

**Information Note**  
**for LegCo Members' meeting with The Ombudsman**  
**on 8 December 2009**

**(A) Work of The Ombudsman's Office****(i) For the year 2008/2009**

In the 2008/2009 Reporting Year, the Office received a total of 14,005 enquiries and 5,386 complaints; and 5,701 complaints were concluded. Of these, 72.5% were concluded within three months, 26% were concluded between three to six months and 1.5% took longer than 6 months to conclude.

For easy reference, statistics on complaints and enquiries for the past five years are tabulated below:

	<b>Reporting years</b>				
	04/05	05/06	06/07	07/08	08/09
<b>(A) Enquiries received</b>	11,742	14,633	15,626	12,169	14,005
<b>(B) Complaints received</b>	4,654	4,266	5,606	4,987	5,386[853]
<b>(C) Complaints brought forward</b>	1,088	719	676	942	1,285
<b>(D) Complaints for processing = (B) + (C)</b>	5,742	4,985	6,282	5,929	6,671
<b>(E) Complaints handled and concluded</b>	5,023	4,309	5,340	4,644	5,701[1,225]
<b>By preliminary inquiries</b>	1,873	1,758	1,643	1,938	2,437[224]
<b>By full investigation</b>	125	55	71	38	247[187]
<b>By mediation</b>	6	12	2(6*)	1(3*)	0(0*)
<b>Complaints screened out</b>	1,948	1,113	2,385	1,246	1,108[100]
<b>Complaints not pursued</b>	-	1,371	1,239	1,421	1,909[714]
<b>(F) Percentage of complaints concluded = (E) ÷ (D)</b>	88%	86%	85%	78.3%	85.5%
<b>(G) Total cases carried forward = (D) – (E)</b>	719	676	942	1,285	970
<b>(H) Number of direct investigations completed</b>	5	4	4	4	6
<b>(I) Direct investigation assessment reports produced</b>	6	6	5	2	4

\* *Number of cases attempted for mediation but not accepted by party(ies) concerned.*

[] *Figures represent the number of topical cases (not available before 2008/09).*

Six direct investigations were completed on the following subjects:

1. Effectiveness of the Integrated Call Centre in Handling Complaints
2. Control of Roadside Banners
3. Prevention of Abuse of Special Grants under the CSSA Scheme
4. Government Measures for Street Management
5. Support Services for Students with Specific Learning Difficulties
6. Free Admission Scheme for Leisure Facilities from July to September 2008

Apart from direct investigations, the Office also concluded the following four direct investigation assessments:

1. Procedures for Reporting Breach of the Unsolicited Electronic Messages Ordinance
2. Enforcement Against Unauthorised Extension of Business Areas by Licensed Restaurants
3. Arrangements for Driving Test Routes
4. Privacy Commissioner for Personal Data's Arrangements for Notifying Complainants of Refusal to Investigate

For the year, a total of 153 recommendations were made to improve various aspects of public administration. Of these, 85 were related to complaints and 68 resulted from direct investigations. Practically all of the recommendations were accepted for implementation.

**(ii) For the first seven months (April to October) of 2009/2010**

From April 2009 to October 2009, the Office received a total of 8,304 enquiries and 2,774 complaints.

During the period, five direct investigations have been completed and five are still in progress.

### **Completed**

1. System for Development of Question Papers in Public Examinations
2. Procedure for Processing Chained-transactions Involving Transfer/Retention of Vehicle Registration Marks
3. Housing Department's Handling of Complaints Involving Claims
4. Regulatory System of Lifts
5. Granting of Disability Allowance and Processing of Appeals by Social Welfare Department

### **In progress**

1. Effectiveness of Administration of the Code on Access to Information
2. Procedures for Enforcement of Driving-offence Points System
3. Checking of Eligibility for Subsidised Public Hospitals and Health Services
4. Fire Safety Inspection, Monitoring and Enforcement Procedures of Commercial Premises
5. Management of Non-Emergency Ambulance Transfer Service by Hospital Authority

Meanwhile, two direct investigation assessments have also been completed:

1. Emergency Handling of Patients near Hospital Authority Hospitals
2. Administration of Community Investment and Inclusion Fund

**(B) Addition of Public Organisations to Schedule 1 to The Ombudsman Ordinance**

In November 2006 and November 2007, the Office submitted Parts 1 and 2 of the jurisdictional review of The Ombudsman to the Administration. In response to a recommendation in Part 1 to extend the jurisdiction of The Ombudsman to eight public organisations, the Administration decided to add four of them to Schedule 1 to The Ombudsman Ordinance:

- (i) Auxiliary Medical Service
- (ii) Civil Aid Service
- (iii) Consumer Council
- (iv) Estate Agents Authority

After briefing the relevant LegCo Panel, the Administration on 11 November 2009 tabled proposals for amending Schedule 1.

Upon LegCo's passage of the legislative amendment, the Office anticipates a considerable increase in workload from those additional public organisations with extensive interface with the public: notably Consumer Council and Estate Agents Authority. The Office will monitor developments closely to assess whether or not there is need to seek extra resources to maintain the standard of our services.

**(C) Publicity on The Ombudsman's Powers**

To enhance public understanding on the functions of The Ombudsman, the Office has launched public education activities in November 2009 as follows:

- (i) broadcast of five 15-second film clips on TV and buses from 9 to 26 November 2009, supported by seatback stickers on buses from 30 October to 19 November 2009;
- (ii) publication of eight articles on a free newspaper (*Headline*)

Daily), over eight weeks from mid-November 2009.

Office of The Ombudsman  
November 2009