


**REPORT OF THE STUDY TOUR -
STRENGTHENING THE ASIAN
OMBUDSMAN ASSOCIATION (AOA)
TO
PUBLIC COMPLAINTS BUREAU (PCB),
MALAYSIA**



6th to 12th December 2009

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REPORT OF THE STUDY TOUR – STRENGTHENING THE ASIAN OMBUDSMAN ASSOCIATION (AOA)

TO

PUBLIC COMPLAINTS BUREAU (PCB), MALAYSIA

1. PURPOSE OF REPORT

This paper is prepared to report the implementation and the outcome of the Study Tour to the Public Complaints Bureau (PCB) of Malaysia under the Asian Development Bank (ADB) Regional Technical Assistance (RETA) Project – Strengthening the Asian Ombudsman Association (AOA).

2. IMPLEMENTATION

2.1 Date

The study tour to the PCB was held from the 6th until 12th Of December 2009.

2.2 Participants

The participants for the study tour were:

- i. Honourable Dr. Muhammad Shoaib Suddle
Federal Tax Ombudsman, Pakistan.
- ii. Justice (R) S.Ali Aslam Jafri
Federal Insurance Ombudsman, Pakistan.
- iii. Honourable Mr. R.B. Ranaraja
Parliamentary Commissioner for Administration, Sri Lanka.

- iv. Honourable Mr. Akbar Ali Baloch
Provincial Ombudsman (Mohtasib), Balochistan.

2.3 The Itinerary

The detailed itinerary for the study tour is as per Appendix 1.

3. THE PROGRAMME

The itinerary of the programme was tailored to fit the objectives and the requirements of the study tour. The AOA Secretariat had outlined main focus for the study tour to be given emphasis by the PCB in drawing up the programme for the participants.

By participating in the study tour, the participants were expected to train their focus on the innovative approaches in achieving quality management, tools and methods like the quality statement, personnel services standards, client's charter and customer satisfaction index. In addition, the participants were also required to study the efficiency of PCB in reaching out to the masses, in particular the people of the rural area via pro-active programmes namely the Mobile Complaints Counter (MCC) and Integrated Mobile Complaints Counter (IMCC). Further, the participants were also expected to study the efficiency of the Mesra Rakyat (MESRA) programme in promoting institutional dialogue between department/agencies and the community.

Hence, abiding to the focus as outlined by the AOA Secretariat, the PCB had came up with an intensive itinerary to best suit the said objectives and requirements of the study tour.

At the onset of the study tour, the participants were given a detailed explanation the organisation and the workings of the PCB in the briefing attended by the senior officers of PCB. During the briefing, the participants were exposed to, among others, the PCB's organisational structure, Key Performance Indicators (KPIs) and the pro-active approaches in practice. The participants and PCB senior officers were then engaged in a dialogue which focused on the complaints management and grievance redressal mechanisms employed by PCB and the respective participants' organisations. The participants were also exposed to the concept adopted by the PCB as well as the Government which is to treat 'complaints as gifts'. The presentation to the participants is as per Appendix 2.

The participants were also taken to experience three (3) of the PCB pro-active programmes namely the Instant Complaints Resolution Clinic held in Sentul, Kuala Lumpur on 8th December 2009, the Integrated Mobile Complaints Counter (IMCC) held in Ayer Keroh, Melaka on 9th December 2009 and the Mobile Complaints Counter (MCC) held in Bukit Raja, Selangor on 10th December 2009. Through the visit, the participants had been able to observe and experience for themselves the organisation and the implementation of the

said programmes. The visit also presented the participants to immerse and interact with numerous complainants who attended the said programmes.

It must be highlighted that during the visit to the Instant Complaints Resolution Clinic in Sentul, the participants had an audience with the Deputy Minister of the Prime Minister's Department, the Honourable Senator Dato' T. Murugiah who is the minister in charge of overseeing PCB. The Deputy Minister spent some time with the participants to explain the workings of the said clinic, the type of grousers and complaints received and the challenges in conducting the clinic.

The Integrated Mobile Complaints Counter (IMCC) held in Ayer Keroh, Melaka had represented the participants with the opportunity to interact not only with the complainants and the general public, but also with the officials from the various government departments and agencies who took part in the said programme. The IMCC saw the highest participations from the government departments and agencies numbering at 30.

However, PCB was unable to fit the MESRA programme in the study tour as all the MESRA programme scheduled for the year had already been held prior to the study tour. Nevertheless, all the participants were given a detailed explanation of the programme.

In order to provide the participants with the largest possible view of the grievance handling mechanism in Malaysia, the participants were taken to visit two other agencies which are more exclusive and specific in nature namely the Consumer Claims Tribunal Malaysia (CCTM) which deals exclusively with small consumers' claims and the Human Rights Commission of Malaysia (SUHAKAM), which deals with the issues on the human rights in Malaysia. At each visit, the participants and the senior officials of each agency spent considerable time engaging each other and exchanging experiences.

