Serving the Community
By Improving Customer Service

A Guide to Complaints Handling and Public Enquiries

August 2009
**Vision Statement**
To be the preferred consulting partner for all government bureaux and departments and to advance the delivery of world-class public services to the people of Hong Kong.

**Mission Statement**
To provide strategic and implementable solutions to all our clients as they seek to deliver people-based government services. We do this by combining our extensive understanding of policies, our specialised knowledge and our broad contacts and linkages throughout the Government and the private sector. In doing this, we join our clients in contributing to the advancement of the community while also providing a fulfilling career for all members of our team.
Handling complaints well is a mark of good government. Doing so depends not just on well trained frontline staff but on the commitment, understanding and attention of the heads of bureaux and departments and all levels in between.

Good complaints handling does not mean acceding to every request, but it does demand listening, understanding, explaining and helping wherever possible. We must address all complaints in a fair and professional manner, and communicate the outcomes honestly and expeditiously.

This guide is a first attempt to provide comprehensive advice to all departments about complaints and public enquiries handling. I trust that it will evolve as experience is shared between staff and as we learn from the public that we serve.

It is unrealistic to think we can avoid complaints. Rather, we should welcome complaints, rectify what can be rectified, and learn how to explain our policies, objectives and services better.

Henry Tang
Chief Secretary for Administration
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47 ANNEX – TEMPLATE TO PUBLICISE COMPLAINTS HANDLING MECHANISMS
If you read nothing else, read this page:

- A complaint is an opportunity to improve and a lesson for reference.
- Complaints handling is fact finding to establish the truth, being fair to all complainants and staff.
- Senior management commitment is essential to guide and support frontline staff.
- Staff handling complaints should view matters from the complainant’s perspective, without being defensive.
- When a complaint crosses departmental lines of responsibility, we should solve the problem first and sort out the bureaucracy later. There are many different departments but all are the one government.
- Value for money and effectiveness should always be kept in mind.
- The maintenance of accurate and retrievable records is fundamental to analysis and lesson learning.
- Departments remain accountable even for outsourced services.
- Positive complaints management is an integral part of quality service and good governance.

KEY QUOTE

“This guide includes not only good practices for handling complaints but also principles for good government, steering staff towards positive service culture. It is quite a comprehensive document.”

Helen Yu, Deputy Ombudsman
An effective complaints handling system is fundamental to delivering quality public services. In his 2008-09 Policy Address, the Chief Executive made a strong commitment to improving the Government’s complaints handling mechanism. Heads of Departments were requested to review their existing systems and to implement measures to improve their complaints handling. This guide is intended to assist staff at all levels of government as they work to deliver these improvements.

“While we have kept on improving the quality of public services, there have been occasions when we might not have met people’s expectations. We must remain humble at all times and be open to suggestions for improvement. To ensure that public services move with the times and respond quickly to citizens’ needs, I have asked Heads of Departments to review the implementation of their performance pledges and to improve their complaint handling mechanisms in the coming year.”

The Chief Executive’s Policy Address 2008-09 (paragraph 120)

The importance of effective complaints handling

Citizens have become increasingly aware of their rights and the responsibilities of departments. They now expect all departments to address their concerns promptly and effectively. In the 2008 Accenture Citizen Experience Study1, those surveyed in Hong Kong believed that “taking prompt and effective action to resolve problems or difficulties that citizens experience with public services” was one of the most important attributes of effective government. However, only 16% of the respondents were satisfied with the Government’s performance in this area. Similarly, in the 2008 Opinion Survey on Public Service Delivery2, citizens gave the lowest average rating (4.7 out of 10) to the statement that “Government responds quickly when receiving public enquiries, complaints and applications”. They awarded the private sector a higher score (5.8 out of 10).

Effective complaints handling is crucial to delivering quality public service to the community. The Efficiency Unit’s Public Sector Reform Report on Complaints Handling3 describes good complaints handling as about “seeking continuous improvement, using feedback and lessons learnt to improve service design and delivery”. Effective complaints handling not only translates into enhanced service to the public and greater efficiency, but also leads to improved staff morale and enhanced departmental reputation. In addition, if the public have confidence that the Administration’s complaints handling system is effective, they will be encouraged to contact the Government to seek practical resolutions to their issues and concerns, rather than simply contacting third parties to vent their frustration. In brief, it promotes people’s confidence and trust in Government services.

1 This study was conducted by the Accenture Institute for Public Service Value in June to August 2008 to measure citizens’ perceptions of government in 13 jurisdictions (http://www.accenture.com/citizenexperience/hongkong).
2 This survey was conducted in October 2008 by the Center for Communication Research of the Chinese University of Hong Kong.
3 This report was issued in January 2009 to highlight some of the guidelines and up-to-date best practices in complaints handling being followed around the world (http://www.eu.gov.hk/english/publication/pub_bp/files/complaintshandling_final.pdf).
Although extra effort may be required initially to improve the quality of complaints handling, it may result in reduction of a department’s workload in the long run. By reviewing the complaints received, a department can identify common and systemic improvement areas and reduce the frequency of similar complaints in the future. Of course, it may be that improvement in the complaints handling regime increase the public’s confidence and trust in the system, which may generate more complaints being made in the short term. This should still be seen as a good thing.

Handling public enquiries well is equally important
There are many obvious similarities and synergies between departments’ complaints handling and public enquiry regimes. Indeed, the same frontline staff often deal with both topics. Departments are encouraged to consider both topics when examining improvement opportunities.

The purpose of this guide
This guide offers practical advice to staff at every level of the Government on how to handle complaints and enquiries effectively and provide quality services to the public. For the general procedures, departments should always follow the relevant circulars, including General Circular No. 6/2009 on Complaints Handling Mechanism.

This guide should not be treated as a strait-jacket. It does not set out to recommend a “one-size-fits-all” approach. Given the uniqueness of each department’s operations, customers’ needs and its agreements with service providers, different considerations, systems and procedures will be applicable. Each department should establish a complaints and enquiries handling regime that best suits its needs and those of its customers.

This guide contains paraphrasing of legislation such as the Personal Data (Privacy) Ordinance (Cap 486). Departments are advised to make reference to the original legislation and/or consult the Department of Justice as appropriate.

Colleagues are encouraged to read this guide carefully and take note of the golden rules section at the start of each chapter, which clearly sets out the roles and responsibilities for senior management, middle management and frontline staff in the complaints handling process.

Definitions
All departments should use the same definition and approach to recording complaints. Otherwise, it will never be possible to answer a simple question such as “how many complaints did the Government receive last year?” For further guidelines on recording complaints consistently, see Chapter 2c and Chapter 6a.

For the purposes of this guide, a “complaint” is defined as an expression of dissatisfaction by the public with bureaux/departmental policy or services, the way in which a policy is implemented or service is delivered, including staff attitude, irrespective of the complaint channel used. It excludes statutory appeals, objections or petitions to the Chief Executive, staff complaints, complaints about crime and corruption and complaints subject to statutory procedures.

There may be times when it is difficult to differentiate between a complaint, a suggestion and a request for service improvement. Where appropriate, staff may try to clarify with the “complainant” direct during the initial contact.

“Staff” refers to everyone involved in handling complaints on behalf of the Government, including civil servants, Non-Civil Service Contract (NCSC) staff and other service providers.
“Department” refers to all types of Government organisations such as bureaux, departments and agencies.

**Acknowledgement**

During the preparation of this guide, colleagues in many different departments and at different levels were interviewed. We were impressed with the understanding, commitment, enthusiasm and professionalism of many of the officers concerned, as demonstrated by the following quotes selected from the interviews:

- “Complaints provide learning opportunities and drive service improvement.”
- “We [different departments] are one team together, representing the government as a whole.”
- “Complaints handling is not merely about answering telephone calls, it is a profession centred on helping customers.”
- “Even if the customer has only a tiny bit of dissatisfaction, we should still take the complaint seriously.”
- “Complaints handling is about explaining the rationale of the decision and showing our empathy.”
- “We serve customers from our heart.”
- “We are here to help our customers.”

We hope that this guide will help departments and their staff to build on this obvious desire to serve the community to the best of their ability.
CHAPTER 1
AN EFFECTIVE COMPLAINTS HANDLING SYSTEM

1a) Guiding principles
1b) Essential features of a good complaints handling system
1c) Building an effective complaints handling system
1a) Guiding principles

Commitment from Senior Management is Essential

An effective complaints handling system requires commitment from officials at the highest level in each department. Senior management need to set an example by demonstrating a clear commitment to effective complaints handling. Officers entrusted with complaint investigations should be empowered by senior management to have access to witnesses and documents.

Complaints Handling is Fundamental to Better Public Service

The importance of effective complaints handling cannot be overestimated. The Government is always striving to improve its service to the public; complaints handling goes to the heart of this. Effective complaints handling should directly translate into better government.

A Complaint is an Opportunity

Complaints are a valuable opportunity to obtain feedback from the community and identify the need for service and policy improvement. The public should experience the same positive attitude to complaints handling across all Government departments.

Put Yourselves in the Shoes of the Complainant

When handling complaints, staff should always try to view the situation from the perspective of the complainant. This will improve the quality of the response and is more likely to result in a satisfactory outcome for both the Government and the complainant.

Take Ownership: Don’t Pass the Buck

Staff need to take ownership of complaints. When a complaint crosses different departments, departments/staff should not simply try to pass on responsibility. The public often will not recognise distinctions between departments’ responsibilities; they just want their concern addressed.

KEY QUOTE

“Your department is not an isolated unit. You are all one government, serving the public. Solve the problem first; then resolve internal bureaucracy.”

Helen Yu, Deputy Ombudsman

KEY QUOTE

“In handling complaints, I always remind myself of the following: I need to think in the position of the complainant, listen patiently and analyse carefully; I ought to respond positively, be sincere and friendly, be neither arrogant nor overmodest, and be sensitive but rational.”

LAM Siu-kay, Junkers, Senior Building Surveyor/Special Task, Buildings Department
A winner of “The Ombudsman’s Awards 2008 for Officers of Public Organisations”

1b) Essential features of a good complaints handling system

A good complaints handling system should be:

**Led from the top**

- Senior management should ensure that:
  - They demonstrate their commitment to an effective complaints handling system and take an active interest in the process at every level of their department.
  - All staff handling complaints have the appropriate skills, training, systems and support necessary to do their job effectively.
  - There are clear guidelines setting out the department’s complaints handling policy, procedures and performance standards for staff to follow.
  - Apart from the departmental staff, service providers (including contractors, Non-governmental Organisations (NGOs), etc.) also fully understand the department’s complaints handling procedures and that, where appropriate, they are required to comply with them in much the same way that the department’s own staff do. The attention of service providers should be drawn to the need to comply with the provisions of the Personal Data (Privacy) Ordinance (Cap 486).
  - They have an effective system to review the content of complaints received, rather than just the statistics. Otherwise, they will not be able to identify where the Government can improve its services.

