

Recommendations	The Office of The Ombudsman, Hong Kong (Ombudsman)'s Recommendations	Joint Office (JO) 's follow up and implemented improvement
(1)	Proactively identify causes of and devise strategies to clear the backlog. Where necessary, the Government should consider allocating more resources to the JO;	<ul style="list-style-type: none"> <li data-bbox="958 456 2022 624">(i) setting up four Regional Joint Offices (RJOs) in Hong Kong, Kowloon, New Territories East and New Territories West from 2020 to 2021 to facilitate communication between staff of the FEHD and the BD in the JO and enhance operational efficiency; <li data-bbox="958 671 2022 799">(ii) enhancing the Water Seepage Complaint Management System (WSCMS) for more effective monitoring of follow-up actions and progress of water seepage cases; <li data-bbox="958 847 2022 1007">(iii) streamlining work procedures to reduce the number of visits prior to application for a Warrant to Effect Entry into Premises to one time and standardising the documents for the application for warrants; <li data-bbox="958 1054 2022 1134">(iv) stepping up monitoring of the consultants' work performance; (see recommendation (6) below); <li data-bbox="958 1182 2022 1394">(v) setting up a water seepage resource centre and a customer service team in 2022 to help the public better understand the common causes of water seepage, testing and repair methods, as well as to advise on ways to resolve disputes between owners; and;

		(vi) the JO will continue to streamline its workflow and procedures to expedite the clearance of the backlog of cases.
(2)	Review and improve its workflow: explore shortening the time-frame for consultants' visits to the suspected premises upon case assignment; call the owner/occupant of the suspected premises to arrange the first visit where possible; update the informant on the case progress regularly; review whether the practice of having the FEHD staff issue the Nuisance Notice (Notice) according to the results of Stage III investigation and institute prosecutions	<p>(i) Since mid-September 2023, the JO has implemented a new set of investigation procedures in four districts on a trial basis. After completion of Stage I investigation, the JO will carry out Stage II initial investigation and Stage III professional investigation (Note) at the same time, which are originally conducted sequentially, to see whether the target investigation time required for applicable cases can be reduced by 30 per cent from 90 to approximately 60 working days. The JO will continue to optimise and streamline its work procedures to expedite the handling of water seepage cases;</p> <p>(ii) The JO has implemented relevant guidelines. For example, if the JO possesses the contact information of the owner/occupier of the premises with suspected water seepage, the JO staff will contact the relevant owner/occupier before its first visit and timely advise the informant the case progress;</p> <p>(iii) During the investigation of water seepage, the BD provides professional advice to enable staff of the FEHD to issue the Notice and institute prosecutions under the PHMSO; the arrangement is in line with the FEHD's objective of enforcing the PHMSO to deal with public health nuisances;</p>

	against owners are the best way to achieve the aim;	
(3)	Explore, in consultation with the DoJ, the feasibility of simplifying investigation reports without compromising its enforcement actions;	(i) The JO has provided a template in the contracts of the new outsourced consultancy firms for Stage III from 2023 onwards to simplify the format of the investigation report submitted by the consultants so as to shorten the time required for the preparation of the reports. However, there is limited scope for further simplification. This is due to the fact that the JO's investigation and collection of evidence must meet the strict standard of the criminal laws, and the relevant procedures are to ensure that the evidence is sufficiently strong to be admissible as evidence in court, and that there are sufficient grounds with all evidence taken into account in support of the enforcement action for the issue of Notice. Moreover, after the issuance of the Notices, the owners of the premises concerned often request a copy of the Stage III investigation report from the JO for arranging repair to resolve the issue. Failure to provide detailed reports may lead to unnecessary complaints or litigation.
(4)	Explore the setting up of a mechanism for finding the reasons for prolonged time (more than 90 working days) needed to complete actions and compiling	(i) The JO has enhanced the WSCMS to require staff of the JO to input the reasons for constraints in the progress of investigation, e.g. seepage involving multiple sources, recurring or intermittent seepage, multiple tests are required for identifying the source, owners or occupants not co-operating with the investigation, etc, so as to more effectively analyse and monitor the follow-up work and progress of water seepage cases;

	<p>statistics so as to devise a case management strategy to enhance the efficiency of handling water seepage reports, and devise practicable reference/performance indicators for handling complicated cases;</p>	<p>(ii) To enhance transparency, the JO has, since January 2022, published on its thematic webpage on water seepage (www.waterseepage.gov.hk) for public information the time required for investigating reported cases of water seepage in buildings each year. The percentage of cases with investigations completed and informant notified of the results within 90 working days was 68.5 in 2022.</p>
<p>(5)</p>	<p>Proactively consider extending the initiative of using new testing technologies in the pilot districts to other districts for identifying the source of water seepage;</p>	<p>(i) To increase the success rate of identifying the source of water seepage, since June 2018, the JO has applied new testing technologies, such as infrared thermography (IT) and microwave tomography (MT), in professional investigation in selected pilot districts where applicable. With the experience gained and data obtained in the pilot application, the JO has extended the use of these technologies to a total of 14 districts as at December 2023.</p> <p>(ii) For more complicated water seepage cases in areas that are not selected as pilot districts, such as more serious cases, prolonged and repeated seepage, etc, where the source of water seepage cannot be identified by the conventional testing method, the JO will also make use of the new technologies approach to assist in the investigation. Apart from having a higher success rate than the conventional testing method, the use of the new testing technology will also reduce the time required in the suspected premises for testing;</p>

