Strategic intentions
2018/22
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Speaker’s Statement of Responsibility

I am satisfied that the information on strategic intentions provided by the Office of the Ombudsman is in accordance with the Public Finance Act 1989, and is consistent with the policies and performance expectations of the Officers of Parliament Committee acting on behalf of Parliament.

Rt Hon Trevor Mallard
Speaker of the House of Representatives
Responsible Minister of the Office of the Ombudsman
29 June 2018

Chief Ombudsman’s Statement of Responsibility

In signing this statement, I acknowledge that I am responsible for the information on strategic intentions for The Office of the Ombudsman. This information has been prepared in accordance with sections 38 and 40 of the Public Finance Act 1989.

Peter Boshier
Chief Ombudsman and Chief Executive
29 June 2018
Introduction from the Chief Ombudsman

I am appointed by Parliament as New Zealand’s Chief Ombudsman to give effect to a number of key democratic and human rights measures aimed at safeguarding the rights of individuals and promoting government accountability and transparency.

I am empowered/required to investigate, review and inspect administrative conduct and provide advice and guidance to ensure people are treated fairly.

The activities I carry out are balanced between:

- a reactive focus on resolving complaints from the public about government administrative conduct and access to official information; and
- a proactive focus on identifying, resolving and investigating systemic issues, monitoring compliance and good practice, and providing advice, guidance and training.

This year, I have reviewed my outcomes framework to better capture the linkages between the functions I currently have responsibility to carry out and the outcomes and impacts these ought to achieve. As a result, I have significantly refreshed my Strategic Intentions document for 2018-22.

The next four years will continue to be a period of growth and change. I will work with my staff to consolidate the greater efficiencies I have gained in my complaint handling work, while continuing to expand my proactive activities in a principled and effective manner, in accordance with the trust that Parliament has placed in me.

Peter Boshier
Chief Ombudsman
Nature and scope of functions

My role
As Chief Ombudsman, I am an Officer of Parliament. I am appointed by the Governor-General on the recommendation of Parliament. I am responsible to Parliament and independent of the Government.

My purpose
My overall purpose is to investigate, review and inspect the administrative conduct of public sector agencies and provide advice and guidance, to ensure people are treated fairly.

My functions
My functions are to:

- improve public sector capability to do its work and make decisions;
- inform the public to enable them to take constructive action to realise their rights;
- undertake formal consultations to assist public sector agencies to make specific decisions;
- deal with requests for advice and guidance about alleged serious wrongdoing;
- protect and monitor disability rights in New Zealand;
- monitor and inspect places of detention for cruel and inhumane treatment;
- resolve, investigate and review complaints about decisions on requests for access to official information;
- monitor general compliance and good practice by public sector agencies in managing and responding to official information requests;
- resolve and investigate complaints about public sector administration and decision making;
- contribute to systemic improvement by identifying, resolving and investigating concerns with public sector administration and decision making, and
- learn from, and assist to develop, international best practice.

1. And certain private sector agencies funded by and/or accountable to the public sector in the detention of aged care recipients.
6. Through investigation under the Ombudsmen Act.
8. Above n 7.
My contribution

In carrying out my functions, my role is to provide Parliament and the New Zealand public with an independent and impartial check on the quality, fairness and integrity of public sector administrative conduct.

By contributing to systemic improvement across the board, my interventions can help to reduce overall downstream costs caused by deficient administrative processes.

I have a wide jurisdiction across the activities of the entire public sector, but finite resources with which to carry out my role. I must therefore carefully target my interventions. Most of my activities are carried out through persuasion and reporting, rather than compulsion. To do this effectively, I need to be relevant, fair and accessible. I need to provide well-reasoned and independent opinions, and my interventions need to be proportionate, taking into account the impact on the agency and the costs and benefits of any proposed remedies.

What is the extent of my oversight?

I have authority over approximately 4,000 agencies in the public sector, including:

- government departments and ministries;
- local authorities;
- crown entities;
- state-owned enterprises;
- district health boards;
- tertiary education institutions;
- school boards of trustees; and
- Ministers of the Crown and the Police (in relation to decisions on requests for official information).

I also have the designation to inspect private sector facilities funded by and/or accountable to the public sector in the detention of aged care recipients.
Strategic direction

My strategic direction is guided by the functions assigned to me by Parliament. I oversee a range of key democratic and human rights measures aimed at safeguarding the rights of individuals and increasing transparency and accountability.

The overall outcome I contribute to is that people are treated fairly by those with executive power and there is a high level of public trust in government.

I aim to do this by helping to ensure:

- people’s rights are protected and restored;
- Parliament is assured robust, independent oversight is taking place; and
- New Zealand contributes to regional stability and supports integrity institutions.

Outcomes framework

The Outcomes framework on the next page demonstrates the linkages between the services I deliver through my office’s outputs, and the outcomes and impacts I am seeking to achieve as New Zealand’s Chief Ombudsman.
Outcomes Framework
Operating intentions

The following section discusses the impact I am seeking to have, and the outputs my Office will deliver to achieve this.

Figure 1: What can my interventions influence in the public sector?
The impact of my work

**IMPACT 1**

In a modern democracy, the public must be able to participate in government decision making. This is achieved in various ways, including through ensuring greater openness, fairness and transparency of government information and decision making. Parliament has tasked me with investigating the administrative conduct of public sector agencies and their decisions on official information requests. Both my Office’s reactive and proactive interventions in this area can help ensure information is made available to the public and that decision making is fair.

**IMPACT 2**

I provide independent oversight of government through my legislated functions to investigate, review and inspect administrative conduct. My independent oversight can assist public sector agencies to identify and correct administrative deficiencies, and promote greater accountability for the decisions that are made. Improved administration and decision making in public sector agencies will ultimately result in better outcomes for the public.