**Easy to access**

- Complaint channels should be clearly advertised to both the public and staff. Notices of complaint channels should be prominently displayed at all suitable locations, including those where there is frequent contact with the public. Consideration should be given to the needs of the visually impaired and ethnic minority groups.
- Complainants should be able to complain in either English or Chinese and to lodge their complaints in person, by telephone, fax, email or letter.
- The public should be able to lodge complaints outside of normal office hours, e.g. through electronic channels and voice mails.
- Departments should be alert to the possible need to make new channels available, e.g. Short Message Service (SMS).

**Fair**

- Both complainants and staff, including those handling complaints or being complained against, should be treated with due respect and fairly in both form and substance. Appropriate treatment/assistance should be provided to people with disabilities, the elderly, ethnic minority groups, etc.
- All complaints should be judged objectively on the facts and merits of the case. Judgements should not be prejudiced by the channel or location where complainants lodge the complaint, or by the status of the complainants. Every genuine complaint should be taken seriously.
- All complainants should be given the opportunity for their case to be reviewed.

**Timely**

- Clear time frames should be set and adhered to for each part of the complaints handling process.
- Timescales should be as short as practicable for proper investigation of complaints.
- If more time is needed for a complaint to be investigated, then the complainant should be informed of the delay and the reason for it.
- Time is of the essence for certain types of complaints. In these cases departments should respond in a very timely manner to ensure the rights of complainants are not jeopardised.

**Well documented**

- Every complaint should be recorded, and the process of investigation monitored. Complaints statistics should be maintained, readily retrieved, and capable of being analysed.

**Transparent**

- Complainants should be informed of the reasons why the conclusion/outcome was reached.
- Statistical information on complaints handling outcomes and trends should be published on a regular basis.

**Straightforward**

- Complaints handling procedures should not be cumbersome. Priority should be given to addressing concerns at the initial point of contact.
• If a complaint is cross-departmental, staff should take ownership and find the quickest way to address the concern first – sorting out the internal responsibilities later.

Receptive
• Staff should respect and understand the reasons behind every complaint.
• Every complaint should be approached with a positive attitude and staff should ensure that complainants feel they are being listened to and that their views are valued.
• Staff should not try to stop a complaint being made. No indication should be given that a complainant's future dealings with the department/Government will be adversely affected because he/she wants to make a complaint.
• Responses should be in plain language, avoiding jargon, and as far as possible in the same language in which the complaint was lodged. A frank apology should be offered if warranted.

Confidential
• Complaints should be handled in accordance with the Personal Data (Privacy) Ordinance (Cap 486) and advice offered by the Office of the Privacy Commissioner for Personal Data.
• Information should be available to staff on a need-to-know basis. Only those staff who need the information to investigate and respond to a complaint should have access to the particulars of the complainant. This applies equally to service providers and their staff.
• Information gathered during a complaint investigation should only be used for internal purposes to resolve/respond to the complaint and to implement any service delivery improvement arising from it. Personal or confidential information about individual cases should not be made public.

Effective
• Complaints should result in strategy, service delivery and policy reviews and improvements, where appropriate.
• Make sure that email channels are answered. Do not offer an email “contact us” channel that no one in the department monitors and actions.

1c) Building an effective complaints handling system

Commitment from senior management
Without strong commitment and “buy-in” from senior management, a department's complaints handling system will never be truly effective.

Senior management should take a leading role in cultivating a positive complaints handling culture within their department. They need to ensure that their staff appreciate the value of an effective complaints handling system in delivering service improvements to the public. Staff also need to understand the importance of the public’s right to complain and be informed about the outcomes. In addition, they need to ensure that staff handling complaints receive necessary training and support and have sufficient levels of delegated authority to make decisions.

Departmental guidelines should be drawn up to spell out clearly the department’s policy, procedures and performance standards on complaints handling. For large departments, guidelines may be tailored to suit the needs of individual offices.

Each department should have a designated Complaints Liaison Officer, preferably at directorate level. Some large departments may also need to appoint regional/district Complaints Liaison Officers. Alternatively, some departments may wish to appoint Complaints Liaison Officers on a subject matter basis. These officers should be given the authority to allocate complaints within the department/region/district/subject area for follow-up action.

Identifying gaps
The checklist below, though not exhaustive, is designed to help departments to conduct a quick self-assessment of their existing systems and procedures. Senior management may consider each question and decide if the answer is “yes”, “no” or “partially”.

### LED FROM THE TOP

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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<tbody>
<tr>
<td>Do senior management demonstrate a positive and open attitude towards complaints?</td>
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<td>Do senior management regularly receive and actively review reports on complaints handling?</td>
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<tr>
<td>If so, does the report include analysis of the content of complaints, not just statistics? (See Chapter 6c)</td>
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<td>Do the department's management ensure that all staff understand and adhere to the departmental complaints handling system and procedures?</td>
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<td>Is there a process in place to recognise and reward effective complaints handling at both frontline and middle management levels?</td>
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### EASY TO ACCESS

<table>
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<tr>
<th>Question</th>
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<tr>
<td>Are complaint channels clearly and widely advertised to both the public and staff?</td>
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<tr>
<td>Is information on how to make a complaint easy to understand and easily found on the departmental website?</td>
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<tr>
<td>Can people complain and receive responses in either English or Chinese?</td>
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<tr>
<td>Can complaints be made out of office hours?</td>
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<tr>
<td>Can complaints be made via multi-channels such as in person, by telephone, fax, email or letter?</td>
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### FAIR

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<tr>
<th>Question</th>
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<tr>
<td>Are there procedures in place to ensure all complaints are considered fairly and objectively?</td>
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<tr>
<td>Are there clear guidelines to help staff know when to escalate complaints to senior management? (see Chapter 3e)</td>
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<tr>
<td>Can a complainant, unhappy with the substantive reply received, request a review of the case? (See Chapter 5b)</td>
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<tr>
<td>Are review/appeal channels clearly publicised?</td>
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### TIMELY

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<th>Question</th>
<th>Answer</th>
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<td>Has the department set timescales for responding to complaints and does it inform the complainants what these are at the initial contact?</td>
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<tr>
<td>Are the target timescales generally met?</td>
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<tr>
<td>Are complainants informed if there is an unavoidable delay in the processing of a complaint, and the reason for it?</td>
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### WELL DOCUMENTED

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<th>Question</th>
<th>Answer</th>
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<tr>
<td>Is there a central system for staff to record all complaints received, in a consistent manner, including verbal and anonymous complaints? (See Chapter 2c and Chapter 6a)</td>
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<td>Is there a system to enable staff to track and monitor the progress of complaints handling?</td>
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### TRANSPARENT

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<th>Question</th>
<th>Answer</th>
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<tr>
<td>Does the department make clear, to both staff and complainants, its policy on electronic recording/videoing of complaints and personal data privacy? (see Chapter 2d)</td>
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<tr>
<td>Does the department have clear performance targets/pledges, including:</td>
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<tr>
<td>a) timescales for responses</td>
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<td>b) customer satisfaction ratings</td>
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<td>c) the percentage of complaints resolved at the first point of contact?</td>
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**CHAPTER 1: AN EFFECTIVE COMPLAINTS HANDLING SYSTEM**

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<th>STRAIGHTFORWARD</th>
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<tr>
<td>Does the department regularly compile information on:</td>
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<tr>
<td>a) number of complaints received including key trends</td>
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<tr>
<td>b) whether performance pledges on complaints handling are met</td>
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<tr>
<td>c) service delivery improvements or policy changes implemented in response to public complaints?</td>
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<tr>
<th>RECEPTIVE</th>
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<tr>
<td>Is there a clear and simple procedure for people to make complaints?</td>
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<tr>
<td>Is it easy for complainants to lodge their complaint?</td>
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<td>Can complaints be made verbally?</td>
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<table>
<thead>
<tr>
<th>CONFIDENTIAL</th>
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<tr>
<td>Do complaints handling staff project a helpful attitude?</td>
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<tr>
<td>Do frontline staff receive training on communication skills to help them respond and deal with complaints in the most appropriate manner?</td>
</tr>
<tr>
<td>Are staff given proper training and guidelines for handling difficult complainants? (See Chapter 2e)</td>
</tr>
<tr>
<td>Are frontline staff sensitive to the needs of disadvantaged or disability groups (e.g. visually/hearing impaired, ethnic minorities, etc.)?</td>
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<thead>
<tr>
<th>EFFECTIVE</th>
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<tr>
<td>Is the department's complaints handling regime consistent with the Personal Data (Privacy) Ordinance (Cap 486) and guidance from the Office of the Privacy Commissioner for Personal Data?</td>
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<tr>
<td>Is access to personal information on a complainant restricted to those who need the information for the purposes of investigating or responding to a complaint?</td>
</tr>
<tr>
<td>Have all complaints handling staff received training on the Personal Data (Privacy) Ordinance (Cap 486) and the importance of respecting privacy and maintaining confidentiality?</td>
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<tr>
<td>Do frontline staff have access to up-to-date and sufficient departmental information to help them address as many concerns as possible at the initial point of contact?</td>
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<tr>
<td>Are there clear guidelines on how to handle misdirected and cross-departmental complaints? (See Chapter 3b and Chapter 3d)</td>
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<tr>
<td>Are frontline staff appropriately trained and empowered to handle complaints?</td>
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<tr>
<td>Is there a control and monitoring system to ensure that complaints are being handled effectively?</td>
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<tr>
<td>Do the regular reports on complaints to senior management highlight areas where service delivery improvements or policy changes may be advisable? (See Chapter 6d)</td>
</tr>
<tr>
<td>Is regular feedback collected from complainants and staff on how they think complaints handling and service delivery could be improved?</td>
</tr>
<tr>
<td>Do frontline staff receive information on service delivery or policy changes implemented as a result of complaints?</td>
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<tr>
<td>Do frontline staff receive reports on the feedback from complainants?</td>
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**Action plans**

Once senior management know where the gaps lie, they can draw up an action plan to enhance their complaints handling system. In devising such a plan, departments may differentiate between short and long-term achievable targets.

For example, short-term measures may include improved publicity of complaint channels or provision of customer management/complaints handling training for staff. Longer-term measures may include the introduction of computerised complaints handling/data mining systems.

Having the right plan, while very important, will not alone be sufficient to guarantee effective complaints handling. A monitoring system will help ensure effective implementation of any departmental plans and instructions. Departmental Complaints Liaison Officers would be well placed to oversee the system on an ongoing basis.

