

# *Vote Ombudsmen*

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APPROPRIATION MINISTER(S): Speaker of the House of Representatives (M78)

DEPARTMENT ADMINISTERING THE VOTE: Office of the Ombudsman (A31)

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

## *Overview of the Vote*

The Speaker of the House of Representatives is responsible for appropriations in Vote Ombudsmen in 2021/22 totalling \$49.342 million. This consists of:

- nearly \$46 million to investigate and resolve complaints and perform the other functions of the Office of the Ombudsman
- \$463,000 for Ombudsman remuneration, and
- nearly \$3 million 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.

The Speaker of the House of Representatives is also responsible for a capital injection of \$2.773 million to the Office of the Ombudsman to fund its capital expenditure.

Details of these appropriations are set out in Parts 2-4.

# Details of Appropriations and Capital Injections

## Annual Appropriations and Forecast Permanent Appropriations

Titles and Scopes of Appropriations by Appropriation Type	2020/21		2021/22
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
<b>Departmental Output Expenses</b>			
<b>Investigation and Resolution of Complaints About Government Administration (M78) (A31)</b> 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.	28,580	28,580	<b>45,906</b>
<b>Total Departmental Output Expenses</b>	28,580	28,580	45,906
<b>Departmental Other Expenses</b>			
<b>Remuneration of Ombudsmen PLA (M78) (A31)</b> This appropriation is limited to remuneration expenses for the Ombudsmen as authorised by sections 8 and 9 of the Ombudsmen Act 1975.	429	429	463
<b>Total Departmental Other Expenses</b>	429	429	463
<b>Departmental Capital Expenditure</b>			
<b>Office of the Ombudsman - Capital Expenditure PLA (M78) (A31)</b> This appropriation is limited to the purchase or development of assets by and for the use of the Office of the Ombudsman, as authorised by section 24(1) of the Public Finance Act 1989.	1,501	1,501	2,973
<b>Total Departmental Capital Expenditure</b>	1,501	1,501	2,973
<b>Total Annual Appropriations and Forecast Permanent Appropriations</b>	<b>30,510</b>	<b>30,510</b>	<b>49,342</b>

## Capital Injection Authorisations

	2020/21		2021/22
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Office of the Ombudsman - Capital Injection (M78) (A31)	1,256	1,256	2,773

# Supporting Information

## Part 1 - Vote as a Whole

### 1.1 - New Policy Initiatives

Policy Initiative	Appropriation	2020/21 Final Budgeted \$000	2021/22 Budget \$000	2022/23 Estimated \$000	2023/24 Estimated \$000	2024/25 Estimated \$000
Temporary MIQ inspection resource	<b>Investigations and Resolution of Complaints and Government Administration</b> Departmental Output Expenses	-	769	-	-	-
Temporary investigation resource	<b>Investigations and Resolution of Complaints and Government Administration</b> Departmental Output Expenses	-	796	797	797	-
Retaining trained, experienced staff	<b>Investigations and Resolution of Complaints and Government Administration</b> Departmental Output Expenses	-	765	765	765	765
Improving security	<b>Investigation and Resolution of Complaints and Government Administration</b> Departmental Output Expenses	-	1,106	1,108	1,108	1,108
Office accommodation	<b>Investigation and Resolution of Complaints and Government Administration</b> Departmental Output Expenses	-	240	251	251	251
Capital for temporary MIQ inspection resource	<b>Department Capital Injection</b>	-	34	-	-	-
Capital for temporary investigation resource	<b>Department Capital Injection</b>	-	64	-	-	-
Capital for improving security	<b>Department Capital Injection</b>	-	78	-	-	-
Capital for increased accommodation costs	<b>Department Capital Injection</b>	-	439	-	-	-
<b>Total Initiatives</b>		-	4,291	2,921	2,921	2,124