**IMPACT 3**

An open government that acts fairly and reasonably is a fundamental tenet of our society. Well thought-through systems, processes and legislation provide the essential foundation to achieve this. Parliament has charged me with providing advice, guidance and training in advance, and before things go wrong, to help lift public sector performance. The targeted interventions that my Office undertakes can assist to improve government systems, processes and legislation from the outset.
IMPACT 4

People in positions of power have a responsibility to act with integrity. Dishonesty and corruption has no place in New Zealand. It undermines public trust in government and is contrary to the ethos of treating people fairly. I have the legislated function to promote and protect whistleblowing. Having mechanisms like these in place to expose and investigate serious wrongdoing is essential.

IMPACT 5

Everyone has a right to be treated humanely, and with dignity and respect. New Zealand has recognised this by signing various international human rights conventions. As such we have a responsibility to ensure our words match our deeds by monitoring how people are being treated. I have been designated a key role under specific United Nations conventions to monitor the rights of disabled people and the treatment and facilities of certain places of detention.

IMPACT 6

New Zealand has an opportunity to promote the mechanisms necessary for good government on the world stage. New Zealand’s influence and responsibility is particularly acute in the Asia–Pacific region, but we are also sought out worldwide as a leader in anti-corruption and integrity. Ombudsmen around the world have a key role in acting as integrity institutions, and I can assist other countries to strengthen their own such institutions. I can also work with our partner Ombudsmen around the world to share and develop best practice in this area.
**Impact measures**

To demonstrate the impact of my work, I will use the Kiwis Count survey to track perceived improvement in public services in New Zealand.9 While this is a relatively high-level measure, my role encompasses oversight of over 4,000 public sector agencies.

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<tbody>
<tr>
<td>Overall quality of public services improves over time</td>
<td>74 points</td>
<td>74 points</td>
<td>75 points or higher</td>
<td>Result not yet available</td>
<td>75 points or higher</td>
<td>76 points or higher</td>
<td>76 points or higher</td>
<td>76 points or higher</td>
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I will also use the *Transparency International Corruption Perceptions Index*10 to track perceptions of public trust in government in New Zealand.

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<tr>
<td>NZ ranked as one of the leading countries in public service probity</td>
<td>NZ ranked fourth</td>
<td>NZ ranked first equal</td>
<td>NZ in top 3 on average over next 5 years</td>
<td>NZ ranked first</td>
<td>NZ in top 3 on average over next 5 years</td>
<td>NZ in top 3 on average over next 5 years</td>
<td>NZ in top 3 on average over next 5 years</td>
<td>NZ in top 3 on average over next 5 years</td>
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10. The Index is an aggregate indicator that annually ranks 180 countries by their perceived levels of corruption in the public and political sectors. Refer [transparency.org](http://transparency.org).
In order for people to participate in government decision making, and take action when they believe they have not been treated fairly, the public need to be informed.

My office will provide information to help ensure that:

• the public understand their rights and options;
• people have reasonable expectations about what the public sector should provide; and
• people know where, when and how to access my service and have reasonable expectations of what I can do.

This includes identifying key messages and communication channels, and providing useful information, resources and events, as well as providing effective and timely responses to media and discussion in public forums.

I undertake a range of public awareness-related activities, including making speeches and presentations, publishing information and resources, and maintaining a website and social media presence so people can easily access information and resources.

I will also track the levels of awareness by the public of their rights and my work, and identify gaps in knowledge and hard to reach audiences so that I can appropriately target information and outreach efforts. Particular initiatives will be progressing the redevelopment of my website and building a comprehensive communications, outreach and engagement strategy.

**OUTPUT 1**

Inform the public to enable them to take constructive action to realise their rights

**The outputs I will deliver**
### Output 1 – Demand-driven measures

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<tr>
<td># of external speeches, presentations, interviews and training sessions given to the public(^{13}) (new measure)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-(^{12})</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>40</td>
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<tr>
<td># of media mentions of the Ombudsman (new measure)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>900</td>
<td>1,000</td>
<td>1,100</td>
<td>1,200</td>
</tr>
<tr>
<td># of unique visitors to the Ombudsman website (new measure)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>65,000</td>
<td>67,500</td>
<td>70,000</td>
<td>72,500</td>
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### Output 1 – Proactive measures

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<tr>
<td>% of members of the public who have heard of the Ombudsman</td>
<td>68</td>
<td>73</td>
<td>65</td>
<td>68</td>
<td>68</td>
<td>70</td>
<td>70</td>
<td>70</td>
</tr>
<tr>
<td>% of complainants who found the Ombudsman website useful(^{13})</td>
<td>80</td>
<td>-(^{14})</td>
<td>80</td>
<td>Result not yet available</td>
<td>80</td>
<td>80</td>
<td>80</td>
<td>80</td>
</tr>
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11. Including public forums, media, opposition research units and community organisations.
12. Results are not shown for previous years in respect of new measures as the data was not fully captured.
13. Based on a survey of randomly selected complainants.
14. Result based on stakeholder surveys which were previously run biennially, and therefore not run in 2016/17.
OUTPUT 2
Improve public sector capability to do its work and make decisions

Providing support to lift public sector capability will assist to improve:

• administration, decision making and complaint handling capability;
• compliance with official information and whistleblowing legislation; and
• compliance with international conventions, including those concerning the rights of disabled people and people in detention.

I intend to do this by providing sound advice, effective training and relevant resources for public sector agencies, before things go wrong.

I will promote good administrative practice, effective complaint handling and good decision making, as well as consistency with the principles of open and transparent government.

In the years ahead, I will continue my work to significantly update and develop my Office’s official information guidance material, promote the proactive disclosure of official information, and publish resources to assist agencies in implementing good official information handling practices. I also intend to update my Office’s training programme for agencies to provide a balanced model of both proactive and reactive training using new technologies to maximise reach.

