

LCQ12: Complaint handling of Hospital Authority

Following is a question by the Dr Hon Pierre Chan and a written reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (May 16):

Question:

Regarding the complaints and claims of medical negligence received by the Hospital Authority (HA), will the Government inform this Council:

(1) whether it knows the number of claims of medical negligence received by each public hospital in each of the past five years (i.e. from January 1, 2013 to December 31, 2017), and set out a breakdown by type of claims in tables of the same format as Table 1;

(2) whether it knows the number of complaints in each public hospital which were found, in each of the past five years, to be substantiated and needed further follow-up actions after being handled by the hospitals concerned, and the respective numbers of the various types of healthcare personnel (i.e. doctors, nurses and allied health professionals) who were punished because they had made mistakes in the relevant incidents, and set out a breakdown by type and rank of such personnel in tables of the same format as Table 2; the forms of punishment they received;

(3) given that complainants may appeal to the Public Complaints Committee (PCC) of HA if they are not satisfied with the decisions made by public hospitals in respect of their complaints, whether it knows the number of appeal cases received by PCC in each of the past three years and, among them, the number of those found by PCC to be substantiated or partly substantiated (set out in Table 3);

(4) whether it knows the number of claims of medical negligence in each of the past two years, broken down by different handling methods/results (set out in Table 4);

(5) whether it knows the number of claims for which compensation was paid to the patients concerned or their families by HA in each of the past two years, and the respective total amounts of compensation paid and the relevant expenditure incurred, for various types of claims (set out in Table 5); and

(6) given that the target response time set by HA for handling complaints is within six weeks (within three months for complex cases), and that by PCC is within three to six months (possibly longer time needed for complex cases), whether it knows, among the complaints the handling of which was completed by each public hospital and by PCC in each of the past five years, the respective numbers of those in which the response time failed to meet such targets (set out in Table 6), and the reasons for failure to meet the

targets?

Table 1: Number of claims of medical negligence
Hospital:

Type of cases	Year				
	2013	2014	2015	2016	2017

Table 2: Number of healthcare personnel punished

Healthcare personnel	Year				
	2013	2014	2015	2016	2017
Doctors: (of different ranks)					
Nurses: (of different ranks)					
Allied health professionals: (of different ranks)					

Table 3: Number of appeal cases received by the Public Complaints Committee

Appeal cases	Year		
	2015	2016	2017
Total			
Number of cases found to be substantiated or partly substantiated			

Table 4: Number of claims of medical negligence, broken down by handling method/result

Handling method/result	Year	
	2016	2017
Settled out of court		
Referred to mediation		
Settled during mediation		
Settled after mediation		
Referred to arbitration		

Reply:

President,

The Hospital Authority (HA) has a two-tier mechanism in place to handle complaints lodged by patients and the public. The first tier is at the hospital level which covers the handling of all complaints lodged for the first time. If the complainant is not satisfied with the outcome of the complaint, he or she may appeal to the second tier, i.e. the Public Complaints Committee (PCC) of the HA. The PCC is a committee established under the HA Board responsible for independently considering and deciding on all appeal cases and putting forward recommendations on service improvement to the HA. Members of the PCC are not employees of the HA and, by virtue of their independent status, will handle all appeal cases fairly and impartially.

My reply to the various parts of the question raised by Dr Hon Pierre Chan is as follows:

(1) The HA has not classified the cases of claims arising from medical incidents by nature. Table 1 at annex sets out the number of claim received by the HA by cluster in the past five years.

(2) One of the main objectives of the HA's complaint mechanism is to help resolve problems for the complainants and improve service delivery during the course of complaint handling. Hence, when the HA handles the cases, the emphasis is not on whether the cases are substantiated. In fact, whenever room for improvement in the delivery of service is identified in the handling of complaints, the HA will take appropriate follow-up actions irrespective of whether the cases are substantiated or not. The HA does not collect data on whether the complaint cases handled at the first-tier level are substantiated or not.

The HA has put in place an established mechanism to handle disciplinary matters of its staff. Disciplinary actions taken are not confined to cases relating to medical complaints and claims. The HA will consider the seriousness of the incidents and take appropriate disciplinary actions, including counselling, verbal or written warnings, and dismissal for cases of gross misconduct.

The HA does not maintain statistics on disciplinary actions by rank and by type of staff. Table 2 at annex sets out the number of disciplinary actions taken by the HA in the past five years:

(3) Table 3 at annex sets out the statistics on the appeal cases handled by the PCC of the HA in the past three years:

(4) and (5) Table 4 and 5 at annex set out the statistics on cases of claims received by the HA in respect of medical incidents in the past two years.