**Template to publicise complaints handling**

The Annex provides a template which departments may wish to customise for their own use to publicise their complaints handling mechanisms. The template sets out what members of the public have the right to expect from a department's handling of their complaints and the responsibilities associated with those rights, the departmental performance pledges and policy on personal data privacy and electronic recording of complaints.

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**Dos and Don’ts for a Good Complaints Handling System**

<table>
<thead>
<tr>
<th>DO</th>
<th>DON’T</th>
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<tr>
<td>• Encourage complaints</td>
<td>• Set targets/pledges to reduce the number of complaints received</td>
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<tr>
<td>• Listen to frontline staff when devising new arrangements</td>
<td>• Underestimate the challenges and stress that frontline staff handling complaints undergo</td>
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<tr>
<td>• Establish challenging but achievable performance pledges</td>
<td>• Forget that complaints received may reflect only a fraction of dissatisfied customers</td>
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<tr>
<td>• Make sure customers know how and where to complain</td>
<td>• Organise the complaints handling regime around the convenience of the department</td>
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<tr>
<td>• Ensure all complaints are followed up</td>
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CHAPTER 2

HANDLING THE INITIAL CONTACT

GOLDEN RULES FOR HANDLING THE INITIAL CONTACT

2a) Dealing with the initial contact
2b) Helping the complainant understand the process
2c) Recording the complaint
2d) Electronic recording of complaints
2e) Dealing with difficult complainants
Handling the initial contact is one of the most crucial parts of the complaints handling process. This chapter offers guidance to frontline staff who are the first point of contact for complaints. Senior and middle management’s role is to ensure that the necessary systems, support and training are available to frontline staff dealing with the initial contact.

GOLDEN RULES FOR HANDLING THE INITIAL CONTACT

**Senior Management need to:**
- Create a culture which generates a positive and open attitude towards complaints throughout the department
- Ensure that efforts to deal with complaints are commensurate with the seriousness of the allegations
- Ensure that frontline staff know that their role is important and valued
- Recognise and reward frontline staff who handle complaints well
- Provide training and support that frontline staff need to do their jobs effectively
- Ensure frontline staff have access to up-to-date and relevant departmental information, so that as many issues as possible can be resolved quickly.

**Middle Management need to:**
- Ensure that frontline staff are fully aware of their roles and responsibilities, and of their discretionary authority, if any, to resolve a complaint on the spot
- Help frontline staff do a better job by identifying training needs and knowledge gaps
- Ensure that frontline staff are provided with training and guidelines for dealing with difficult complainants
- Ensure frontline staff can escalate a difficult complaint if necessary
- Provide adequate support to frontline staff when a difficult complaint or complainant is escalated.

**Frontline Staff need to:**
- Understand that theirs is the most important role in complaints handling
- Try to resolve a complaint at the first point of contact, if at all possible
- Ensure that they get all the necessary accurate information from the complainant, so that a proper investigation can be conducted, if the issue cannot be resolved on the spot
- Properly record all complaints received
- Ensure that their attitude, tone and manner when dealing with complainants are always courteous, respectful and positive
- Understand the department’s guidelines for dealing with difficult complainants and know when it is appropriate to escalate the complaint to a supervisor or terminate the conversation/correspondence
- Understand and comply with personal data privacy requirements.

**KEY QUOTE**

“I have suggested that the Administration place importance on adequate resources and support for front-line customer services. Examples are telephone enquiry hotlines of departments particularly exposed to public calls for answers or assistance. The community cannot be expected to accept shortfall in resources as a reason, or even excuse, for inefficiency or poor service.”

Ms. Alice Tai, Former Ombudsman, The Ombudsman’s Annual Report 2009
2a) Dealing with the initial contact
How the initial contact is handled makes a crucial first impression on the complainant. The effectiveness of the Government’s complaints handling will often be judged on the basis of how the initial contact is managed, especially those that are made via a telephone call or a face-to-face conversation.

Automated responses to emailed complaints can give a bad impression. Check that the automatic response provides the right message and carries the appropriate tone.

Staff should always treat the complainant politely and empathetically. They should be careful to demonstrate proper respect and try to view the issue from the complainant’s perspective in order to understand why he/she is complaining.

If at all possible, frontline staff handling telephone calls or complainants in a face-to-face situation should try to resolve the issue at this first point of contact. Ideally, they should have access to departmental information systems or other up-to-date and relevant data, to help them answer enquiries and address straightforward concerns.

If, however, the complaint requires an investigation, staff need to ensure that they obtain sufficient and accurate information from the complainant for a thorough investigation. If important information is missing, this may unnecessarily delay the investigation or result in an inadequate response to the complainant, and could be grounds for further complaints. Departments may consider developing a checklist on the information to be collected from the complainants.

### Dos and Don’ts for Handling the Initial Contact

<table>
<thead>
<tr>
<th>DO</th>
<th>DON’T</th>
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</thead>
<tbody>
<tr>
<td>• Be polite, friendly and welcoming</td>
<td>• Try to discourage the complainant from making a complaint or project a negative attitude through body language or tone of voice</td>
</tr>
<tr>
<td>• Explain why you welcome the feedback</td>
<td>• Blame the complainant, e.g. “you didn’t fill in the form correctly”</td>
</tr>
<tr>
<td>• Apologise if there has been a mistake</td>
<td>• Make unrealistic promises or guarantees</td>
</tr>
<tr>
<td>• Take responsibility; try to address the concern at the first point of contact</td>
<td>• Argue with the complainant</td>
</tr>
<tr>
<td>• Demonstrate you understand the reason for the complaint</td>
<td>• Make the complainant feel like he/she is being interrogated</td>
</tr>
<tr>
<td>• Get all the relevant facts/make notes</td>
<td>• Accept abusive, foul or threatening language/behaviour</td>
</tr>
<tr>
<td>• Inform the complainant if it is likely that the complaint details will be passed out of the department for investigation</td>
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</tr>
<tr>
<td>• Be clear about what will happen next and likely timescales</td>
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<tr>
<td>• Stay calm and polite at all times</td>
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</tbody>
</table>
2b) Helping the complainant understand the process

If staff are unable to resolve the complainant’s issue initially, it is important to be clear about the next steps in the complaints handling process. Staff should be able to refer to a set of clearly written complaints handling policy and procedures, which include a Personal Data Privacy Policy (as shown in the Annex). Staff should explain that the matter needs to be investigated. It is also important to inform the complainant about the set timescales in order to manage expectations about how long the process is likely to take.

**Personal data privacy – complaint referrals**

Particular care must be exercised if a complaint has to be referred to third parties such as other departments or contractors. Under the Personal Data (Privacy) Ordinance (Cap 486), data protection principles require, among other things, that the data subject (i.e. the complainant) be informed of the purpose for which his/her personal data is to be used (in this case, obviously, to enable the complaint to be investigated) and the classes of persons to whom the data may be transferred. Where the use of the data is for a purpose directly related to the original complaint, the complainant’s consent is not required, but the transfer or disclosure of personal data should not be excessive.

In practice, the data protection principles can be met by informing the complainant at the time the complaint is made. This can be done easily when a complaint is made in person, by telephone, or using a pre-printed departmental complaint form. It is more difficult when a complainant complains by letter or email.

In these circumstances, the department should ensure that its personal data privacy policy (an example is given in the Annex) is widely promulgated. For cases which do not involve sensitive personal data but only the complainant’s name and contact information, the department should, when issuing an “acknowledgement of receipt” to the complainant, inform the complainant that the complaint (together with the complainant’s personal data) has been passed to the responsible department for follow-up action.

**Cap 486 does not require departments to give the complainant a right to object to referral of his/her complaint to a third party, provided that the referral is for the purpose of investigating the complaint. As a matter of good practice, however, the departments may wish to also inform complainants that they can object to a referral but this may hinder or prevent a thorough investigation.**

For cases involving sensitive personal data (e.g. taxation, banking, medical details), or when the third party is outside the Government, or when the department is in doubt as to whether the personal data continues to be used for the original purpose, departments are advised to seek consent from the complainant before a referral. Departments need to exercise common sense and judgement in determining the sensitivity of personal information, the need for obtaining a complainant’s consent, and the adverse consequences of delay as a result of seeking the complainant’s consent.

**KEY QUOTE**

“Personal data privacy has become a fundamental right in our society, but there is a need to balance that right with other rights and social interests in maintaining a harmonious society.”

*Roderick B. Woo, Privacy Commissioner for Personal Data*
CASE STUDY:

Stepping into customers’ shoes

A 60 year old man complained to the Buildings Department (BD) about the demolition order he had received for an illegal roof top structure. Numerous notices had been sent to him earlier, but the department had not been able to establish communication with him. Staff discovered that the complainant could only speak the Chiu Chau dialect, and was hearing impaired. Learning this, the department promptly arranged for an officer who could communicate in Chiu Chau to discuss the matter with the complainant and to understand his needs. A professional social worker was subsequently assigned to look into his special circumstances.

2c) Recording the complaint

All complaints should be accurately and consistently recorded in a central complaints register. Some large departments may also need to maintain central complaints registers on a district/subject matter basis. If proper records of every complaint are not kept, departments will not be able to achieve a meaningful review and analysis of the public’s view of their services. The central complaints register may be computerised or paper-based depending on the number of complaints and size of the department. For further information on computerised systems, please turn to Chapter 6b.

Frontline staff should not only record complaints made in writing or those that require further investigation. All verbal complaints, even those which are easily resolved during the initial contact, should be recorded. Those issues that can be quickly resolved by frontline staff on the spot may nevertheless identify an area where the department needs to improve its communication or services.

Many civil servants will be familiar with bearing the brunt of a complaint against Government from family, friends and acquaintances during social occasions. For the avoidance of doubt, staff are only expected to record those complaints made through departmental channels.

There may be times when it is difficult to differentiate between a complaint, a suggestion and a request for service improvement. Where appropriate, staff may try to clarify with the “complainant” directly during the initial contact.

Anonymous complaints should be recorded and treated in the same way as signed/verbal complaints – even though it is not possible to acknowledge or reply to them. Departments should exercise common sense when an anonymous complaint is too vague to be able to identify sufficient details for meaningful investigation to be conducted. Depending on the gravity of the allegations made, it may be necessary to escalate an anonymous complaint, once it has been recorded. See Chapter 3e for more details.

The 1823 Call Centre (1823) handles enquiries and complaints on behalf of its client departments. For cases referred from 1823, departments should review the nature of cases to determine if they fall within the definition of “complaint” as set out in this guide, and keep proper records accordingly.