## 1.2 - Trends in the Vote

### Summary of Financial Activity

	2016/17	2017/18	2018/19	2019/20	2020/21		2021/22			2022/23	2023/24	2024/25
	Actual \$000	Actual \$000	Actual \$000	Actual \$000	Final Budgeted \$000	Estimated Actual \$000	Departmental Transactions Budget \$000	Non- Departmental Transactions Budget \$000	Total Budget \$000	Estimated \$000	Estimated \$000	Estimated \$000
<b>Appropriations</b>												
Output Expenses	13,598	16,062	18,179	23,482	28,580	28,580	45,906	-	45,906	41,963	40,871	40,074
Benefits or Related Expenses	-	-	-	-	-	-	N/A	-	-	-	-	-
Borrowing Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Other Expenses	662	703	442	463	429	429	463	-	463	463	463	463
Capital Expenditure	718	1,826	2,521	2,082	1,501	1,501	2,973	-	2,973	4,336	200	200
Intelligence and Security Department Expenses and Capital Expenditure	-	-	-	-	-	-	-	N/A	-	-	-	-
Multi-Category Expenses and Capital Expenditure (MCA)												
<i>Output Expenses</i>	-	-	-	-	-	-	-	-	-	-	-	-
<i>Other Expenses</i>	-	-	-	-	-	-	-	-	-	-	-	-
<i>Capital Expenditure</i>	-	-	-	-	-	-	N/A	-	-	-	-	-
<b>Total Appropriations</b>	<b>14,978</b>	<b>18,591</b>	<b>21,142</b>	<b>26,027</b>	<b>30,510</b>	<b>30,510</b>	<b>49,342</b>	<b>-</b>	<b>49,342</b>	<b>46,762</b>	<b>41,534</b>	<b>40,737</b>
<b>Crown Revenue and Capital Receipts</b>												
Tax Revenue	-	-	-	-	-	-	N/A	-	-	-	-	-
Non-Tax Revenue	-	-	-	-	-	-	N/A	-	-	-	-	-
Capital Receipts	-	-	-	-	-	-	N/A	-	-	-	-	-
<b>Total Crown Revenue and Capital Receipts</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>N/A</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

Note - where restructuring of the vote has occurred then, to the extent practicable, prior years information has been restated as if the restructuring had occurred before the beginning of the period covered. In this instance Total Appropriations for the Budgeted and Estimated Actual year may not equal Total Annual Appropriations and Forecast Permanent Appropriations and Multi-Year Appropriations in the Details of Appropriations and Capital Injections.

## Adjustments to the Summary of Financial Activity Table Due to Vote Restructuring

There have been no restructuring adjustments to prior year information in the Summary of Financial Activity table.

### 1.3 - Analysis of Significant Trends

#### 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. Details of significant movements within each appropriation are shown below.

#### *Departmental Output Expenses*

The baseline movements amounting to approximately \$6.196 million during the period detailed in the Summary of Financial Activity are due to:

- As part of the 2016/17 Estimates Parliament approved a baseline increase over three years to clear the aged investigations and ongoing budgets for Official Information Act (OIA) compliance investigations, ICT systems and capability, Auckland office rent increase and address remuneration anomalies.
- Supplementary funding was approved for the period 2016/17 for the establishment of new accommodation in Christchurch and expansion in Wellington, an adjustment for the reduction in the rate of capital charge and an expense transfer from 2016/17 to 2017/18.
- As part of the 2017/18 Estimates funding was approved for ongoing costs of new accommodation, to align salaries with the current public sector market rates, revising the Case Management Systems, an adjustment for the reduction of capital charge, to monitor the treatment of detained people and an expense transfer from 2016/17 to 2017/18.
- As part of the 2018/19 Estimates, funding was approved for retaining and rewarding staff, improving security, corporate support, case management IT system, APOR conference, and an expense transfer from 2017/18 to 2018/19.
- As part of the 2019/20 Estimates, funding was approved for retaining trained and experienced staff, monitoring places of detention, international support and leadership, increased costs of accommodation, and an expense transfer from 2018/19 due to delayed projects.
- As part of the 2020/21 Estimates, funding was approved for enhanced complaints oversight over Oranga Tamariki, corporate support, technology infrastructure support, retaining trained and experienced staff, increased costs of accommodation, and an expense transfer from 2018/19 underspend.
- As part of the 2021/22 Estimates, funding was approved for a temporary MIQ inspection resource, a temporary investigation resource, retaining trained and experienced staff, improving security, increased costs of accommodation, and an expense transfer from 2020/21 underspend.