I will monitor and review relevant developments in the public sector, and identify relevant skill and knowledge gaps to best target my efforts. I will also participate in initiatives to build capability and improve practice.
### Output 2 – Demand-driven measures

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</thead>
<tbody>
<tr>
<td># of requests for advice or comment from public sector agencies responded to</td>
<td>199</td>
<td>184</td>
<td>150</td>
<td>300</td>
<td>200</td>
<td>250</td>
<td>250</td>
<td>250</td>
</tr>
<tr>
<td># of external speeches, presentations and training sessions provided to public sector agencies (new measure)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>25</td>
<td>25</td>
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### Output 2 – Proactive measures

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<tr>
<td>% of public sector agency participants in Ombudsman external training sessions who report the training will assist them in their work (amended measure)</td>
<td>99</td>
<td>99</td>
<td>95</td>
<td>100</td>
<td>95</td>
<td>95</td>
<td>95</td>
<td>95</td>
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<tr>
<td># of guidance materials for public sector agencies produced or updated (new measure)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>25</td>
<td>30</td>
<td>30</td>
<td>30</td>
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<tr>
<td>% of public sector agencies which report Ombudsman information resources assist them in their work (new measure)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>80</td>
<td>80</td>
<td>80</td>
<td>80</td>
</tr>
<tr>
<td>% of public sector agencies satisfied with our communication overall</td>
<td>69</td>
<td>-19</td>
<td>75</td>
<td>86</td>
<td>75</td>
<td>75</td>
<td>75</td>
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15. Including on legislation, policies, procedures, administrative processes and decision making.
16. All references to public sector agencies includes Ministers’ offices.
17. Based on a survey of public sector agencies who were the subject of investigation in the reporting year.
18. Above n 17.
OUTPUT 3
Formal consultation to assist public sector agencies to make specific decisions

Providing sound and timely input to public sector agencies as part of a formal consultation process, provides the public and stakeholders with confidence that agencies are receiving a relevant, independent perspective when they are making decisions, improving practices and reporting.

I intend to do this by:

• meeting both legislated and agreed requirements for my formal input in decision making; and
• participating effectively in advisory and working groups.

I will ensure agencies and Parliament are aware that my Office can provide formal input where relevant, and that appropriate frameworks are developed for me to provide input while remaining independent.

In the 2018/19 year and beyond, I will continue to provide comment to the Ministry of Transport on applications for authorised access to personal information on the motor vehicle register

### Output 3 – Proactive measures

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<tr>
<td># of formal consultations completed (new measure)</td>
<td></td>
<td></td>
<td>10–100</td>
<td>10–100</td>
<td>10–100</td>
<td>10–100</td>
<td>10–100</td>
<td></td>
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<tr>
<td>% of formal consultations completed within 3 months</td>
<td></td>
<td></td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
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21. It is difficult to predict with any certainty how many consultations will be received in any given year, as most of these are consultations under section 241 of the Land Transport Act, of which we received 112 in 2010/11, 24 in 2011/12, 8 in 2012/13, 8 in 2013/14, 7 in 2014/15, 72 in 2015/16, 7 in 2016/17, and 129 in 2017/18.

22. Counted as 90 calendar days.
Mechanisms to expose and investigate serious wrongdoing\(^{23}\) will only be effective when whistleblowers are protected and people have the confidence to expose serious wrongdoing.

Insiders will often be the only ones with knowledge of serious wrongdoing. If they are unaware of the protections available to them, or do not feel confident raising their concerns through the appropriate channels, incidents of serious wrongdoing could go undetected. Ensuring that serious wrongdoing is brought to light and investigated by appropriate authorities will lead to greater transparency and accountability, and will ultimately help to ensure public trust in government.

The Protected Disclosures Act 2000 aims to encourage people to report serious wrongdoing in their workplace (in the public or private sector) by providing protection for employees\(^ {24}\) who want to ‘blow the whistle’. My role under that Act is to:

- raise general public awareness of whistleblowing processes and protections;
- provide advice and guidance, both to potential whistleblowers and to organisations about the protections they need to put in place;
- receive and investigate disclosures of serious wrongdoing, or refer them to other authorities as appropriate; and
- review and guide public sector agencies in their investigations of serious wrongdoing.

Any issues brought to my attention which do not meet the threshold of serious wrongdoing will be considered under my general powers to investigate public sector administration and decision making.

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23. Serious wrongdoing includes:
   - offences;
   - actions that would pose a serious risk to public health and safety or to the maintenance of the law; and
   - in the public sector context, unlawful, corrupt, or irregular use of funds or resources, and gross negligence or mismanagement by public officials.

24. ‘Employee’ includes a former employee, a secondee, a contractor and a volunteer (refer section 3 Protected Disclosures Act 2000 for a full definition of ‘employee’).
I will ensure potential whistleblowers are aware they can come to my Office for advice and assistance. I will also provide advice and guidance to government to help improve the legal framework for protecting whistleblowers, and monitor current practice by public sector agencies in relation to whistleblowing.

A key focus in the years ahead is to develop my internal systems, processes and resources in this area.

### Output 4 – Demand-driven measure

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<tbody>
<tr>
<td># of requests and enquiries completed</td>
<td>42</td>
<td>44</td>
<td>40</td>
<td>70</td>
<td>50</td>
<td>55</td>
<td>60</td>
<td>65</td>
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### Output 4 – Proactive measures

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<tr>
<td>% of requests and enquiries completed within 3 months&lt;sup&gt;25&lt;/sup&gt; from date of receipt</td>
<td>86</td>
<td>95</td>
<td>85</td>
<td>89</td>
<td>85</td>
<td>85</td>
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<td>85</td>
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<tr>
<td>% of responses to requests and enquiries peer reviewed against internal quality standards (new measure)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
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<tr>
<td># of guidance materials and resources produced or updated that assist serious wrongdoing to be disclosed and investigated (new measure)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>2</td>
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<sup>25</sup> Counted as 90 calendar days.
The United Nations Convention on the Rights of Persons with Disabilities (the Disability Convention) exists to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by disabled people. Disabled people face barriers to participating equally in society.\(^{26}\) We can make disability rights real by breaking down these barriers.

