



**ANNUAL REPORT 2009/10 -
SUPPLEMENTARY REPORT**

Ombudsman Tasmania

DECEMBER 2010

Introduction

My Annual Report under the *Ombudsman Act 1978* was tabled in both Houses of Parliament on 16 November 2010. This report corrects some errors and omissions in that report

First, the report contains tables in relation to reviews under the *Freedom of Information Act 1991* which were unintentionally omitted from the Annual Report. Secondly, it corrects some errors in that report with respect to the Energy Ombudsman jurisdiction.

Freedom of Information Act statistics

The following tables should have been included in the chapter headed "Freedom of Information Act 1991/Right to Information Act 2009".

FOI Table 1 – Results of finalised cases

Decision	2008/09	2009/10
Agency Decision Affirmed	14	9
Agency Decision Varied	17	20
Agency Decision Set Aside	2	14
Other*	26	77
Total	59	120

*The term 'other' denotes those applications that did not result in reviews. There can be numerous reasons for this – e.g., out of jurisdiction, application withdrawn, resolved without review, etc.

FOI Table 2 – Reviews against State Government Departments

Departments	App's Received 2008/09	App's Received 2009/10	Closed	Reviews undertaken	Agency Decision Varied
Department of Economic Development, Tourism & the Arts	2	0	1	1	0
Department of Education	1	11	10	9	7
Department of Environment Parks Heritage and Arts	3	0	1	1	1
Department of Health and Human Services	13	18	20	5	2
Department of Infrastructure, Energy & Resources	5	7	7	2	0
Department of Justice	2	13	11	4	1
Department of Premier and Cabinet	2	4	5	2	1
Department of Primary Industries & Water	5	3	4	3	1
Police and Emergency Management (Dept of)	11	4	9	5	3
Department of Treasury and Finance	2	0		0	0
Sub-total	46	60	68	32	16

FOI Table 3 – Reviews against Local Government

Councils	App's Received 2008/09	App's Received	Closed	Reviews under-taken	Agency Decision Varied
Huon Valley Council		1	1	1	
Clarence City Council	2	0	1	1	
Southern Midlands Council		1	1	1	1
Tasman Council		1	1		
West Coast Council		1	1		
Glamorgan/Spring Bay Council	1	0	1		
Kingborough Council		0	0		
Launceston City Council	1	0	0		
Derwent Valley Council	1				
George Town Council	1				
Sub-total	6	4	6	3	1

FOI Table 4 – Reviews against Statutory Authorities and other bodies

Statutory Authorities and Other Bodies	App's Received 2008/09	App's Received	Closed	Reviews under-taken	Agency Decision Varied
Aurora Energy	6	54	37	4	2
Forestry Tasmania	3	1	2	1	
Health Complaints Commissioner		1	1		
Law Society of Tasmania	1	2	2	1	
Motor Accidents Insurance Board		1	1	1	1
Nurses Board of Tasmania		1	1		
Office of the Tasmanian Energy Regulator	1	0	0		
Property Agents Board		3	1		
Registrar of Motor Vehicles		0	0		
Retirement Benefits Fund Board		1	1	1	
Transend Networks		0	0		
Workplace Standards Tasmania	1	0	0		
Sub-total	12	64	46	8	3
Grand Total	64	128	120	43	20

Energy Ombudsman statistics

The figures for the year 2008/09 in Energy Tables 1 and 2 on page 66 of the Annual Report are incorrect. The correct tables are below

Energy Table 1 – Enquiry Activity

	2008/09	2009/10	Increase
Enquiries opened and closed in the period	121	210	74%
OOJ Enquiries	34	52	53%
Total Enquiries	155	262	69%

Energy Table 2 – Complaint Activity

	2008/09	2009/10	Increase
Carried forward from previous period	69	43	
Opened in Period	304	414	36%
Closed in Period	328	422	29%
Carried Forward (still Open)	45	35	

The error in the tables affects statements made about the Energy Ombudsman jurisdiction on pages 4,6 and 43 of the report. The correct statistics reflect the following variations in the workload of the Energy Ombudsman jurisdiction between 2008/09 and 2009/10 –

- a 36% increase in complaint files opened during the year (304 to 414)
- a 29% increase in files closed (328 to 422)
- a 74% increase in enquiries opened and closed during the period (121 to 210)
- a 53% increase in Out-Of-Jurisdiction enquiries (34 to 52)
- a 69% increase in enquiries generally

It will be seen that these figures involve downward adjustments in relation to complaint activity and upward adjustments in relation to enquiry activity. At all events, it was a busy year in this jurisdiction.

Simon Allston
OMBUDSMAN

December 2010