

**Minutes of the One Hundred and Thirty-third Meeting of
The Equal Opportunities Commission
held on 16 December 2021 (Thursday) at 2:30 p.m. in the
Equal Opportunities Commission's Conference Room**

Present

Mr Ricky CHU Man-kin, IDS	Chairperson [C/EOC]
Ms Queenie CHAN Lai-kwan, MH	
Prof Cecilia CHAN Lai-wan, JP	
Prof Andy CHIU Man-chung	
Ms Rosanna CHOI Yi-tak	
Dr Theresa CUNANAN	
Mr Mohan DATWANI	
Mr Simon LAM Ken-chung	
Dr Sigmund LEUNG Sai-man, BBS, JP	(via telephone-conferencing)
Dr Henry SHIE Wai-hung	
Ms Anna THOMPSON	
Dr Rizwan ULLAH, MH	(via telephone-conferencing)
Dr Ferrick CHU Chung-man	Secretary Executive Director (Operations) [ED/O]

Absent with apologies

Hon Vincent CHENG Wing-shun, MH, JP
Ms Maisy HO Chiu-ha, BBS
Ms Linda TSANG Chi-man
Mr Gary WONG Chi-him
Miss Rabi YIM Chor-pik

In attendance

Mr Ivan LUK Chi-cheung	Executive Director (Enforcement) [ED/E]
Mr Oska LI Kam-hung	Director, Corporate Planning and Services [DCPS]
Mr Tony SIU Kit-hung	Director, Complaint Services [DCS]
Miss Kitty LAM Kit-yee	Head, Policy, Research and Training [HPRT]
Ms Shana WONG Shan-nar	Head, Corporate Communications [HCC]

Mr John KEUNG Shui-cheung	Ag Chief Equal Opportunities Officer (Services & Human Resources Development [Ag C(SHRD)])	} For Agenda Item 3 only
Miss Gloria YU Wai-ling	Senior Equal Opportunities Officer, Administration & Personnel [SAP]	
Ms Hollis LING Yin-har	Equal Opportunities Officer, Administration & Personnel [EAP]	
Mr Robert LI	CS Global Consultancy Limited (CSGC)	} For Agenda Item 3 only
Mr AU Sai-man	CS Global Consultancy Limited (CSGC)	

I. Introduction

1. The Chairperson (C/EOC) welcomed all Commission Members (Members) to the 133rd Meeting. C/EOC said that Dr Sigmund LEUNG and Dr Rizwan ULLAH would join the meeting via telephone conference. Mr Mohan DATWANI would leave the meeting at around 3:30 pm. Apologies for absence were received from Hon Vincent CHENG, Ms Maisy HO, Ms Linda TSANG, Mr Gary WONG and Miss Rabi YIM.

2. C/EOC said that there were no special issues for informing the media, hence no press briefing would be held after the meeting.

3. C/EOC proposed and Members agreed to first consider Agenda Item 3 on “Findings of the Survey on Efficiency and Effectiveness of EOC’s Complaints Handling and Enquiry Services 2021” so that representatives of CS Global Consultancy Limited (CSGC), the external survey consultant engaged to conduct the survey, could be excused from the meeting right after this item.

II. New Agenda Items

Findings of the Survey on Efficiency and Effectiveness of EOC's Complaints Handling and Enquiry Services 2021

(EOC Paper No. 13/2021; Agenda Item No. 3)

4. C/EOC welcomed Mr Robert LI and Mr AU Sai-man, who were the representatives of CSGC, to join the meeting to present the key findings of the Survey on Efficiency and Effectiveness of EOC's Complaint Handling and Enquiry Services conducted for the period from 1 August 2020 to 31 July 2021 (SEE-2021) as contained in EOC Paper No. 13/2021.

5. SAP highlighted to Members the background pertinent to the conduct of the SEE-2021. Members noted that annual user opinion surveys had been conducted since 2009 to gauge feedback from users of EOC's complaint handling and enquiry services. The findings had been presented to the EOC Board for information at its regular meetings in December each year. Taking into account the suggestions made by the Efficiency Unit of the Hong Kong Government in its study on EOC's complaint handling procedures in 2011, an independent consultancy company had since been engaged to conduct the survey. On the advice of the EOC Board, this longitudinal survey, instead of being conducted annually, had been conducted on a biennial basis from 2016 onwards for better cost-effectiveness. The survey was last conducted in 2019 (SEE-2019) and its findings were considered at the 128th EOC Meeting. At the Meeting, Members suggested that for future surveys, other methodologies such as in-depth interviews and secret customers could be deployed if considered appropriate.