I am part of New Zealand’s Independent Monitoring Mechanism (IMM),\(^ {27}\) which has the role to protect and monitor implementation of the rights in the Disability Convention. I work with my IMM partners to:

- monitor and analyse information and evidence about the realisation of disability rights in New Zealand;
- publish reports and other information which identify and promote good practice and make recommendations for improvement;
- track and follow up on the implementation of our recommendations;
- provide training, advice and guidance on disability rights;
- make submissions on legislation, policy and practices affected disabled people; and

In doing so, I raise awareness of disability rights and contribute to effective change.

I also exercise my general powers to resolve complaints and investigate concerns about administrative conduct by public sector agencies, when disability rights issues are raised.

\(^{26}\) These can be physical, information and communication, attitudinal, technological, systemic or economic barriers.

\(^{27}\) Together with the Human Rights Commission and Disabled Peoples’ Organisations.
I will ensure that disability rights are at the heart of my work and culture, infuse my work practices with a disability rights perspective, and network and collaborate with disabled people and other stakeholders.

A significant piece of work in 2018/19 will be working with my IMM partners to prepare the next comprehensive report on implementation of the Disability Convention in New Zealand (*Making Disability Rights Real*), ahead of New Zealand’s examination by the United Nations in 2019.

Output 5 – Proactive measures

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<tbody>
<tr>
<td># of reports, submissions, guides and resources produced or updated that assist to break down the barriers that prevent disabled people from participating equally in society (new measure)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>3</td>
<td>3</td>
<td>3</td>
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<tr>
<td>% of external stakeholders(^{28}) satisfied that the Ombudsman provides an effective contribution to IMM activities (new measure)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>80</td>
<td>80</td>
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\(^{28}\) Including Disabled Peoples’ Organisations, Human Rights Commission, Office for Disability Issues, and Health and Disability Commissioner.
Inspecting places of detention helps to ensure that people who are deprived of their liberty are treated humanely, and their rights are protected and restored. It also ensures New Zealand is seen nationally and internationally as a good global citizen, adhering to agreed international human rights conventions.

New Zealand is a signatory to the United Nations Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). The purpose of the protocol is to establish a system of independent monitoring of places of detention. The Crimes of Torture Act 1989 gives effect to OPCAT in New Zealand.

I have been designated since 2008 as a National Preventive Mechanism under OPCAT to monitor prisons, immigration detention facilities, health and disability places of detention, child care and protection residences, and youth justice residences. My role is to:

- carry out regular and unfettered inspections of places of detention;
- gather and analyse information and evidence from records, site observations, staff, detainees, visitors and others to assess conditions in places of detention;
- make recommendations to improve the conditions of detention and treatment of detainees, including identifying and promoting good practice according to international standards; and
- track and follow up on the implementation of my recommendations.

I am currently publishing reports on the outcome of my prison inspections. From 2018/19 onwards I intend to publish reports on all inspections, including of health and disability places of detention. I will also be reviewing and refreshing my overall inspection practice and procedures.

29. I am not designated to inspect Police detention facilities (this role is carried out by the Independent Police Conduct Authority) or service penal establishments (this role is carried out by the Inspector of Service Penal Establishments). My current designations have just been reviewed and expanded, as discussed below.

30. Visiting each detention facility under my designation at least once every four years. There are currently 110 facilities subject to my designation.
and publishing my inspection criteria. Using additional funding approved by the Officers of Parliament Committee, I have recently grown my OPCAT Inspections Team to nine staff so that I can continue to increase both the intensity and frequency of my inspections of prisons.

In June 2018, I was given a new designation to monitor privately run locked aged care facilities and court facilities. This represents a significant increase in the number of detention facilities under my designation. I am not currently funded to carry out inspections of these facilities. In 2018/19, I will be scoping the resource needed to conduct regular inspections of these facilities, in preparation for a funding request to the Officers of Parliament Committee for the 2019/20 year onwards. I will also be considering if I need any further resource in respect of mental health care facilities.

### Output 6 – Proactive measures

<table>
<thead>
<tr>
<th>MEASURE</th>
<th>2015/16 Actual</th>
<th>2016/17 Actual</th>
<th>2017/18 Target (estimate)</th>
<th>2018/19 Actual</th>
<th>2019/20 Target</th>
<th>2020/21 Target</th>
<th>2021/22 Target</th>
</tr>
</thead>
<tbody>
<tr>
<td># of inspections and visits to places of detention (amended measure)</td>
<td>43</td>
<td>57&lt;sup&gt;33&lt;/sup&gt;</td>
<td>35</td>
<td>39</td>
<td>40</td>
<td>50&lt;sup&gt;34&lt;/sup&gt;</td>
<td>60</td>
</tr>
<tr>
<td>% of unannounced inspections and visits&lt;sup&gt;35&lt;/sup&gt; (amended measure)</td>
<td>90</td>
<td>63</td>
<td>At least 33%</td>
<td>87</td>
<td>60</td>
<td>60</td>
<td>60</td>
</tr>
<tr>
<td>% of reports sent to places of detention within 3 months&lt;sup&gt;36&lt;/sup&gt; of inspection (amended measure)</td>
<td>100</td>
<td>100</td>
<td>95</td>
<td>100</td>
<td>95</td>
<td>95</td>
<td>95</td>
</tr>
<tr>
<td>% of reports peer reviewed against internal quality standards (amended measure)</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>% of formal recommendations accepted</td>
<td>72</td>
<td>81</td>
<td>80</td>
<td>92</td>
<td>80</td>
<td>80</td>
<td>80</td>
</tr>
</tbody>
</table>

