

INFORMATION COMMISSIONER — COMPLAINTS RESOLUTION

731. Hon LJILJANNA RAVLICH to the parliamentary secretary representing the Attorney General:

I refer to correspondence dated 22 June 2009 headed “Timeframe for Resolution of Complaints” sent to me by the Information Commissioner, Mr Sven Bluemmel, according to my notes, who writes —

My office is currently dealing with an unusually high number of complaints. In the current financial year, the number of complaints received by my office each month has increased by over 75%. This additional workload is placing significant pressure on the limited resources of my office, which is having an adverse impact on the timely resolution of all complaints before me.

- (1) How many complaints have been received by the commissioner’s office for the months of October, November and December 2008 and January, February, March, April, May and June 2009?
- (2) Why is it taking at least six months to deal with a complaint?
- (3) What are the categories of each complaint received by the commissioner’s office?
- (4) What action will the minister take to address this unacceptable delay in complaints management?

Hon MICHAEL MISCHIN replied:

I thank the member for some notice of this question.

(1)-(3) I seek leave to have the answer to parts (1)-(3) tabled and incorporated into *Hansard*.

Leave granted.

[See paper 1033.]

The following material was incorporated —

Question	Answer
1. How many complaints have been received by the Commissioner’s office for the months of (a) October 2008 (b) November 2008 (c) December 2008 (d) January 2009 (e) February 2009 (f) March 2009 (g) April 2009 (h) May 2009; and (i) June 2009	July 2008 = 9 August 2008 = 11 September 2008 = 12 (a) October 2008 = 10 (b) November 2008 = 4 (c) December 2008 = 15 (d) January 2009 = 27 (e) February 2009 = 7 (f) March 2009 = 10 (g) April 2009 = 35 (h) May 2009 = 24 (i) June 2009 = 16 Total 2008/2009 = 180 Total 2007/2008 = 102
2. Why is it taking at least 6 months to deal with a complaint	As at 30 June 2009, 84 complaints were on hand. Of those 84 complaints, 2 (2.4%) were older than 6 months. In addition, in 2008/2009 the average time taken to deal with complaints was 79 calendar days (less than 3 months). As at 30 June 2008, 30 complaints were on hand. Of those 30 complaints, 5 (16.7%) were older than 6 months. In addition, in 2007/2008 the average time taken to deal with complaints was 160 calendar days (approx 5 months)
3. What are the categories of each complaints being received by the Commissioner’s office	Category of Complaint received – by agency decision type: 2008/2009 s.65(1)(a) Agency decision to give access = 3 s.65(1)(b) Agency decision to give edited access = 30 s.65(1)(c) Agency decision to refuse to deal = 12 s.65(1)(d) Agency decision to refuse Access = 131 s.65(1)(e) Agency decision to defer access = 0 s.65(1)(f) Agency decision to give access via s.28 = 2 s.65(1)(g) Agency decision to impose a Charge = 2 s.65(3)(a) Agency decision to refuse to Amend = 1 2007/2008 s.65(1)(a) Agency decision to give access = 5 s.65(1)(b) Agency decision to give edited access = 11

	<p>s.65(1)(c) Agency decision to refuse to deal = 6 s.65(1)(d) Agency decision to refuse Access = 75 s.65(1)(e) Agency decision to defer access = 0 s.65(1)(f) Agency decision to give access via s.28 = 1 s.65(1)(g) Agency decision to impose a Charge = 0 s.65(3)(a) Agency decision to refuse to Amend = 5</p> <p>Category of complaint received – by complainant type:</p> <p>In the year 2008/2009, 180 complaints were received from the following types of complainant:</p> <p>Individual citizens = 66 (36.67%) Prisoners = 3 (1.67%) Companies = 19 (10.56%) Media = 3 (1.67%) Members of Parliament = 80 (44.44%) NFP Groups – 7 (3.89%) Government agencies = 2 (1.11%)</p> <p>In the previous year 2007/2008, 102 complaints were received from the following types of complainant:</p> <p>Individual citizens = 71 (69.6%) Prisoners = 0 (0%) Companies = 16 (15.7%) Media = 6 (5.9%) Members of Parliament = 4 (3.9%) NFP Groups – 3 (2.9%) Government agencies = 2 (2.0%)</p> <p>Category of complaint received by agency type:</p> <p>In the year 2008/2009, 180 complaints were received in respect of decision made by the following types of agencies:</p> <p>Departments (ex Police & Health) = 48 (26.67%) Police = 8 (4.4%) Health = 9 (5.0%) Boards, Commissions & Authorities = 17 (9.4%) Ministers = 72 (40.0%) Universities = 5 (2.78%) Local Government = 21 (11.67%)</p> <p>In the previous year 2007/2008, 102 complaints were received in respect of decisions made by the following types of agencies:</p> <p>Departments (ex Police & Health) = 33 (32.4%) Police – 5 (4.9%) Health = 10 (9.8%) Boards, Commissions & Authorities = 13 (12.7%) Ministers = 9 (8.8%) Universities = 6 (5.9%) Local Government = 26 (25.5%)</p>
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- (4) While it is expected that peaks and troughs will occur in the number of complaints sent to the Information Commissioner, in the present circumstances the increase in the volume of complaints appears to be the result of an unusually large number of complaints emanating from members of Parliament. Before assessing whether delays in complaint management are unacceptable, the Attorney intends to wait and see whether this elevated level of complaints from members of Parliament continues.

Hon Ljiljanna Ravlich interjected.

Several members interjected.

Hon MICHAEL MISCHIN: Do members want the answer to the question or not?

The PRESIDENT: Order! Let us hear the answer.

Hon MICHAEL MISCHIN: However, as matters presently stand —

Several members interjected.

The PRESIDENT: Order!

Hon MICHAEL MISCHIN: I will try again.

However, as matters presently stand, the commissioner is satisfactorily responding in terms of both timeliness and quality when considered in the context of the increased workload being occasioned to him.