

**Replies to initial written questions raised by Finance Committee Members in
examining the Estimates of Expenditure 2006-07**

**Controlling Officer : The Ombudsman
Session No. : 7**

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
OMB001	2373	Hon. HO Chun-yan, Albert	114	Complaints Administration
OMB002	2374	Hon. HO Chun-yan, Albert	114	Complaints Administration
OMB003	2375	Hon. HO Chun-yan, Albert	114	Complaints Administration
OMB004	2376	Hon. HO Chun-yan, Albert	114	Complaints Administration
OMB005	2377	Hon. HO Chun-yan, Albert	114	Complaints Administration

Examination of Estimates of Expenditure 2006-07
CONTROLLING OFFICER'S REPLY TO
@INITIAL WRITTEN/SUPPLEMENTARY QUESTION

Head : 114-Office of The Ombudsman Subhead (No. & title) : 000 Operational expenses

Programme : Complaints Administration

Controlling Officer : The Ombudsman

Director of Bureau : ---

Question : The number of complaints carried forward from the previous reporting year continued to increase from 2002 to 2005. What were the reasons for that? Of the 1 088 complaints in 2004-05, how long were the cases pending after they had been received?

Asked by : Hon. Ho Chun-yan, Albert

Reply : The number of complaints fluctuates from year to year as shown below –

	97/98	98/99	99/00	00/01	01/02	02/03	03/04	04/05
Complaints Received	3 073	4 125	3 101	3 709	3 736	4 382	4 661	4 654

This may be due in part to issues of public concern at the time. In general, however, we regularly arrange multi-media publicity and launch promotional activities to enhance awareness of our work and the concept of ombudsmanship.

In this context, the increase since 2002 is probably a natural result of the public's rising expectations of the public service, their growing awareness of their rights and our public educational efforts.

The number "1,088" refers to complaints carried forward from 2003/2004 to 2004/2005. Over 90% of these cases were received less than four months before the cut-off date of our Annual Report. On the whole, 98% of complaints were dealt with within the 6-month period of our performance pledge.

Signature _____

Name in block letters Helen C P Lai YU

Post Title The Ombudsman (Acting)

Date 9 March 2006

Examination of Estimates of Expenditure 2006-07
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@INITIAL WRITTEN/SUPPLEMENTARY QUESTION

Head : 114-Office of The Ombudsman Subhead (No. & title) : 000 Operational expenses

Programme : Complaints Administration

Controlling Officer : The Ombudsman

Director of Bureau : ---

Question : Please provide the staffing establishment of the Office of The Ombudsman, and the numbers and ranks of those staff directly involved in receiving and handling complaints.

Asked by : Hon. Ho Chun-yan, Albert

Reply : Unlike Government departments, the Office of The Ombudsman does not have a fixed staff establishment. The number of posts in the Office is controlled by the level of financial provision approved in the Annual Estimates.

As at 28 February 2006, there were a total of 88 posts in the Office. Of all these posts, 52 were directly involved in receiving and processing complaints. A breakdown of the posts is shown below.

Breakdown of Posts as at 28.2.2006

	<u>Number</u>
<u>Posts directly involved in receipt and processing of complaints</u>	
<u>Directorate Posts</u>	
Ombudsman	1
Deputy Ombudsman	1
Assistant Ombudsman	2
Sub-total:	4
<u>Investigation & Support Posts</u>	
Chief Investigation Officer	6
Senior Investigation Officer	15
Investigation Officer	14
Assistant Investigation Officer	3
Complaints Assistant	6
Senior Administrative Assistant	1
Administrative Assistant	3
Sub-total:	48
Total :	52

Other Administrative & Support Posts

Total : 36

Grand Total: 88

For flexibility to meet fluctuations in workload so typical of our operation, we supplement our full-time staff by temporary and part-time officers from time to time.

