

立法會
Legislative Council

LC Paper No. CB(1)1279/05-06
(These minutes have been seen
by the Administration)

Ref : CB1/PL/PS/1

Panel on Public Service

Minutes of meeting
held on Tuesday, 28 February 2006 at 2:30 pm
in the Chamber of the Legislative Council Building

Members present : Hon TAM Yiu-chung, GBS, JP (Chairman)
Hon LI Fung-ying, BBS, JP (Deputy Chairman)
Hon LEE Cheuk-yan
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon Bernard CHAN, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon Howard YOUNG, SBS, JP
Hon WONG Kwok-hing, MH
Hon KWONG Chi-kin

Public officers attending : Agenda Items IV and V

Miss Denise YUE, GBS, JP
Secretary for the Civil Service

Mr Andrew WONG Ho-yuen, JP
Permanent Secretary for the Civil Service

Miss Jennifer MAK, JP
Deputy Secretary for the Civil Service (1)

Clerk in attendance : Miss Salumi CHAN
Chief Council Secretary (1)5

Staff in attendance : Ms Rosalind MA
Senior Council Secretary (1)8

Ms May LEUNG
Legislative Assistant (1)8

Action

I. Confirmation of minutes of meetings

(LC Paper No. CB(1)965/05-06 — Minutes of meeting on
19 December 2005

LC Paper No. CB(1)957/05-06 — Minutes of meeting on
16 January 2006)

The minutes of the two meetings held on 19 December 2005 and 16 January 2006 respectively were confirmed.

II. Information paper issued since the last meeting

2. Members noted that the Legislative Council Brief on “Development of an improved civil service pay adjustment mechanism: conduct of the pay level survey” provided by the Civil Service Bureau (Ref: CSBCR/PG/4/085-001/46) had been issued since the last regular meeting.

III. Date of next meeting and items for discussion

(LC Paper No. CB(1)966/05-06(01) — List of outstanding items for
discussion

LC Paper No. CB(1)966/05-06(02) — List of follow-up actions)

3. Members agreed that the following items be discussed at the next regular meeting scheduled for 20 March 2006:

- (a) Employment of non-civil service contract (NCSC) staff; and
- (b) Civil servants’ right to strike.

4. On paragraph 3(a) above, members noted that the Administration would update the Panel on the latest position of employment of NCSC staff. On paragraph 3(b), members noted that the Administration was invited to address the

concerns raised by Mr LEE Cheuk-yan in his letter dated 31 October 2005 (LC paper Nos. CB(1)251/05-06(01) and (02)) on civil servants' right to strike and the deduction of salary for absence from duty in a trade dispute.

IV. Civil service-related issues in the Budget Speech 2006-07

(LC Paper No. CB(1)966/05-06(03) — Paper provided by the Administration)

Briefing by the Administration

5. At the invitation of the Chairman, the Secretary for the Civil Service (SCS) briefed members on the civil service-related issues in the Budget Speech 2006-07. SCS advised that as announced by the then Chief Executive (CE) in his Policy Address in 2003, the Government had set the target of reducing the civil service establishment to around 160 000 by the end of 2006-07. Through the continuous efforts by bureaux and departments and with the support of civil servants, the target was almost achieved. According to the latest projection, the total civil service establishment would be reduced to around 162 800 by 31 March 2006 and to around 161 900 by 31 March 2007.

Discussion

Employment of non-civil service contract (NCSC) staff

6. Mr WONG Kwok-hing was concerned that in order to achieve the target of reducing the civil service establishment, various bureaux and departments had been meeting their operational needs through employing non-civil service contract (NCSC) staff and implementing outsourcing programmes. Given that there were over 15 000 full-time NCSC staff, the actual number of staff involved in the delivery of public service far exceeded the total civil service establishment of around 160 000. Mr WONG criticized the Government for setting a bad example for other employers, and requested it to employ more civil servants to cope with the operational needs of individual bureaux and departments.

