



**SELECT COMMITTEE TO OVERSEE  
PERFORMANCE OF THE  
OFFICE OF THE OMBUDSMAN**  
*1<sup>st</sup> Quarter Report 2022*

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# Financial Report

## ACTUAL EXPENDITURES

Description	2022 Full Year Budget	Actuals January	Actuals February	Forecast March	Total Forecasted Expenditures January to March 2022	Budget Remaining	Comments
Personnel Costs	1,835,273	122,233	109,502	114,910	346,644	1,366,396	Reduced in Feb as new Ombudsman post not filled. Data Protection Analyst post filled part way through March
Supplies & Consumables	413,839	25,572	57,816	21,556	104,944	283,324	Legal fees higher in Jan mainly due fees incurred for HR Matter. February higher due to settlement of case.
Leases	107,940	8,995	8,995	8,995	26,985	71,960	
Depreciation	126,684	10,189	10,189	10,189	30,568	85,926	
<b>Total</b>	<b>2,483,736</b>	<b>166,989</b>	<b>186,502</b>	<b>155,650</b>	<b>509,141</b>	<b>1,807,606</b>	

## FORECAST EXPENDITURES

Description	2022 Full Year Budget	April	May	June	Total Forecasted Expenditures April to June 2022	Budget Remaining	Comments
Personnel Costs	1,835,273	121,418	121,418	128,885	371,720	1,116,909	Increases in June for potential filling of Junior Maladministration post.
Supplies & Consumables	413,839	19,814	16,742	17,242	53,799	255,097	Training in April
Leases	107,940	8,995	8,995	8,995	26,985	53,970	
Depreciation	126,684	10,189	10,189	10,189	30,568	65,547	
<b>Total</b>	<b>2,483,736</b>	<b>160,416</b>	<b>157,344</b>	<b>165,311</b>	<b>483,072</b>	<b>1,491,523</b>	

# Statistics

OVERVIEW OF INQUIRIES – YEAR TO DATE (01 JANUARY – 31 MARCH 2022)



## OVERVIEW OF CASES – YEAR TO DATE (01 JANUARY – 31 MARCH 2022)

## CASES RECEIVED AS AT 31 MARCH 2022

FREEDOM OF INFORMATION	2
DATA PROTECTION	27
MALADMINISTRATION	7
POLICE COMPLAINTS	8
WHISTLEBLOWER PROTECTION	1

## OPEN CASES AS AT 31 MARCH 2022

FREEDOM OF INFORMATION	12
DATA PROTECTION	63
MALADMINISTRATION	24
POLICE COMPLAINTS	18
WHISTLEBLOWER PROTECTION	4

111

45

35

121

## CASES CARRIED FORWARD

FREEDOM OF INFORMATION	15
DATA PROTECTION	54
MALADMINISTRATION	23
POLICE COMPLAINTS	16
WHISTLEBLOWER PROTECTION	3

## CASES CLOSED AS AT 31 MARCH 2022

FREEDOM OF INFORMATION	5
DATA PROTECTION	18
MALADMINISTRATION	6
POLICE COMPLAINTS	6
WHISTLEBLOWER PROTECTION	0

## STATISTICS BY DIVISION – 1<sup>ST</sup> QUARTER

### INFORMATION RIGHTS DIVISION

FREEDOM OF INFORMATION	
	1 <sup>ST</sup> QTR
Inquiries Answered	9
Presentations	1
Cases Carried Forward from Previous Quarter	15
Appeals Received	2
Cases Resolved	5
<i>Assessment/Disposition</i>	<b>0</b>
Non-Jurisdictional	0
<i>Informal Resolution</i>	<b>5</b>
Partial Disclosure	1
Non-disclosure	1
Full Disclosure	1
Other	2
<i>Decisions</i>	<b>0</b>
Appeal Dismissed	0
Appeal Partially Upheld	0
Appeal Upheld	0
Other	0
Open Cases	<b>12</b>

