" for prisons, mental health, immigration detention facilities and residences established under section 364 of the Children, Young Persons and Their Families Act 1989, under the Crimes of Torture Act 1989 and an additional investigating officer. Further funding was provided for the full year cost of increased office accommodation rentals at Auckland and Wellington
- the 2007/08 Supplementary Estimates provide 'one-off' funding for costs associated with a review of the Criminal Justice Sector, recruitment costs for a third Ombudsman, technical support to the Ombudsmen, NZAID funding to Pacific nation attendees at the 2007 Information Commissioners International Conference. Funding was also provided to support the Ombudsmen's enhanced role within prisons
- budget increases were approved for 2008/09 to meet costs associated with the Ombudsmen being a "National Preventive Mechanism" under the Crimes of Torture Act 1989, strengthening policy, strategic planning, quality review and training capabilities and, further enhancing the Ombudsmen role in prisons to include the investigation of selected other serious incidents and monitoring of investigations of deaths in custody undertaken by the Inspectors of Corrections. Funding was also provided for an office accommodation rental increase at Christchurch
- Parliament approved as part of the 2010/11 Estimates a baseline increase to meet costs associated with the Ombudsmen's new responsibilities under the United Nations Convention on the Rights of Persons with Disabilities. A further increase was approved for two years to address an increase in complaints received during the current economic downturn

- Parliament approved as part of the 2011/12 Estimates additional temporary capability funding until 2013/14 to assist management of the office workload including work arising from the Christchurch earthquakes. Funding was also approved to enable New Zealand to host the 2012 world conference of the International Ombudsman Institute and obtain specialist accommodation advice
- supplementary funding was approved for the period 2011/12 to 2013/14 to meet additional depreciation associated with the Christchurch earthquakes
- as part of Estimates 2012/13 temporary capability funding that was to end in 2013/14 was approved on an ongoing basis. Additional funding was also approved to assist the office address remuneration pressures.

Departmental Other Expenses

Movements in Departmental Other Expenses are wholly attributable to:

- determinations issued by the Remuneration Authority relating to Ombudsmen remuneration and to decisions by Parliament regarding the number of Ombudsmen appointed at any one time. There are presently two permanent Ombudsmen.

Capital Expenditure

Movements in the provision for capital expenditure follow:

- the 2007/08 Estimates provided a capital contribution of \$73,000 to Vote Ombudsmen for accommodation alteration costs associated with the Ombudsmen being designated as a National Preventive Mechanism under the Crimes of Torture Act 1989
- an additional capital contribution of \$238,000 was approved as part of the 2007/08 Supplementary Estimates to meet further accommodation alteration changes required at Wellington office and computer and furniture/fittings costs associated with the Ombudsmen's enhanced role in prisons
- the reduced budgetary provision of \$123,000 for 2009/10 and outyears reflects capital expenditure intentions for the foreseeable future
- the 2011/12 Estimates provide for an increased capital provision to \$165,000 to reflect updated capital expenditure intentions.

Part 2 - Details and Expected Performance for Output Expenses

Part 2.1 - Departmental Output Expenses

Intended Impacts, Outcomes and Objectives

Intended Impacts, Outcomes or Objectives of Appropriations	Appropriations
Improved administration, accountability, transparency and 'open' government	Investigation and Resolution of Complaints about Government Administration

For further information on the intended impacts, outcomes and objectives of the Office of the Ombudsmen output expense appropriations please see the Office's 2012-2015 Statement of Intent.

Investigation and Resolution of Complaints About Government Administration (M78)

Scope of Appropriation

This appropriation is limited to the investigation, resolution of complaints and the provision of advice relating to central and local government administrative actions, and monitoring compliance with international conventions.

Expenses and Revenue

	2011/12		2012/13
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	8,140	8,140	8,695
Revenue from Crown	8,140	8,140	8,695
Revenue from Other	-	-	-

Reasons for Change in Appropriation

The increase in the appropriation results from an adjustment for capability maintenance.