It is particularly important that complaints are recorded consistently across departments in order that the Government as a whole can report accurate service-wide statistics on complaints handling. The following table sets out the counting protocol for different types of complaints.
<table>
<thead>
<tr>
<th>Type of Complaints</th>
<th>Counting Protocol</th>
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<tbody>
<tr>
<td>Cross-departmental Complaints</td>
<td>• Cross-departmental complaints should be recorded separately and the departments involved should be listed out.</td>
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<tr>
<td></td>
<td>• For the purpose of compiling service-wide statistics, cross-departmental complaints should only be reported by the coordinating department.</td>
</tr>
<tr>
<td>Misdirected Complaints</td>
<td>• Misdirected complaints should be recorded separately and the responsible department to which they were subsequently referred should be clearly specified.</td>
</tr>
<tr>
<td></td>
<td>• For the purpose of compiling service-wide statistics, misdirected complaints should be reported by the department ultimately responsible for dealing with the complaints.</td>
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<tr>
<td></td>
<td>• Bureaux may receive complaints about departments for which they have responsibility. Similarly, bureaux and departments may receive complaints about non-governmental agencies for which they have responsibility. In such cases, the complaints should be treated as misdirected complaints. Of course, there is no reason why a record of such complaints cannot be maintained as it may help identify problems with the department/agency’s complaints handling system.</td>
</tr>
<tr>
<td>Complaints referred from Public Bodies</td>
<td>• A complaint referred from public bodies like the Office of The Ombudsman, the Office of the Privacy Commissioner for Personal Data and the Equal Opportunities Commission, if received for the first time (i.e. it is not a repeated complaint filed by the same person on the same subject without any material change in the substance or circumstance), should be counted as a new complaint.</td>
</tr>
<tr>
<td>Repeated Complaints</td>
<td>• Repeated complaints on the same subject matter from the same complainant should be treated as one complaint, unless there is a material change in the substance or circumstance.</td>
</tr>
<tr>
<td></td>
<td>• When a repeated complaint is about the way the original complaint was handled (i.e. a review), it should be recorded and treated as a new complaint.</td>
</tr>
<tr>
<td></td>
<td>• A repeated complaint against the outcome of an investigation (i.e. an appeal) should be treated as a new complaint only when there is a change in substance or circumstance.</td>
</tr>
<tr>
<td>Proforma Complaints and Petitions</td>
<td>• Departments may receive multiple copies of the same complaint letter/email, emanating from different people. Where this relates to the same issue it should be treated as one complaint, but the number of complainants be noted. A similar approach should apply to petitions.</td>
</tr>
<tr>
<td>Complaints copied to Multiple Recipients</td>
<td>• Some complainants copy their complaint to many different parties. These should be counted as one complaint by the department being complained against.</td>
</tr>
<tr>
<td></td>
<td>• If the complaint is directed to two or more parties with specific allegations against each of the recipients, it should be counted as a complaint by the respective recipients.</td>
</tr>
</tbody>
</table>
2d) Electronic recording of complaints

In recent years, technological developments have enabled widespread recording of conversations and events by organisations and individuals. Generally, such recordings are not prohibited (except in court buildings and other restricted areas), but there are constraints.

The Personal Data (Privacy) Ordinance (Cap 486) is concerned with recorded information that relates to individuals, from which it is reasonably practical to identify the individual concerned. This is known as personal data. Electronic recordings may amount to personal data.

The data protection principle 1 under Cap 486 requires that the means used to collect personal data must be fair in the circumstances of the case, e.g. whether the purpose to be achieved justifies the use of that means in that case. Also, are less privacy intrusive means available? Members of the public should be informed if they are to be electronically recorded. This may be done using notices, pre-recorded messages or person-to-person.

**Personal Data Collection**
- Proper notice should be given
- There should be reasonable justification for the proposed means of personal data collection
- The means of collection is fair in the circumstances
- No excessive data will be collected
- The subject of the data should be informed of:
  - The purpose for which the data are to be used
  - The classes of persons (if any) to whom the data may be transferred
  - The individual’s rights to request access to and correct their personal data.

Departments should inform their staff if they are being/to be electronically monitored. Reference should be made to the “Privacy Guidelines: Monitoring and Personal Data Privacy at Work” (http://www.pcpd.org.hk/english/ordinance/files/monguide_e.pdf) issued by the Office of the Privacy Commissioner for Personal Data.

Except for particular venue or specific circumstances, there is no legislation that prohibits members of the public from taking photographs, audio or video recordings, etc. of public officers. Members of the public are, however, subject to the same requirements mentioned above. It should also be noted that public officers are under no legal obligation to be photographed, audio or video recorded.

It can be seen that the legal position is not entirely straightforward. Departments may wish to establish a clear policy, in consultation with affected staff, and to seek appropriate advice from the Department of Justice. The policy should be disseminated to all those who may be affected by it.

2e) Dealing with difficult complainants

The initial point of contact is when complainants are most likely to be angry or upset. Staff should remember that the complainant may have an understandable reason for being upset. An empathetic manner, demonstrating an understanding of the frustration the complainant is experiencing, can often help defuse a tense situation.

Staff should try to avoid labelling a complainant as unreasonable; it is important to put themselves in the complainant’s shoes to understand his/her perspective. The fact that the complainant is being difficult does not mean that his/her complaint is not valid. Staff should explain that they want to help get the concern addressed and investigated, but that first the complainant needs to give them all the details so they can take this forward.

However, some complainants will not respond to these tactics. All frontline staff should be provided with proper training and clear guidelines for dealing with difficult complainants.

Frontline staff should always be allowed to escalate a difficult or vexatious complainant to a supervisor. If the department has a telephone call centre handling complaints, the staff dealing with the call should be able to indicate when a difficult caller is on the line so that a supervisor can monitor the call.
CHAPTER 2: HANDLING THE INITIAL CONTACT

Terminating abusive telephone calls/ interviews
When dealing with a difficult complainant over the telephone or face-to-face, it is crucial for staff to moderate the tone of their voice. Keeping the tone of voice quiet and polite can help diffuse a loud and angry complainant; staff should never respond in a heated, aggressive or interrogatory tone.

If a complainant uses foul or abusive language, or is aggressive or threatening to staff, he/she should be politely warned that, if this behaviour is repeated, the call or interview will be terminated. Departments may wish to specify in their guidelines that this warning should only be given twice at most; after that, if the language or behaviour is repeated, the conversation should be terminated. In serious cases, frontline staff should not hesitate to terminate interviews without warning and to seek assistance of supervisors, security staff and/or the police if the situation so warrants.

Departments should assess the risks faced by frontline staff, and provide appropriate protection. For example, emergency alert systems can be installed in interview rooms.

Departments may also experience anonymous callers who telephone their office frequently, often to different staff, making a variety of general complaints, demanding to speak to senior officers etc. These calls may not be abusive or threatening, but take up much time to no effect. Again, departments should provide guidelines for staff. For example, the caller should be invited to give his/her contact details and to put his/her complaint in writing. If this is persistently rejected, the caller should be told that the conversation will be terminated.

Terminating correspondence/contact regarding repeated/groundless complaints
One of the most difficult types of complainants to deal with are those who repeatedly raise the same issue, even if that complaint has been examined and found to be groundless, or if the complainant is unwilling to accept the decision made by the department. Departments may set down procedures regarding how often the same complaint will be investigated and reviewed, particularly if there is no new information or change in circumstances. Frontline staff need to be able to clearly explain these procedures to complainants. For more information on dealing with repeated complaints, please turn to Chapter 5c.

Dos and Don’ts for Handling Difficult Complainants

<table>
<thead>
<tr>
<th>DO</th>
<th>DON’T</th>
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<tbody>
<tr>
<td>• Try to explain that you understand the complainant’s anger/frustration and want more details so you can help the complainant</td>
<td>• Assume that because a complainant is difficult his/her complaint is not valid</td>
</tr>
<tr>
<td>• Focus on the issue being complained about and what can be done to resolve it</td>
<td>• Get upset or angry; never take the criticism about Government personally</td>
</tr>
<tr>
<td>• Politely identify unacceptable language or behaviour and warn that repetition of this will end the call/interview</td>
<td>• Hesitate to terminate the call/interview if the complainant ignores the warning twice and repeats the unacceptable behaviour</td>
</tr>
<tr>
<td>• Always be conscious of your own emotional stability and physical safety</td>
<td>• Raise your voice or use an aggressive tone of voice, whatever the provocation</td>
</tr>
<tr>
<td>• Seek help from your supervisor if necessary</td>
<td>• Be biased by the behaviour of a difficult complainant; the complaint should still be handled fairly and objectively</td>
</tr>
</tbody>
</table>
CHAPTER 2: HANDLING THE INITIAL CONTACT

Legal sanctions
Public servants are employed to serve the public. As such, we should be seen to act with tolerance and reasonableness. We should only resort to legal sanctions against our customers as a last resort. Nonetheless, there will be times when such action is appropriate. A variety of legal sanctions are available, for example:

- Criminal intimidation under Section 24 of the Crimes Ordinance (Cap 200)
- Assault under Section 25 of Cap 200
- Loitering under Section 160 of Cap 200
- Various assault offences under the Offences Against the Person Ordinance (Cap 212)
- Telephone nuisance under Section 20 of the Summary Offences Ordinance (Cap 228)
- Obstruction of public place/trespass under Section 4(28) and 4A, respectively, of Cap 228
- Obstruction of a public officer under Section 23 of Cap 228
- Disorderly/violent conduct under Sections 17B, 18 and 23 of the Public Order Ordinance (Cap 245) and various regulations relating to specific public places such as museums, stadia, public parks, airport, etc. One example is regulations made under the Public Health and Municipal Services Ordinance (Cap 132)
- Common law offences such as public nuisance or outraging public decency
- A person may be brought before a magistrate to be bound over to keep the peace or to be of good behaviour upon proof of, among other things, reasonable apprehension that the violence to the person or property or the commission of a criminal offence would take place.

Departments are advised to seek the advice of the police and/or the Department of Justice on whether/what legal sanctions should be pursued in appropriate cases.

CASE STUDY:

Prosecutions

A number of prosecutions have taken place in recent years:

- An ex-nurse sent a number of emails containing implied threats to officials dealing with his pension. He was charged with criminal intimidation.
- A disgruntled member of the public blocked the local District Officer from going through the doorway to a conference room. He was charged with loitering.
- A protester blocked the path of a judiciary officer on his way to his office. He was charged with obstruction of a public place.
- A judiciary clerk was assaulted. The attacker was charged with common assault.
- An angry member of the public invaded the public area of a housing office and refused to leave. Charges related to assault and criminal damage arose when he tried to enter an area not open to the public.
CHAPTER 3

INVESTIGATING A COMPLAINT

GOLDEN RULES FOR INVESTIGATING A COMPLAINT

3a) Identifying the complaints handling party
3b) Handling misdirected complaints
3c) Planning and implementing an investigation
3d) Dealing with cross departmental complaints
3e) Escalating complaints
3f) Involvement by The Ombudsman
CHAPTER 3: INVESTIGATING A COMPLAINT

This chapter deals with those complaints which could not be resolved at the initial point of contact. While the details of investigations and follow-up steps will vary widely across departments, depending on the nature of the complaint, this chapter offers advice and general guidelines on important aspects of the investigative stage of complaints handling.