6. For the SEE-2021, Members noted that CSGC was appointed as the independent survey consultant through a competitive bidding exercise in pursuance of the established procedures set down in the EOC Procurement of Stores and Services Manual. In the planning stage of the SEE-2021, the survey model had been appropriately refined after thoroughly reviewed the usefulness of various

survey methodologies, together with relevant considerations, including the need for capturing comparable feedback for longitudinal analysis and the survey items on the “Victim-Centric Approach (VCA)” adopted in complaints and enquiries handling as recommended in the EOC’s Governance, Management Structure and Complaint Handling Process Review (the Review) conducted in 2019. Also, in-depth interviews, a method once used to solicit qualitative feedback in the 2015 survey, had been brought back in the SEE-2021 for garnering analysis in a more holistic manner.

(Dr Theresa CUNANAN joined the meeting at this juncture.)

7. Members noted that the use of secret customers as a survey method had been carefully considered but found not an applicable approach in the EOC’s setting. There would be ethical ramifications and distortions of the real situation if hypothetical discrimination scenarios were created for lodging complaints or posing enquiries for testing purposes. Also, genuine personal data (such as name and HKID number) would need to be used for lodging discrimination complaints and the secret customers so engaged might not be prepared to disclose their own personal data in the testing process. Besides, the use of secret customers would often be effective if the services to be tested were standardised ones going along with certain pre-set service protocols. In this respect, the EOC’s complaint handling and enquiry services were essentially case-specific and the service quality was mainly reflected through staff members’ ability to analyse case substances rather than the interpersonal/communication tact of the handling staff. In this light, testing done through secret customers would not be an appropriate approach, not to mention that all along there had been very few service complaints against staff members’ impoliteness and bad manner. In addition, the use of secret customers might cause mistrust between EOC and its staff members, creating negative sentiments amongst staff members if such a method was to be taken on board.

8. Mr Robert LI presented to Members the survey process and the key findings of the SEE-2021, including the critical factors affecting the users' overall satisfaction ratings of EOC's complaint handling and enquiry services, and the possible areas for future improvement. Members noted that, the overall satisfaction ratings on the EOC's service provision was generally maintained among the Complainants (5.18 in 2021 vs 5.18 in 2019), though mild declines from 2019 to 2021 were observed among the Respondents (7.08 in 2021 vs 7.24 in 2019) and the Enquirers (6.04 in 2021 vs 6.25 in 2019). These downward changes in Respondents and Enquirers' ratings were not statistically significant, hence not indicative of any trend.

9. Members noted that in the refined survey model, there were seven performance attributes related to the VCA. When looking into the respective contribution brought by different service aspects towards users' overall satisfaction ratings through stepwise linear regression analyses, it was found that the VCA feature "Taking Care of Service Users' Sentiments" was the most critical factor affecting users' satisfaction ratings across all three types of users (i.e. Complainants, Respondents and Enquirers).

10. Members noted that a total of 16 in-depth interviews with 14 service users and two EOC staff members were conducted to seek possible areas for continuous improvement in the EOC's complaint handling and enquiry services. A summary of the views garnered from the in-depth interviews was appended at Appendix 8 of EOC Paper No. 13/2021 and the recommendations for possible areas for improvement were presented to Members at the meeting.

11. Members expressed their appreciation of the EOC's efforts in carrying out the survey for service improvement purpose. A Member, as one of the Panel Members who steered the Review mentioned in paragraph 6 and the one initiated the VCA, remarked that he was pleased to see the VCA items being incorporated in the SEE-2021. In response to the Member's comment that the overall

satisfaction ratings of users seemed to be heading downward this round, Mr Robert LI cited the results of the 2015 survey as an example and explained that a survey on public service of this kind was prone to be negatively affected by social sentiments. The overall ratings found in SEE-2021 were in general affected by the social sentiments caused by the advent of the social movement and the COVID-19 pandemic situation from mid-2019. He added that the overall satisfaction of EOC's service, in statistical terms, were basically on par with the results of previous SEEs. It was not easy to attain and sustain such results at this level. In this respect, the EOC had fared better when compared with a reputable organisation overseas as evidenced in a very similar users' opinion survey conducted in 2016 (the only comparable survey available for reference).

