

## Head 114 — OFFICE OF THE OMBUDSMAN

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

Estimate 2003–04 .....	<b>\$93.9m</b>
Capital Account commitment balance .....	<b>\$1.0m</b>

### Controlling Officer's Report

#### Programme

##### Complaints Administration

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

#### Detail

	2001–02 (Actual)	2002–03 (Approved)	2002–03 (Revised)	<b>2003–04 (Estimate)</b>
Financial provision (\$m)	109.2	99.1 (–9.2%)	103.3 (+4.2%)	<b>93.9 (–9.1%)</b>

#### 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 2002.

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>		
	1999–2000 (Actual)	2000–01 (Actual)	2001–02 (Actual)
enquiries received.....	9 323	11 821	12 900
complaints received.....	3 101	3 709	3 736
complaints carried forward from the previous reporting year	891	581	814
total cases of complaints for disposal .....	3 992	4 290	4 550
complaints investigated			
substantiated.....	22	28	18
partially substantiated.....	100	41	263
unsubstantiated .....	61	80	42
incapable of determination .....	—	12	2
withdrawn/discontinued.....	11	—	6
complaints concluded after rendering clarification and assistance .....	969	700	1 214
complaints concluded after referral under INCH programme .	467	364	353

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	<i>Reporting Year</i>		
	1999–2000 (Actual)	2000–01 (Actual)	2001–02 (Actual)
complaints concluded after mediation .....	10	29	19
complaints not investigated			
restriction on investigation .....	592	795	685
outside jurisdiction .....	825	1 064	878
withdrawn/discontinued.....	354	363	310
total cases concluded			
no. of cases .....	3 411	3 476	3 790
% over the total cases for processing .....	85	81	83
cases carried forward to the next reporting year.....	581	814	760
number of direct investigations completed.....	3	5	4
recommendations made and accepted .....	135	185	236

### *Matters Requiring Special Attention in 2003–04*

5 During 2003–04, the Office will:

- 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;
- strengthen relationship with other ombudsman jurisdictions and kindred institutions through liaison and exchange programmes; and
- continue to replace civil servants working in the Office with contract staff employed under the Office's terms and conditions of service.

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### ANALYSIS OF FINANCIAL PROVISION

<b>Programme</b>	2001-02 (Actual) (\$m)	2002-03 (Approved) (\$m)	2002-03 (Revised) (\$m)	<b>2003-04 (Estimate) (\$m)</b>
Complaints Administration .....	109.2	99.1 (-9.2%)	103.3 (+4.2%)	<b>93.9 (-9.1%)</b>

#### Analysis of Financial and Staffing Provision

Provision for 2003-04 is \$9.4 million (9.1%) lower than the revised estimate for 2002-03. This is mainly due to the clawing back of the staff cost for civil servants on pre-retirement leave and leave before posting out from the Office for 2002-03 and of rental charges and management fees for the Office before moving to its permanent accommodation in 2002-03.

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Sub-head (Code)	Actual expenditure 2001-02	Approved estimate 2002-03	Revised estimate 2002-03	<b>Estimate 2003-04</b>	
	\$'000	\$'000	\$'000	<b>\$'000</b>	
<b>Recurrent Account</b>					
000	Operational expenses.....	—	—	—	<b>93,369</b>
	Salaries and allowances for staff and general expenses of the Office of The Ombudsman ...	108,351	97,755	102,454	—
	Total, Recurrent Account .....	108,351	97,755	102,454	<b>93,369</b>
<b>Capital Account</b>					
II — Other Non-Recurrent					
	General other non-recurrent .....	812	—	—	—
	Total, Other Non-Recurrent .....	812	—	—	—
III — Subventions					
862	Office of The Ombudsman .....	—	1,329	820	<b>492</b>
	Total, Subventions .....	—	1,329	820	<b>492</b>
	Total, Capital Account .....	812	1,329	820	<b>492</b>
	Total Expenditure.....	109,163	99,084	103,274	<b>93,861</b>

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### Details of Expenditure by Subhead

The estimate of the amount required in 2003–04 for the salaries and general expenses of the Office of The Ombudsman is \$93,861,000. This represents a decrease of \$9,413,000 against the revised estimate for 2002–03 and of \$15,302,000 against actual expenditure in 2001–02.

#### *Recurrent Account*

2 Provision of \$93,369,000 under *Subhead 000 Operational expenses* is for the salaries and allowances of staff of the Office of The Ombudsman and its other operating expenses. The decrease of \$9,085,000 (8.9%) against the revised estimate for 2002–03 is mainly due to the clawing back of staff cost for civil servants on pre-retirement leave and leave before posting out from the Office for 2002–03 and of rental charges and management fees for the Office before moving to its permanent accommodation in 2002–03.

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**Capital Account**

**Commitments**

Sub-head (Code)	Item (Code)	Ambit	Approved commitment	Accumulated expenditure to 31.3.2002	Revised estimated expenditure for 2002-03	Balance
			\$'000	\$'000	\$'000	\$'000
862		<i>Office of The Ombudsman</i>				
	002	Exchange development scheme with the Mainland.....	1,800	779	350	671
	007	Recruitment upon delinking .....	960	198	470	292
		Total.....	<u>2,760</u>	<u>977</u>	<u>820</u>	<u>963</u>