---

32. Approximately 180 aged care facilities with dementia units and 60 courts with cells. Aged care facilities are expected to significantly increase in number over the next decade in line with the ageing population.
33. I completed more visits than budgeted as these often took place at the same time as we were in a particular region of New Zealand to complete a full inspection.
34. I expect to significantly increase the number of inspections and visits as a result of the new designation to inspect dementia and court facilities. However, this would be dependent on receiving increased funding from 2019/20 onwards.
35. The internationally accepted standard is that at least one-third of visits and inspections should be unannounced.
36. Counted as 90 calendar days. Draft reports.
The Official Information Act 1982 (OIA) and the Local Government Official Information and Meetings Act 1987 (LGOIMA) give the public the ability to request official information held by Ministers of the Crown and public sector agencies.

Making official information increasingly available, and assuring the public that access is not denied unnecessarily, will lead to greater transparency and accountability within the public sector, and facilitate public participation in the making and administration of laws and policies.

Under both Acts, I have the role to independently investigate and review complaints about decisions made by public sector agencies on official information requests. I have also been tasked by Parliament with monitoring agencies’ official information practices, resources and systems. In undertaking these roles, I help ensure that requests are being dealt with appropriately. This will both enhance public trust and confidence in government and increase the availability of official information. I will:

• provide resolution-oriented, high quality, timely and impartial complaint handling;
• undertake high quality, targeted interventions and investigations to identify where central and local government official information practices, resources and systems are vulnerable;
• broker resolutions, form opinions and make recommendations when justified;
• provide advice to agencies and support them to resolve complaints and implement my suggestions and recommendations; and
• report on and monitor the implementation of my recommendations.

Having now eliminated the backlog of aged complaints, I intend to continue refining and improving my complaint handling to make it as effective, timely and accessible as possible. This will include updating my online complaint form and resolution processes. My vision is that by 2019/20, at least 70% of complaints will be completed within three months of receipt, and all complaints will be completed within 12 months of receipt. The 70% target is currently being achieved and I am confident, based on current intake levels, that both targets will be achieved by 2019/20.37

I will also continue to publish statistical complaints data concerning both central and local government, and report on the outcome of key complaints and investigations to assist in improving official information practice across the public sector.

37. This also applies to my complaint handling under Output 8 below. Improving throughput and timeliness will consequently improve performance against internal quality standards, as the main reason complaints have not met internal quality standards previously has been because of timeliness issues.
Under the Ombudsmen Act 1975 I can investigate the administrative conduct of public sector agencies that affects people. I may decide to investigate after receiving a complaint or do so of my own initiative.

My independent oversight can assist public sector agencies to identify and correct administrative deficiencies. In doing so, my Office provides one means of improving administration and decision making over time, and so better services to the public. I will:

- provide resolution oriented, high quality, timely and impartial complaint handling;
- undertake high quality, targeted interventions and investigations into administrative and decision making processes;
- broker resolutions, form opinions and make recommendations when justified;
- provide advice to agencies and support them to resolve complaints and implement my suggestions and recommendations; and
- report on and monitor the implementation of my recommendations.

I will also continue to report on the outcome of key complaints and investigations to assist in improving administrative practice across the public sector.
## Outputs 7 & 8 – Demand-driven measures

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td># of official information complaints completed</td>
<td>1,331</td>
<td>1,633</td>
<td>1,500</td>
<td>1,800</td>
<td>1,450&lt;sup&gt;a&lt;/sup&gt;</td>
<td>1,500</td>
<td>1,550</td>
<td>1,600</td>
</tr>
<tr>
<td># of official information other contacts completed</td>
<td>539</td>
<td>448</td>
<td>450</td>
<td>400</td>
<td>400&lt;sup&gt;a&lt;/sup&gt;</td>
<td>400</td>
<td>400</td>
<td>400</td>
</tr>
<tr>
<td># of Ombudsmen Act 1975 (OA) complaints completed</td>
<td>2,241</td>
<td>2,285</td>
<td>2,150</td>
<td>2,250</td>
<td>2,100&lt;sup&gt;a&lt;/sup&gt;</td>
<td>2,100</td>
<td>2,100</td>
<td>2,100</td>
</tr>
<tr>
<td># of OA other contacts completed</td>
<td>7,751</td>
<td>6,579</td>
<td>6,000</td>
<td>5,800</td>
<td>5,800&lt;sup&gt;a&lt;/sup&gt;</td>
<td>5,800</td>
<td>5,800</td>
<td>5,800</td>
</tr>
</tbody>
</table>

