

Head 114 — OFFICE OF THE OMBUDSMAN

Controlling officer: The Ombudsman will account for expenditure under this Head.

Estimate 2007–08	\$81.6m
Commitment balance	\$0.1m

Controlling Officer's Report

Programme

Complaints Administration

This programme contributes to Policy Area 30: Complaints Against Maladministration (The Ombudsman).

Detail

	2005–06 (Actual)	2006–07 (Original)	2006–07 (Revised)	2007–08 (Estimate)
Financial provision (\$m)	81.4	81.3	81.3 (—)	81.6 (+0.4%)
				(or +0.4% on 2006–07 Original)

Aim

2 The aim is to redress grievances and address issues arising from maladministration in the public sector and to bring about improvements in the quality and standard of and promote fairness in the public administration, through independent and impartial investigations.

Brief Description

3 The Ombudsman is directly responsible to the Chief Executive for resolving any complaints of maladministration lodged by the public with her through informal resolution, investigations, mediation and other forms of assistance. The Office generally met its objectives and targets in 2006.

4 The key performance measures in respect of complaints administration are:

Targets

The performance of the Office of The Ombudsman can be measured by the extent of public awareness and acceptance of the Office, the thoroughness of investigations, the efficiency with which complaints are resolved, and the degree of acceptance and recognition of the effectiveness of recommendations made for the redress of grievances.

Indicators

Key indicators of performance are the number of complaint cases and enquiries received; the number of complaint cases investigated or resolved through alternative resolution methods which include rendering clarification and assistance, referral under the Internal Complaint Handling Programme (INCH) and mediation; the number of direct investigations completed; and the number of recommendations accepted by the Administration either directly or after discussion in the legislature. The reporting year of the Office ends on 31 March. The performance figures for the last three reporting years are:

	<i>Reporting Year</i>		
	2003–04 (Actual)	2004–05 (Actual)	2005–06 (Actual)
enquiries received	12 552	11 742	14 633
complaints received	4 661	4 654	4 266
complaints carried forward from the previous reporting year	772	1 088	719
total cases of complaints for processing	5 433	5 742	4 985
complaints investigated			
substantiated	14	31	13
partially substantiated	24	46	14
unsubstantiated	236	45	26
incapable of determination	1	—	—
substantiated other than alleged#	3	3	—
withdrawn/discontinued	6	—	2

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	<i>Reporting Year</i>		
	2003–04 (Actual)	2004–05 (Actual)	2005–06 (Actual)
complaints concluded after rendering clarification and assistance	1 631	1 664	1 573
complaints concluded after referral under INCH programme	203	209	185
complaints concluded after mediation	7	6	12
complaints not investigated			
restriction on investigation	1 259	1 132	351
outside jurisdiction	633	816	762
withdrawn/discontinued	328	1 071	284
not undertaken@	—	—	1 087
total no. of cases concluded			
cases	4 345	5 023	4 309
percentage over the total no. of cases for processing	80	88	86
cases carried forward to the next reporting year	1 088	719	676
no. of direct investigations completed	5	5	4
no. of recommendations made	209	270	110
no. of recommendations accepted	197	263	104

The indicator is to reflect the number of complaints in which The Ombudsman finds the allegations to be unsubstantiated but, in the course of investigation, discovers other aspects of significant maladministration.

@ A new indicator is introduced to reflect the number of complaints which The Ombudsman has decided not to pursue further after considering all their circumstances, including whether there is sufficient prima facie evidence of maladministration and whether the organisations concerned are taking action on the matter.

Matters Requiring Special Attention in 2007–08

5 During 2007–08, the Office will continue to:

- monitor the administrative actions of the public sector and institute direct investigations;
- encourage the use of mediation to settle complaints involving no or minor maladministration;
- develop community programmes to arouse public awareness and understanding of the work of the Office;
- enhance professionalism and the quality of complaint management in the Office and the public sector; and
- strengthen relationship with other ombudsman jurisdictions and kindred institutions through liaison and exchange programmes.

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ANALYSIS OF FINANCIAL PROVISION

Programme	2005-06 (Actual) (\$m)	2006-07 (Original) (\$m)	2006-07 (Revised) (\$m)	2007-08 (Estimate) (\$m)
Complaints Administration	81.4	81.3	81.3 (—)	81.6 (+0.4%)
				(or +0.4% on 2006-07 Original)

Analysis of Financial and Staffing Provision

Provision for 2007-08 is \$0.3 million (0.4%) higher than the revised estimate for 2006-07. This is mainly due to the additional provision for operating expenses and adjusted cash flow requirement for the exchange development scheme with the Mainland.

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Sub-head (Code)	Actual expenditure 2005-06	Approved estimate 2006-07	Revised estimate 2006-07	Estimate 2007-08	
	\$'000	\$'000	\$'000	\$'000	
Operating Account					
Recurrent					
000	Operational expenses.....	81,222	81,222	81,222	81,572
	Total, Recurrent	<u>81,222</u>	<u>81,222</u>	<u>81,222</u>	<u>81,572</u>
Non-Recurrent					
700	General non-recurrent.....	200	30	30	40
	Total, Non-Recurrent	<u>200</u>	<u>30</u>	<u>30</u>	<u>40</u>
	Total, Operating Account.....	81,422	81,252	81,252	81,612
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	Total Expenditure.....	<u>81,422</u>	<u>81,252</u>	<u>81,252</u>	<u>81,612</u>

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Details of Expenditure by Subhead

The estimate of the amount required in 2007–08 for the salaries and expenses of the Office of The Ombudsman is \$81,612,000. This represents an increase of \$360,000 over the revised estimate for 2006–07 and of \$190,000 over actual expenditure in 2005–06.

Operating Account

Recurrent

2 Provision of \$81,572,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of the Office of The Ombudsman.

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Commitments

Sub- head (Code)	Item (Code)	Ambit	Approved commitment	Accumulated expenditure to 31.3.2006	Revised estimated expenditure for 2006-07	Balance
			\$'000	\$'000	\$'000	\$'000
<i>Operating Account</i>						
700		<i>General non-recurrent</i>				
	002	Exchange development scheme with the Mainland.....	1,800	1,689	30	81
		Total.....	1,800	1,689	30	81