12. Another Member was pleased to note that in general the service users' overall satisfaction had been maintained, amidst a time of social discordance and a number of influxes of complaints and enquiries triggered by the negative atmosphere over the past two years. He agreed with the consultant's recommendation to further enhance the quality of communication and empathic skills of EOC officers. He also suggested that for cases concluded with gloomy outcomes, there might be a case to have such outcomes conveyed to service users by more senior officers who would be more experienced and tactful in addressing to the users' sentiments and concerns.

13. Regarding questions related to the survey methodology, Mr Robert LI said that three different sets of questionnaire had been used for Complainants, Respondents and Enquirers as appended in Appendices 1, 2 and 3 of EOC Paper No. 13/2021 respectively. SAP supplemented that service users who had lodged complaints against EOC's service and/or staff members would also be invited to participate in SEE-2021 unless their complaint cases had yet to be concluded.

14. In response to a Member, C/EOC shared his observation that the high proportion of service users stating that they would recommend EOC's service to

other persons was a vivid indication of their trust in the EOC's services.

(Mr Mohan DATWANI left the meeting at this juncture.)

15. On the training programmes provided to EOC staff in recent years, Ag C(SHRD) informed the Meeting that a total of ten workshop/training programmes had been conducted since 2017 for enhancing staff members' sensitivity, communication and empathic skills. In total, there were over 315 training attendances in these programmes. From the feedback of the participants and their supervisors, the expected training impact and improvement in skills and knowledge were well noted and largely achieved. In this connection, the number of complaints against the EOC's services and employees had been reducing steadily over the same period and the vast majority of these complaint cases were not substantiated. Members noted that the EOC office would continue to tailor-make its staff training programmes in light of the areas recommended in the SEE-2021.

16. On how best the efficiency and effectiveness of EOC's services being assessed in the survey, Mr Robert LI explained that service users' views in this respect had been concretely reflected in their responses to a host of questions posed to them. For instance, complainants had been asked whether they agreed that their discrimination complaints had been acknowledged and addressed within the specified response timeframes pledged under EOC's performance standards, e.g. acknowledgement of receipt of a discrimination complaint in writing within three working days, interviewing a prospective complainant asking for an appointment within five working days, etc.

17. C/EOC thanked Members for their valuable comments and said that the findings of the SEE-2021 had provided a good reference for the EOC to further improve its complaint handling and enquiry services. The EOC would consider taking on board the improvement recommendations as appropriate.

(Mr John KEUNG, Mr Robert LI and Mr AU Sai-man left the meeting at this juncture.)

III. Confirmation of Minutes (Agenda Item No. 1)

Confirmation of Minutes of the 132nd Meeting on 16 September 2021

18. The draft minutes of the 132nd EOC Meeting were issued to Members on 15 October 2021. No request for amendment to the minutes was received. Members confirmed the draft minutes issued on 15 October 2021 without amendments.

IV. Matters Arising (Agenda Item No. 2)

19. There were no matters arising from previous meetings that required Members' attention in this meeting.

V. New Agenda Items

Final Report on the EOC's 25th Anniversary Programme

(EOC Paper No. 14/2021; Agenda Item No. 4)

20. Members noted the final report on the activities and programmes of the 25th anniversary campaign as contained in EOC Paper No. 14/2021.

Chairperson's Quarterly Report

(EOC Paper No. 15/2021; Agenda Item No. 5)

21. C/EOC highlighted the important work done during the period from September to December 2021 as contained in EOC Paper No. 15/2021.

22. Members noted that a press conference to release the findings of the Equal Opportunities Awareness Survey 2021 had been held on 11 November 2021. The findings of the general public's perception about issues in relation to disability had provided a basis for the Commission to continue to work on accessibility improvements, including through proposing relevant legislative amendments. C/EOC further remarked that there were growing pleadings in the community asking for appropriate measures against the perceived prevalence of age discrimination. In light of the research findings, this could be an area calling for further research efforts to better understand public views on issues related to age discrimination.