GOLDEN RULES FOR INVESTIGATING A COMPLAINT

Senior Management need to:

- Ensure there are clear channels in place to enable staff to escalate complaints and encourage them to use these channels
- Encourage staff to take ownership of complaints. Even if it is unclear whether the department has the primary responsibility, always praise staff for giving priority to addressing the concern which is the subject of the complaint
- Be prepared to step in to resolve a disagreement over responsibility for a cross-departmental complaint and set out a procedure for dealing with particular “grey areas” in the future
- Ensure robust systems are in place to monitor and control the progress of complaint investigations against agreed timescales.

Middle Management need to:

- Go the extra mile. Be prepared to take ownership of a complaint, even if it is not entirely within the department’s remit
- Be proactive in chasing colleagues to address the concern on the ground as promptly as possible. Sort out internal bureaucracy afterwards

- Identify issues that need escalating to senior management
- Ensure that an interim response is sent to the complainant if it appears that the full response will be delayed beyond the set timescales
- Ensure systems are in place to enable frontline staff to access information regarding progress/outcome of complaint investigations.

Frontline Staff and Investigating Officers need to:

- Seek advice from supervisors if the correct complaints handling party is difficult to identify
- Explain the department’s pledge to provide a substantive reply to the complainant. Emphasise that the complaint is being taken seriously and thoroughly investigated if he/she makes contact again during the investigation process and is impatient for a response.
3a) Identifying the complaints handling party

Identifying the correct complaints handling party quickly is crucial to making the complaint investigation process as rapid and efficient as possible. If the complaint involves more than one department, staff should try to ensure that all parties are informed and encourage one department to take ownership of the complaint. If there is a lack of clarity about which department’s remit the complaint falls under, staff should seek advice from their supervisor.

In any case, one designated member of staff should take ownership of the complaint and ensure it is appropriately investigated. This may be the Complaints Liaison Officer.

CASE STUDY:

Taking ownership, even if the matter is not under your remit

The EPD received a complaint about the low temperature of the air conditioning in a local branch of a fast food outlet. There is no legislation governing this area and it does not fall under the remit of the EPD or of any other government department or agency. However, the complainant felt strongly about the matter so the EPD went the extra mile and issued a letter to the fast food store in order to express the customer’s concern.

3b) Handling misdirected complaints

There may be times when complaints are simply misdirected. It may be that the complaint involves an issue of policy beyond the remit of the department, or the complainant simply has approached the incorrect department. For misdirected written complaints, the receiving department should proactively identify the department(s) that should be involved in considering the complaint and ensure that the case is properly handed over. The complainant should be informed of the referral, and should not be advised to complain direct to the other department. The complainant may be provided with contact details of the appropriate department for enquiry regarding the complaint.

3c) Planning and implementing an investigation

There is no one prescribed system for handling the investigation of a complaint; the appropriate action will differ depending on the details of the complaint and the department(s) involved. Below are some general principles which may be useful when departments develop their own internal guidelines.

Investigating staff should ensure that:
- Each complaint is considered objectively and impartially. Staff should ensure all relevant parties’ views are sought
- The first priority of the investigation is to address the concern (when possible) that is the subject of the complaint. Sorting out internal bureaucracy should always be a secondary consideration
- They take ownership of the complaint investigation, monitor and control the process, and are proactive in chasing colleagues to move the investigation forward
- Time-sensitive issues are responded to as quickly as possible. Sometimes a partial reply in an interim response may be appropriate
- Set timescales are met and, if there is any unavoidable delay, the complainant should be notified of the reason for the delay. This interim response can be an email, letter or telephone call, but should emphasise that the complaint is being taken seriously and the additional time is needed to thoroughly
investigate the matter. If possible, the complainant should be informed of the estimated additional time required.

- Frontline staff are able to access information regarding the progress of the complaint investigation as far as possible, in case the complainant contacts them requesting information regarding the status of the complaint.

**CASE STUDY:**

**The importance of thorough investigation**

The Owners’ Incorporation (OI) of a private building complained to the Food and Environmental Hygiene Department (FEHD) about rats in the building. It suspected that the rats came from the public area nearby. The FEHD began a thorough investigation of the case, which included checking the hygiene conditions in the public area and the shopping mall of the building. Throughout the investigation, staff held regular meetings with the OI and management office of the building to report on the progress of the investigation. Finally, the FEHD found that the source of the issue was related to the rat proofing work by the shopping mall, which included a number of restaurants. The FEHD provided technical advice to the management office of the shopping mall on ways to deal with this issue. The issue was appropriately addressed and the residents were very satisfied with the way the complaint had been handled.

**CASE STUDY:**

**Addressing the concern through joint investigation**

There were complaints from the public about the strong odour from waste water discharged to an open nullah in Tung Chung. After investigations carried out by the Drainage Services Department, it was suspected that the issue was a recurrence of a case in 2004, which was caused by waste water accumulated in a manhole. The suspected source of issue involved a number of parties including Yat Tung Estate management office, the District Maintenance Office and the outsourced property service agent of the Housing Department (HD) as well as the Link Management Limited. Representatives from all relevant parties were invited to attend a joint site inspection to ensure effective and thorough investigation into the matter. The source of issue was successfully identified by the collaboration of experience and expertise from various aspects. The issue was swiftly settled and the complainant was satisfied with the follow-up actions taken by the joint efforts of different parties.

3d) Dealing with cross-departmental complaints

Governments and public bodies over the world often find complaints that cut across departmental boundaries particularly challenging to resolve. Dealing with cross-departmental complaints can be complex; there will always be some areas where it is difficult to assign clear responsibility.

In these situations, it is vital that staff take ownership of the complaint, rather than simply trying to pass it on to colleagues from a different division or department. Staff should not lose sight of the first priority of complaint investigation: to address the issue that is the subject of the complaint. Internal procedures to clarify responsibilities for similar situations in the future should be dealt with afterwards.

Departments should establish clear procedures to co-ordinate the investigation of complaints that cross internal or external boundaries. Departments involved should liaise among themselves to identify a lead party to co-ordinate the response. A consolidated reply should be sent to the complainant by the lead party. In case there are exceptional circumstances (e.g. in cases involving sensitive personal data or sensitive issues which should not be disclosed to other departments unless with the consent of the
complainant), the department(s) involved may reply to the complainant direct and inform the lead party that a reply had been issued.

Departments should always ensure that there is a receiving party before a cross-departmental complaint is handed over. It is the responsibility of the receiving department or the lead party to ensure that staff adhere to relevant time limits for dealing with complaints. All contributing departments should provide input to the lead party within a reasonable time frame to enable the latter to reply to the complainant in a timely manner.

In some situations, such as when it is impossible to agree on which department is to co-ordinate the response, staff from the receiving department should escalate a cross-departmental complaint to senior management, such as the Complaints Liaison Officer(s), to help resolve disagreement over responsibility for “grey areas”.

If the Complaints Liaison Officer(s) cannot agree on the actions to be taken, such cases should be brought to the attention of the heads of department for high level co-ordination. Where necessary, the relevant bureaux may need to intervene to resolve difficult cross-departmental cases.

**CASE STUDY:**

**Prompt escalation to resolve cross-departmental complaints**

1823 received an anonymous complaint regarding a damaged pit hole cover. The case was first referred to the Highways Department, and then subsequently passed on to both the Lands Department and HD. It was, however, unclear which department should be responsible for handling the case. A directorate officer then stepped in and escalated the case. As a result, the issue was successfully resolved through the joint efforts of the three departments: a temporary safety measure was instituted by one department, which was followed by the permanent mending of the cover by another.

For frequent cross-departmental complaints involving the same subject, departments are advised to clarify their service boundaries and consult the relevant policy bureaux, as necessary.

**3e) Escalating complaints**

Knowing whether and when to escalate a complaint to senior management is one of the most crucial skills of any effective complaints handling team. Staff investigating complaints should take this responsibility very seriously. Each department should consider putting in place its own clear procedures for complaint escalation. Examples of occasions where escalation may occur include when:

- The complaint highlights the need for a service delivery or policy change
- A cluster of similar complaints are received on a new topic, as this may highlight a concern that has only recently emerged
- The complaint involves sensitive issues or serious accusations, even if these are made anonymously
- The complaint highlights a grey area in terms of departmental responsibility, which is likely to arise again
- Intervention from senior management is needed to resolve a delay in the complaint resolution (due to a cross-departmental or other issue).

**3f) Involvement by The Ombudsman**

Inevitably, some complainants will make complaints about a department’s complaints handling to The Ombudsman. This does not necessarily mean that the department has done anything wrong. The Ombudsman is aware that some complainants abuse the complaints system. The Ombudsman is also conscious that some departments occasionally succumb to the complainants’ unreasonable demands once The Ombudsman’s Office gets involved (The Ombudsman’s Annual Report 2009). The clear message from The Ombudsman is that knee-jerk reactions to involvement by The Ombudsman is not the appropriate response.
CHAPTER 4

PROVIDING A GOOD QUALITY RESPONSE

GOLDEN RULES FOR PROVIDING A GOOD QUALITY RESPONSE
4a) Demonstrating understanding of the reason for complaint
4b) Demonstrating the complaint has been thoroughly investigated
4c) Explaining the outcome of the investigation
4d) Replies to emails
Providing a good quality response to a complainant is a crucial part of an effective complaints handling process. The guidelines in this chapter are aimed at those drafting substantive written responses to complainants. However, the general principles will also be useful to help staff who need to provide a verbal response.

**GOLDEN RULES FOR PROVIDING A GOOD QUALITY RESPONSE**

**Senior Management need to:**
- Ensure that all staff preparing complaint responses receive sufficient training to ensure effective writing skills
- Personally review draft responses when a case is particularly sensitive or important, or simply as a regular quality control check.

**Middle Management and Frontline Staff providing responses need to:**
- Ensure that responses are factual and accurate, explaining clearly the steps that have been taken to investigate the complaint if appropriate
- Be prepared to offer a straightforward apology if warranted
- Provide details of steps that have been taken to remedy the situation or prevent the concern reoccurring if possible
- Avoid using “government-speak” or jargon in the response
- Always review a draft written reply from the perspective of the complainant who will receive it, in order to judge if the tone and content are appropriate.

