

立法會
Legislative Council

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Panel on Welfare Services

**Subcommittee on Review of the
Comprehensive Social Security Assistance Scheme**

**Minutes of the 8th meeting
held on Monday, 31 October 2005 at 2:30 pm
in the Chamber of the Legislative Council Building**

Members present : Dr Hon Fernando CHEUNG Chiu-hung (Chairman)
Hon LEE Cheuk-yan
Hon CHAN Yuen-han, JP
Hon TAM Yiu-chung, GBS, JP
Hon LI Fung-ying, BBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung

Member absent : Hon Frederick FUNG Kin-kee, JP

Member attending : Hon Ronny TONG Ka-wah, SC

Public Officers attending : Item II

Mr D C CHEUNG
Principal Assistant Secretary for Health, Welfare and Food
(Elderly Services and Social Security) 2

Miss Cherie YEUNG
Assistant Secretary for Health, Welfare and Food
(Elderly Services and Social Security) 4

Miss Nancy LAW, JP
Deputy Director of Social Welfare (Administration)

Mrs Rachel CARTLAND, JP
Assistant Director of Social Welfare (Social Security)

Miss YEUNG Kok-wah
Chief Social Security Officer (Social Security) 4
Social Welfare Department

Miss Cecilla LI
Chief Social Work Officer (Family and Child Welfare)1
Social Welfare Department

Mr Allan NG
Chief Social Work Officer (Youth)
Social Welfare Department

**Deputations
by invitation**

: Item II

Hong Kong Catholic Commission for Labour, Kowloon

Mr Lawrence AN Cheung-yuk

Oxfam Hong Kong

Mr Joseph WOO
Manager for Hong Kong Programme

Single Mothers Concern Group

Ms HO Foei-lin
Deputy Chairman

Ms CHU Yau
Member

Grassroot Women Poverty Concern Group

Ms CHAN Wai-fong
Member

Ms WONG Shui-ling
Member

Strive for Grassroot Life Alliance

Miss KWAN Ka-lee
Social Worker

Ms CHAN Lai-wai
Representative of Member

Joint Association Against CSSA Cut

Ms CHENG Sai-lan

Ms TSANG Pui-lan

Mutual Aid Association for Single Parent Families (HK
Island)

Ms FUNG Kan-ho

Mrs LAU FU Wai-ming

Concerning CSSA Review Alliance

Mr Alfred CHOY
Member

Mr AU YEUNG Tat-chor
Assistant Community Organizer

Hong Kong Association for the Survivors of Women Abuse
(Kwan Fook)

Ms LIU Ngan-fung
Chairman

Ms XU Mei-qiong
Member

Industrial Relations Institute

Ms LAI Yuen-mei
Organizer

Heep Lai Club CSSA Concern Group

Ms MAK
Group Member

Miss HO Yin
Group Worker

Hong Kong Christian Institute

Mr FAN Lap-hin
Secretary

Human Rights Front Human Rights Commission Task Force

Ms CHAN Man-wai
Convenor

Hong Kong Social Workers' General Union

Mr YUM Kwok-tung
Secretary for Membership Liaison

Clerk in attendance : Ms Doris CHAN
Chief Council Secretary (2) 4

Staff in attendance : Miss Mary SO
Senior Council Secretary (2) 8

Miss Maggie CHIU
Legislative Assistant (2) 4

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I. Election of Chairman and Deputy Chairman

Members agreed that there was no need to re-elect a Chairman for the current legislative session.

II. New Dawn Project - Revised proposals for single parent recipients under the Comprehensive Social Security Assistance Scheme

(LC Paper Nos. CB(2)175/05-06(01) to (02), CB(2)203/05-06(01) and CB(2)218/05-06(01))

2. The Chairman asked the Administration about the actions it had taken to address the views/concerns expressed by members and deputations at the previous meetings on 24 May and 22 July 2005 when the proposal of requiring single parent and family carer recipients under the Comprehensive Social Security Assistance (CSSA) Scheme to seek employment was discussed.