### Notes

- **38.** My target is reduced for 2018/19 as I completed the backlog of aged complaints in 2017/18, a year ahead of schedule. However, I do expect future demand from official information complaints to continue to rise.
- **39.** My target is reduced for 2018/19, as I completed the backlog of aged complaints in 2017/18, a year ahead of schedule. I expect future demand from OA complaints to remain stable.
- **40.** I expect to receive approximately 400 official information inquiries from the public in the 2018/19 year.
- **41.** I expect to receive approximately 5,800 OA inquiries in the 2018/19 year. These have been tracking down since 2016 as phone contact from prisoners has halved following the establishment of a complaints help desk for prisoners by the Department of Corrections. Contact from the general public has remained stable.
- **42.** Net clearance rate means the total number of complaints closed in the reporting year as a proportion of the total number of complaints received during the year.
- **43.** This target is set on the basis that expected intake levels will be around 3,550 new complaints for the 2018/19 year.
- **44.** Counted as 90 calendar days.
- **45.** Results for this measure and the next two measures are expected to be higher in the 2016/17 year than in out-years, given that these measures apply to complaints received from 1 July 2016 onwards.
- **46.** Counted as 180 calendar days.
- **47.** Counted as 270 calendar days.
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</tr>
</thead>
<tbody>
<tr>
<td>% of complaints received from 1 July 2015 completed within 12 months[^48] of receipt</td>
<td>-</td>
<td>93</td>
<td>90</td>
<td>91</td>
<td>95</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>% of other contacts completed within 1 month[^49] from date of receipt (amended measure)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>99</td>
<td>99</td>
<td>99</td>
<td>99</td>
<td>99</td>
</tr>
<tr>
<td>% of complaints resolved prior to formal opinion[^50] (new measure)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>35</td>
<td>40</td>
<td>40</td>
<td>40</td>
</tr>
<tr>
<td>% of complainants satisfied with our service (amended measure[^51])</td>
<td>22[^52]</td>
<td>65</td>
<td>62[^53]</td>
<td>Result not yet available</td>
<td>60</td>
<td>60</td>
<td>60</td>
<td>60</td>
</tr>
<tr>
<td>% of completed complaints and other contacts meeting internal quality standards, following random quality assurance check[^54]</td>
<td>-</td>
<td>57</td>
<td>80</td>
<td>62[^55]</td>
<td>80</td>
<td>85</td>
<td>90</td>
<td>90</td>
</tr>
<tr>
<td># of official information practice investigations completed</td>
<td>-</td>
<td>-</td>
<td>16</td>
<td>12[^56]</td>
<td>12</td>
<td>12</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td># of investigations for systemic improvement completed (amended measure)</td>
<td>1</td>
<td>1</td>
<td>2–3</td>
<td>3</td>
<td>2–3</td>
<td>2–3</td>
<td>2–3</td>
<td>2–3</td>
</tr>
<tr>
<td>% of OA and official information recommendations accepted</td>
<td>93</td>
<td>94</td>
<td>80</td>
<td>90</td>
<td>80</td>
<td>80</td>
<td>80</td>
<td>80</td>
</tr>
<tr>
<td>% of public sector agencies satisfied the Ombudsman’s opinions are fair</td>
<td>83</td>
<td>-[^57]</td>
<td>75</td>
<td>64</td>
<td>75</td>
<td>75</td>
<td>75</td>
<td>75</td>
</tr>
</tbody>
</table>

[^48]: Counted as 365 calendar days.
[^49]: Counted as 30 calendar days.
[^50]: Measure does not include complaints which were outside an Ombudsman’s jurisdiction or referred to another complaint handling agency, or where the discretion not to investigate a complaint was exercised.
[^51]: I expect complainant satisfaction with service delivery will improve as timeliness improves.
[^52]: Above n 13.
[^53]: Above n 14.
[^54]: I also have other measures in place to ensure quality, including review of all correspondence by senior staff with delegated authority.
[^55]: I expect quality results to improve as timeliness issues are addressed. The high number of backlog complaints closed in the 2017/18 year has impacted on quality results in terms of timeliness.
[^56]: I expect to complete the four new official information practice investigations that were commenced in April 2018, by September 2018. I will also complete an additional eight official information practice investigations in 2018/19, and then scale up to 12 investigations by 2019/20.
[^57]: Above n 14.
Parliamentary Ombudsmen in more than 90 countries are members of the International Ombudsman Institute (IOI), which describes the role of Ombudsman as:

…to protect the people against violation of rights, abuse of powers, unfair decisions and maladministration. They play an increasingly important role in improving public administration while making the government’s actions more open and its administration more accountable to the public.

As part of assisting New Zealand in being a good global citizen, I have a responsibility to:

- act as an international leader in promoting good government practices, including transparency and anti-corruption;
- use my mana, networks and experience to help lift regional best practice in Asia and the Pacific; and
- help with the ongoing definition of what a modern ombudsman institution is and how it works.

I intend to assist integrity institutions in other countries by working with them to lift regional and international best practice, work with others around the world to build and improve tools, frameworks, methodologies and resources, and improve my own practices by benchmarking internationally. I will do this by:

- building quality relationships and partnerships with other integrity institutions and integrity focused organisations;
- building on my experience of cross-cultural relationships in New Zealand and actively seeking to understand cultural diversity and local circumstances;
- identifying best practice issues being faced by myself and others; and
- ensuring that my international work is co-ordinated with other New Zealand agencies.
I will continue to provide outreach support to Ombudsmen in the Pacific region (including through the Pacific Integrity Network\(^58\)), contribute to work by the IOI and Australia New Zealand Ombudsman Association (ANZOA), and host international delegations. As a Board member of the IOI, I will be hosting the conference of the IOI Asia-Pacific region in Auckland in November 2018. I will also commence work on a comprehensive strategy for my work in this area. Apart from hosting the conference I am not currently funded specifically for this outreach support work and so any assistance I can provide at this time will need to be on a discretionary basis funded from one-off savings.

### Output 9 – Demand-driven measures

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td># of international delegations hosted (new measure)</td>
<td>5</td>
<td>4</td>
<td>-</td>
<td>5</td>
<td>2–5</td>
<td>2–5</td>
<td>2–5</td>
<td>2–5</td>
</tr>
<tr>
<td># of international initiatives participated in (new measure)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>5</td>
<td>2–5</td>
<td>2–5</td>
<td>2–5</td>
<td>2–5</td>
</tr>
</tbody>
</table>

### Output 9 – Proactive measures

<table>
<thead>
<tr>
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<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td># of newsletters for Asia-Pacific Ombudsmen published (new measure)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>% of overseas stakeholders who report value in the guidance and training received from my Office</td>
<td>100</td>
<td>100</td>
<td>95</td>
<td>100</td>
<td>95</td>
<td>95</td>
<td>95</td>
<td>95</td>
</tr>
</tbody>
</table>

\(^{58}\) Above n 17.
Managing functions and operations

The operating environment

The role of Ombudsman was first established by Parliament in New Zealand in 1962 to investigate the administrative conduct of central government. However, since then the role has been progressively expanding.