7. Mr LEE Cheuk-yan shared Mr WONG Kwok-hing's views. He pointed out that taking into account some 15 000 full-time NCSC staff employed by various bureaux/departments, the total number of staff involved in the provision of public service actually amounted to about 175 000. He also pointed out that the objective of the NCSC Staff Scheme was to provide flexibility for the Heads of Department (HoDs) to employ staff outside the civil service establishment on short-term contracts up to three years to meet service needs which were short-term, required staff on a part-time basis or where the mode of delivery of the service was under review or likely to be changed. However, a number of NCSC staff had been serving in their posts continuously for three years or more, and some other NCSC staff had been employed for the provision of public service with long-term operational needs, such

as the NCSC staff in the Tobacco Control Office and the museums of the Leisure and Cultural Services Department (LCSD). Mr LEE queried whether the NCSC Staff Scheme had been abused by bureaux and departments. In this connection, he requested the Administration to conduct a detailed examination of all NCSC posts and convert those created for meeting service needs on a long-term basis to civil service posts.

8. Mr WONG Kwok-hing supported Mr LEE Cheuk-yan's requests. He pointed out that CE had undertaken at an earlier meeting with representatives of the labour sector that the Administration would review the long-term operational need of the posts filled by NCSC staff and offer long-term employment to the staff concerned if the need was established. Mr WONG enquired whether and how CE's undertaking had been followed up by the Civil Service Bureau (CSB).

9. In reply, SCS explained that the NCSC Staff Scheme supplemented the civil service appointment system but did not replace the making of civil service appointments. CSB would brief the Panel on the updated position of employment of NCSC staff at the meeting to be held on 20 March 2006. As regards CE's earlier meeting with representatives of the labour sector, SCS said that from her understanding, CE had not made any undertaking to offer long-term employment to NCSC staff. Instead, CE had expressed appreciation of the concern of the labour sector and agreed that follow-up actions would be taken to examine the issues relating to the employment of NCSC staff. In this connection, CSB had started examining the issues concerned with a view to identifying improvement measures to address the problems. CSB would also try to identify jointly with bureaux and departments, such as LCSD and the Food and Environmental Hygiene Department, whether any of the services currently provided by NCSC staff would be required on a long-term basis and should be provided by civil servants. The bureaux and departments concerned might, where appropriate, apply for exemption from the recruitment freeze to recruit civil servants to fill the posts concerned.

10. Mr LEE Cheuk-yan opined that CSB should review the NCSC Staff Scheme and conduct a detailed examination of all NCSC posts. In this connection, Mr LEE requested the Administration to provide the Panel with a breakdown of NCSC posts by bureau/department, showing the duration of the posts and whether the posts were created for any of the following purposes:

- (a) To meet service need that was short-term or did not require keeping staff on a long-term basis;
- (b) To meet service need that required staff on a part-time basis;
- (c) To meet service need where the mode of delivery of the service was under review or likely to be changed; and
- (d) To meet service need on a long-term basis.

11. SCS pointed out that the information required by Mr LEE Cheuk-yan would involve detailed analysis of NCSC posts. She undertook to provide, as far as practicable, available information in the paper for the Panel meeting on 20 March 2006. SCS also pointed out that some departments might have to employ NCSC staff over a period of time or regularly during peak seasons to meet specific service needs, such as service needs that required staff to work less than the conditioned hours required of civil servants. For example, NCSC staff were employed by the Hongkong Post for sorting, loading and unloading mail and by the Social Welfare Department to assist in handling Comprehensive Social Security Assistance cases during periods when there was a surge in caseload. As regards review of the NCSC Staff Scheme, SCS advised that CSB reviewed the guidelines on the employment of NCSC staff from time to time and reminded bureaux and departments to take proactive steps to ensure proper usage of the Scheme. Nevertheless, CSB would examine the issues arising from the implementation of NCSC Staff Scheme and consult the Panel on any proposed improvement measures in due course.

Admin

Civil service establishment and general recruitment freeze

12. Pointing out that the actual number of civil servants already stood at a low level of around 157 000 at present, Ms LI Fung-ying was concerned why the Administration still planned to further reduce the civil service establishment until the end of March 2007. She pointed out that in the past few years, civil servants had made considerable efforts in assisting the Government to tackle the budget deficit through absorbing additional workload arising from the reduction in manpower resources while maintaining the quality of service. The Government should recognize their efforts. Given the economic recovery and the early achievement of a budget surplus, Ms LI requested the Administration to stop further reducing the civil service establishment and to review the manpower position of bureaux and departments taking into account the need to maintain a healthy structure for the civil service and the immense pressure faced by civil servants after the significant reduction in manpower in the past few years.