		<p>(iii) The JO has been closely monitoring the effectiveness of the new testing technologies and will continue to use the new testing technologies effectively to identify the source of water seepage. Depending on the availability of relevant service providers in the market, the JO will gradually extend the use of these technologies to more districts.</p>
<p>(6)</p>	<p>The JO (BD) to step up monitoring of its consultants, and discuss with its bureau on enhancing penalty for consultants with poor performance;</p>	<p>(i) The JO has been closely monitoring the consultant's performance, its effectiveness and progress of investigations. The JO will conduct site audits to ensure the consultants have followed the contract requirements and the relevant technical guidelines in conducting water seepage investigation and testing.</p> <p>(ii) The JO has enhanced the WSCMS for more effective monitoring of follow-up actions and progress of water seepage cases, and strengthening monitoring of the consultants' performance.</p> <p>(iii) The JO staff will conduct questionnaire surveys with the owners or occupants to evaluate the service quality of consultants.</p> <p>(iv) The JO staff will make use of the bi-weekly reports submitted by the consultants to monitor the progress of cases being handled by the consultants, and require them to expedite handling of prolonged cases. Besides, they would, on the merit of individual cases, supervise and take part in resolving the</p>

		<p>difficulties and problems encountered in the course of expediting the handling of relevant cases. In addition, the biweekly operation meetings between the JO staff and its consultants will cover a regular agenda item to report and follow up on prolonged cases.</p>
(7)	<p>Proactively consider restructuring its setup so as to put itself under a lead department and establishing a “case manager” system; and</p>	<p>(i) The prevailing division of labour within the JO can best utilise the expertise of staff from both departments and maximise synergy, which is the ideal arrangement for effective handling of water seepage investigation and enforcement.</p> <p>(ii) To further improve the handling of water seepage cases, a Review Task Force comprising representatives from the Food and Health Bureau, the Development Bureau, the FEHD, the BD and the Water Supplies Department (WSD) was formed in 2018 to comprehensively review and streamline the procedures for handling water seepage complaint cases by the JO staff at various stages of the investigation, with a view to minimising unnecessary and cumbersome procedures and enhancing the service and efficiency of the JO. Having examined the proposal, it is considered that appointing an officer from one of the departments as "case manager" may make it difficult to monitor the progress given the expertise and roles of the two departments. In fact, the relevant work and division of labour arrangements were jointly agreed by the two departments in accordance with the objectives and rational basis for the establishment of the JO.</p>

<p>(8)</p>	<p>Implement as early as possible the interim recommendations made by the Review Task Force formed by the relevant bureaux and departments, including setting up the New Territories East RJO as planned, discussing with the WSD the regularisation of the JO's referral of water seepage reports, enhancing the WSCMS and publishing its performance results regularly, setting up a customer service team and streamlining work procedures, and explore introducing mediation service to resolve disputes over water seepage.</p>	<p>The Review Task Force conducted a comprehensive review of the operation of the JO, including streamlining work procedures and continuing to implement the improvement recommendations in the Audit Commission's 2016 report.</p> <p>The JO has implemented a series of improvement measures, such as:</p> <ul style="list-style-type: none"> (i) Establishment of four RJOs so that staff of the two departments can work in the same office, allowing instant and face-to-face discussion on complicated cases to enhancing work efficiency; (ii) Expansion of the use of new testing technologies including IT and MT to a total of 14 pilot districts at present to increase the success rate in identifying the source of water seepage; (iii) Enhancement of the WSCMS for effective monitoring of progress and follow-up actions of individual cases (For example, the system will alert the JO staff to take immediate follow-up actions on cases with potential delay); (iv) Publish of actual performance in carrying out investigations on reported cases of water seepage in buildings since 2022; (v) Stepping up monitoring of the consultants' performance; and (vi) Early referral of water seepage cases involving leakage of water supply pipes to the WSD.
------------	--	---

		The Review Task Force enhanced understanding amongst departments. In addition to review and improve the extant work procedures, the Review Task Force will continue to enhance the improvement measures implemented.
--	--	--

Note: Stage I investigation will confirm whether the moisture content (MC) of the seepage areas is at 35 per cent or above. The JO will not investigate water seepage reports with MC below 35 per cent. If the MC is found equal to or exceeding 35 per cent, Stage II investigation will be arranged. Stage II investigation is an initial investigation which includes conducting colour water tests for drainage pipes, reversible pressure tests for water supply pipes, and MC monitoring of seepage areas, etc. If the source of water seepage cannot be identified, Stage III investigation will be arranged. Stage III investigation is a professional investigation which includes conducting ponding tests for floors, spray tests for walls, reversible pressure tests for water supply pipes, the MC monitoring of seepage areas, and the application of new testing technologies such as IT and MT in 14 pilot districts for applicable cases, etc.