<b>DATA PROTECTION</b>	
	<b>1<sup>ST</sup> QTR</b>
<b>Inquiries Answered</b>	<b>36</b>
<b>Presentations</b>	<b>0</b>
<b><i>Data Protection – Complaints</i></b>	
<b>Cases Carried Forward from Previous Quarter</b>	<b>20</b>
<b>Cases Received</b>	<b>7</b>
<b>Cases Resolved</b>	<b>5</b>
<b><i>Assessment/Disposition</i></b>	<b>0</b>
Non-Jurisdictional	0
Complaint Refused (s. 43(4))	0
Complaint Abandoned	0
Complaint Withdrawn	0
Referred to another DP Authority	0
Other	0
<b><i>Informal Resolution</i></b>	<b>5</b>
Supported	1
Not Supported	3
Complaint Abandoned	0
Complaint Withdrawn	0
Other	1
<b><i>Order</i></b>	<b>0</b>
Enforcement Order Issued	0
Monetary Order Issued	0
Enforcement and Monetary Order Issued	0
<b>Open Cases</b>	<b>22</b>
<b><i>Data Protection – Breach Notifications</i></b>	
<b>Cases Carried Forward from Previous Quarter</b>	<b>34</b>
<b>Cases Received</b>	<b>20</b>
<b>Cases Resolved</b>	<b>13</b>
<b><i>Assessment/Disposition</i></b>	<b>11</b>
Non-Jurisdictional	0
Appropriate Actions Taken	11
Other	0
<b><i>Informal Resolution</i></b>	<b>2</b>
Resolved Informally	2
<b><i>Order</i></b>	<b>0</b>
Enforcement Order Issued	0
Monetary Order Issued	0
Enforcement and Monetary Order Issued	0
Other	0
<b>Open Cases</b>	<b>41</b>

## COMPLAINTS DIVISION

<b>MALADMINISTRATION</b>	
	<b>1<sup>ST</sup> QTR</b>
<b>Inquiries Answered</b>	<b>32</b>
<b>Cases Carried Forward from Previous Quarter</b>	<b>23</b>
<b>Complaints Received</b>	<b>7</b>
<b>Cases Resolved</b>	<b>6</b>
<b><i>Assessment/Disposition</i></b>	<b>1</b>
Non-Jurisdictional <sup>+</sup>	1
Complaint Refused	0
Complaint Withdrawn	0
<b><i>Early Resolution</i></b>	<b>2</b>
Successfully Resolved	2
Complaint Withdrawn	0
<b><i>Investigation</i></b>	<b>3</b>
Supported	3
Not Supported	0
Successfully Resolved	0
Complaint Withdrawn	0
<b>Open Cases</b>	<b>24</b>

<sup>+</sup>This includes complaints which are time barred, appeals have not been exhausted, cases referred to another agency, the issue/entity is not subject to investigation or a Schedule 2 restriction exists



<b>POLICE COMPLAINTS</b>	
	<b>1<sup>ST</sup> QTR</b>
<b>Inquiries Answered</b>	<b>19</b>
<b>Cases Carried Forward from Previous Quarter</b>	<b>16</b>
<b>Complaints Received</b>	<b>8</b>
<b>Cases Resolved</b>	<b>6</b>
<b><i>Assessment/Disposition</i></b>	<b>3</b>
Non-Jurisdictional	1
Investigation Time Barred	1
Investigation Refused (s. 3(2)(g))	0
Complaint Withdrawn	0
Complaint Abandoned	0
Other	1
<b><i>Informal Resolution</i></b>	<b>0</b>
Successfully Resolved	0
Other	0
<b><i>Investigation</i></b>	<b>3</b>
Supported	2
Not Supported	0
Complaint Withdrawn	0
Complaint Abandoned	1
Other	0
<b>Outstanding Referrals to RCIPS</b>	<b>0</b>
<b>Open OMB Files</b>	<b>18</b>
<b>Open Cases</b>	<b>18</b>

<b>WHISTLEBLOWER PROTECTION</b>	
	<b>1<sup>ST</sup> QTR</b>
<b>Inquiries Answered</b>	<b>0</b>
<b>Cases Carried Forward from Previous Quarter</b>	<b>3</b>
<b>Complaints Received</b>	<b>1</b>
<b>Cases Resolved</b>	<b>0</b>
<b><i>Assessment/Disposition</i></b>	<b>0</b>
Non-Jurisdictional	0
Referred to Another Agency	0
<b><i>Investigation</i></b>	<b>0</b>
Supported	0
Not Supported	0
<b>Open Cases</b>	<b>4</b>

# Office Overview (To be updated)

## FINANCIAL MATTERS

Mainly due to vacancies, we underspent by more than \$100,000 in the first quarter.

## OPERATIONAL MATTERS

Following the passing of the budget, recruitment in the maladministration and data protection teams proceeded.

## ADMINISTRATIVE/STAFFING MATTERS

At the end of January the Ombudsman, Sandy Hermiston, resigned. The Governor appointed the Deputy Ombudsman (Information Rights), Jan Liebaers, as Acting Ombudsman. At the end of the March, the appointment of the Deputy Ombudsman (Complaints), Sharon Roulstone, was announced to take effect on 4 April 2022.

The fixed-term agreement of the Senior Police Investigator was not renewed. The Senior Data Protection Analyst resigned with effect 22 April 2022. A new Data Protection Analyst started on 14 March. Recruitment for a Senior Maladministration Investigator closed on 30 March 2022.