

LEGISLATIVE COUNCIL PANEL ON PUBLIC SERVICE

Integrity enhancement initiatives for civil servants

Purpose

This paper presents for Members' information an update of the work of the Civil Service Bureau ("CSB") in the promotion of integrity in the civil service.

Overview of our integrity management efforts

2. An honest and clean civil service is vital to maintaining effective governance. The Administration is committed to upholding high standards of integrity and probity in the civil service. This commitment is enshrined in the rules and regulations governing conduct in the civil service, which lay down clear guidelines against malpractices.

3. Throughout the years, CSB and the Independent Commission Against Corruption ("ICAC") have been working closely with bureaux/departments ("B/Ds") to promote and safeguard integrity in the civil service through a three-pronged approach, namely –

(a) Prevention

Clear policies, guidelines and procedures are available to provide guidance to individual officers. Proper checks and balances are built into B/Ds' operational and service systems.

(b) Education

Sustained efforts are made to promote good standards of conduct at all levels in the civil service, including induction courses, in-service training, seminars, and the promulgation of rules or guidebooks to enhance understanding and awareness of the high standards of probity required of civil servants.

(c) Sanction

The Administration takes a serious view of criminal offences or acts of misconduct which involve a breach of trust in the office held by civil servants or misuse of power. Any such alleged misconduct is promptly investigated. Where, following impartial proceedings, a civil servant is found guilty of misconduct, disciplinary sanctions are strictly enforced. In the three and a half years ending September 2006, of the 104 civil servants who have been subject to disciplinary action for having committed offences/misconduct related to abuse of official position^(Note), 32 or about 31% have been awarded terminatory punishments (i.e. compulsory retirement from the service or dismissal).

Prevention and education

4. On the prevention and education front, the efforts that we have made on integrity management in the past three years are summarised below.

(a) Service-wide guidelines

5. CSB keeps under constant review service-wide guidelines on conduct matters to ensure they remain clear and adequate in present-day circumstances. In December 2006, we promulgated a revised circular on declaration of investments by civil servants which states clearly that directorate officers who have proceeded on final leave (i.e. leave immediately prior to retirement) should continue to be subject to the relevant declaration requirements until they have left the service.

6. In 2004, we issued a revised circular on conflict of interest. The updated circular provides more detailed guidelines, including the common areas in which conflict of interest may arise. It is supplemented by an annex containing examples of conflict of interest situations to remind staff of the situations they should avoid. We have also encouraged departments

(Note) Acts of misconduct classified as cases of abuse of official position include –

- (a) Conviction under the Prevention of Bribery Ordinance (Cap.201);
- (b) Unauthorised acceptance of advantages/entertainment from persons with official dealings;
- (c) Unauthorised outside work for persons with official dealings;
- (d) Unauthorised disclosure of government information;
- (e) Abuse of government properties; and
- (f) Use of official information/authority for personal gains.

to develop their own guidelines highlighting, where appropriate, the more common conflict of interest situations to which their staff may be exposed by virtue of the nature of their work. The strengthened guidelines issued by the Works Branch of the Environment, Transport and Works Bureau (“ETWB”) mentioned in paragraph 7 below is an example of such efforts.

(b) Enhanced Integrity Management Programme of the Works Branch

7. With more outsourcing of government services, we recognise that issues like supervision of contractors and the management of “conflict of interest” situations by staff in their supervision of contractors require more attention. In this regard, the Works Branch of ETWB, in collaboration with CSB and ICAC, launched an enhanced integrity management programme for its works departments in 2006. Under the programme, an integrity management manual has been promulgated and uploaded onto ETWB’s intranet for the reference of its staff. The manual contains a digest of legislative provisions, civil service rules and updated departmental guidelines pertaining to conduct matters. The manual also provides strengthened guidelines on how to deal with offers of entertainment from and socialisation with contractors and consultants with whom staff have official dealings. An abridged version of the manual has been distributed to all staff and new recruits of these works departments as a handy reference. CSB, ICAC and ETWB have jointly held six presentations on integrity management for the directorate staff of the works departments. In addition, a series of workshops on supervision of contractors/consultants are being conducted for some 7 700 frontline staff in these departments, which will last until April 2007. In parallel, ICAC is conducting training seminars for contractors and their employees so that they know what is expected of them and their civil servant counterparts in conducting their day-to-day business.

(c) Resource Centre on Civil Service Integrity Management

8. Since its launch in 2001, we have been constantly updating and enhancing the content of the electronic “Resource Centre on Civil Service Integrity Management” (“RCIM”) jointly developed by CSB and ICAC. RCIM puts in one place materials relating to integrity management to facilitate the work of departmental managers responsible for embedding a high probity ethical culture within their organisations. The last updating at the end of October 2006 brought in new examples of acts of misconduct covering acceptance of entertainment from persons with official dealings; unauthorised loan and unauthorised outside work, etc.. Together with the examples of acts of misconduct that have been uploaded since 2004, the cases uploaded so far cover subjects including unauthorised absence from duty; falsification of attendance records; supervisory responsibility; conflict

of interest; misconduct in public office and criminal conviction cases involving fraud, forgery, theft and assault, etc..