13. In response, SCS clarified that the target set by the Government in 2003 was to reduce the civil service establishment, not the strength, to around 160 000 by the end of 2006-07. She recognized that the accomplishment of the target was a result of the continuous efforts made by civil servants in enhancing productivity through streamlining, re-engineering and alternative mode of service delivery while upholding the quality of service. In this regard, SCS expressed her gratitude to her colleagues in the civil service for their efforts. On the other hand, due to change in circumstances and advancement in information technology, certain posts were no longer needed and therefore could be deleted, such as posts in the Typist and Calligraphist grades. In the coming year, CSB would continue to review the manpower position of bureaux and departments and identify possible options for addressing their needs. One of the options being explored was to allow a limited number of grades included in the Second Voluntary Retirement (VR) Scheme to

resume open recruitment before the five-year recruitment freeze on these VR grades expired in 2008. CSB would consult the Panel on the relevant proposals in due course.

(Post-meeting note: CSB would consult the Panel on the proposal to resume open recruitment for selected grades included in the Second VR Scheme at the meeting scheduled for 20 April 2006.)

14. Mr KWONG Chi-kin was concerned whether the gap between the establishment and strength of the civil service was partly caused by the stringent control in recruitment under the general recruitment freeze. He considered that bureaux and departments should be allowed to conduct recruitment to fill the civil service posts vacated through natural wastage. The general recruitment freeze and current mechanism for application for exemption would delay the filling of civil service posts vacated through natural wastage and have an adverse impact on the manpower positions of bureaux and departments, especially the discipline services departments as it normally took considerable time to complete the recruitment and training processes of discipline services grades. Referring to his joint letter dated 11 October 2005 with Ms LI Fung-ying and Mr WONG Kwok-hing to the Chairman of the Panel (LC Paper No. CB(1)36/05-06(01)), Mr KWONG highlighted their concern about the impact of the civil service recruitment freeze on discipline services departments. He requested the Administration to lift the general recruitment freeze to facilitate timely recruitment to fill the vacant posts within the establishment. Mr LEE Cheuk-yan also requested the Administration to lift the general recruitment freeze.

15. SCS explained that a gap between the establishment and strength of the civil service would exist at any one time for a number of reasons. For example, leave reserve posts to accommodate officers on final leave before retirement made up for part of the civil service establishment but these posts would not be counted as vacancies to be filled by posting or by recruitment. Given the complexity in the computation of the total establishment of the civil service, SCS pointed out that monitoring the size of the civil service could not be achieved in a straightforward manner through controlling recruitment by bureaux and departments up to and not exceeding their establishment levels. SCS assured members that the Administration fully appreciated that some bureaux or departments had operational needs to recruit and that considerable time was required for the recruitment process. Where operational needs so warranted, bureaux or departments might apply for exemption from the general recruitment freeze from a panel co-chaired by the Chief Secretary and the Financial Secretary with SCS as member (the high-level panel). In the case of the discipline services departments, given the large intake required each year, these departments generally sought approval from the high-level panel for an annual quota of posts for open recruitment. This arrangement enabled the departments to better synchronize the recruitment process and the time required for training of new recruits. In this connection, SCS pointed out that as at 31 January 2006, the high-level panel had granted exceptional approval for 19 bureaux/departments to conduct open

recruitment to fill 4 223 posts, among which 4 052 (96%) posts were in the discipline services departments.

16. Mr WONG Kwok-hing enquired about the criteria for granting exemption for bureaux or departments to recruit under the general recruitment freeze. SCS advised that applications were considered by the high-level panel on a case-by-case basis and against certain prescribed criteria. These criteria included strong operational needs for additional staff; the needs must be provided by permanent civil servants and could not be met through other alternative means; and availability of financial provision from the bureau/department concerned to meet the relevant staff costs.

17. Mr KWONG Chi-kin maintained his view that CSB should lift the general recruitment freeze and provide flexibility for Directors of Bureau (DoBs)/HoDs to conduct open recruitment for filling vacancies arising from natural wastage so as to enable timely provision of the necessary staffing support for service delivery.

18. Apart from the lead time required for the recruitment process for filling vacancies arising from natural wastage, Mr Howard YOUNG enquired about the reasons for the significant gap between the establishment and strength of the civil service. He was of the view that the operational needs or otherwise of the civil service posts which had remained vacant for a long period of time should be subject to review.