**KEY QUOTE**

‘A good response should be factual, frank, timely and balanced.’

Helen Yu, Deputy Ombudsman
4a) Demonstrating understanding of the reason for complaint

Responses should demonstrate an understanding and appreciation of the reasons which motivated the original complaint. Complainants need to be assured that their complaint has been taken seriously. It is often appropriate to express empathy with the situation the complainant faced. When drafting negative responses, it is particularly important to consider phrasing and tone carefully in order to demonstrate that the staff member responding respects the complainant’s reason for complaint.

4b) Demonstrating the complaint has been thoroughly investigated

The response should clearly demonstrate that the investigation has been fair, balanced and comprehensive. When drafting negative responses, it is particularly important to provide a detailed, factual commentary on the steps that have been taken to investigate and fully consider the complainant’s case. All relevant points raised in the original complaint should be addressed in the response.

4c) Explaining the outcome of the investigation

When explaining the outcome of an investigation, staff should consider what the complainant hoped to achieve in the first place.

If the complaint has been found to be justified, it may be appropriate to offer a straightforward apology – sometimes this is all the complainant wants. Inform – or thank – the complainant about any improvements to service delivery that have been made as a result of the complaint, or the steps that have been taken to prevent or minimise the likelihood of a similar situation occurring again in the future.

If the outcome of the investigation is negative for the complainant, it is important to acknowledge that the investigating officer is aware that this response will be disappointing to the complainant and to clearly explain why the department is unable to uphold the complaint.

A poorly drafted reply, which does not adequately explain the reason for the negative nature of the response, can cause a complainant to complain again.

4d) Replies to emails

Departments are advised to pay particular attention to the contents of replies to emails. Emails can be forwarded to thousands of people easily and quickly. A reply that displays arrogance, incompetence, rudeness and the like may quickly become an “internet hit”. Before pressing the “send” button, staff should review their reply and ask themselves whether they would be embarrassed if their reply was published in the media. If the answer is yes, then it needs to be altered.

Dos and Don’ts When Responding to Complaints

<table>
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<tr>
<th>DO</th>
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<tr>
<td>• Use empathetic language and careful phrasing</td>
<td>• Use jargon or “government-speak”</td>
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<tr>
<td>• Let the complainant know what steps have been taken to minimise the likelihood of a similar situation occurring again</td>
<td>• Omit the factual details of the steps that have been taken to investigate and consider the complainant’s case</td>
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<tr>
<td>• Respond as far as possible in the same language as the original complaint</td>
<td>• Ignore any relevant aspects of the original complaint raised</td>
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<tr>
<td>• Review the draft response from the perspective of the complainant who will receive it</td>
<td>• Be afraid to offer a straightforward apology if the complaint has been found to be justified</td>
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<td>• Rush the drafting of response at the expense of the quality</td>
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CHAPTER 5

HANDLING REPEATED COMPLAINTS

GOLDEN RULES FOR HANDLING REPEATED COMPLAINTS

5a) Identifying the causes of repeated complaints
5b) Giving complainants the opportunity to ask for a review/appeal
5c) Dealing with persistent complaints
Departments should provide complainants with the opportunity to call for a review of how their complaint has been handled, or to appeal against the outcome of the department’s investigation. It is important that this review/appeal process is robust. However, it is also important that procedures exist to limit the number of times the same case or complaint can be reviewed/appealed in order to avoid wasting public resources. This chapter offers guidelines to staff on how to handle this sometimes difficult balance.

GOLDEN RULES FOR HANDLING REPEATED COMPLAINTS

Senior Management need to:

- Ensure that a robust internal process exists to offer complainants a review of the way their complaint has been handled or an appeal against the outcome of the department’s investigation
- Be prepared to authorise staff to terminate correspondence/contact with a repeated or vexatious complainant, once all internal review procedures have been exhausted.

Middle Management need to:

- Ensure that complainants have access to information regarding their options to call for a review or to appeal against a decision made
- Escalate the case to senior management when a complainant has exhausted all review/appeal procedures and a decision is needed on whether the correspondence/contact should be discontinued

- Ensure that frontline staff are provided with proper guidelines and training for dealing with repeated complaints which have gone through all the necessary procedures.

Frontline Staff need to:

- Ensure that they understand and can explain to complainants, where necessary, what options are available to call for a review/appeal
- Ensure that they understand and can communicate the procedures for dealing with repeated complaints which have gone through all the necessary procedures.
CHAPTER 5: HANDLING REPEATED COMPLAINTS

5a) Identifying the causes of repeated complaints

When the same person files repeated complaints on the same subject, the department, in addition to going through the normal acknowledgement and investigation procedures, should consider the following:

- Has the complainant been treated with a positive attitude?
- Has the complainant been treated in a fair manner and with due respect?
- Have the set time frames been adhered to for each part of the complaints handling process?
- Has the complainant been informed about any delay and the rationale for this, if more time is needed for processing his/her case?
- Has the complaint been judged objectively on the facts and merits of the case?
- Had the case been thoroughly investigated before a conclusion was reached?
- Has the complainant been fully advised of the reasons why the conclusion/outcome was reached?
- Has the response given been in plain language and was it easily understandable?

If the original complaint has not been properly dealt with in the first instance, a frank apology should be offered.

Many departments will be familiar with individual members of the public who lodge many complaints. Sometimes such individuals are suspected of suffering from mental or intellectual disabilities. Even if such a suspicion is correct, it does not mean that a complaint is invalid. Nonetheless, departments should exercise common sense and judgement when deciding on the extent to which public resources are expended in investigating complaints from these sources.

5b) Giving complainants the opportunity to ask for a review/appeal

A repeated complaint can be in the form of a request for a review or an appeal. Each department should have procedures in place to enable a complainant to ask for a review of how the investigation of his/her complaint was handled, or to appeal against the outcome.

The review/appeal should where practicable be conducted by an officer no junior in rank to the one involved in the investigation of the original complaint, or by a review/appeal board. The reviewing/appellate officer should carry out a thorough review of the case, including, when necessary, interviewing the investigating officer, other staff members and contacting the complainant for any additional information or clarification.

Normally, it would be reasonable for a department to carry out one review/appeal exercise. A dissatisfied complainant may still have statutory appeal channels as well as the right to seek a judicial review or to approach The Ombudsman, Privacy Commissioner for Personal Data, Equal Opportunities Commission, District Councils, the Legislative Council and so on.

CASE STUDY:

An established mechanism to review complaints handling

The Immigration Department has put in place a Complaints Review Working Party (CRWP) to review all finalised complaints on a monthly basis. The CRWP is headed by an Assistant Director, and includes a Principal Immigration Officer, a Chief Immigration Officer, a Senior Immigration Officer and an Executive Officer as its members. The CRWP analyses all complaints handled, discusses and recommends the appropriate follow up actions required.
CHAPTER 5: HANDLING REPEATED COMPLAINTS

The complainant should receive a substantive reply from the reviewing/appellate officer, adhering to the guidelines for drafting a quality response as set out in Chapter 4.

Staff should be aware that time is of the essence for certain types of urgent complaints, which impact on citizens’ lives in a significant way. In these cases in particular, review/appeal mechanisms should have the capacity to respond in a very timely manner to ensure the rights of the complainant are not jeopardised. It is acknowledged that in such instances there may need to be a trade-off between speed and thoroughness.

Review/appeal channels may be publicised via the department’s website, and displayed in departmental locations where there is frequent contact with the public. Depending on individual circumstances, it may sometimes be appropriate for a response to provide complainants with information on their options for further review/appeal.

5c) Dealing with persistent complaints

A small minority of complainants who have received what they consider to be a disappointing reply will continue to contact the department in order to repeat their complaints, even after they have exhausted all internal and external review channels.

In this situation, when a complainant does not provide any new circumstance or information that would justify reopening the case, staff should escalate the case to senior management for a decision on whether the correspondence/contact should be discontinued. The decision to terminate correspondence/contact on a complaint should only be taken if:

- The complainant has exhausted all the department’s procedures for review and appeal
- He/she has received a detailed, factual written explanation of why their complaint cannot be upheld
- The case has been thoroughly reviewed by a senior official, who is satisfied that the complaint has been handled properly in accordance with the established procedures
- Senior management believe that further correspondence/contact on the topic will constitute a waste of public resources.

If senior management decide that it is appropriate to terminate correspondence/contact on a particular complaint, staff should be provided with sample replies/wording explaining why the decision to terminate the correspondence/contact has been made. In some situations, it may be appropriate to provide stock “reply cards” which staff can send to the complainants, referring them to the previous responses they have received to their complaint and reiterating that no further correspondence/contact will be undertaken by the department on this topic.

As long as proper action has been taken in respect of a complaint, a department should be firm on its stance and should not succumb to unreasonable demands.

CASE STUDY:

Terminating correspondence

From time to time, the Office of The Ombudsman receives repeated complaints in which complainants simply express their disappointment at the outcome of the investigation, but provide no further information on the circumstances. In such situations, The Ombudsman looks into the details of the case and, confirms that it has already been thoroughly reviewed and the complainant provided with a detailed, factual written explanation. If senior management determine that further correspondence would constitute a waste of public resources, an acknowledgement card is sent to inform the complainant of the decision to terminate correspondence.

Regarding this Office’s stance on the matter, please refer to our reply to you dated

A Guide to Complaints Handling and Public Enquiries
CHAPTER 6

LEARNING FROM COMPLAINTS

GOLDEN RULES FOR LEARNING FROM COMPLAINTS

6a) Recording complaints data
6b) Analysing complaints data
6c) Briefing senior management fully and regularly on complaints received
6d) Considering the need for service delivery/policy changes
6e) Documenting and communicating lessons learnt
6f) Obtaining feedback from complainants on complaints handling
6g) Monitoring and controlling the complaints handling process
6h) Avoiding “unnecessary” complaints
Complaints handling is not just about dealing with individual complaints. It is also about improving a department’s services by using the insights obtained from complaints data. This section sets out the importance of learning lessons from complaints handling (including reviews/appeals). It includes guidelines to help staff use complaints data to highlight areas where service delivery improvement may be necessary. It also advises staff on the importance of robustly monitoring their department’s own internal systems to identify where improvement could be made. Finally, it underlines the importance of being transparent and communicating the lessons learnt from complaints handling to other departments and to the public.

