LCQ17: The work and performance of the Joint Office

Following is a question by the Hon Paul Tse and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (November 21):

Question:

In 2006, the Buildings Department and the Food and Environmental Hygiene Department (FEHD) set up a Joint Office (JO) dedicated to handling reports on water seepage in buildings. It is learnt that for over a decade, members of the public have incessantly criticised JO's work efficiency and effectiveness. The following situation occurred whenever officials of JO attended on invitation district seminars concerning water seepage problems in buildings: members of the public who were not satisfied with the officials' explanations surrounded the officials to air grievances and lodge complaints on the spot. Despite the initiative taken by the Audit Commission and the Office of The Ombudsman (The Ombudsman) to investigate the work of JO and put forward improvement proposals, public grievances on JO's poor performance are still increasing steadily. Recently, some staff members of FEHD have even unexpectedly complained to the Public Complaints Office (PCO) of this Council about JO's low efficiency due to its poor system and administration. From 2016 to September this year, The Ombudsman received a total of 360 complaints against JO's failure to properly handle water seepage problems. Among the over 100 000 reports JO received from 2015 to 2017, only 17 per cent of the cases had the source of water seepage identified. It is learnt that whilst JO relies mainly on the colour water test in identifying the source of water seepage, the practice is so ineffective that some cases have remained unresolved for as long as a decade. Even though JO is aware of a number of technologies, measures and methods for identifying the source of water seepage, its work efficiency has not been improved so far. Quite a number of members of the public consider that JO's performance is extremely poor and its operating cost is high, and they question why the Government has not ceased the operation of JO and used the full amount of the funds originally earmarked for its operating expenditure to directly engage or subsidise members of the public to engage private water seepage investigation companies to take up the relevant work instead. In this connection, will the Government inform this Council:

(1) of the total number of reports on water seepage received by JO in the past three years, together with a breakdown of the figures and their percentages by the testing method adopted for handling the cases (i.e. (i) colour water test, (ii) infrared camera scanning and (iii) microwave tomography scanning);

(2) of the respective average unit costs of the aforesaid three testing methods;

(3) given the significant increase in the expenditure of JO year on year in recent years, with its 2018-2019 estimates of expenditure standing high at $108 million, whether the Government has reviewed why it still significantly increased the estimates of expenditure for JO under the circumstances of many members of the public having criticised JO for its work efficiency and the Audit Commission and The Ombudsman having taken the initiative to investigate the work of JO;

(4) as I have learnt that, in response to the complaints lodged by some FEHD staff members to PCO of this Council about the poor system and administration of JO, the Government will form a high-level inter-departmental group to thoroughly investigate the situation, of the progress of the relevant work;

(5) as it has been reported that while JO has still failed to identify the source of water seepage at the ceiling of a residential unit in To Kwa Wan after conducting investigations by means of colour water test for six years, the private water seepage investigation company hired by the newspaper organisation concerned has taken only half an hour to identify the source of water seepage by making use of infrared camera scanning device and the method of water quality test, whether the Government will approach the newspaper organisation and residential unit concerned to gain an understanding of the case, and study why there is such a huge difference between the testing efficiency of JO and that of the private water seepage investigation company; and

(6) whether it will, from the perspectives such as cost effectiveness and target orientation, consider ceasing the operation of JO in an orderly manner, and use the funds originally earmarked for its operating expenditure to engage private water seepage investigation companies to take up the relevant work instead; if not, of the reasons for that?

Reply:

President,

Proper management and repair of buildings, including resolving water seepage problems, are the responsibilities of building owners and occupiers. However, when the water seepage condition concerned has caused health nuisance, risk to the structural safety of the building or waste in water supplied, the Government will intervene according to the power given under the Public Health and Municipal Services Ordinance (Chapter 132), the Buildings Ordinance (Chapter 123) and the Waterworks Ordinance (Chapter 102) respectively. To strengthen the handling of water seepage condition in buildings, the Government has set up a joint office (JO) between the Food and Environmental Hygiene Department (FEHD) and the Buildings Department (BD) in 2004 to handle public reports on water seepage.

Generally speaking, JO's investigation of water seepage cases is carried out in three stages. JO staff are responsible for the investigation at Stage I (confirmation of water seepage condition) and Stage II (initial

investigation includes colour water test of drainage pipes or reversible pressure test for water supply pipes). If the source of seepage could not be identified during Stage II investigation, Stage III investigation (professional investigation) would be pursued. At Stage III, the JO will engage outsourced consultants to assist in carrying out detailed investigation including moisture monitoring at seepage locations, ponding test for floor slabs, water spray test on walls as well as reversible pressure test for water supply pipes to identify the source of water seepage. If the source of seepage can be identified in any stage of investigation, the JO will issue "nuisance notice" in accordance with the Public Health and Municipal Services Ordinance to the responsible party demanding abatement of the nuisance within a specified period.

The JO is facing many challenges in recent years, including the record high number of water seepage reports, difficulties in gaining co-operation from owners or occupants and the limitations of tests. In face of various challenges, the JO is pressing ahead with various tasks including reviewing comprehensively on its operations, arranging full use of new technological methods for testing in pilot districts to accumulate experience for extension to all districts in the territory, as well as setting up four regional joint offices to rationalise the workflow and strengthen communication between the staff of the two departments with a view to enhancing the overall efficiency of the JO and services to the public.

