

## Head 114 — OFFICE OF THE OMBUDSMAN

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

<b>Estimate 2012–13</b> .....	<b>\$94.7m</b>
<b>Commitment balance</b> .....	<b>\$0.4m</b>

### Controlling Officer's Report

#### Programme

##### Complaints Administration

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

#### Detail

	2010–11 (Actual)	2011–12 (Original)	2011–12 (Revised)	2012–13 (Estimate)
Financial provision (\$m)	89.1	89.4	94.2 (+5.4%)	94.7 (+0.5%)
				(or +5.9% on 2011–12 Original)

#### Aim

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

#### 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 inquiries, investigations, mediation and other forms of assistance. The Office generally met its objectives and targets in 2011.

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 inquiries 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:

	Reporting Year		
	2008–09 (Actual)	2009–10 (Actual)	2010–11 (Actual)
enquiries received .....	14 005	13 789	12 227
complaints received .....	5 386	4 803	5 339
complaints carried forward from the previous reporting year@ .....	1 285	1 066	1 128
total no. of complaints for processing.....	6 671	5 869	6 467
complaints concluded by full investigationΩ			
substantiated .....	21	32	26
partially substantiated .....	171	38	19
unsubstantiated .....	20	51	106
inconclusive^ .....	—	—	1
substantiated other than alleged .....	34	5	3
withdrawn/discontinued .....	1	—	—

## Head 114 — OFFICE OF THE OMBUDSMAN

	2008–09 (Actual)	<i>Reporting Year</i> 2009–10 (Actual)	2010–11 (Actual)
complaints concluded by inquiry# .....	2 437	2 086	<b>2 894</b>
complaints concluded by mediationφ .....	—	3	<b>7</b>
complaints attempted for mediation but not accepted by party(ies) concerned .....	—	1	—
complaints non-pursuable§ .....	3 017	2 560	<b>2 381</b>
total no. of complaints processedΔ .....	5 701	4 775	<b>5 437</b>
percentage over the total no. of complaints for processing (%).....	86	81	<b>84</b>
complaints carried forward to the next reporting year .....	970	1 094	<b>1 030</b>
no. of direct investigations completed .....	6	7	<b>6</b>
no. of recommendations made .....	153	203	<b>182</b>
no. of recommendations accepted .....	118	195	<b>161</b>

@ Including reopened cases, i.e. cases which had been closed for being unpursuable in previous year but subsequently became pursuable and re-opened for inquiry in current year.

Ω Previously “complaints investigated”.

^ Previously “incapable of determination”.

# Previously “cases concluded after rendering clarification and assistance and referral under the Internal Complaint Handling Programme (INCH) programme”.

φ Previously “complaints concluded after mediation”.

§ Previously “complaints not investigated”.

Δ Previously “total no. of complaints concluded”.

### ***Matters Requiring Special Attention in 2012–13***

**5** During 2012–13, 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.

## Head 114 — OFFICE OF THE OMBUDSMAN

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### ANALYSIS OF FINANCIAL PROVISION

Programme	2010–11 (Actual) (\$m)	2011–12 (Original) (\$m)	2011–12 (Revised) (\$m)	2012–13 (Estimate) (\$m)
Complaints Administration .....	89.1	89.4	94.2 (+5.4%)	94.7 (+0.5%)
				(or +5.9% on 2011–12 Original)

### Analysis of Financial and Staffing Provision

Provision for 2012–13 is \$0.5 million (0.5%) higher than the revised estimate for 2011–12. This is mainly due to salary adjustment in line with the 2011 civil service pay rise.

## Head 114 — OFFICE OF THE OMBUDSMAN

Sub-head (Code)		Actual expenditure 2010–11	Approved estimate 2011–12	Revised estimate 2011–12	<b>Estimate 2012–13</b>
		\$'000	\$'000	\$'000	<b>\$'000</b>
<b>Operating Account</b>					
	Recurrent				
000	Operational expenses .....	89,086	89,316	94,089	<b>94,555</b>
	Total, Recurrent .....	89,086	89,316	94,089	<b>94,555</b>
	Non-Recurrent				
700	General non-recurrent .....	30	75	75	<b>100</b>
	Total, Non-Recurrent .....	30	75	75	<b>100</b>
	Total, Operating Account .....	89,116	89,391	94,164	<b>94,655</b>
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	Total Expenditure .....	89,116	89,391	94,164	<b>94,655</b>

## Head 114 — OFFICE OF THE OMBUDSMAN

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### Details of Expenditure by Subhead

The estimate of the amount required in 2012–13 for the salaries and expenses of the Office of The Ombudsman is \$94,655,000. This represents an increase of \$491,000 over the revised estimate for 2011–12 and of \$5,539,000 over actual expenditure in 2010–11.

#### *Operating Account*

#### Recurrent

**2** Provision of \$94,555,000 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.

## Head 114 — OFFICE OF THE OMBUDSMAN

### Commitments

Sub-head (Code)	Item (Code)	Ambit	Approved commitment	Accumulated expenditure to 31.3.2011	Revised estimated expenditure for 2011–12	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	1,800	75	350
		Total .....	2,225	1,800	75	350