

## Head 114 — OFFICE OF THE OMBUDSMAN

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

Estimate 2011–12.....	<b>\$89.4m</b>
Commitment balance .....	<b>\$0.4m</b>

### Controlling Officer's Report

#### Programme

##### Complaints Administration

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

#### Detail

	2009–10 (Actual)	2010–11 (Original)	2010–11 (Revised)	<b>2011–12 (Estimate)</b>
Financial provision (\$m)	90.0	88.5	89.1 (+0.7%)	<b>89.4</b> (+0.3%)

(or +1.0% on  
2010–11 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 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 him through informal resolution, investigations, mediation and other forms of assistance. The Office of The Ombudsman generally met its objectives and targets in 2010.

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>		
	2007-08 (Actual)	2008–09 (Actual)	2009–10 (Actual)
enquiries received .....	12 169	14 005	13 789
complaints received .....	4 987	5 386	4 803
complaints carried forward from the previous reporting year .....	942	1 285	970
re-opened cases@ .....	—	—	96
total no. of complaints for processing .....	5 929	6 671	5 869
complaints investigated			
substantiated.....	9	21	32
partially substantiated .....	13	171	38
unsubstantiated.....	14	20	51

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	<i>Reporting Year</i>		
	2007-08 (Actual)	2008-09 (Actual)	2009-10 (Actual)
inconclusive^ .....	—	—	—
substantiated other than alleged .....	1	34	5
withdrawn/discontinued .....	1	1	—
complaints concluded after rendering clarification and assistance .....	1 857	2 289	1 850
complaints concluded after referral under INCH programme .....	81	148	236
complaints concluded after mediation.....	1	—	3
complaints attempted for mediation but not accepted by party(ies) concerned .....	3	—	1
complaints not investigated			
restriction on investigation.....	375	477	418
outside jurisdiction.....	871	631	696
withdrawn/discontinued .....	593	355	289
not undertaken.....	828	1 554	1 157
total no. of complaints concluded			
complaints.....	4 644	5 701	4 775
percentage over the total no. of complaints for processing (%).....	78	86	81
complaints carried forward to the next reporting year .....	1 285	970	1 094
no. of direct investigations completed.....	4	6	7
no. of recommendations made .....	103	153	203
no. of recommendations accepted.....	98	118	195

@ Including cases which had been closed for being unpursuable in previous year but subsequently became pursuable and re-opened for inquiry in current year and cases reviewed by full investigation.

^ Previously “incapable of determination”.

### *Matters Requiring Special Attention in 2011–12*

**5** During 2011–12, 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

<b>Programme</b>	<b>2009–10 (Actual) (\$m)</b>	<b>2010–11 (Original) (\$m)</b>	<b>2010–11 (Revised) (\$m)</b>	<b>2011–12 (Estimate) (\$m)</b>
Complaints Administration.....	90.0	88.5	89.1 (+0.7%)	<b>89.4</b> <b>(+0.3%)</b>
				<b>(or +1.0% on 2010–11 Original)</b>

#### Analysis of Financial and Staffing Provision

Provision for 2011–12 is \$0.3 million (0.3%) higher than the revised estimate for 2010–11. This is mainly due to salary adjustment in line with the 2010 civil service pay rise.

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Sub-head (Code)	Actual expenditure 2009–10	Approved estimate 2010–11	Revised estimate 2010–11	<b>Estimate 2011–12</b>	
	\$'000	\$'000	\$'000	<b>\$'000</b>	
<b>Operating Account</b>					
Recurrent					
000	Operational expenses.....	89,979	88,457	89,086	<b>89,316</b>
	Total, Recurrent .....	<u>89,979</u>	<u>88,457</u>	<u>89,086</u>	<u><b>89,316</b></u>
Non-Recurrent					
700	General non-recurrent .....	11	30	30	<b>75</b>
	Total, Non-Recurrent .....	<u>11</u>	<u>30</u>	<u>30</u>	<u><b>75</b></u>
	Total, Operating Account.....	89,990	88,487	89,116	<b>89,391</b>
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	Total Expenditure .....	<u><u>89,990</u></u>	<u><u>88,487</u></u>	<u><u>89,116</u></u>	<u><u><b>89,391</b></u></u>

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### Details of Expenditure by Subhead

The estimate of the amount required in 2011–12 for the salaries and expenses of the Office of The Ombudsman is \$89,391,000. This represents an increase of \$275,000 over the revised estimate for 2010–11 and a decrease of \$599,000 against actual expenditure in 2009–10.

#### *Operating Account*

#### Recurrent

**2** Provision of \$89,316,000 under *Subhead 000 Operational expenses* is for the payment of subvention to the Office of The Ombudsman to cover its salaries, allowances and other operating expenses.

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**Commitments**

Sub-head (Code)	Item (Code)	Ambit	Approved commitment	Accumulated expenditure to 31.3.2010	Revised estimated expenditure for 2010–11	Balance
			\$'000	\$'000	\$'000	\$'000
<b><i>Operating Account</i></b>						
700		<i>General non-recurrent</i>				
	002	Exchange development scheme with the Mainland .....	2,225	1,770	30	425
		Total .....	<u>2,225</u>	<u>1,770</u>	<u>30</u>	<u>425</u>