In consultation with the Food and Health Bureau (FHB), FEHD and BD, the Development Bureau (DEVB) provides a consolidated reply to the six parts of the question as follows:

(1) The current conventional testing methods for the JO to investigate water seepage cases include moisture monitoring at seepage locations, colour water test of drainage pipes, ponding test and water spray test for floor slabs and walls as well as reversible pressure test for water supply pipes. Depending on the seepage situations, each case may involve one or more testing methods mentioned above.

To improve the success rate of identifying sources of water seepage, since August 2013, the JO has commissioned a consultant to pilot the use of infrared thermography and microwave tomography. The purposes of these new testing technologies are the same as those of the use of colour water in conducting ponding and water spray test for floor slabs and walls, which are mainly applicable to the investigation of seepage on floor slabs. However, the conventional test of moisture monitoring at seepage locations, as well as colour water test of drainage pipes and reversible pressure test for water supply pipes as needed, are still required for cases using the new testing technologies. From 2015 to 2017, the purpose of applying the new testing technologies was to confirm its technical feasibility, so they were only used in a small number of complicated cases in the past three years.

The statistics required are provided as follows:

Number of Cases (Note 1)	2015	2016	2017
(a) Reports received	29 617	36 376	36 002
(b) Reports handled	25 093	29 148	30 605
(i) Cases screened out (Note 2)	12 000	13 196	14 732
(ii) Cases investigated (all cases had undergone conventional tests)	13 093	15 952	15 873
– Cases investigated by new testing technologies	18	37	27
(c) Seepage ceased during investigation	4 920	5 385	5 448
(d) Source of water seepage identified	4 679	6 846	6 253
(e) Source of water seepage could not be identified and investigation terminated	3 494	3 721	4 172
(f) Success rate of sources of water seepage identified amongst cases investigated [(d)/(b)(ii)]	36%	43%	39%
(g) Success rate of sources of water seepage identified amongst cases where investigation was completed [(d)/((d)+(e))]	57%	65%	60%

Note 1: Figures in (a) to (g) do not correspond to the number of reports received in the same year
Note 2: These include unjustified cases and withdrawn cases

Since the second half of June 2018, the JO has confirmed to fully apply the new testing technologies in Stage III of the water seepage investigation in three pilot districts (i.e. Kowloon City, Wan Chai and Central and Western). Nonetheless, the new testing technologies have their limitations and cannot be effectively applied under some circumstances, for example, when there is spalling of concrete ceiling at the locations of water seepage, when there is blockage of pipes and other facilities, when there are tile finishes on ceilings. For such cases, the JO has to continue to employ the conventional tests.

From the second half of June to the end October 2018, the JO has applied the new testing technologies in some 70 cases. With the experience and data obtained through wider application of such methods in the pilot districts, the JO will evaluate the effectiveness of the new testing technologies and refine the technical guidelines and procedures relating to the use of the testing methods. The JO will consider whether to extend such methods to all districts of the territory in the second quarter of 2019.

(2) Professional tests are conducted by contract consultants commissioned by the JO for Stage III investigation. Taking an ordinary domestic flat with one kitchen and one toilet as an example, the cost for conducting conventional tests is around $3,500 per case while the cost for adopting the new testing technologies for similar cases is around $9,000 in general. The cost does not include the overall staffing and operating expenditure of FEHD and BD at the JO.

(3) to (6) Since its establishment, the JO has endeavored to enhancing the overall efficiency, improving the success rate of investigation and providing better service to the public. In 2016, the Audit Commission conducted a value-for-money audit on the JO and made a series of recommendations. DEVB and FHB have been following up with the two departments to actively implement the various improvement measures.

In fact, the success rate of investigation has improved since the establishment of the JO. Among the 609 cases of water seepage reports received in total by FEHD for Sham Shui Po district in 2004 before the establishment of the JO, 97 cases were screened out; as for the 512 cases with investigation concluded, only 73 cases could identify the source of water seepage, rendering a success rate of 14 per cent. In 2017, the successful rate among cases where investigations were conducted by the JO was 39 per cent.

The Government has been scruitinising the manpower and expenditure situation of the JO. To cope with the record high number of cases (increased from over 17 000 cases in 2007 to over 36 000 cases in 2017), the JO has to expand its staff establishment and increase its expenditure to engage consultants to provide assistance in carrying out Stage III professional investigation. In addition, we would like to point out that besides investigating the source of water seepage, once the source of seepage could be identified and the case of nuisance established, the JO will issue "nuisance notice" to the person concerned under the Public Health and Municipal Services Ordinance and instigate prosecution against cases not complying with the "nuisance notice". In case access to premises for investigation is denied, the JO has to duly observe the relevant provisions and procedures of the Ordinance in order to gain entry into the concerned premises for investigation. For complicated cases, JO staff will have to conduct different, ongoing or repeated tests and monitoring. The time required for investigating a water seepage case varied due to the complexity of the case and whether the relevant parties are co-operative.

JO's investigation and evidence collection work is conducted in accordance with the standards of executing criminal proceedings (for example, the JO must ensure that the evidence collected is admissible to court). The standard is different from that of a water seepage investigation conducted by a private consultant firm engaged by an individual for the purposes of identifying the repair works needed or instituting civil proceedings. The two cannot be compared in the same light.

To further improve the handling of water seepage cases, in addition to actively exploring the feasibility of fully implementing the new testing

technologies, a task force comprising representatives from FHB, DEVB, FEHD, BD and Water Supplies Department and convened by the management levels of FEHD and BD was formed early this year. The task force is currently conducting a comprehensive review of the operation of the JO, including streamlining the work procedures and continuing to implement various recommendations of the 2016 Audit Report. The review is expected to complete in three years.