3. Deputy Director of Social Welfare (Administration) (DDSW(A)) recapitulated the following revisions made to the original proposal to empower single parents/family carers on CSSA to achieve self-reliance -

- (a) single parents and other child carers on CSSA with the youngest child aged 12 to 14, instead of 6 to 14 as originally proposed, would be required to seek at least part-time employment (defined as a paid job entailing not less than 32 hours a month);
- (b) there would be no change to the existing arrangements for the single parent supplement (SPS) at this stage; and
- (c) a package of arrangements consisting of a mandatory employment assistance programme specifically for single parent recipients, and basic skills and skills upgrading training for those single parents and family carers with no or limited work experience would be launched by the Social Welfare Department (SWD).

4. In response to the call for more employment support for single parents and family carers with no or limited work experience, DDSW(A) said that the “New Dawn Project” (the ND Project), a trial Employment Assistance Project for 18 months commencing from April 2006 included 20 Intensive Employment Assistance Projects (ND IEAPs) with a \$30 million funding support from the Lotteries Fund, would be launched. SWD intended to partner with non-governmental organisations (NGOs) which were already running the Intensive Employment Assistance Projects (IEAPs) for other able-bodied CSSA recipients to capitalise on their experience. The range of services to be provided by the ND

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IEAPs was set out in paragraph 7 of the Administration's paper (LC Paper No. CB(2)175/05-06(01)).

5. DDSW(A) stressed that the sole reason for requiring single parents and family carers with the youngest child aged between 12 to 14 to seek employment was to help them achieve self-reliance. DDSW(A) also pointed out that there was no question of the Administration forcing single parents and family carers on CSSA to seek employment regardless of their situation, as they would be exempted from participating in the programme where justified, for instance, the recently bereaved, those who had recently been victims of family violence, and those who had to care for disabled family members. Moreover, single parents and family carers would not be required to undertake community work, which was required of other able-bodied recipients under the Active Employment Assistance programme.

6. The Chairman, Miss CHAN Yuen-han and Mr Ronny TONG expressed disappointment that the Administration repeatedly failed to take heed of the views expressed by members and deputations on not making it mandatory for single parents and family carers on CSSA to find employment for the reasons that there were not enough part-time jobs in the market for these groups of people, the great majority of whom had low educational attainment with little or no work experience, and not enough childcare services places for their children when they were away working. Mr TONG further said that although the proposed requirement that single parents/family carers on CSSA with the youngest child aged below 15 had to earn not less than \$1,430 a month in order to continue to receive the SPS had been scrapped, it was regrettable that the Administration had reinstated a similar arrangement through the ND IEAPs. According to the application form for running the ND IEAPs, operating agencies would be awarded \$75,000 if they could assist at least 60 participants to sustain paid employment for least three months. These agencies would be awarded with a further \$75,000 if they could assist at least 48 participants to secure an employment with no less than 32 working hours and earnings of no less than \$1,600 per month, and to stay in employment for at least three months.

7. Before inviting members to put questions to the Administration, the Chairman invited deputations to give views on the Administration's latest proposals for single parents/family carers on CSSA.

Views of deputations

8. All deputations demanded the Administration to withdraw its proposal of requiring single parent/family carer CSSA recipients with the youngest child aged between 12 to 14 to seek employment, failing which \$200 would be deducted from their CSSA payable. They were adamant that the existing arrangement that

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single parent CSSA recipients with the youngest child under 15 were not required to work should remain unchanged. Other major views/concerns expressed by deputations were summarised as follows -