While still complex and challenging, complaint handling has become just one aspect of my work. The public and agencies are increasingly seeking more information, guidance and formal consultation from me as Chief Ombudsman at the outset, in the areas of good administration and decision making, effective complaint handling, and robust official information practices. I can intervene and investigate on my own initiative to bring about systemic improvement in the public sector and to improve official information practices. Parliament has given me new roles in the areas of anti-corruption and human rights to meet international expectations. I have a role to protect whistleblowers and expose serious wrongdoing. I am also designated under international conventions to protect and monitor disability rights and treatment of those in places of detention. I also have a role to build and share best practice internationally.

I operate in an environment where stakeholders have high expectations, and there is an ever-changing demand for my services as pressures and problems in different areas of the public sector emerge. I also need to be responsive to broader societal change.

Stakeholder expectations

Parliament expects me to:

- act robustly, independently and impartially; and
- provide timely and reliable reports on the administrative conduct of public sector agencies.

The public needs to know (or be able to easily find out) about me, what I do, and how and when to approach me.

Complainants expect a fast, fair, responsive and accessible service, which effectively resolves their concerns.

Public sector agencies expect:

- a fair and impartial intervention to improve administration, which does not impose an inappropriate burden; and
- effective advice and guidance.

The international community expects me to:

- act robustly, independently and impartially;
- provide timely and reliable reports to the United Nations; and
- provide input to international Ombudsmen initiatives and share New Zealand best practice.

New Zealand wants a stable Asia-Pacific region, with skilled and democratic accountability mechanisms.
Managing key risks

The key risks to my Office, and the strategies I have put in place to manage these risks, are set out in the table below.

<table>
<thead>
<tr>
<th>Key risks</th>
<th>Strategies to manage these risks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Damage to credibility or reputation</strong></td>
<td>• Strategic direction by senior staff.</td>
</tr>
<tr>
<td>• I must be seen to be fair, impartial and</td>
<td>• All staff take an oath of secrecy and adhere to a code of conduct and conflict of interest policy.</td>
</tr>
<tr>
<td>independent, and to form well-reasoned and</td>
<td>• Training and guidance resources for staff.</td>
</tr>
<tr>
<td>persuasive opinions.</td>
<td>• Mentoring and peer review by senior staff.</td>
</tr>
<tr>
<td>• I must be trusted to safely and securely</td>
<td>• Office quality standards and quality assurance.</td>
</tr>
<tr>
<td>manage sensitive and confidential information.</td>
<td>• An ongoing programme of continuous practice improvement.</td>
</tr>
<tr>
<td>• There is a risk that poor processes, flawed</td>
<td></td>
</tr>
<tr>
<td>or inconsistent decisions, or insecure</td>
<td></td>
</tr>
<tr>
<td>management of information will damage my</td>
<td></td>
</tr>
<tr>
<td>credibility and reputation.</td>
<td></td>
</tr>
<tr>
<td>• Strategic direction by senior staff.</td>
<td></td>
</tr>
<tr>
<td>• All staff take an oath of secrecy and adhere</td>
<td></td>
</tr>
<tr>
<td>to a code of conduct and conflict of interest</td>
<td></td>
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<tr>
<td>policy.</td>
<td></td>
</tr>
<tr>
<td>• Training and guidance resources for staff.</td>
<td></td>
</tr>
<tr>
<td>• Mentoring and peer review by senior staff.</td>
<td></td>
</tr>
<tr>
<td>• Office quality standards and quality</td>
<td></td>
</tr>
<tr>
<td>assurance.</td>
<td></td>
</tr>
<tr>
<td>• An ongoing programme of continuous practice</td>
<td></td>
</tr>
<tr>
<td>improvement.</td>
<td></td>
</tr>
</tbody>
</table>

| **Work pressures and finite resources**       |                                                                                               |
| • Timeliness is critical to complainants and  | • Triaging and managed allocation of work.                                                     |
| agencies. If my responses are not timely,     | • Increased focus on resolution and more flexible investigation methods.                      |
| people will choose not to approach my Office, | • Formal reporting and oversight of work on hand.                                              |
| or if they do the outcomes I can achieve will | • Formal procedures for reporting and managing unreasonable complainant conduct, to minimise |
| not be relevant, useful or appropriate.       | the impact that challenging interactions with certain complainants can have on my staff and   |
| • Any need to focus on individual complaints  | resources.                                                                                     |
| due to sustained pressures in that area will  | • An increasing focus on more general interventions to help public sector agencies improve    |
| limit my ability to achieve systemic         | their administrative, decision making and complaints handling processes before complaints arise. |
| improvement through more general              | • A formal assessment and scoping process when opportunities for systemic improvement arise,    |
| interventions.                                | to ensure I can target my interventions for maximum benefit.                                   |
| • Given the breadth of my jurisdiction, I    |                                                                                               |
| cannot intervene to achieve systemic         |                                                                                               |
| improvement in all the issues that might     |                                                                                               |
| arise.                                       |                                                                                               |
### Key risks