(6) The hospitals and the PCC will, upon receipt of complaints, handle these cases as soon as possible. As the complexity of each case varies, the time required for handling individual cases is different.

Some complaint cases cannot be concluded within the target response time possibly because of the involvement of several hospitals or several departments within a hospital in the case, the need for multiple clarification or evidence collection during investigation, the involvement of complex clinical management in the case, or the need to seek advice from independent medical experts.

Table 6 at annex sets out the number of complaint cases handled by the PCC and the HA by clusters that were completed beyond the target response time.

Government receives tentative results of 2018 Pay Trend Survey

A spokesman for the Civil Service Bureau (CSB) said that the bureau received the tentative results of the 2018 Pay Trend Survey from the secretariat of the Pay Trend Survey Committee (PTSC) today (May 16).

The tentative results, presented in the form of "gross pay trend indicators", show the rates of pay adjustment in the private sector in three salary bands for the period from April 2, 2017, to April 1, 2018. The PTSC will meet next week to decide whether to validate the "gross pay trend indicators".

"The civil service payroll cost of increments incurred in 2017-18 for each salary band (set out in the table below) will be deducted from the respective "gross pay trend indicators" to arrive at the "net pay trend indicators", which will continue to be one of the factors to be considered by the Chief Executive-in-Council in determining the 2018-19 civil service pay adjustment. Other factors include the state of Hong Kong's economy, the Government's fiscal position, changes in the cost of living, the pay claims of the staff side and civil service morale," the CSB spokesman said.

"The Pay Trend Survey is effective and credible. Over the years, it has provided objective and reliable data on the annual pay movements of organisations in different sectors. The PTSC is a tripartite committee comprising representatives of the staff side of the four central consultative councils, the two independent advisory bodies (namely the Standing Commission on Civil Service Salaries and Conditions of Service and the Standing Committee on Disciplined Services Salaries and Conditions of Service) and government officials. Every year before the Pay Trend Survey commences, the PTSC carefully reviews the survey arrangements in detail. All suggestions raised by members during the review process are thoroughly discussed by the PTSC," the CSB spokesman added.

The 2017-18 civil service payroll cost of increments expressed by salary

bands are tabulated below:

Salary band	Cost of increments as a percentage of the total civil service salary expenditure of the respective salary band of that year
Upper (monthly salary from \$67,066 to \$135,075)	1.19%
Middle (monthly salary from \$21,880 to \$67,065)	1.12%
Lower (monthly salary below \$21,880)	2.05%

[Pay Trend Survey Committee Meeting on May 16, 2018](#)

The following is issued on behalf of the Pay Trend Survey Committee:

The 2018 Pay Trend Survey (PTS) Report, compiled by the Pay Survey and Research Unit of the Joint Secretariat for the Advisory Bodies on Civil Service and Judicial Salaries and Conditions of Service, was released today (May 16) to Members of the Pay Trend Survey Committee (PTSC).

The survey has indicated the following average pay adjustments in the surveyed companies over the 12-month period from April 2, 2017, to April 1, 2018.

Tentative Findings of the 2018 PTS (subject to verification)

	Basic Pay Indicator	+	Additional Pay Indicator	=	Gross Pay Trend Indicator
Lower Salary Band (below \$21,880 per month)	4.39%	+	0.50%	=	4.89%
Middle Salary Band (\$21,880-\$67,065 per month)	4.83%	+	0.80%	=	5.63%

Upper Salary Band (\$67,066-\$135,075 per month)	3.87%	+	1.38%	=	5.25%
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Members of the PTSC are at present studying the survey report in detail. Subject to their analysis and deliberation, the PTSC would verify and consider validating the findings of the survey at its meeting on May 24, 2018. After that, the PTS results will be submitted to the Government. In accordance with the established practice, the Government will take into account the Pay Trend Indicators derived from the PTS and other pertinent considerations (such as the state of Hong Kong's economy, the Government's fiscal position, changes in the cost of living, pay claims of the staff side and civil service morale) before making a decision on the 2018-19 civil service pay adjustment.

The survey results reflect the pay trend in 112 companies covering 157 504 employees over the 12-month period from April 2, 2017, to April 1, 2018. Among these companies, there are 86 larger companies (employing 100 or more staff) and 26 smaller companies (employing 50-99 staff). These companies are regarded as typical employers in their respective fields, and are generally known as steady and good employers with rational and systematic salary administration.