**GOLDEN RULES FOR LEARNING FROM COMPLAINTS**

**Senior Management need to:**
- Ensure that they are fully and regularly briefed on the content of complaints received – not just on the statistics
- Emphasise to staff the need to inform senior management about complaints which they believe demonstrate a need for a service delivery improvement or change in policy
- Keep policy bureaux informed of complaint patterns, highlighting those that may warrant changes in policy or formulation of new policies
- Ensure that complaints handling procedures are being fully complied with and seek to identify ways to improve internal systems
- Be open and transparent about the number and type of complaints handled, both to internal Government audiences and to the public

**Middle Management need to:**
- Provide senior management with quality analysis of the main subjects of complaints received and highlight any new areas which may cause concern
- Be proactive about suggesting service delivery improvement or possible policy changes to senior management
- Ensure that frontline staff receive information about service delivery improvement and policy changes resulting from the complaints handled
- Highlight ways in which internal complaints handling systems could be improved and communicate these to frontline staff and senior management.

**Frontline Staff need to:**
- Communicate to the public that complaints reported are treated seriously and can lead directly to service delivery improvement and policy changes
- Proactively identify ways that service delivery and/or internal procedures for complaints handling could be improved and inform supervisors of these.
CHAPTER 6: LEARNING FROM COMPLAINTS

While the primary objective of the complaints handling system is to provide an effective means for the public to make complaints and have them addressed, another very important objective will be to improve services and service delivery. Complaints provide important intelligence to departments on where there may be improvement areas and systemic weaknesses. Departments should make the best use of this free information to identify any underlying problems and improve their services. There is no point to have a perfect complaints handling system but keep on repeating the same mistakes.

6a) Recording complaints data
The key to achieving service improvement from complaints data lies in having a systematic and reliable approach to recording complaint information and outcomes. Without proper records, a department will not be able to make informed decisions to tackle the root causes of complaints and optimise the deployment of resources.

All written and verbal complaints, including anonymous complaints, and referrals from other organisations, should be recorded in a central complaints register. Some large departments may also need to maintain central complaints registers on a district/subject matter basis. Depending on the number of complaints received, the register may be computerised or paper-based.

Typical information that may be captured in the register includes:

- Complainants’ personal contact details (see data privacy considerations below)
- Mode of complaints (e.g. face-to-face, phone, email, fax, letter, referral)
- Category of complaints (each department will categorise according to its most common types of complaints)
- Location of complaints (e.g. district), where appropriate
- Details of complaints
- Responsible handling party
- Indication if this is a cross-departmental complaint and, if so, list out names of departments involved
- Indication if this is a misdirected complaint and, if so, the department to which the complaint has been referred
- Response timescale
- Action taken and outcome of any investigation
- Any recommendations made for service improvement.

Each department’s records management system should be able to produce consistent reports on complaints statistics that will enable the Government as a whole to accurately report service-wide information on complaints handling. In particular, the protocol on documenting and separately listing cross-departmental and misdirected complaints need to be facilitated by each department’s records management system.

Data privacy considerations
Confidentiality is fundamental to an effective complaints handling system. Senior management should ensure that their department’s records management system for complaints complies with the Personal Data (Privacy) Ordinance (Cap 486). The personal details of a complainant should not be widely accessible to staff within the department. Controls should be in place to ensure that personal data about a complainant is only available to staff on a need-to-know basis, who primarily would be those staff responsible for responding to the complainant or who need to contact the complainant to obtain more information. To help mitigate security risks, departments should enforce strict limits on the use of portable storage devices (e.g. USB flash drives) and provide encryption options for all portable storage devices used to store personal data. A records management system with appropriate controls on complainants’ personal information will also serve to remind staff of the overall importance of maintaining confidentiality about personal data at all times.

6b) Analysing complaints data
Departments should deploy experienced officers to review and analyse the complaints. Each complaint provides an opportunity to reflect and improve on the department’s services.

The following are some typical questions that can be asked when analysing complaints:

Where did things go wrong?
- Was this kind of concern/complaint foreseen?
- Was there a system in place to address such a concern?
- Was the system operating as it should have been? If not, why did the system fail?
**How can we do better in the future?**
- Could this kind of concern/complaint recur?
- What is the likelihood of recurrence?
- What would prevent recurrence?
- Would the cure be worse than the concern?

**Are there significant disparities on a geographical basis?**
- Where do the most frequent/serious complaints occur?
- Are there differences in the resolution rates?
- Are there differences in the response times?
- Are there geographical patterns in the categories of complaints received?

**Are there temporal differences?**
- Are there seasonal variations?
- Are there significant patterns in time of day?

**Using technology to support and improve complaints handling**
When complaint information is properly classified and analysed, systemic and recurring issues can be more easily identified. Departments with significant numbers of complaints may consider using information technology to support their complaints handling processes. A computerised complaints management system may help the department manage each complaint through its lifecycle from recording, investigation, reporting to closure. A sophisticated system can automatically route a complaint to an investigating officer, keep track of the case progress, and escalate the case to a senior officer if it is not completed in time. The system can also provide powerful analytics and reporting capability to help the department perform trend analysis and identify recurring problems for further analysis.

**Departments may also consider employing advanced data mining technology to unveil valuable insights from the raw data. For instance, what are the most frequent types of complaints? Are they concentrated at a particular location? How long does it take to resolve the same type of complaint in different branch offices? Is there any correlation between different types of complaints? The answers to these questions can often help identify systemic issues and areas that need further improvement.**

**6c) Briefing senior management fully and regularly on complaints received**
Senior management should take an active interest in complaints received and ensure they have an effective strategy for monitoring and learning from them. Requiring a regular and comprehensive report on complaints received, and holding staff to account on the details of the report, can directly translate into a more effective complaints handling system.

Monitoring should not merely focus on the number of complaints received and compliance or not with set timescales for response. While these factors are important, senior management and policy makers should regularly receive an analysis of the content of complaints made and information regarding the outcome of complaint investigations.

For each reporting period, complaints reports could, for example:
- State the number of complaints received and responded to within agreed timescales
- State the number of complaints which were not responded to within agreed timescales and identify the reasons for delay
- Break down the complaints into different categories
- Show geographical distribution of complaints, if applicable
- Include a qualitative analysis of the main subject areas raised
- Highlight any new topics/areas that may cause concern
- Include data comparing performance in this period to previous periods
- Report the progress of the initiatives taken to improve services and suggest new ones
• Indicate which complaints are cross-departmental
• Identify complaints that are critical of policies, rather than performance.
• Include feedback from complainants (See Chapter 6f)

It is important that senior management receive timely reports on complaints received. This can enable a new concern to be identified and swiftly resolved before it is allowed to escalate into a more serious situation or generate large numbers of complaints. While the regularity with which reporting occurs will differ depending on the department, departments which receive large numbers of complaints may consider compiling more frequent complaints reports for senior management’s consideration.

6d) Considering the need for service delivery/policy changes

If the Government’s complaints handling system does not directly lead to service delivery and policy improvements, it will have failed in one of its primary purposes. Using complaints to identify areas where service improvements are needed should be a key responsibility of both middle and senior management.

CASE STUDY:

Using complaints to highlight the need for service delivery improvement

• There have been a lot of complaints about the increasing use of easy roll-up banner stands for commercial promotional activities on streets. These stands obstruct the vehicular and pedestrian traffic and affect street cleansing work. As the use of such stands is a relatively new phenomenon, clear enforcement policy has not been developed. Acknowledging the public’s concern, the FEHD is running a pilot scheme in selected districts to seize the stands and take prosecution action by applying relevant sections of the Public Health and Municipal Services Ordinance. The scheme, if proven successful, will be extended to other districts.

• The Leisure and Cultural Services Department (LCSD) received a large number of complaints about the arrangements for the public to apply for tickets when China’s Olympic gold medallists visited Hong Kong. Based on the public’s feedback and the experience acquired, the department implemented improved measures for ticket distribution for the exhibition on “China’s First Spacewalk Mission”.

• Previously, many applicants complained that they were unable to receive updated information on the progress of their application for public housing. As a result of a number of enquiries and complaints received on this issue, the HD implemented a new system to enable the public to enquire about their application status via the telephone or the internet round the clock.

• In the past, all four basketball courts at the Victoria Park would be closed when large scale events took place. The LCSD received complaints about this arrangement. Following a review with the event organiser, the department decided to keep two of the basketball courts open during the latest Hong Kong Brands and Products Expo held in December 2008/January 2009. The event ran smoothly and the public welcomed the new measure and sent appreciation letters to the department.
6e) Documenting and communicating lessons learnt

Transparency is part of an effective complaints handling system. Departments are encouraged to be open and transparent in communicating both their performance in handling complaints and the service delivery improvements implemented as a result of complaints made.

Internally, frontline staff may be regularly briefed on changes and improvements that have been implemented as a direct result of complaints. This helps frontline staff understand that their role in complaints handling is important and does lead to genuine service improvement.

Experience sharing among frontline staff is also an effective way to communicate lessons learnt. If properly documented, experience sharing materials can be readily transformed into useful training materials.

Supervisors should ensure that frontline staff receive regular briefings on improvements made, on successful review/appeal cases and on complaints handling performance and the need for any changes in internal procedures and systems. Where areas for improvements have been identified in the latter, senior staff should ensure that frontline staff receive the necessary training.

A transparent complaints reporting culture within the Government also ensures that senior management can consider and learn from best practices identified in other departments. Senior management are encouraged to highlight successful and problematical complaints case studies and share these with colleagues across the Government.

Finally, complaints handling information may be communicated to make the general public aware that the Government takes complaints seriously and that it is worth people’s time and effort to make a complaint. Communicating this information demonstrates that the Government listens to complainants and acts to rectify areas in which service delivery improvement or policy changes are needed.

6f) Obtaining feedback from complainants on complaints handling

One way departments can identify areas for improvement in their complaints handling system is through collection of customer feedback. This can be done in several different ways, including customer satisfaction surveys, workshops and focus groups. For instance, departments using telephone call centres can provide complainants with the option to carry out a short feedback exercise at the end of each call. Customer feedback should be made available to senior management to assist them to highlight areas where the complaints handling systems could be improved.

CASE STUDY: Gathering regular feedback from complainants

Members of the public contacting the EPD’s telephone call centre are invited to participate in an Interactive Voice Response customer satisfaction survey at the end of the call. This enables the department to compile detailed information on how satisfied complainants are with the way their complaint has been handled and helps the department identify areas where staff need training or the service could be improved.
6g) Monitoring and controlling the complaints handling process

Senior management need to actively monitor and control internal systems to ensure that the departmental complaints handling procedures are being properly implemented and to identify any areas where internal systems can be improved. An “alert” system can be used so that management know when performance pledges on timing, etc. are not being met.