- (a) there were not enough suitable part-time jobs for single parents/family carers concerned. To force over 18 000 of them to enter the labour market would drive the wages of menial jobs even lower. Not only would this not be able to help these recipients leave the safety net, it would create more working poverty;
- (b) it was reprehensible that the Administration should attempt to bring back the aborted proposal of requiring single parents/family carers on CSSA to earn not less than \$1,430 a month in order to continue to receive the SPS through a back door by providing financial reward to operating agencies of ND IEAPs, as highlighted by Mr TONG in paragraph 6 above;
- (c) the Administration should encourage, instead of force, parents/family carers on CSSA with the youngest child aged between 12 to 14 to seek employment. For instance, voluntary work and training should be considered a substitute for part-time work; various subsidies, such as travel, meal and clothing subsidies, should be provided to facilitate their job-seeking efforts; no sanction, including deducting \$200 from their CSSA payable, should be imposed for failing to seek employment; and other support services, such as after school care service, should be strengthened;
- (d) social workers should be assigned to conduct in-depth assessment of the needs of single parent/family carer CSSA recipients on a household basis, so as to draw up a tailor-made plan to meet their needs and help them move towards self-reliance;
- (e) the Administration should set a good example for other employers by taking the lead in hiring parent/family carer CSSA recipients;
- (f) to ensure reasonable wages and working hours for jobs which required little or no skills, statutory minimum wage and maximum working hours should be established; and
- (g) the amount of monthly disregarded earnings for single parent recipients should be raised, so as to provide more incentive for these recipients to seek employment.

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Discussion

9. Mr LEE Cheuk-yan urged the Administration to withdraw the proposal of requiring single parent/family carer CSSA recipients with the youngest child aged between 12 to 14 to seek employment, as there were simply not enough part-time jobs in the marketplace suitable for these people. For instance, although there were part-time vacancies for local domestic helpers which could be suitable for single parents/family carers as pointed out by the Administration, there was a serious mismatch between the locations of such jobs and the places of residence of the prospective employees, which meant that the latter had to travel a long distance at considerable transport fares to work for just several hours per week. Mr LEE further said that by providing financial incentive to operators of ND IEAPs would in effect force these operators to become unscrupulous social workers. In order to get the extra money from SWD, operators of the Projects would force participants to earn not less than \$1,600 a month. Given the hourly rate generally earned by single parent/family carer CSSA recipients, this meant that ND IEAP participants had to work over 60 hours per month. Not only were these hours too long for single parents/family carers, it was questionable whether they could get so many hours of work even if they were willing to do so.

10. DDSW(A) responded that the phenomenon of people having to work outside the vicinity of their residence was commonplace, and was not unique to people who wanted to work as local domestic helpers. To her understanding, subsidies were provided by the Employees Retraining Board (ERB) for their graduate trainees who had to work as local domestic helpers outside the vicinity of their residence. DDSW(A) advised that according to the statistics from ERB from March to June this year, about 65% of the employers of local domestic helpers requested their helpers to work between 9 am and 4 pm, which was the time period children aged between 12 to 14 were normally still at school. Apart from this, about 86% of the employers requested their helpers to work between two to five hours.

11. DDSW(A) pointed out that the Administration had never said that all single parents/family carers concerned could find employment, although employment assistance would be provided to them. As mentioned in the previous meetings, single parents and family carers would not be penalised if they made genuine efforts in seeking employment. Moreover, exemptions from seeking employment would be allowed where justified, for instance, the recently bereaved, those who had recently been victims of family violence and those who had to care for disabled family members. DDSW(A) reiterated that requiring single parents and family carers to seek employment was solely to help them achieve self-reliance and social integration. International experience and local feedback indicated that working life and the extended social network that came with it could help single

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parents attain better self-esteem and lead more fulfilling family lives.

12. DDSW(A) further said that there was no question of the Administration withholding payment or using money to make operating agencies of ND IEAPs to force participants to find employment. DDSW(A) explained that under the ND IEAPs, operating agencies would be paid a sum of \$600,000, by six equal installments on a quarterly basis, as administration fee for the entire 18-month implementation period if they could meet the minimum performance standards, i.e. to render service to no fewer than 200 participants in the entire 18-month implementation period; to assist at least 180 participants in the entire 18-month implementation period to complete the range of activities organised; and to assist at least 80 participants in the entire 18-month implementation period to take up paid employment with at least 32 working hours per month. To encourage operating agencies and recognise their extra efforts and resource in helping participants, an additional \$150,000 would be released to those operating agencies which had achieved both the minimum and progressive performance standards. Namely, \$75,000 would be released to those operating agencies which had achieved both the minimum performance standards and the progressive performance standard of assisting at least 60 participants to sustain paid employment for at least three months in the end of the 18-month implementation period. A further \$75,000 would be released to the same operating agencies at the end of the 18-month implementation period if they had achieved another progressive performance standard of assisting at least 48 participants to secure an employment with no less than 32 hours and earnings of no less than \$1,600 per month and to stay in employment for at least three months.