At the end of the study tour, a formal wrapping-up session was conducted chaired by the Director of the Planning, Development and Co-Ordination Division. The session was to get preliminary feedbacks from participants under the study tour. All participants gave a very positive view on the existing modus operandi implemented by PCB although it is not in the form of an Ombudsman institution. The strategy and the processes on complaints resolution of PCB are similar to the Ombudsman. The wrap up session attention by the top management in particular the Chief Secretary to the Government has contributed greatly to the successful implementation of complaints management of PCB. The participants has committed to give copies of their report to PCB for record keeping.

4. OBSERVATIONS

From PCB's point of view, the study tour was indeed a suitable, if not the best medium to enable member institutions to learn and engage each other. The benefits of such programme are multi-prongs, benefitting the participants as well as the host organisation. The participants were exposed to the workings and the intricacies of complaints management and grievance redressal mechanisms of PCB. At the other end of the spectrum, PCB managed to gain and collect the knowledge and experiences of the learned participants in discharging the duties and responsibilities entrusted to them.

The participants had observed that it is very apparent the whole set-up of the Ombudsman and the PCB is different. Nevertheless, both organisations are playing the same role i.e. provide avenues for the people to voice out the dissatisfactions and offer solutions in due course.

While the Ombudsman in general is independent of the Government i.e. the Executive, PCB is part and parcel of the Government set-up. However, the difference in the set-up does not necessarily render PCB at a disadvantage as it provides PCB with real connections with all the government department and agencies which will facilitate the implementation of corrective and/or preventive measures in resolving complaints and grievances.

The participants also appreciate the fact that PCB has a direct channel to the Chief Secretary to the Government, who is the head the civil servant, through the Permanent Committee on Public Complaints (PCPC). This is indicative of the Government's mindset in dealing with public complaints and grievances.

The participants also noted the absence of any statutory provisions in the workings of PCB . Nonetheless, the participants unanimously agreed that whether an organisation has the statutes or legal provisions to back its actions or otherwise, unless the suggestions, resolutions or recommendations are implemented, the organisation tends to lose its relevance.

5. RECOMMENDATIONS

The study tour is indeed a commendable platform to promote closer interaction between AOA member institutions. It should be continued in the foreseeable future for its benefits and the enhancement of the relationship between the participants and the relationship within the AOA.

PCB recommends that the study tour in future should be held as a knowledge sharing and exchange programme. Through this programme, it is suggested that the comparatively stronger member institution can be taken for a stint with the relatively weaker member institution to bring a *knowledge product* in any identified and agreed area between both institutions as well as the AOA. To

further enhance the programme, it is suggested that the participants during the stint will assist the host country in the experimental implementation or usage of *the knowledge product*.

6. CONCLUSION

It is our conclusion that the study tour to PCB had indeed achieved its intended objectives and fulfilled the stipulated requirements. The programme was designed in such a way that the participants would be able to experience all of PCB's activities, particularly the pro-active programmes.

PCB wishes to humbly express the utmost appreciation and gratitude for being selected by the AOA to be the host country for the study tour programme. This selection shall be taken as a positive recognition of PCB's roles and responsibilities of redressing public complaints and grievances.

**PUBLIC COMPLAINTS BUREAU
PRIME MINISTER'S DEPARTMENT
MALAYSIA**

14 JANUARY 2010

PROGRAMME OF STUDY TOUR

6 December 2009 (Sunday)

Arrival of Participants / Hotel Check-In

7 December 2009 (Monday)

9.30 a.m. Administrative Briefing

Welcoming Remarks by
Deputy Director-General (Complaints)

Overview of Public Complaints Bureau

Dialogue Session

12.30 p.m. Lunch Break

2.30 p.m. Visit to Tribunal for Consumer Claims, Putrajaya

- Welcoming remarks
- Overview of Tribunal
- Office tour
- Dialogue
- End of session/refreshment

8 December 2009 (Tuesday)

9.30 a.m. Visit to PCB Instant Complaints Resolution Clinic, Kuala Lumpur

12.30 p.m. Lunch Break

2.30 p.m. Visit to PCB Kuala Lumpur

- Welcoming remarks
- Overview of PCB Kuala Lumpur
- Office tour
- Dialogue
- End of session/refreshment

9 December 2009 (Wednesday)

9.30 a.m. Visit to Integrated Mobile Complaints Counter Programme in Malacca

12.30 p.m. Lunch Break

2.30 p.m. Visit to PCB Malacca

- Welcoming remarks
- Overview of PCB Malacca
- Office tour
- Dialogue
- End of session/refreshment

10 December 2009 (Thursday)

9.30 a.m. Visit to Mobile Complaints Counter Programme in Selangor

12.30 p.m. Lunch Break

2.30 p.m. Putrajaya Tour

11 December 2009 (Friday)

9.30 a.m. Visit to Human Rights Commission of Malaysia, Kuala Lumpur

- Welcoming remarks by SUHAKAM Commissioner
- Overview of SUHAKAM
- Dialogue
- Office tour
- End of session/refreshment

12.15 p.m. Lunch Break

7.00 p.m. Dinner with PCB Director-General at Prince Hotel Kuala Lumpur

12 December 2009 (Saturday)

Departure of Participants