<table>
<thead>
<tr>
<th>Loss of relevance</th>
<th>Strategies to manage these risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>• There is a risk that I may be seen as too remote from every day realities, leading to inappropriate or irrelevant responses and interventions.</td>
<td>• Strategic direction by my senior staff.</td>
</tr>
<tr>
<td>• I may miss significant issues that arise.</td>
<td>• Environmental scanning(^59) to ensure that I remain connected to and aware of emerging trends and issues.</td>
</tr>
<tr>
<td></td>
<td>• Stakeholder engagement.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Loss of international credibility and reputation</th>
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<tbody>
<tr>
<td>• There is a risk to New Zealand’s international credibility and reputation if my Office fails in any respect in my inspection and monitoring roles under international conventions.</td>
<td>• I maintain effective networks and work closely with the other New Zealand and international agencies involved.</td>
</tr>
<tr>
<td>• In relation to my inspection role, the international community has identified a risk inherent in having ‘a single institution…to serve both as [National Preventive Mechanism] and as a forum for individual complaints’(^60)</td>
<td>• Strong internal separation between my inspection and general complaint handling roles.</td>
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59. A network of Ombudsmen and other integrity institutions across the Pacific. I conduct environmental scanning by:
- liaising regularly with Ministers and public sector agencies;
- carrying out stakeholder surveys and focus groups;
- presenting and participating in public forums and speaking engagements;
- monitoring media and public opinion in online forums and publications; and
- obtaining information and feedback from those attending the Office’s outreach programmes, and from agency participants at the Office’s training sessions.

Well-run Office – Timely delivery of quality services

A well-run office will help ensure I deliver effective services, so that:

• Parliament is satisfied with my work;
• stakeholders consider my Office is effective and efficient; and
• I meet all relevant legal requirements.

My ability to deliver my outputs is centred on the capability of my staff, supported by:

• the internal leadership, governance, strategic and business planning, and management systems and processes I have in place; and
• information and communication technologies, and office accommodation.

The key capabilities I need to have in place

• Robust financial management
• Effective stakeholder engagement
• Effective risk management
• Effective knowledge management and internal communications
• Robust cross-organisational policies, practices, procedures and systems
• Appropriate tools and systems for allocating, managing, tracking and reporting on work
• Effective improvement, innovation and transformation
• Clear and appropriate timeframes established and met
• Sound policies, procedures and systems for managing people and growing capability
• A constructive working environment, organisational culture and values
• The right number of staff with the right skills, recruited and retained

• Appropriate career planning, workforce and professional development
• Appropriate staff performance management systems
• A diverse workforce with a range of backgrounds and experience
• Appropriate quality assurance, audit, monitoring and evaluation, and use of findings for ongoing improvement.

People

Measures to attract, develop and retain staff include:

• providing fair and consistent terms and conditions of employment;
• promoting office values and recognising performance;
• ensuring organisational development and sustainability by becoming a learning organisation; and
• promoting and protecting staff health and safety.

The specific projects I am undertaking in this area include:

• negotiating a renewed collective agreement with the union (Public Service Association);
• progressively implementing a revised performance review and professional development planning system;
• implementing a comprehensive learning and development strategy and building internal capability for the management and delivery of learning and development for all staff;
• developing a diversity and inclusion strategy to ensure equal employment opportunities; and
• continuing regular internal surveys to gauge staff satisfaction and identify areas for improvement.
Leadership and management systems

As Chief Ombudsman, I lead the Office. I am supported by the Deputy Ombudsman and the Manager Finance, Administration and Business Services in my Executive Committee.

I am also supported by my Senior Management Team, comprising the Deputy Ombudsman, Assistant Ombudsman Complaints Resolution, Assistant Ombudsman Compliance and Practice, Manager Finance, Administration and Business Services, Manager Communications, Virtual Chief Information Officer, and Manager People and Capability.

There are also a number of managers with responsibility for oversight and formal reporting on the work of their team members.

I have a strong focus on lifting performance through quality, integrity and values. All staff members are assessed according to their performance and achievement, and also their adherence to and promotion of the Office’s agreed values:

*Te Haerenga o te Kaitiaki Mana Tangata*
*Our true north – the journey of the guardian of the mana of the people through our people, purpose and passion.*

My leadership and management is focused on securing high levels of professional conduct and performance through:

- enabling work to be delivered in a timely and effective manner, with appropriate delegations, support and quality assurance oversight;
- fostering a staff environment which is happy, healthy, fair and encourages learning and development throughout the Office’s work;
- completing the roll-out of consolidated corporate policies and procedures for finance, people, information, health and safety, emergency responsiveness and security management that staff can refer to and rely on; and
- continuously monitoring and reviewing processes to ensure their currency, capacity, relevance, quality and security is maintained.

Technology

I aim to take full advantage of available appropriate technology to improve my performance.

I am redeveloping my website and incorporating appropriate social media tools to increase my engagement and the accessibility of information about my role.

During 2018-22, I intend to harmonise and improve my current information management technologies. This includes implementing a new technology platform, integrating and upgrading legacy systems, and completing an infrastructure upgrade.

I am implementing and updating a long-term information management and technology strategy, with work in this area prioritised through an Information Systems Strategic Plan.

Capital and asset management intentions

My capital investment is primarily in the form of information technology and computer software and facilities. Capital is otherwise committed to replacing office equipment and furnishings, and leasehold improvements when necessary.
Treaty of Waitangi acknowledged in my work

I aim to ensure the principles of the Treaty of Waitangi are at the heart of the work and culture of my Office. In order to do this, my staff and I must:

- understand Māori concepts, perspectives and values;
- understand the Treaty and barriers to its full realisation; and
- take seriously my mandate to be kaitiaki mana tangata (guardian of the mana of the people).

I am taking steps to ensure my staff are appropriately skilled and confident to work with Māori. Specific measures I have in place are:

- working with Māori (staff and contractors) to better inform and design my work;
- developing staff cultural competency by offering training in and encouraging the use of te reo Māori and key aspects of tikanga;
- supporting the work of the staff in my Treaty/Cultural Diversity Integrity Group, which has the role to infuse Office work practices and work culture with Māori concepts, perspectives and values; and
- publishing my analysis and findings, and following up recommendations, regarding issues affecting Māori under my jurisdiction.