13. Mr TAM Yiu-chung said that many single parents were willing to seek employment, but hoped that more assistance could be provided to help them overcome barriers to work. Mr TAM wondered whether launching only 20 ND IEAPs would be adequate, having regard to the fact that single parents numbered over 18 000 but the number of ND IEAP places was only about 4 000 (20 x 200). Mr TAM hoped that the Administration would give serious consideration to providing transportation subsidies to single parents and family carers to facilitate their job-seeking efforts. Mr TAM pointed out that at present, only ERB was providing transportation subsidies to its graduate trainees and the criteria for receiving such were quite stringent. Mr TAM further asked whether consideration could be given to regarding voluntary work and training a substitute for part-time work.

14. DDSW(A) responded that 200 participants was the minimum number which each operating agencies of ND IEAPs had to assist. Hence, 4 000 was the minimum number of single parents and family carers which the ND IEAPs could assist to find employment. DDSW(A) however pointed out that not all single parents and family carers would be required to seek employment for the reasons

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already given in paragraph 11 above. DDSW(A) further said that the Administration would review the need of increasing the target number of participants of ND IEAPs after the completion of the 18-implementation period of these projects.

15. On regarding voluntary work and training as substitutes for part-time work, Principal Assistant Secretary for Health, Welfare and Food (Elderly Services and Social Security) 2 said that while voluntary work and training were meaningful for the single parents/family carers, they could not replace participation in paid employment which was an effective route to financial independence. He assured members that no single parents/family carers would be penalised if they made genuine efforts to find employment. Some of them would also be exempted from seeking employment due to justified reasons, such as those who had recently been victims of family violence and those who had to care for disabled family members.

16. Ms LI Fung-ying expressed disappointment that the Administration had failed to take into account the views and concerns expressed by members and deputations on the arrangements for single parents/family carers on CSSA to seek employment at previous meetings. Ms LI further said that although some single parents/family carers would be exempted from seeking employment due to justified reasons, these reasons appeared to be too harsh, such as they had to be victims of recent family violence or recently bereaved.

17. Assistant Director of Social Welfare (Social Security) (ADSW(SS)) responded that SWD would be fine-tuning the exemption mechanism between now and the implementation of the proposal of requiring single parents/family carers to seek employment on 1 April 2006. SWD would capitalise on the experience of its professional social workers in handling other exemptions under the social security system in this fine-tuning exercise.

18. Mr LEUNG Kwok-hung said that it was heartless of the Administration to require single parents with the youngest child aged between 12 to 14 to seek employment, as children of this age group still needed the care of their parents. Mr LEUNG further said that in view of special needs of single parent families, the Administration should let single parents decide when they were ready to seek employment.

19. DDSW(A) responded that the Administration considered that requiring single parents with the youngest child aged between 12 to 14 to seek employment should not result in any neglect of their children. This was because children of this age group should already be in junior secondary school and could be more independent. Moreover, given that single parents had to work not less than eight hours or so a week, the intention of the proposal was for them to make use of the

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time their children were at full-day school to take up paid employment.

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20. As operating agencies needed to meet the progressive performance standards mentioned in paragraph 12 above in order to receive the extra \$150,000 from SWD, Mr Ronny TONG pointed out that this would cause the operating agencies of ND IEAPs to force participants to secure an employment with no less than 32 working hours and earnings of no less than \$1,600 per month and to stay in employment for at least three months. As some participants might drop out from the projects because they could not cope with the pressure to meet the aforesaid standard exerted on by the operating agencies, they would have \$200 deducted from their monthly CSSA payable as a sanction for not participating in the ND IEAPs. Mr TONG requested the Administration to provide a response in writing on how it intended to address this potential problem.

