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4 June 2009

Clerk, Public Accounts Committee
Legislative Council
Legislative Council Building
8 Jackson Road
Central, Hong Kong

(Attn.: Ms Serena CHU)

Dear Ms CHU,

**The Director of Audit's Report on the
results of value for money audits (Report No. 52)**

Equal Opportunities Commission (Chapter 3)

Thank you for your letter dated 1 June 2009, seeking the Audit Commission (Audit)'s comments on the complaint intake process mentioned in item (a) of the letter dated 27 May 2009 from the Chairperson, Equal Opportunities Commission (EOC). Audit's comments are as follows.

Consultants' recommended practice

Audit would first like to recapitulate the consultants' recommended practice referred to in paragraphs 3.7 and 3.8 of the Audit Report. The consultants recommended that the officer responsible for initial intake decisions should categorise new complaints according to a differential case management approach that recognises:

- (a) complex complaints that will require special treatment and can be accorded exceptional time lines for performance purposes;
- (b) sensitive complaints that may attract public or other external interest and require sensitive handling, and careful and close high-level supervision; and
- (c) complaints that can be fast tracked to early conciliation or discontinuation.

The consultants further recommended that the EOC should introduce a “complaint intake form” to indicate the initial intake instructions as to the appropriate categorisation of the complaint and any special instructions in relation to investigation, conciliation or any other matter in the handling of the complaint. In February 2004, vide EOC paper No. 5/2004, EOC Board Members were informed that the consultants’ recommendations had been accepted and implemented.

EOC’s practice

The EOC’s practice is described in item (a) of the letter dated 27 May 2009 from the Chairperson, EOC. In essence, complaint intake decisions are recorded in different places, including the “weekly roster sheets”, the computerised “Complaint Management System (CMS)” and “file minutes”.

In Audit’s view, the EOC’s practice is not entirely satisfactory because it is inferior to the consultants’ recommended practice which, if implemented, would provide clear documentation of the initial intake decisions tidily in one place (i.e. the “complaint intake form”). In considering this matter, one should also be mindful of the fact that EOC Board Members were clearly informed of the acceptance and implementation of the consultants’ recommended practice back in 2004.

EOC’s proposal

Looking forward, the EOC now proposes that the front page of the CMS be expanded to record the initial and assignment decisions and the rationale behind them, which would then appear as a single document. Audit welcomes this proposal because it is tantamount to creating an electronic “complaint intake form”. Properly implemented, it would serve the consultants’ recommended purpose.

The Public Accounts Committee may wish to urge the EOC to implement the proposal as soon as possible. The Committee may also wish to urge the EOC to incorporate the proposed arrangement into the Internal Operating Procedures Manual and take measures to ensure compliance in future.

A Chinese translation will be forwarded to you shortly.

Yours sincerely,


(YING Kwok-wing, Joseph)
for Director of Audit

c.c. Secretary for Constitutional and Mainland Affairs
Secretary for Financial Services and the Treasury
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