Output Performance Measures and Standards

Performance Measures	2011/12		2012/13
	Budgeted Standard	Estimated Actual Standard	Budget Standard
Output A: Investigate state sector administrative and decision making - Ombudsmen Act 1975			
All complaints and other contacts will be considered	Meet	Meet	100%
# of complaints and other contacts completed during the reporting year	Demand driven approximately 8,500	8,500	Demand driven approximately 8,500
# of wider administrative improvement investigations completed during the reporting year (new measure)	-	-	3-5

Performance Measures	2011/12		2012/13
	Budgeted Standard	Estimated Actual Standard	Budget Standard
Output A: Investigate state sector administrative and decision making - Ombudsmen Act 1975 - cont'd			
Monitor all death in custody investigations by the Department of Corrections	Incidence driven - approximately 12-15	18	Incidence driven - approximately 18
% of complaints outside jurisdiction completed within 1 month from date of receipt (formerly Priority J - Outside jurisdiction)	90%	70%	90%
% of complaints not investigated or resolved without investigation completed within 3 months from date of receipt (formerly Priority D - Discretion whether to investigate)	90%	90%	90%
% of urgent investigations completed within 4 months from date of receipt (formerly Priority 1 - Urgent investigation)	90%	90%	90%
% of priority investigations completed within 6 months from date of receipt (formerly Priority 2 - Priority investigation)	70%	70%	70%
% of all other investigations completed within 12 months from date of receipt (formerly Priority 3 - All other investigations)	70%	70%	70%
% of completed complaints and other contacts meeting internal quality standards following random quality assurance check (new measure)	-	-	Baseline to be established
# of successful appeals for judicial review of Ombudsman (new measure)	-	-	Nil
Output B: Investigate and review official information decisions			
All complaints will be considered	Meet	Meet	100%
# of complaints completed during the reporting year - Official Information Act 1982	Demand driven - approximately 800	750	Demand driven - approximately 800
# of complaints completed during the reporting year - Local Government Official Information and Meetings Act 1987	Demand driven - approximately 250	250	Demand driven - approximately 250
Official Information Act 1982:			
% of complaints outside jurisdiction completed within 1 month from date of receipt (formerly Priority J - Outside jurisdiction)	90%	70%	90%
% of complaints not investigated or resolved without investigation completed within 3 months from date of receipt (formerly Priority D - Discretion whether to investigate)	90%	80%	90%
% of urgent investigations completed within 4 months from date of receipt (formerly Priority 1 - Urgent investigation)	90%	90%	90%
% of priority investigations completed within 6 months from date of receipt (formerly Priority 2 - Priority investigation)	70%	60%	70%
% of all other investigations completed within 12 months from date of receipt (formerly Priority 3 - All other investigations)	70%	70%	70%
% of completed complaints and other contacts meeting internal quality standards following random quality assurance check (new measure)	-	-	Baseline to be established
# of successful appeals for judicial review of Ombudsman (new measure)	-	-	Nil
Local Government Official Information and Meetings Act 1987:			
% of complaints outside jurisdiction completed within 1 month from date of receipt (formerly Priority J - Outside jurisdiction)	90%	80%	90%

Performance Measures	2011/12		2012/13
	Budgeted Standard	Estimated Actual Standard	Budget Standard
% of complaints not investigated or resolved without investigation completed within 3 months from date of receipt (formerly Priority D - Discretion whether to investigate)	90%	90%	90%
% of urgent investigations completed within 4 months from date of receipt (formerly Priority 1 - Urgent investigation)	90%	90%	90%
% of priority investigations completed within 6 months from date of receipt (formerly Priority 2 - Priority investigation)	70%	70%	70%
% of all other investigations completed within 12 months from date of receipt (formerly Priority 3 - All other investigations)	70%	70%	70%
% of completed complaints and other contacts meeting internal quality standards following random quality assurance check (new measure)	-	-	Baseline to be established
# of successful appeals for judicial review of Ombudsman (new measure)	-	-	Nil
Output A: Investigate state sector administrative and decision making processes, and Output B: Investigate and review official information decisions			
% of complainants satisfied with overall quality of our service delivery - Official Information Act (old measure replaced in 2012/13)	70%	70%	-
% of complainants satisfied with overall quality of our service delivery - Local Government Official Information and Meetings Act (old measure replaced in 2012/13)	70%	70%	-
% of agencies satisfied the Ombudsmen's views are fair - Official Information Act (old measure replaced in 2012/13)	70%	70%	-
% of agencies satisfied the Ombudsmen's views are fair - Local Government Official Information and Meetings Act (old measure replaced in 2012/13)	70%	70%	-
% of complainants satisfied with overall quality of our service delivery (amended measure)	-	-	70%
% of agencies satisfied the Ombudsmen's views are fair (amended measure)	-	-	70%
% of state sector agencies satisfied with our communication overall (new measure)	-	-	70%
Output C: Deal with requests for advice and guidance about serious wrongdoing - Protected Disclosures Act 2000			
All requests for advice and guidance considered (new measure)	-	-	100%
# of requests completed during the reporting year (new measure)	-	-	Demand driven, approximately 10
% of requests for guidance and assistance completed within 6 months from date of receipt	95%	95%	95%