21. Mr Alan LEONG said that he had asked a written question at the Council meeting on 26 October 2005 on whether any mechanism was in place to ensure that the remuneration (in terms of wages and working hours) of the jobs allocated to the single parent/family carer CSSA recipients was at a reasonable level; if so, the details of the mechanism; and whether any assessment had been made on the impact of the proposal to compel as many as 18 000 such CSSA recipients to join the job market on the existing workforce; if so, the details and outcome of the assessment. Regrettably, the response from the Administration was far from satisfactory. In the light of this, Mr LEONG considered it irresponsible of the Administration to implement the proposal for single parent/family carer CSSA recipients when so many questions were still unanswered. Mr LEONG then asked the following questions -

- (a) as a single parent/family carer concerned would not have \$200 deducted from his/her CSSA payable if he/she still could not secure an employment despite making genuine efforts, whether the Administration had clearly defined the criterion "genuine efforts"; if it had, the details of the criterion;
- (b) whether a single parent/family carer concerned would be sanctioned for refusing to take up a job identified by SWD or the operating agencies of ND IEAPs;
- (c) whether there was a channel for single parents/family carers concerned to appeal against the decisions made by SWD or the operating agencies of ND IEAPs; and
- (d) as the ND IEAPs could only provide employment assistance to about 4 000, what actions would be taken by the Administration to address the job-seeking needs of the remaining some 14 000 single

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parents/family carers.

22. ADSW(SS) responded as follows -

- (a) arrangements for single parent/family carer recipients with the youngest child aged between 12 to 14 to undergo mandatory work requirement would be modelled on the Active Employment Assistance programme under the Support for Self-reliance Scheme for other able-bodied CSSA recipients, albeit these arrangements would be adapted and tailor-made for single parent/family carer recipients because of their special needs. For instance, consideration was being given to requiring single parent/family carer recipients to only attend the workplan interview with the Employment Assistance Coordinators of SWD once a month;
- (b) as mentioned earlier at the meeting, SWD would be fine-tuning the exemption mechanism between now and April 2006 to meet the special needs of single parent/family carer recipients concerned;
- (c) in view of the fact that the circumstances of single parent/family carer recipients concerned were different from other able-bodied CSSA recipients, SWD staff and NGOs engaged under the ND IEAPs would look more carefully into the job suitability and job nature for single parent/family carer recipients;
- (d) there was already in place a very independent Social Security Appeal Board (SSAB) whose membership consisted entirely of people from outside the Government. If any one had any grievances which could not be settled within SWD, they could always take up the matter with the SSAB;
- (e) although the ND IEAPs would be serving at least 4 000 single parents/family carers, past experience showed that operating agencies of IEAPs had always been able to assist participants exceeding the minimum required. Moreover, SWD Social Security Field Units would invite single parents/family carers concerned to meeting sessions for conducting focused interviews to help them overcome barriers to employment by phases which would take some time to complete. It was also expected that some of these recipients would be exempted from participating in the programme due to justified reasons, and that quite a number of them could find jobs through their own efforts. Hence, priority for participation would be given to single parents/family carers with no or limited work experience; and

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- (f) the some 4 000 places for the ND IEAPs were projected from the proportion of able-bodied CSSA caseload onto IEAPs. To ensure even distribution of service, ND IEAPs would, similar to the practice with the IEAPs, be allocated on a district basis taking into account of the number of target single parent recipients and family carers in individual districts.

23. Mr LEE Cheuk-yan expressed regret that despite repeated opposition from members and deputations alike, the Administration still intended to press ahead with the launching of the proposal to require single parents and family carers with the youngest child aged between 12 to 14 to seek employment. Mr LEE also expressed regret that the Administration bypassed the Legislative Council (LegCo) by obtaining funding from the Lotteries Fund to launch ND IEAPs. Mr LEE further said that if IEAPs had been so effective in helping able-bodied CSSA recipients to find employment, it should divert more resources and efforts to these recipients, instead of tampering with single parents and family carers with the youngest child aged between 12 to 14. Mr LEE then requested the Administration to provide information on the breakdown by districts of the vacancies registered with the Labour Department (LD) which could be suitable for single parents and family carers with the youngest child aged between 12 to 14. Mr LEE however said that the Administration needed not include vacancies for local domestic helpers, for the reasons already given in paragraph 10 above. The Chairman pointed out that to his understanding, eight people were vying for one vacancy for local domestic helper in most instances.