### *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 is presently one permanent Ombudsman.

### *Capital Expenditure*

Movements in the provision for capital expenditure follow:

- The 2017/18 Estimates provides for an increased capital provision from \$1.294 million to \$1.494 million for ICT systems and capability and capital needs for new staff of the Optional Protocol to the Convention against Torture unit (OPCAT).
- The 2018/19 Estimates provides for an increased capital provision from \$2.321 million to \$2.521 million for improving security, corporate support, and case management IT system.
- The 2019/20 Estimates provides for an increased capital provision from \$1.882 million to \$2.082 million, for an accounting adjustment, monitoring places of detention, and international support and leadership.
- The 2020/21 Estimates provides for an increased capital provision from \$1.256 million to \$1.456 million, for enhanced complaints oversight for Oranga Tamariki, corporate support, technology infrastructure support, and monitoring places of detention.
- The 2021/22 Estimates provides for an increased capital provision from \$2.773 million to \$2.973 million, for a temporary MIQ inspection resource, a temporary investigation resource, improving security, and increased accommodation costs.

## Part 2 - Details of Departmental Appropriations

### 2.1 - Departmental Output Expenses

#### Investigation and Resolution of Complaints About Government Administration (M78) (A31)

##### *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*

	2020/21		2021/22
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	28,580	28,580	45,906
Revenue from the Crown	28,580	28,580	45,906
Revenue from Others	-	-	-

##### *What is Intended to be Achieved with this Appropriation*

This appropriation is intended to achieve investigation, review and inspection of the administrative conduct of state sector agencies, and provision of advice and guidance in order to ensure people are treated fairly in New Zealand.

##### *How Performance will be Assessed and End of Year Reporting Requirements*

	2020/21		2021/22
	Final Budgeted Standard	Estimated Actual	Budget Standard
Assessment of Performance			
Improve public sector capability to do its work and make decisions - number of requests for advice or comment from public sector agencies responded to	400	300	350
Enable serious wrongdoing to be disclosed and investigated and whistleblowers protected - number of requests and enquiries completed	65	100	80
Ensure official information is increasingly available and not unlawfully refused - number of official information complaints completed	1,600	1,400	1,600
Identify flawed public sector decision making and processes and how to resolve them - number of OA complaints completed	2,100	3,000	2,300

##### *End of Year Performance Reporting*

Performance information for this appropriation will be reported by the Office of the Ombudsman in the Annual Report to be presented in the House.



*Current and Past Policy Initiatives*

Policy Initiative	Year of First Impact	2020/21 Final Budgeted \$000	2021/22 Budget \$000	2022/23 Estimated \$000	2023/24 Estimated \$000	2024/25 Estimated \$000
<b>Current Parliament</b>						
Temporary MIQ inspection resource	2021/22	-	769	-	-	-
Temporary investigation resource	2021/22	-	796	797	797	797
Retaining trained and experienced staff	2021/22	-	765	765	765	765
Improving security	2021/22	-	1,106	1,108	1,108	1,108
Office accommodation	2021/22	-	240	251	251	251
Adjustment for capital charge	2021/22	-	(113)	(127)	(128)	(128)
Expense transfer from 2020/21	2021/22	-	4,129	-	-	-
Enhanced complaints oversight over Oranga Tamariki	2020/21	3,764	7,198	8,075	8,075	8,075
Corporate support	2020/21	1,182	1,916	1,966	1,966	1,966
Technology infrastructure support	2020/21	555	638	466	466	466
Retaining trained and experienced staff	2020/21	707	707	707	707	707
Office accommodation	2020/21	49	49	49	49	49
Expense transfer from 2018/19 underspend	2020/21	900	-	-	-	-
Retaining trained and experienced staff	2019/20	370	370	370	370	370
Monitoring places of detention	2019/20	6,709	9,136	9,196	9,196	9,196
International support and leadership	2019/20	1,091	951	1,091	-	-
Increased accommodation costs	2019/20	74	74	74	74	74
Retaining and rewarding staff	2018/19	511	511	511	511	511
Improving security	2018/19	350	124	124	124	124
Corporate support	2018/19	1,040	1,040	1,040	1,040	1,040
Case management IT system	2018/19	326	326	326	326	326
<b>Previous Parliament</b>						
Monitoring detained people	2017/18	1,165	1,165	1,165	1,165	1,165
Retention of staff	2017/18	686	686	686	686	686
ICT systems	2017/18	269	269	269	269	269

