

The Ombudsman, Hong Kong

POSITIVE
COMPLAINT CULTURE

FOR **BETTER**
ADMINISTRATION

Summary of Annual Report
2021/22

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Complaints and Enquiries

This year, we received 4,934 complaints. After discounting 140 topical complaints, 4,794 were normal cases which represented a slight increase over last year. We also received 8,851 enquiries.

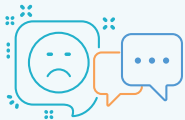
We completed processing 5,032 cases, including those brought forward from last year. Among the cases processed, 2,739 were pursued and concluded and 2,293 were assessed and closed after assessment.

The number of cases pursued and concluded (2,739) was slightly fewer than last year (2,826). Among them, 206 (7.5%) were related to COVID-19, which was similar to 2020/21 (220 or 7.8%). Key matters under complaint in relation to COVID-19 included the granting of subsidies, quarantine arrangements and documents, disruptions to public services, etc. The rest of complaints handled (2,293) were closed after assessment due to insufficient grounds to pursue the complaint (1,171 or 51.1%) or jurisdictional or legal restrictions (1,122 or 48.9%).

2021/22 Highlights



Total Complaints Received
4,934



Normal
4,794



Topical
140



Enquiries Received
8,851



Total Complaints Completed
5,032



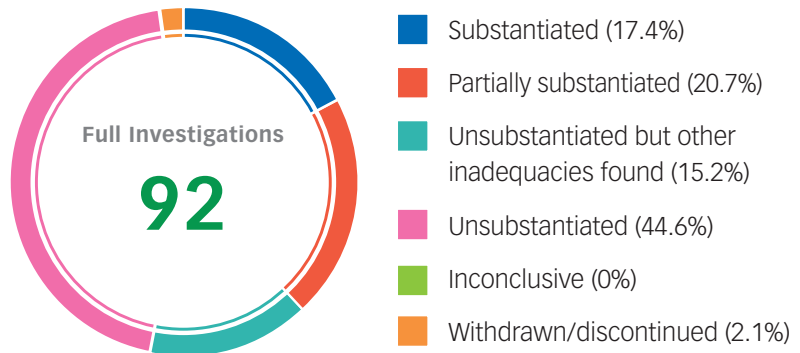
Normal
4,897



Topical
135

Outcome of Investigations and Inquiries

In the year, we conducted 92 full investigations. Maladministration was identified in 49 of such complaints (53.3%) as substantiated, partially substantiated or unsubstantiated but with other inadequacies found. Among the 2,432 inquiry cases concluded, inadequacies were found in 399 (16.4%).



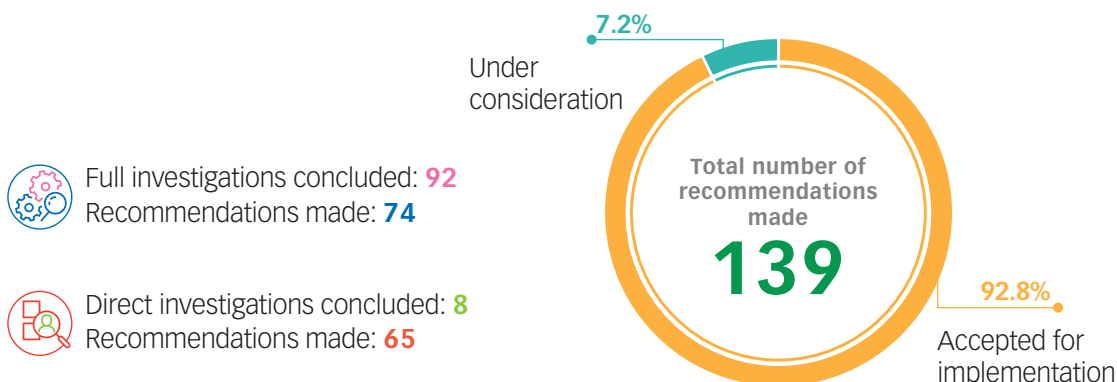
Direct Investigations

During the year we completed eight direct investigations:

OMB/DI/431	Management and Repair of Public Toilets by Food and Environmental Hygiene Department and Architectural Services Department
OMB/DI/438	Regulatory Regime for Lifts and Escalators
OMB/DI/441	Effectiveness of Mosquito Prevention and Control by Food and Environmental Hygiene Department
OMB/DI/443	Government's Arrangements for Engaging Outside Interpretation Services
OMB/DI/445	Regulatory Work on Dog Keepers' Obligations by Agriculture, Fisheries and Conservation Department
OMB/DI/447	Government's Regulation of Boarding Facilities for Foreign Domestic Helpers
OMB/DI/448	Government's Control of Illicit Fuelling Activities
OMB/DI/450	Transport Department's Requirements for Physical Fitness Certification of Driving Licence Applicants/holders

Recommendations

Below are the figures on our investigations conducted and recommendations made in this financial year.



Full investigations concluded: **92**
Recommendations made: **74**



Direct investigations concluded: **8**
Recommendations made: **65**

Achievement of Performance Pledges

Despite the lingering COVID-19 and the special work arrangements in place, we managed to meet all targets of our service standards in processing complaints.

Complaints	Service Standard	Target	Achievement
Acknowledge receipt of a complaint	within 5 working days	99%	99.9%
Close a complaint case after initial assessment due to jurisdictional restrictions	within 10 working days	90%	99%
	within 15 working days	99%	100%
Conclude a complaint case	within 3 months	80%	85%
	within 6 months	99%	99.4%

We were also able to meet the targets of our service standard in handling enquiries.