24. DDSW(A) responded that the Administration had no intention of bypassing LegCo for the launching of ND IEAPs. It was the long standing practice of the Administration to obtain funding support from the Lotteries Fund for launching pilot projects. Notwithstanding the fact that IEAPs had been proven to be effective in helping some able-bodied CSSA recipients to find jobs or to move to low-income category, the Administration considered the proposal to require single parents and family carers with the youngest child aged between 12 to 14 to seek employment was a right way forward to help them achieve self-reliance and social inclusion. As to the information requested by Mr LEE in paragraph 23 above, DDSW(A) said that for the first nine months of 2005, some 14 366 vacancies in elementary occupations, such as cleaners, card/leaflet distributors and local domestic helpers, which could be suitable for single parents/family carers had been registered with LD. In September 2005 alone, LD had received some 1 997 vacancies in elementary occupations.

25. The Chairman queried whether the vacancies which the Administration claimed to be suitable for single parents were really so, as single parents could not leave home to work outside school hours, including school holidays and

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weekends.

26. DDSW(A) reiterated that from March to June this year, of the some 17 843 vacancies for local domestic helpers registered with LD, 11 871 (or 65%) required helpers to work between 9 am and 4 pm, which was the time period children aged between 12 to 14 were normally still at school. Also, 15 351 of the vacancies required helpers to work between two to five hours. Mr LEE Cheuk-yan remarked that it was not meaningful to merely point out the number of vacancies for local domestic helpers without also showing the number of applicants registered for these jobs. Moreover, there was also the problem of the long travelling time between the locations of the jobs and the job seekers. Mr LEE further said that to rely heavily on vacancies for local domestic helpers for single parents/family carers was not realistic.

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27. At the request of the Chairman, DDSW(A) undertook to provide an analysis of job vacancies suitable for single parents/family carers under the ND IEAPs.

28. In summing up, the Chairman urged the Administration to revise the proposal to help single parents/family carers achieve self-reliance by taking into account the following -

- (a) participation in voluntary work and training should be regarded as reasons for exemption to seek employment;
- (b) transportation subsidies should be provided to single parents/family carers to facilitate their job-seeking efforts;
- (c) single parents/family carers should be encouraged, rather than forced, to seek employment;
- (d) case management support should be provided to help single parents/family carers overcome barriers to employment, having regard to their special circumstances; and
- (e) financial incentive should not be provided to operating agencies of ND IEAPs, to avoid conflict of interests with the participants.

29. Members agreed to continue discussion on the proposal for single parents/family carers under the CSSA Scheme, and the adjustment methodology for the CSSA and Social Security Allowance rates at the next meeting. Members further agreed to defer the handling of the following motion proposed by Mr LEUNG Kwok-hung to the next meeting -

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“本小組委員會譴責政府當局漠視檢討綜合社會保障援助計劃小組委員會的意見，一意孤行，繞過立法會推行‘欣曉計劃’，罔顧單親家庭的利益和福祉；本小組委員會重申，政府必須撤銷‘欣曉計劃’。”

(Translation)

“That this Subcommittee condemns the Administration for ignoring the views of the Subcommittee on Review of the Comprehensive Social Security Assistance Scheme, insisting on bypassing the Legislative Council in the implementation of the ‘New Dawn’ Project, and disregarding the interests and well-being of single parent families; this Subcommittee also reiterates that the Government must abort the ‘New Dawn’ Project.”

Mr LEE Cheuk-yan hoped that more senior officials would attend the next meeting to answer questions from members.

30. There being no other business, the meeting ended at 4:49 pm.

Council Business Division 2
Legislative Council Secretariat
20 December 2005