


PERFORMANCE INDICATORS

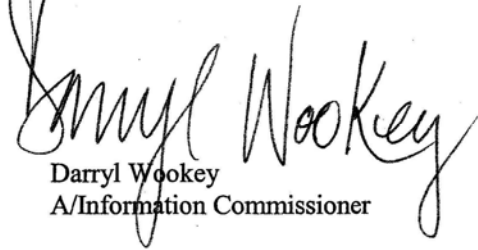
Performance Indicator Certification

We hereby certify that the performance indicators are based on proper records, are relevant and appropriate for assisting users to assess the performance of the Office of the Information Commissioner, and fairly represent the performance of the Office of the Information Commissioner for the financial year ended 30 June 2006.



Tony Pruyn
Senior Investigations Officer

16 August 2006



Darryl Wookey
A/Information Commissioner

16 August 2006

PERFORMANCE INDICATORS 2005/2006

DESIRED OUTCOME

Access to documents and observance of processes in accordance with the Freedom of Information Act 1992 ('the FOI Act').

DESCRIPTION

Under the FOI Act, the main function of the Information Commissioner is to provide independent external review of agencies' decisions by dealing with complaints about decisions made by agencies under the FOI Act. The Information Commissioner's other responsibilities under the FOI Act include:

- ensuring that agencies are aware of their responsibilities under the FOI Act;
- ensuring members of the public are aware of the FOI Act and their rights under it;
- providing assistance to members of the public and agencies on matters relevant to the FOI Act; and
- recommending to Parliament legislative or administrative changes that could be made to help the objects of the FOI Act be achieved.

The Office of the Information Commissioner ('the Office'), which is made up of the Information Commissioner and the staff appointed to assist the Information Commissioner under delegated authority, undertakes these functions with two outputs.

Output 1: Resolution of Complaints.

Output 2: Advice and Awareness.

The intent of the FOI Act is to ensure that proceedings on external review are conducted with as little formality and technicality as the requirements of the FOI Act and proper consideration of the matters before the Information Commissioner permit. Therefore, when dealing with complaints, the policy of the Office is to ensure that wherever possible the conduct of proceedings is not unduly legalistic or formal. Accordingly, the preferred method of resolving complaints is by negotiating a conciliated outcome between the parties. However, where a conciliated outcome cannot reasonably be achieved, the Information Commissioner is required to make a determination by publishing a written decision with reasons.

Officers delivering the Advice and Awareness output also emphasise the spirit of the FOI Act when delivering advisory services. Wherever possible, agencies are either encouraged to release information outside the FOI process where it is reasonable to do so or, where necessary, to follow the correct processes for dealing with an access application or application for amendment of personal information under the FOI Act. Policy development within agencies is encouraged so that the impact of the obligations placed on agencies by the FOI Act on the day-to-day operations of those agencies is minimised. Many potential disputes are also resolved informally with assistance from the Office.

The Performance Indicators ('the PIs') of the Office detailed below have been designed to reflect the satisfaction of parties who utilise the services of the Office, show the extent to which conciliation is achieved and measure efficiency by relating workload to costs. There are three Effectiveness PIs and two Efficiency PIs, which are summarised below:

Effectiveness performance indicators

1. Satisfaction of parties with external review process.
2. Satisfaction of agencies with advice and guidance provided.
3. The extent to which complaints were resolved by conciliation.

Efficiency performance indicators

4. Average cost of external reviews finalised
5. Average cost of advisory services delivered per recipient

REVIEW and TRANSITION

In the 2005 Annual Report it was stated that:

“Having completed a review of the PIs, it has been decided to retain all five PIs. However, it has been decided to change the method of calculation for each of the two Efficiency PIs so that the average cost for each output more accurately reflects the current operations of each output in the Office. It has also been decided to change the method of calculating the third of the Effectiveness PIs, which relates to the conciliation rate of complaints...”

As 2005 will be the transition year for the reporting of the PIs, the three PIs the subject of a revised calculation method will be reported on using both the new and the old calculation methods. From next year figures arrived at by using the old calculation method will no longer be reported.

The amendments to the PIs were effected with advice from, and in consultation with, the Office of the Auditor General. I have also taken into consideration the provisions of Amended Treasury Instruction 904 when undertaking the review of the PIs.”

In light of the above, PIs 1.1 and 1.2 will be unaffected by the review completed last year and, therefore, each of those PIs will have a five-year comparative table, whereas the method of calculating PIs 1.3, 2.1 and 2.2 changed last year and, therefore, each of those PIs will only have the new base year of 2005 to compare against.

1. EFFECTIVENESS PERFORMANCE INDICATORS

1.1 Satisfaction of parties with external review process

	2002	2003	2004	2005	2006
Target	90%	90%	90%	90%	86%
Outcome	86%	85%	86%	86%	85%

The above indicator shows the level of satisfaction with the external review process by the parties to each of the complaints finalised during the year.

A Post Review Questionnaire (PRQ) is sent to the parties to an external review to seek their views on whether there was an independent, objective and fair hearing with an emphasis on user-friendly processes which met their needs. Three key questions are asked:

1. Were you satisfied with the external review process?
2. Do you consider that you were kept adequately informed regarding the progress of your case?
3. Was the officer assigned to your case professional in his or her dealings with you?

A PRQ was sent to each of 206 parties who participated in an external review process following finalisation of the review process. Of the 206 PRQs sent, 144 participants (69.9%) responded by returning a completed PRQ. 92 responses were received from agencies; 51 were received from complainants; and 1 was received from a third party. This represents a standard error of 4.48% at the 95% confidence level.