Senior management should hold investigating staff to account regarding delayed responses and help identify ways to overcome common blockages in the system. For example, delays commonly occur when responsibility for resolving a complaint falls across different units or departments. Senior management should consider occasions when staff have found it difficult to assign clear responsibility for handling a complaint. It is important to try to clarify responsibility for these “grey areas” to prevent delay when similar situations arise in the future. This may involve discussion with the relevant policy bureaux if the topic involves policy or cross-departmental issues.

Senior management should also review samples of draft responses to complainants, to check on the quality of responses being regularly issued by the department and identify areas where the standard of responses could be improved.

6h) Avoiding “unnecessary” complaints

Many complaints arise from implementation of a policy or enforcement actions. Ensuring that the public have access to clear information will enhance understanding of the Government’s policies. This is often an effective pre-emptive measure to prevent the public from lodging an “unnecessary” complaint in the first place.

In explaining policies and practices to the general public, it is always important to ensure that the message is conveyed in a clear, concise and easy-to-understand manner, irrespective of the publicity channel employed. Technical jargon should be avoided. The appropriate channels of communication will vary, depending on the policy itself, but could include websites, information booklets, posters and other forms of advertisement.

In other jurisdictions, studies have found that a significant number of complaints/enquiries arise from poorly drafted responses to earlier enquiries. Whilst no such studies have been conducted in Hong Kong, departments should be alert to similar problems occurring here.

CASE STUDY:

Prevention is always better than cure

The BD from time to time receives complaints about its enforcement actions against unauthorised/unsafe structures. It therefore attaches great importance to educating the public about the relevant building safety policies. For example, it is a local tradition for households to do “a thorough home cleaning”, which usually includes window cleaning, before the Chinese New Year. During the period, the incidence of falling windows is usually higher than at other times. The department thus took the opportunity to step up the publicity for regular inspection of aluminium windows by issuing a pamphlet and an Announcement of Public Interest (API) Note.

Note: An API is usually a 30 second message, provided by the Government and used on television and radio stations to promote community awareness of issues.
CHAPTER 7

HANDLING PUBLIC ENQUIRIES

7a) Objectives
7b) Handling the initial contact well
7c) Adopting integrated, multiple channels
7d) Be alert to value for money
7e) Minimising “unnecessary” enquiries
CHAPTER 7: HANDLING PUBLIC ENQUIRIES

Previous chapters have advised on how to handle complaints. Much of the same advice applies to public enquiries. This will not be repeated in this chapter. Instead, this chapter will focus on a few new issues, some of which may also apply to complaints.

7a) Objectives
The objectives of public enquiries regimes should be to:
- Respond to the public’s demand for services and information
- Provide a variety of channels that meet the needs of different customer groups for convenient and accessible services
- Meet public demand in a cost-effective and value for money way
- Reduce the number of “unnecessary” enquiries.

7b) Handling the initial contact well
It goes without saying that departments should do their utmost to handle the first contact well. Satisfying the customers’ needs at the first attempt will shape the department/Government’s reputation in a positive way and reduce the likelihood of follow-up enquiries, complaints, etc.

Typically, enquiries to departments can be categorised into general enquiries, case specific enquiries, transactional services, complaints/service requests, support services and urgent services. Not all departments will deal with, for example, transactional services. Dedicated staff receiving enquiries should be provided with the training, guidelines, up-to-date and relevant information, and general support required to enable them to provide a good quality service.

7c) Adopting integrated, multiple channels
Different customers have different preferences and needs, depending on their age, physical condition, level of proficiency in using new technologies, geographical location, working hours and so on. Departments should review their customers’ profiles from time to time, to ensure that the provision of enquiry channels continues to meet their needs.

In many instances there is no substitute for face-to-face contact. However, public opinion surveys conducted by the Efficiency Unit show that there has been a recent growth in interest in using telephone and electronic channels. Greater use of electronic channels can help, for example, satisfy the demand for out of office hours service. Nonetheless, departments should be alert to the risks of using non-secure channels of communication for correspondence that may contain sensitive data.

It is important that citizens can easily find the contact details of the department concerned. These should be readily available on departmental websites and other publicity materials. For telephone hotlines, the fewer the number of hotlines the better. Whilst there may be no substitute for individual numbers for location or case specific enquiries, general enquiries and complaints can often be handled by one number. This also facilitates easier recording and compilation of statistics etc.

Channel management
To achieve the maximum benefits in terms of effective communication and service delivery, information and services may be provided through channels that will best respond to customers’ needs. The choice of the right channel will give departments the optimum cost benefits and ensure customer satisfaction.
- When compared with traditional channels, electronic channels can deliver high quality public services at a relatively low cost. They can provide information and services to customers that they can access at their own convenience and are suitable for those who are able to use the associated technology.
A call centre is a popular and widely used way to deal with complaints, enquiries and transactional services that cannot be offered through an electronic channel alone. It can provide a wide range of information and services through a single point of contact.

Despite being a relatively costly channel, face-to-face interaction remains a vital option for particular groups of customers or when personal contact with customers, greater emotional support, etc. is necessary.

In devising their channel strategy, departments may consider the following:

- Segmenting their customers to understand their requirements and which channels best suit their needs
- The type of contact required by their customers taking account of the nature of information and services to be provided
- Adopting a co-ordinated multi-channel approach and design an appropriate mix of channels for the target audience
- Reviewing business processes to explore joined-up opportunities with other related service providers, and cut out duplication and unproductive contact
- Reviewing the utilisation, costs and performance of the current channels to determine whether value for money is being achieved. If not, consider how to establish value for money channels and how to encourage customers to use them
- Address any compliance and regulatory issues, e.g. privacy concerns.

7d) Be alert to value for money

It will not always be possible to meet all the demands from the public. Constraints on the availability of staff and other resources will always limit what can be provided.

Departments may consider a variety of means to deliver good quality services within their budgets. Many of these may actually improve the quality of services provided. They may include:

- Replacing professional level civil servants by clerical officers. Most departmental hotlines are manned by civil servants, often on a part-time basis by professional officers
- Reducing the number of hotlines
- Redeploying staff from one channel to another to reflect changes in customer usage/preferences
- Establishing a call centre
- Establishing shared service centres/one stop shops with other departments covering related services
- Employing voice recognition technology
- Analysing enquiries received and enhancing publicity information on the topics that record high volumes of enquiries.

7e) Minimising “unnecessary” enquiries

Responding to public enquiries using a customer-friendly approach can impose a heavy burden on a department’s staff resources. According to the “Better Practice Guidance for Government Contact Centres” issued by the Central Office of Information of the United Kingdom (UK), as much as 40 to 50 per cent of contact traffic could be avoidable demand. Departments should examine how they can reduce the number of “unnecessary” enquiries made. For example, departments may:

- Ensure that existing information and publicity materials are accurate, up-to-date, unambiguous and easily accessible
- Advise and train staff in drafting reply letters to ensure that they are precise, accurate and comprehensive, to minimise the need for recipients to seek clarification
• Ensure that services and procedures are simple and user-friendly, designed from the perspective of the customers
• Ensure that departmental forms are as clear and simple as possible, with accurate and concise guidance notes
• Analyse the public enquiries received, identify frequently asked questions (FAQs), and enhance publicity information related to those areas
• Make use of voice recognition technology to answer simple, standard questions
• Promote self-help approaches by ensuring that departmental websites etc. are as informative as possible; provide FAQs sections for those common questions.

CASE STUDY:

Managing “avoidable” contacts

A call centre in the UK estimated that as many as 40% of its calls were of low value. So a team of staff used Root Cause Analysis techniques to scrutinise 4,500 calls to the call centre over a six week period. The team found that, for example, customers often did not have all the paperwork at hand when they called the centre, requiring one or more callbacks. They also found that instructions in some forms and guidance were not clear enough.

In addition to redesigning some internal processes, the team put up some recommendations to simply colour code forms for easier navigation, to provide simple checklists for customers to prepare for their call to the centre and to provide tear off slips for the customer to retain the most important information.
The [name of department] takes complaints seriously and is committed to working with complainants to address concerns and enhance service delivery. Complainants have the right for their complaint to be treated in a fair, transparent, courteous, timely and confidential manner.

The staff of [name of department] will record and consider any complaint made in accordance with relevant legislation, Government policies and established departmental practices. Complainants should be informed of the outcome of a complaint investigation in accordance with the department's performance pledges.

Complainants dissatisfied with the conduct of a complaint investigation may request that a review be conducted or may appeal the outcome.

Complainants should:
- Be honest, transparent and courteous in all their dealings with the [name of department] complaints handling staff
- Provide all the necessary, accurate details for investigation and resolution of the complaint
- Understand that some complaints need a thorough investigation which can take time. There may be cases where the response cannot be as quick as the Government and complainant would like
- Appreciate that the Government has to make decisions to safeguard public resources. It will not always be able to pursue an issue to the extent that a complainant would ideally like.

Complainants should NOT:
- Offer complaints handling staff any inducement to give their complaint special consideration. This may constitute an offence of bribery
- Direct how his/her complaint should be handled, and/or by whom.

**Personal Data Privacy Policy**
It is voluntary for complainants to supply their personal data. All personal data submitted will only be used for purposes which are directly related to the complaint. This may require the complainant's personal data to be passed to other departments/third parties. Complainants have the right to request access to and correction of their personal data held by the [name of department]. Request for access or correction should be made in writing to [HoD or Complaints Liaison Officer] at [address].

**Electronic Recording of Complaints**
The [name of department] aspires to conduct complaint investigations as efficiently and effectively as possible. This requires staff to know and understand correctly all the relevant details of the complaint. When a complaint is not made in writing, the telephone conversation or meeting may be recorded and the complainant will be informed in advance. Such recordings will be governed by the Personal Data (Privacy) Ordinance (Cap 486). If a complainant objects to such recording, he/she should submit the complaint in writing. If members of the public request that an interview be filmed or recorded, frontline staff would seek advice from their supervisor, as the appropriateness of this will depend on the individual circumstances of the case.
**Performance Pledges**

Generally speaking, the [name of department] will acknowledge receipt of complaints in writing as soon as possible and no later than ten calendar days. A substantive reply will be issued within 30 calendar days after receipt of a complaint.

For complicated cases requiring longer processing time, the complainant will be informed of the progress of the case and the reason why a longer time is needed to provide a substantive reply.

**Complaint Channels**

Any person wishing to make a complaint may use any of the following channels:

- By telephone at [telephone number]
- By email to [email address]
- By fax to [fax number]
- By mail to [postal address]
- In person at [address].

A request for a review or an appeal lodged by a complainant about a decision can be made to [officer handling review/appeal] via one of the following channels:

- By telephone at [telephone number]
- By email to [email address]
- By fax to [fax number]
- By mail to [postal address]
- In person at [address].