

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 2013/14 totalling \$10.165 million (GST exclusive). This comprises:

- \$9.320 million annual appropriation for the Office of the Ombudsmen
- \$645,000 permanent legislative authority of Ombudsmen remuneration, and
- \$200,000 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 2013-2016 Statement of Intent.

Part 1.3 - Trends in the Vote

Summary of Financial Activity

	2008/09	2009/10	2010/11	2011/12	2012/13		2013/14			2014/15	2015/16	2016/17
	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	6,854	7,403	7,948	8,140	8,783	8,783	9,320	-	9,320	9,303	9,303	9,303
Benefits and Other Unrequited Expenses	-	-	-	-	-	-	N/A	-	-	-	-	-
Borrowing Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Other Expenses	621	615	763	629	641	641	645	-	645	645	645	645
Capital Expenditure	360	146	222	189	165	165	200	-	200	200	200	200
Intelligence and Security Department Expenses and Capital Expenditure	-	-	-	-	-	-	-	N/A	-	-	-	-
Total Appropriations	7,835	8,164	8,933	8,958	9,589	9,589	10,165	-	10,165	10,148	10,148	10,148
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	2012/13 Budgeted \$000	2013/14 Budget \$000	2014/15 Estimated \$000	2015/16 Estimated \$000	2016/17 Estimated \$000
Capability maintenance	Investigation and Resolution of Complaints about Government Administration	88	996	996	996	996
Capability maintenance	Investigation and Resolution of Complaints about Government Administration	300	300	300	300	300
Capability maintenance - depreciation associated with Christchurch earthquake	Investigation and Resolution of Complaints about Government Administration	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:

- 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
- supplementary funding was approved for the period 2012/13 for recruitment costs for a new Ombudsman

- Parliament approved as part of the 2013/14 Estimates a baseline increase to meet the cost of increased rents in Auckland and Christchurch and six additional investigating staff and related costs.

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 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
- the 2013/14 Estimates provide for an increased capital provision to \$200,000 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 2013-2016 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

	2012/13		2013/14
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	8,783	8,783	9,320
Revenue from Crown	8,783	8,783	9,320
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	2012/13		2013/14
	Budgeted Standard	Estimated Actual Standard	Budget Standard
Output A: Investigate state sector administration and decision making - Ombudsmen Act 1975			
<i>Demand Driven Measures:</i>			
# of complaints completed (new measure)	-	-	2,500
# of other contacts completed (new measure)	-	-	7,000
# of complaints and other contacts completed (old measure ceases in 2012/13)	8,500	10,500	-
# of cases where monitoring of death in custody investigations commenced	18	12-15	12-15

Performance Measures	2012/13		2013/14
	Budgeted Standard	Estimated Actual Standard	Budget Standard
<i>Proactive Measures:</i>			
All complaints and other contacts considered	100%	100%	100%
# of wider administrative improvement investigations completed	3-5	2	3-5
% of complaints outside jurisdiction completed within 1 month from date of receipt	90%	83%	75%
% of complaints not investigated or resolved without investigation completed within 3 months from date of receipt	90%	72%	72%
% of urgent investigations completed within 4 months from date of receipt	90%	91%	90%
% of priority investigations completed within 6 months from date of receipt	70%	71%	70%
% of all other investigations completed within 12 months from date of receipt	70%	75%	60%
% of completed complaints and other contacts meeting internal quality standards, following random quality assurance check	Baseline to be established	Baseline to be established	Baseline to be established
# of successful appeals for judicial review of Ombudsman	Nil	Nil	Nil
Output B: Investigate and review official information decisions			
<i>General Proactive Measures:</i>			
all complaints will be considered	100%	Met	100%
% of completed complaints and other contacts meeting internal quality standards, following random quality assurance check	Baseline to be established	Baseline to be established	Baseline to be established
# of successful appeals for judicial review of Ombudsman	Nil	Nil	Nil
Official Information Act 1982:			
<i>Demand Driven Measures:</i>			
# of complaints completed	800	1,000	800
# of other contacts completed (new measure)	-	-	Baseline to be established
<i>Proactive Measures:</i>			
% of complaints outside jurisdiction completed within 1 month from date of receipt	90%	68%	68%
% of complaints not investigated or resolved without investigation completed within 3 months from date of receipt	90%	76%	75%
% of urgent investigations completed within 4 months from date of receipt	90%	92%	90%
% of priority investigations completed within 6 months from date of receipt	70%	48%	60%
% of all other investigations completed within 12 months from date of receipt	70%	58%	60%

