

Our ref 524565

15 April 2020

Dr Gloria Ashton
By email: [fyi-request-12587-
e333b631@requests.fyi.org.nz](mailto:fyi-request-12587-e333b631@requests.fyi.org.nz)



Dear Dr Ashton

Request for information about complaints against the Health and Disability Commissioner (HDC)

I refer to your request dated 8 April 2020 for:

- *Approximate percentage of Ombudsman opinions that are published online*
- *Number [of] requests the OOTO has received from members of the public asking for review of a Health and Disability Commissioner (HDC) decision*
- *Number of times the OOTO has completed an investigation and formed an opinion in response to a member of the public requesting an OTOO review of an HDC decision*

As you have acknowledged, the Office of the Ombudsman is not subject to the Official Information Act 1982 (OIA). However, we do endeavour to comply with the spirit of the OIA when we receive a request for information.

I have provided the information you requested below. By way of context, I note that many complaints received by the Ombudsman are resolved without the need for a formal investigation, or for an Ombudsman to form an opinion on the conduct complained about.

Approximate percentage of Ombudsman opinions that are published online

We have published 123 official information-related opinions and case notes since 1 January 2015. This is 6 per cent of all cases where the Ombudsman formed a final opinion in that same period (2065), and 1.4 per cent of all completed cases (8955).¹

We have published 69 Ombudsmen Act (OA)-related opinions and case notes since 1 January 2015. This is 11.7 per cent of all cases where the Ombudsman formed a final opinion in that same period (589), and 0.6 per cent of all completed cases (12,297).²

¹ Figures as at 9 April 2020.

² See note above.

Number of requests the OOTO has received from members of the public asking for review of an HDC decision

The table below shows the number of complaints received against HDC from ‘members of the public’³ over the last five financial years.

	2019/20*	2018/19	2017/18	2016/17	2015/16
OIA	14	6	12	10	6
OA	47	53	43	39	36

*to 9 April 2020

If you want to see how these numbers compare to other agencies, our [annual reports](#) contain statistics about agencies against which 15 or more complaints were made.

I note that if the numbers in respect of HDC in those annual reports differ from what is provided above, it will be because you have specifically requested complaints by ‘members of the public’ (see note 3).

Number of times the OOTO has completed an investigation and formed an opinion in response to a member of the public requesting an OOTO review of an HDC decision

The table below shows the number of final opinions formed in relation to complaints by ‘members of the public’⁴ against HDC over the last five financial years.

To be clear, these were not *opinions against* HDC, but opinions formed in relation to *complaints against* HDC.

	2019/20*	2018/19	2017/18	2016/17	2015/16
OIA	2	3	7	4	0
OA	1	0	6	1	1

*to 9 April 2020

I trust this information addresses your request.

Yours sincerely



Alex Schröder
Manager Strategic Advice

³ We do not record complaints by ‘members of the public’ as such. These figures include complaints by or on behalf of individuals, companies, special interest groups, prisoners, researchers and trade unions; and exclude complaints by agencies, media and Members of Parliament.

⁴ See note above.