Enquiries	Service Standard	Target	Achievement
Reply to a written enquiry	Within 5 working days	95%	98.2%
	Within 10 working days	99%	100%

Mediation

We have strived to resolve complaints by way of mediation, despite the intermittent disruptions to normal operation caused by COVID-19-related special work arrangements in the year. We have met with very encouraging feedback and logged altogether 217 mediation cases, of which 215 were successfully mediated. Apart from mediation meetings held in our office and over the telephone, we have also resorted to online mediation meetings for the first time. In the year, it took about 13.4 days on average to conclude a complaint by way of mediation; and over 54% and 92% were resolved within 10 days and less than one month respectively.



Mediation
217 cases

Complaints on Access to Information

During the year, we received a total of 87 complaints about ATI. Among the 93 ATI complaints concluded, inadequacies were found in 30 cases (32%).

	Received	Concluded*
Organisations covered by the Code	74	80
Organisations not covered by the Code	13	13

* Including those carried forward from last year

Reassessment of Cases and Review of Cases

During the year, we re-assessed 326 cases, with 131 cases subsequently re-opened. Moreover, we reviewed 142 cases. Conclusions were upheld for all these cases.

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Spreading Our Message

We adjusted our publicity strategies and modes of communication with the public under the COVID-19 pandemic. Apart from concurrent online and face-to-face communication of our messages, we also conducted a public perception survey, kick-started a revamp of our website and the production of new corporate videos as well as public leaflets to underpin our future publicity work.



During the year, we organised three press conferences and issued two press releases to announce the results of eight direct investigations. We declared the launch of eight direct investigations and invited public views.

We also held 14 engagement sessions to share our mission, scope of work and our experience in complaint handling with staff of different government departments and organisations.

The Presentation Ceremony of the Ombudsman's Awards was held on 4 November 2021. This year's Grand Award went to the Water Supplies Department, whereas the Environmental Protection Department and Housing Department were the runners-up. The Buildings Department won the Organisation Award on Mediation. 64 public officers were presented with the individual awards for their exemplary performance in serving the public.

In April and May 2021, I attended the 33rd Australasian and Pacific Ombudsman Region Members Meeting and the 12th International Ombudsman Institute (IOI) General Assembly, Board Meeting and World Conference online with my colleagues.



We are Up for Challenges

Amid the mounting challenges posed by the COVID-19 pandemic in the year, we stood firmly in our commitment to building a dedicated workforce to serve the public. We continued to progress steadily in nurturing a solid base of home-grown talent and developing a healthy contingent of investigation officers. We strived to maintain a learning and sharing culture by organising an interactive class on presentation skills, experience-sharing workshops on writing skills and handling of judicial review and small claim cases. To keep staff abreast of the best practices and latest trends in complaint handling in different jurisdictions, we arranged staff to join virtual conferences and webinars organised by overseas ombudsman institutes.

We continued to subscribe for our staff to an Employee Wellness Programme, which offered coaching and counselling to our staff to help them achieve personal and professional effectiveness. To echo the theme of our new programme titled "To Thrive in Times of Change", we organised staff wellness workshops when situation permitted, aiming to empower them with energy for positive living and enhance their understanding and utilisation of their character strengths in work and daily life.

	Reporting year ¹				
	17/18	18/19	19/20	20/21	21/22
Enquiries	11,424	10,403	8,581	7,505	8,851
Complaints					
(a) For processing	5,587	5,808	20,737	30,713	5,626
– Received	4,829[68]	4,991[349]	19,767[15,034]	29,814[25,155]	4,934[140]
– Brought forward	758	817	970	899	692
(b) Completed	4,770[61]	4,838[353]	19,838[15,040]	30,021[25,155]	5,032[135]
Pursued and concluded	2,724[52]	2,912[344]	2,807[326]	2,826[249]	2,739[102]
– By inquiry ²	2,292[37]	2,502[326]	2,418[217]	2,480[246]	2,432[102]
– By full investigation ³	195[15]	205[18]	240[109]	167[3]	92
– By mediation ⁴	237	205	149	179	215
Assessed and closed	2,046[9]	1,926[9]	17,031[14,714]	27,195[24,906]	2,293[33]
– Insufficient grounds to pursue ⁵	1,099	1,037[9]	8,676[7,496]	1,295[203]	1,171[6]
– Legally bound ⁶	947[9]	889	8,355[7,218]	25,900[24,703]	1,122[27]
(c) Percentage completed = (b)/(a)	85.4%	83.3%	95.7%	97.7%	89.4%
(d) Carried forward = (a) – (b)	817	970	899	692	594
Direct investigations completed	12	12	10	9	8

Note 1. From 1 April to 31 March of the next year.

Note 2. Pursued under section 11A of The Ombudsman Ordinance, for general cases.

Note 3. Pursued under section 12 of The Ombudsman Ordinance, for complex cases possibly involving serious maladministration, systemic flaws, etc.

Note 4. Pursued under section 11B of The Ombudsman Ordinance, for cases involving no, or only minor, maladministration.

Note 5. Not pursued but closed for reasons such as lack of *prima facie* evidence, organisation concerned is taking action, mere expression of opinion.

Note 6. Outside the Office's jurisdiction or restricted by The Ombudsman Ordinance.

[] Number of topical complaints.

– See "Glossary of Terms" in Chapter 1 for detailed definitions of the above terms.