The survey is conducted in accordance with the improved methodology as approved by the Chief Executive-in-Council in March 2007. The survey takes into account adjustments to basic salary and additional payments awarded to employees of the surveyed companies attributable to factors in relation to cost of living, general prosperity and company performance, general changes in market rates, merit and inscale increment.

The PTSC is chaired by Mr Wilfred Wong Kam-pui, who is a member of the Standing Commission on Civil Service Salaries and Conditions of Service. Mr Wong wishes to express the PTSC's sincere appreciation of the co-operation and assistance rendered by the participating companies to the 2018 PTS.

[Hong Kong Customs smashes syndicate suspected of smuggling goods in electric vehicle battery case \(with photos\)](#)

Hong Kong Customs yesterday (May 15) for the first time smashed a suspected smuggling syndicate that was using the battery case of an electric private vehicle for smuggling activity. During the operation, a total of 1

576 smartphones, 228 smart watches and 45 solid state drives (SSD) with an estimated market value of about \$8 million were seized.

Customs officers yesterday morning monitored a cargo yard in Yuen Long which was suspected to be a loading base used by a syndicate for smuggling activities.

Later on the same day, an electric private vehicle which left the cargo yard was intercepted by Customs officers when it arrived at Shenzhen Bay Control Point. A total of 1 576 smartphones, 228 smart watches and 45 SSDs were found inside the battery case of the private vehicle.

Customs officers subsequently searched the cargo yard and a premises in Yuen Long. A light goods vehicle, another private car, packing materials and tools were further seized for investigation.

A total of five men, aged 26 to 48, were arrested during the operation.

Investigation is ongoing.

Smuggling is a serious offence. Under the Import and Export Ordinance, any person found guilty of importing or exporting unmanifested cargo is liable to a maximum fine of \$2 million and imprisonment for seven years.

Members of the public may report any suspected smuggling activities to the Customs 24-hour hotline 2545 6182 or dedicated crime-reporting email account (crimereport@customs.gov.hk).



[22nd batch of applications approved under Pilot Green Transport Fund](#)

The Environmental Protection Department (EPD) today (May 16) announced

its approval of the 22nd batch of applications for the trials of green innovative transport technologies under the Pilot Green Transport Fund.

The six newly approved applications are for the trials of one electric medium goods vehicle (tractor), two electric light goods vehicles (van type) and four hybrid light goods vehicles (non-van type), involving a total subsidy of about \$3.8 million. The applications were from:

Elephant Motors Company Limited
P & J Logistics Limited
P & J Logistics (Hong Kong) Limited
Regal Transportation Services (Asia) Limited
Shing Wah Trading (Hong Kong) Limited
Yee Hop Lung

The latest approval brings the total number of trials being pursued under the Fund to 124 for testing three electric taxis, three electric light buses, 21 single-deck electric buses, 56 electric light goods vehicles (van type), one electric medium goods vehicle (tractor), 48 hybrid light goods vehicles (non-van type), 28 hybrid medium goods vehicles, 11 hybrid public light buses, two single-deck hybrid buses, one solar air-conditioning system for a bus, four electric inverter air-conditioning systems for buses, three diesel-electric propulsion systems for ferries and one seawater scrubber for a ferry, amounting to a total subsidy of about \$135 million.

At present, 96 approvals under the Fund are already on trial. Sixty-four of them have completed their trials, involving three electric taxis, eight single-deck electric buses, 41 electric light goods vehicles (van type), 23 hybrid light goods vehicles (non-van type), 13 hybrid medium goods vehicles, five hybrid public light buses, one solar air-conditioning system for a bus, one electric inverter air-conditioning system for a bus, one diesel-electric propulsion system for a ferry and one seawater scrubber for a ferry. The EPD will continue to upload the interim and final reports once completed to the Fund's website for public information.

The Government put in place the \$300 million Fund in March 2011 to subsidise the testing of green innovative transport technologies. The Fund is open for applications from public transport operators, charitable and non-profit-making organisations providing services to clients, and goods vehicle operators. The technologies for trial include alternative-fueled vehicles, conversion of in-use conventional vehicles to alternative-fueled vehicles, and after-treatment emission reduction devices or fuel-saving devices related to transport activities. Transport operators may apply for the Fund to try out different green innovative products subject to a maximum subsidy of \$9 million for each application and \$12 million in total.

For more information on the Fund and the approved applications, please visit the EPD website (www.epd.gov.hk) or call the enquiry hotline on 2824 0022.