### *Reasons for Change in Appropriation*

The increase in this appropriation for 2021/22 is mainly due to:

- \$4.129 million expense transfer from 2020/21 underspend
- \$1.106 million for improving security
- \$796,000 for a temporary investigation resource
- \$769,000 for a temporary MIQ resource
- \$765,000 for retaining our trained and experienced staff, and
- \$240,000 for increased accommodation costs.

## 2.2 - Departmental Other Expenses

### Remuneration of Ombudsmen PLA (M78) (A31)

#### *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*

	2020/21		2021/22
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	429	429	463

#### *What is Intended to be Achieved with this Appropriation*

This appropriation is intended to achieve provision of remuneration payment to the Ombudsman as determined by the Remuneration Authority.

#### *How Performance will be Assessed and End of Year Reporting Requirements*

The Chief Ombudsman leads the performance of the Office. The performance of the Office's activities, including the above payment, is reflected in the information for departmental output appropriations.

#### *End of Year Performance Reporting*

Performance information for the Office will be reported in the Annual Report that is to be presented to the House.

## 2.3 - Departmental Capital Expenditure and Capital Injections

### Office of the Ombudsman - Capital Expenditure PLA (M78) (A31)

#### *Scope of Appropriation*

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

#### *Capital Expenditure*

	2020/21		2021/22
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Forests/Agricultural	-	-	-
Land	-	-	-
Property, Plant and Equipment	992	992	1,763
Intangibles	509	509	1,210
Other	-	-	-
<b>Total Appropriation</b>	<b>1,501</b>	<b>1,501</b>	<b>2,973</b>

#### *What is Intended to be Achieved with this Appropriation*

This appropriation is intended to achieve the provision of assets for the use of the Office of the Ombudsman.

#### *End of Year Performance Reporting*

Performance information for this appropriation will be reported by the Office of the Ombudsman in the Annual Report to be tabled in the House.

#### *Reasons for Change in Appropriation*

The increase of this appropriation for 2021/22 of \$1.472 million to a total of \$2.973 million is mainly due to:

- \$439,000 for increased accommodation costs
- \$78,000 for improving security
- \$65,000 for a temporary investigation resource, and
- \$34,000 for a temporary MIQ inspection resource.

*Capital Injections and Movements in Departmental Net Assets***Office of the Ombudsman**

Details of Net Asset Schedule	2020/21 Estimated Actual \$000	2021/22 Projected \$000	Explanation of Projected Movements in 2021/22
Opening Balance	8,645	9,901	
Capital Injections	1,256	2,773	Enhanced complaints oversight for Oranga Tamariki (\$1.730 million), corporate support (\$128,000), technology infrastructure support (\$300,000), increased office accommodation costs (\$439,000), improving security (\$78,000), a temporary investigation resource (\$64,000), and a temporary MIQ inspection resource (\$34,000)
Capital Withdrawals	-	-	
Surplus to be Retained (Deficit Incurred)	-	-	
Other Movements	-	-	
<b>Closing Balance</b>	<b>9,901</b>	<b>12,674</b>	