9. This resource centre on the Government's intranet also provides handy reference materials such as service-wide regulations on conduct matters, publications on subjects related to the integrity of civil servants, sample departmental guides or codes of conduct, as well as answers to some frequently asked questions on conduct matters. Subsequent to a Court of Final Appeal judgment handed down in mid-2005 which authoritatively set out the elements constituting the common law offence of misconduct in public office, we have updated the guidelines on the subject and uploaded them to the RCIM. We have also invited departmental management to help disseminate the updated guidelines to all civil servants.

(d) "Civil Servants' Guide to Good Practices"

10. The publishing and updating of the "Civil Servants' Guide to Good Practices" is another example of our efforts to promote civil service integrity on the prevention and education front. First published in 1999, the Guide sets out in layman's terms the good behaviour expected of civil servants at all levels. It was updated and distributed to civil servants at all levels and to non-civil service contract staff in April 2005. A chapter on the common law offence of misconduct in public office has been included to raise staff awareness and to provide guidance on the subject. Answers to a list of common questions on conduct matters are also provided at the annexes to the Guide.

(e) Leadership forum

11. CSB and ICAC jointly staged a leadership forum entitled "Successes through Ethical Governance" in June 2005. The forum provided an opportunity for leaders in the public and business sectors to examine ethical challenges and share experience in ethical leadership. The forum was attended by some 1 000 senior executives from both the public and business sectors.

(f) Management of staff indebtedness

12. With the sustained efforts of B/Ds in managing the situation coupled with the territory-wide downward trend in the past few years, we see a consistent decline in the number of insolvency or bankruptcy cases in the civil service from 997 in 2002 to 145 in 2006.

13. CSB will continue to monitor indebtedness in the civil service closely and call for regular returns from departments with a higher number of indebted staff. We have issued service-wide guidelines reminding civil servants of the importance of prudent financial management. Proactive measures will continue to be implemented at departmental level to ensure that personal financial difficulties, if any, of individual officers would not impair operational efficiency or the integrity of the civil service as a whole. Such efforts include those of the Police Force in launching an on-going healthy life-style campaign to promote the physical and mental well-being of its staff and the launching in April 2005 of a "Financial Helppage", a web-based repository of information on prudent financial management. Efforts are also being made by the Correctional Services Department, the Food and Environmental Hygiene Department and the Leisure and Cultural Services Department in promoting the value of a healthy life-style among their staff through talks and publicity in departmental newsletters and on web-sites.

(g) Training and induction

14. Training is an important ingredient in upholding civil service integrity. Corruption prevention courses are held on a regular basis to enhance awareness of the high standards of conduct required of civil servants. In the three years ending 2006, over 1 600 such training courses, including talks on corruption prevention and briefings on integrity and avoidance of conflict of interest, were organised for some 56 000 officers at various ranks.

Recent and ongoing initiatives

15. In recent years, CSB and ICAC have been working towards deepening integrity education and embedding the concept of civil service integrity more firmly at different levels of staff in B/Ds. Among the major initiatives in this regard was the Civil Service Integrity Entrenchment Programme launched in 2004. Under the programme, the outreach team comprising directorate officers from CSB and ICAC visited 34 B/Ds (with a combined workforce of some 124 000 staff) to discuss practical issues in relation to integrity management. Based on the experience and views shared, the "Programme on Ethical Leadership" has been launched in December 2006. The programme, which will be our key focus in the coming few years, aims to embed the culture of integrity through the leadership and commitment of the senior management in each B/D so that a sustaining ethical culture can flourish in the civil service. Under the programme, B/Ds will develop integrity management plans that suit their individual needs and priorities through the coordination and leadership of

their Ethics Officers. The Ethics Officer, a senior directorate officer in a B/D, is the focal point of integrity-related activities and is responsible for mapping out the strategy and work plan of his organisation.

16. CSB will continue to enrich the content of RCIM from time to time and use it as a platform for communication and sharing amongst the Ethics Officers. We are working on more sample cases for uploading to the RCIM, which are expected to cover such themes as acceptance of advantages without permission and neglect of duty, etc..

17. With the completion of the enhanced integrity management programme of the Works Branch of ETWB mentioned in paragraph 7 above, plans will be drawn up to roll out similar integrity promotion programmes for other departments whose staff also have extensive contacts with personnel in the building and related industries.

18. As illustrated by the key indicators set out in the **Annex**, the overall corruption scene in the civil service has remained stable in the past five years.

19. There is no room for complacency in our efforts to uphold an honest and clean civil service. We will remain vigilant and continue to work closely with ICAC and B/Ds in upholding an ethical culture in the civil service.

Civil Service Bureau
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Annex

	2001	2002	2003	2004	2005
Number of alleged corruption reports against civil servants received by ICAC	1 587	1 638	1 541	1 286	1 161
Number of civil servants prosecuted for corruption and related offences (<i>Note 1</i>)	61	51	50	38	25
Number of civil servants convicted (<i>Note 2</i>)	43	25	31	26	16
Number of civil servants named in cases that are referred by ICAC to bureaux/departments for consideration of disciplinary/administrative action (<i>Note 3</i>)	188	165	234	161	170

Note (1) : Prosecutions instituted in the year.

Note (2) : Civil servants convicted out of the prosecutions instituted in the year.

Note (3) : For cases where no prosecution is made against individual civil servants but possible misconduct/malpractice has been revealed during the ICAC investigation, ICAC may, on the advice of its Operations Review Committee, refer them to the bureau/department concerned for consideration of disciplinary/administrative action.

Source : ICAC