Performance Measures	2012/13		2013/14
	Budgeted Standard	Estimated Actual Standard	Budget Standard
Local Government Official Information and Meetings Act 1987:			
<i>Demand Driven Measures:</i>			
# of complaints completed	250	250	250
# of other contacts completed (new measure)	-	-	Baseline to be established
<i>Proactive Measures:</i>			
% of complaints outside jurisdiction completed within 1 month from date of receipt	90%	83%	83%
% of complaints not investigated or resolved without investigation completed within 3 months from date of receipt	90%	72%	70%
% of urgent investigations completed within 4 months from date of receipt	90%	91%	90%
% of priority investigations completed within 6 months from date of receipt	70%	71%	60%
% of all other investigations completed within 12 months from date of receipt	70%	75%	60%
Output A: Investigate state sector administration and decision making, and Output B: Investigate and review official information decisions			
% of complainants satisfied with overall quality of our service delivery (measured biennially)	70%	not measured	55%
% of state sector agencies satisfied the Ombudsmen's views are fair (measured biennially)	70%	not measured	70%
% of state sector agencies satisfied with our communication overall (measured biennially)	70%	not measured	70%
Output C: Deal with requests for advice and guidance about serious wrongdoing - Protected Disclosures Act 2000			
<i>Demand Driven Measure:</i>			
# of requests for advice and guidance completed in the reporting year	10	5	10
<i>Proactive Measures:</i>			
all requests for advice and guidance considered	100%	100%	100%
% of requests for guidance and assistance completed within 6 months from date of receipt	95%	100%	95%
Output D: Monitor and inspect places of detention - Crimes of Torture Act 1989			
<i>Proactive Measures:</i>			
# of full inspections to places of detention	22	22	22
# of other visits to places of detention	10	10	10
% of unannounced full inspections and other visits	At least 33%	At least 33%	At least 33%
% of reports sent to places of detention within 3 months of visit	95%	100%	95%
% of reports peer reviewed to meet internal quality standards	100%	100%	100%
% of formal recommendations accepted (new measure)	-	90%	80%

	2012/13		2013/14
	Budgeted Standard	Estimated Actual Standard	Budget Standard
Performance Measures			
Output E: Improve state sector capability in areas relevant to our jurisdiction			
<i>Demand Driven Measures:</i>			
# of requests for advice or comment by state sector agencies responded to	60-80	100	60-80
# of training sessions provided to state sector agencies during the reporting year	30-40	20	20
<i>Proactive Measures:</i>			
# of guidance materials produced or updated during the year	10-15	10	10-15
% of participants in Ombudsman external training sessions who report that the training will assist them in their work	95%	100%	95%
% of agencies which report that they use one or more of the Ombudsman's information resources currently available (next survey 2013/14)	-	-	80%
Output F: Improve public awareness and accessibility of our services			
<i>Demand Driven Measure:</i>			
# of external speeches and presentations given	25	20	25
<i>Proactive Measures:</i>			
% of members of the public who have heard of the Ombudsman	Baseline to be established	69%	65%
% of complainants who found our website useful	70%	-	70%
% of complainants who looked at our website	Baseline to be established	-	55%

Current and Past Policy Initiatives

Policy Initiative	Year of First Impact	2012/13 Budgeted \$000	2013/14 Budget \$000	2014/15 Estimated \$000	2015/16 Estimated \$000	2016/17 Estimated \$000
Capability Maintenance	2013	88	996	996	996	996
Capability Maintenance	2012	300	300	300	300	300
Capability Maintenance - additional depreciation associated with Christchurch earthquake	2011	51	17	-	-	-
Host 2012 World conference of the International Ombudsman Institute	2011	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	1323

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

	2012/13		2013/14
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	641	641	645

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

	2012/13		2013/14
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Forests/Agricultural	-	-	-
Land	-	-	-
Property, Plant and Equipment	93	93	93
Intangibles	72	72	107
Other	-	-	-
Total Appropriation	165	165	200

Reasons for Change in Appropriation

This appropriation will increase by \$35,000 from \$165,000 to \$200,000 to provide facilities for additional investigating staff.