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Head : 114-Office of The Ombudsman Subhead (No. & title) : 000 Operational expenses

Programme : Complaints Administration

Controlling Officer : The Ombudsman

Director of Bureau : ---

Question : Please provide separately the average expenses, manpower and time required for the Office of The Ombudsman to conduct an investigation and/or mediation of a case in 2004-05.

Asked by : Hon. Ho Chun-yan, Albert

Reply : Complaints lodged with us differ in terms of their nature and complexity. Accordingly, staff efforts and time required for each case may vary enormously. These coupled with the fact that complaint investigation is an analytical and judgmental rather than manual process, it is not practical, or meaningful, for us to keep worklog as in the case of manual labour in a production line. We are, therefore, unable to provide the average staff costs requested for each complaint case.

Staff Efforts

From receipt to conclusion, each case for investigation goes through several stages including:

- (i) screening and assessment to determine whether the case is under The Ombudsman's jurisdiction;
- (ii) investigation by case officer under supervision of a Chief Complaint Officer;
- (iii) consideration by directorate officers (including Assistant Ombudsman and Deputy Ombudsman);
- (iv) scrutiny and decision by The Ombudsman.

Time Required

As far as 2004/2005 is concerned, the processing time for cases under The Ombudsman's jurisdiction are as follows:

Processing time	Cases Concluded
0 – 3 months	1,371 (44.7%)
3 – 6 months	1,641 (53.5%)
Over 6 months	56 (1.8%)
Total	3,068

The progress of individual cases is closely monitored at our regular investigation team

meetings with the assistance of our computerised “Case Management System” to ensure that our performance pledges are complied with.

As for mediation, it is strictly a voluntary process subject to consent from parties concerned and only a small number of cases have been dealt with in this way.

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Head : 114-Office of The Ombudsman Subhead (No. & title) : 000 Operational expenses

Programme : Complaints Administration

Controlling Officer : The Ombudsman

Director of Bureau : ---

Question : Please provide separately the actual amounts in 2005 and estimated amounts for 2006 of the salaries, allowances and other operating expenses for the Office of The Ombudsman.

Asked by : Hon. Ho Chun-yan, Albert

Reply : The expenditure for 2005/2006 and estimated expenditure for 2006/2007 for salaries, allowances and other operating expenses are provided below:

	Expenditure for 2005/06 (\$ m)	Estimated expenditure for 2006/07 (\$ m)
Salaries and allowance	42.7	67.2
Other operating expenses	10.5	14.1
Total	53.2	81.3

The expenditure for 2005/2006 includes the actual expenditure up to 28 February 2006 and the estimated expenditure of March 2006.

Resource allocation for our office is carried out under the envelope approach. Any unspent provision in the year forms part of the Office's reserve as agreed with the Administration under the delinking arrangements for the Office.

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Programme : Complaints Administration

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Director of Bureau : ---

Question : The estimate of the amount required in 2006-07 for the salaries and expenses of the Office of The Ombudsman is reduced by \$170,000 against the revised estimate for 2005-06 and by \$5,726,000 against the expenditure in 2004-05. What are the reasons for that? What are the major items of expenditure that have been reduced?

Asked by : Hon. Ho Chun-yan, Albert

Reply : The items together with reasons for the decrease of \$170,000 against the revised estimate for 2005/2006 and of \$5,726,000 against the actual expenditure in 2004/05 are –

(i) Decrease of \$ 170,000

This decrease against the revised estimate for 2005/06 is due to the adjustment of cash flow requirement for the Exchange Development Scheme with the Mainland from \$ 200,000 to \$ 30,000.

(ii) Decrease of \$ 5,726,000

This is due to the reduction in provision in operating expenses and also the salary adjustments in line with the civil service pay reduction as detailed below –

	\$
● Reduction of provision in operating expenses imposed by Government	3,784,000
● Adjusted cash flow requirement for the Exchange Development Scheme with the Mainland	170,000
● Salary adjustments in line with the civil service pay reduction	1,772,000
Total	5,726,000

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