23. Members also noted that the Government's vaccination measures were focuses of concern of the general public, such as the requirement for using the LeaveHomeSafe mobile apps to access to all premises regulated under the Prevention & Control of Disease (Requirements & Directions) (Business & Premises) Regulation since early December 2021. Various concerned groups had relayed to the Commission their views and concerns. To facilitate the Government to follow up on the matter, the Commission had taken the initiative to summarise these opinions and refer them to relevant bureaux, including the Food and Health Bureau, the Innovation and Technology Bureau and the Labour and Welfare Bureau. The EOC was glad to receive prompt responses from the Government, giving pertinent information and related technical details to address the concerns at issue, and the coping measures contemplated by the Government, such as providing mobile devices to needy persons to facilitate wider use of the LeaveHomeSafe mobile apps in the community. C/EOC welcomed the Government's swift and positive responses to the EOC on the matter.

24. Members further noted that the Government had responded positively to the EOC's legislative recommendations submitted earlier this year concerning discrimination between Hong Kong Chinese and Mainland Chinese in the Hong Kong context. Also, they were pleased to see that the Government had been endeavoring to come up with a timeframe for introducing new protections on this subject before the end of the current government's term. C/EOC also informed Members that, to take forward the introduction of legal protections against intra-racial discrimination, harassment and vilification, he would meet with stakeholders, including relevant non-government organisations, to share with them the proposed legislative amendments.

25. Members noted that ED/O and HPRT had been acting as "Knowledge Partner" in a consultancy project in collaboration with CareER and working on the development of the Disability Inclusion Index (DII) and production of a toolkit for employers in Hong Kong. In recent days, the Racial Diversity & Inclusion Charter for Employers had already hit the 200 signatory milestone.

26. Members noted EOC Paper No. 15/2021.

(Prof Andy CHIU left the meeting at this juncture.)

Reports of the Legal & Complaints Committee, Community Participation & Publicity Committee, Policy, Research & Training Committee and Administration & Finance Committee

(EOC Paper No. 16/2021; Agenda Item No. 6)

27. EOC Paper No. 12/2021 presented the important matters raised and decisions made at the four EOC Committee meetings held during the period from October to November 2021.

28. In response to a Member's question about the Labour Tribunal Case

(LBTC2371/2018) involved a former EOC employee and the Commission, ED/E informed that the High Court had allowed the EOC's appeal and ordered the Tribunal's awards be set aside and the Claimant to pay the legal costs of the appeal to the EOC. The monetary awards previously paid to the claimant had already been recovered and the EOC was in the process of recovering the legal costs of the appeal from the Claimant.

29. Members noted EOC Paper No. 16/2021.

Tentative EOC Meeting Schedule for 2022

(EOC Paper No. 17/2021; Agenda Item No. 7)

30. Members noted the tentative meeting schedule for 2022 as contained in EOC Paper No. 17/2021.

VI. Any Other Business

EOC's Annual Staff Gathering (the Gathering)

31. DCPS referred to an invitation sent to Members earlier regarding the EOC Annual Staff Gathering at the Arca Hotel (a brand new hotel next to the EOC office building) on 21 January 2022. He informed Members that the Gathering would be in the form of a semi-buffet lunch, with programmes including presentation of long service awards, retirement souvenirs and a lucky draw session. Members noted that the Gathering would be mainly sponsored by senior management of the EOC and the Staff Recreation Fund. DCPS expressed gratitude to Members who had already confirmed to join the Gathering as well as to sponsor prizes for the lucky draw. He welcomed Members, who had yet to respond to the invitation, to join the Gathering if their schedules allowed.

[Post-meeting note: In view of the recent situation of the COVID-19 pandemic, the Gathering has been rescheduled, tentatively to 4 March 2022.]

EOC Calendar for 2022

32. HCC presented the new features added onto the EOC Calendar 2022 tabled at the meeting. To accord with the recent launch of new social media platforms for online promotion and social marketing, the Calendar had been printed with QR codes as a quick access link to EOC’s social media platforms and the EOC Annual Report. Members noted that the 2020/21 Annual Report would be made available online after endorsement by the Legislative Council, probably by late January 2022.

33. There being no other business, the Meeting was adjourned at 4:25 pm.

VII. Date of Next Meeting

34. The next regular EOC Meeting was scheduled for **17 March 2022 (Thursday) at 2:30 p.m.**

*Equal Opportunities Commission
January 2022*