The outcome of answers to question 1 above is used to calculate this indicator. The answers to questions 2 and 3 are also used by the Office, but for internal performance management of complaints officers. Information in response to all three questions is taken into account when reviewing external review procedures.

Of the 144 responders, 122 (85%) answered 'yes' to question 1 and confirmed that they were satisfied with the external review process.

1.2 Satisfaction of agencies with advice and guidance provided

	2002	2003	2004	2005	2006
Target	98%	(a)	98%	(a)	
Outcome	98.5%	(a)	100%	(a)	98%

The Advice and Awareness section of the Office provides a range of advisory services. Those services are provided indirectly through published information and the internet website of the Office. Advice is also given in person by telephone, email, and counter enquiries and through group training presentations and briefings.

A survey was sent to each of 286 State and local government agencies and Ministers. Of the 286 surveys sent, 238 agencies (83%) responded by returning a completed survey. This represents a standard error of 2.6% at the 95% confidence level.

Of the 238 respondent agencies, 187 confirmed receiving advice and guidance from this office.

Of those 187 agencies that received advice, 184 agencies (98%) expressed satisfaction with the advice and guidance provided to them by this office. Only 3 agencies (2%) expressed dissatisfaction with the advice and guidance provided to them by this office.

(a) Until 2000, surveys of agencies were undertaken annually. At that time the results indicated a consistently high level of satisfaction. Therefore, in order to reduce the burden on agencies the survey has since been conducted biennially.

Having reviewed the practice of biennial surveys, it is proposed that a survey will again be conducted on an annual basis in conjunction with the annual statistical returns of agencies.

1.3 The extent to which complaints were resolved by conciliation

The external review model adopted by the Office emphasizes informal resolution processes such as negotiation and conciliation, wherever possible. If a complaint cannot be resolved by conciliation between the parties to the complaint, the Information Commissioner is required to make a decision.

PERFORMANCE INDICATORS *continued*

The PI set out in 1.3 is designed to represent the success rate of the preferred resolution method. Therefore, the PI shows, as a percentage, those complaints finalized by conciliation as opposed to those complaints that required a decision by the Information Commissioner.

	2005	2006			
Target	n/a	70%			
Outcome	66%	72%			

In total, 367 matters of all types were finalised by the Office in 2005/06. However, of those 367 matters, only 120 of those matters were complaints, as defined in s.65 of the FOI Act. 86 of the 120 (72%) complaints resolved in 2005/06 were resolved by conciliation. That is, as a result of the negotiations conducted by the Office the parties agreed that no issues remained in dispute that required a decision by the Information Commissioner.

2. EFFICIENCY PERFORMANCE INDICATORS

The Office currently operates with 10 FTE's to deliver services under the two main functions described in the FOI Act. As the primary function of the Office is to deal with complaints received under the FOI Act, approximately 70% of the Office resources are allocated to the complaint resolution (external review) function. The other main function of the Office is to provide advisory services to agencies and to the public. About 30% of the Office resources are allocated to the delivery of advice and awareness services.

2.1 Output 1 – Resolution of Complaints Average cost of external reviews finalised

Included in calculating this PI are only those matters dealt with by the Resolution of Complaints section of the Office in 2005/06 which were technically formal “complaints” (see s.65 of the FOI Act) and applications that required a determination under the FOI Act rather than general complaints or requests for assistance that are not technically “complaints”. General requests for assistance or the intervention of the Office, including misdirected applications, will be reported on as part of the output of the Advice and Awareness Services. Most of those kinds of matters are dealt with by officers in the Advice and Awareness section of the Office.

	2005	2006			
Budget	n/a				
Actual	\$5413	\$5270			

The table above reflects the costs incurred in resolving complaints and applications (eg. to lodge a complaint out of time; permission not to consult; etc.) that may require a determination. It is calculated by dividing the number of complaints and applications resolved by the office in 2005/06 (169) into the net accrual cost for the Resolution of Complaints output (\$890,704 - as advised by DoTAG).

Variations in the actual and budget average cost are due primarily to fluctuations in the number of matters received and resolved in particular financial years.

2.2 Output 2 – Advice and Awareness Services
Average cost of advisory services delivered per recipient

In calculating this PI the total output units delivered by the Advice and Awareness section of the Office in 2005/06 was used. The output units recorded by the Office relate to where direct advisory services were provided. Those units will consist of a total of all telephone calls attended, written advice given by email and letter, counter inquiries attended and recipients of training and briefings.

	2005	2006			
Budget	n/a				
Actual	\$184	\$105			

The table above reflects the average cost of providing advice and awareness services to recipients. It is calculated by dividing the total number of recipients of advice and awareness services by the Office in 2005/06 (2655) into the net accrual cost for the Advice and Awareness output (\$278,783 - as advised by DoTAG).

Note: The net accrual cost of \$278,783 for this year is significantly less than last year (\$434,623) because a senior position was abolished and not replaced during the year. This cost reduction impacted greatly on the unit cost for the Advice and Awareness output. It is anticipated that there will less variation to the cost of delivering advisory services next year.

In past financial years, the Independent Audit Opinion of the Auditor General has been provided in two separate certifications, one for the Performance Indicators and one for the Financial Statements. This year both certifications are provided within the one document, a copy of which can be found on page 47.

This page has been left blank intentionally