Performance Measures	2011/12		2012/13
	Budgeted Standard	Estimated Actual Standard	Budget Standard
Output D: Monitor and inspect places of detention under the National Preventive Mechanism designation - Crimes of Torture Act 1989			
# of full inspections to places of detention (new measure)	-	-	22
# of other visits to places of detention (new measure)	-	-	10
% of unannounced full inspections and other visits (new measure)	-	-	33%
# of announced visits to places of detention under the National Preventive Mechanism designation (old measure replaced in 2012/13)	22	22	-
# of unannounced visits to places of detention under the National Preventive Mechanism designation (old measure replaced in 2012/13)	11	11	-
% of reports sent to places of detention within 3 months of visit	95%	95%	95%
% of reports peer reviewed to meet internal quality standards (new measure)	-	-	100%
Output E: Improve state sector capability in areas relevant to the Ombudsmen's jurisdiction			
# of requests for advice or comment by state sector agencies responded to (new measure)	-	-	60-80
# of training sessions provided to state sector agencies during the reporting year	Demand driven approximately 30-40	30	Demand driven approximately 30-40
# of guidance materials produced or updated during the year	Demand driven approximately 10-15	10	Demand driven approximately 10-15
% of participants in Ombudsmen's external training sessions who report that the training will assist them in their work	95%	95%	95%
% of agencies which report they use one or more of the Ombudsmen's information resources currently available (next survey 2013/14)	80%	80%	-
Output F: Improve public awareness and accessibility of Ombudsmen's services			
# of external speeches and presentations given during the reporting year	Demand driven 25	25	Demand driven approximately 25
# of non-English languages pamphlets made available (old measure ceases 2012/13)	4	4	-
% of members of the public who have heard of the Office of the Ombudsmen (new measure)	-	-	Baseline to be established
% of complainants who found our website useful (new measure)	-	-	70%
% of complainants who looked at the Office website (new measure)	-	-	Baseline to be established
# of general enquiries - non grievance based (old measure ceases 2012/13)	400	Did not proceed with measure	-
# of general enquiries - grievance based (old measure ceases 2012/13)	500	Did not proceed with measure	-

Current and Past Policy Initiatives

Policy Initiative	Year of First Impact	2011/12 Budgeted \$000	2012/13 Budget \$000	2013/14 Estimated \$000	2014/15 Estimated \$000	2015/16 Estimated \$000
Capability Maintenance	2012	-	300	300	300	300
Capability Maintenance - additional depreciation associated with Christchurch earthquake	2011	65	51	17	-	-
Accommodation advice	2011	30	-	-	-	-
Host 2012 World conference of the International Ombudsman Institute	2011	38	337	-	-	-
Capability Maintenance	2010	370	370	370	370	370
Implementation United Nations Convention on the Rights of Persons with Disabilities	2010	230	230	230	230	230
Capability maintenance	2008	14	14	14	14	14
Capability building	2008	290	290	290	290	290
Enhanced Ombudsmen role within prisons	2008	1,323	1,323	1,323	1,323	1,323
Capability building	2007	159	159	159	159	159
Implementation United Nations Convention Against Torture	2007	160	160	160	160	160
Capability maintenance	2007	480	480	480	480	480

Part 5 - Details and Expected Results for Other Expenses

Part 5.1 - Departmental Other Expenses

Intended Impacts, Outcomes and Objectives

Intended Impacts, Outcomes or Objectives of Appropriations	Appropriations
Improved administration, accountability, transparency and 'open' government - Ombudsmen remuneration	Investigation and Resolution of Complaints about Government Administration

Remuneration of Ombudsmen PLA (M78)

Scope of Appropriation

This appropriation is limited to remuneration expenses for the Ombudsmen as authorised by sections 8 and 9 of the Ombudsmen Act 1975.

Expenses

	2011/12		2012/13
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	628	628	630

Part 6 - Details and Expected Results for Capital Expenditure

Part 6.1 - Departmental Capital Expenditure

Intended Impacts, Outcomes and Objectives

Intended Impacts, Outcomes or Objectives of Appropriations	Appropriations
Maintain and upgrade capability through the routine replacement of the Office of the Ombudsmen information technology and office equipment and fittings.	Investigation and Resolution of Complaints about Government Administration Capital Expenditure

Office of the Ombudsmen - Capital Expenditure PLA (M78)

Scope of Appropriation

This appropriation is limited to the purchase or development of assets by and for the use of the Office of the Ombudsmen, as authorised by section 24(1) of the Public Finance Act 1989.

Capital Expenditure

	2011/12		2012/13
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Forests/Agricultural	-	-	-
Land	-	-	-
Property, Plant and Equipment	103	103	93
Intangibles	62	62	72
Other	-	-	-
Total Appropriation	165	165	165