19. In reply, SCS pointed out that a gap between civil service establishment and strength would arise when some of the posts were held by civil servants on final leave before retirement or on training. While a gap between establishment and strength would exist at any one time, SCS assured members that CSB reviewed the operational needs of vacant posts from time to time to ensure timely deletion of surplus posts. In this connection, CSB had requested DoBs/HoDs to examine critically the operational needs of the vacant posts and provide justifications if they considered that the posts should be retained. SCS undertook to provide figures on the total civil service establishment and strength as at the end of each financial year (i.e. 31 March) for the past three years for members' information.

20. Referring to the estimated net deletion of 57 posts in the Correctional Services Department in the 2006-07 Estimates, Ms LI Fung-ying doubted whether the department could cope with the increase in demand for correctional services with the reduction in manpower. Mr WONG Kwok-hing expressed similar concern and pointed out that the Hong Kong Police Force would also delete 216 posts in 2006-07. He enquired about the reasons for reducing the manpower provision for these two discipline services departments. SCS undertook to liaise with the two departments for provision of the relevant details, including the reasons for deleting the posts.

(Post-meeting note: The information required in paragraphs 19 and 20 above was issued to members vide LC Paper No. CB(1)1094/05-06(01) on 16 March 2006.)

Measures to improve the teaching establishment and reduce the workload of teachers

21. Mr CHEUNG Man-kwong expressed concern about the hardship of some government school teachers who had been serving on civil service contract terms for over six years but were still not offered employment on permanent terms. Referring to the announcement made by the Education and Manpower Bureau (EMB) on 27 February 2006 about a series of long-term support measures for teachers to improve the teaching establishment and reduce their workload, Mr CHEUNG opined that with the creation of 1 400 new permanent teaching posts under the proposed measures, the government school teachers serving on civil service contract terms should be allowed to change their employment terms to civil service permanent terms. He further pointed out that given the need to implement education reform in recent years and EMB's planned deletion of 103 posts in 2006-07, staff of EMB, in particular those at the middle level, had been facing tremendous work pressure. To relieve the pressure of staff, the Administration should consider retaining some of the posts planned for deletion and transferring some experienced government school teachers serving on permanent terms to fill the posts in EMB, so that the permanent posts vacated could be filled by the teachers serving on contract terms.

22. SCS appreciated Mr CHEUNG Man-kwong's concern. Given that the new support measures were only announced by EMB the day before the meeting, SCS advised that some more time would be required for the Administration to look into his suggestions. She undertook to liaise with EMB and provide a written response to the Panel in due course.

(Post-meeting note: The supplementary information provided by the Administration was circulated to members vide LC Paper No. CB(1)1094/05-06(01) on 16 March 2006. As the Administration advised in its response that EMB was reviewing its manpower requirements and would brief the Panel on Education after it had completed the review, Mr CHEUNG Man-kwong's views in paragraph 21 above were referred to the Panel on Education for follow-up actions.)

V. Civil service establishment and related matters

(LC Paper No. CB(1)966/05-06(04) — Paper provided by the Administration)

23. Noting that 19 bureaux/departments had been granted exceptional approval to conduct open recruitment to fill 4 223 posts and 96% of the posts were in the discipline services departments, Ms LI Fung-ying was concerned whether the manpower requirements of other departments had been given equal consideration.

24. In reply, SCS explained that under the general recruitment freeze, applications for exemption to recruit were submitted to CSB on the initiation of

bureaux/departments when there were operational needs justifying the exceptional approval for recruitment. CSB would examine each application on its own merits and make adjustment to the number of posts applied for, where necessary, before forwarding the application to the high-level panel for consideration. Ms LI Fung-ying urged SCS to consider Mr KWONG Chi-kin's views expressed earlier at the meeting about the difficulties faced by government departments, in particular, discipline services departments, under the general recruitment freeze.

25. Referring to Annex B to the paper provided by the Administration, Mr WONG Kwok-hing noted that CSB had been granted exceptional approval for open recruitment to fill 100 Administrative Officers (AO) posts. He sought information on the details of the approval. In reply, SCS explained that the figures in Annex B represented the total number of posts with exceptional approval granted for open recruitment during the period from 1 April 2003 to 31 January 2006. Some of the approved 100 AO posts had yet to be filled and CSB planned to recruit about 30 to 40 AOs in 2006. Responding to the Chairman's enquiry, SCS said that there was no cap on the number of posts for exceptional approval to be granted for recruitment. The approval granted by the high-level panel for bureaux/departments to conduct open recruitment would not be subject to any deadline or expiry date.

VI. Any other business

26. There being no other business, the meeting ended at 3:50 pm.