

**For discussion
on 25 June 2007**

Legislative Council Panel on Public Service

Acting Appointments in the Civil Service

Purpose

This paper provides information on the arrangements for making acting appointments in the civil service.

Background

2. An acting appointment is a non-substantive appointment whereby a civil servant is appointed to undertake the duties of a vacant post. Acting appointments should not be made automatically whenever a post is vacant. Management should only make an acting appointment where there is an operational need and where the duties of a vacant post must be discharged by another officer. In general, where there is a need to fill a vacant post in a promotional rank, a promotion or selection board as appropriate would be convened to select the most suitable candidate to fill the post.

Circumstances where acting appointments may be made

A. Permanent posts with long-term operational need

3. For permanent posts where it is established that there is a long-term operational and management need, acting appointments may be made under the following circumstances -

- (a) there is long-term operational need to fill the posts, but insufficient civil servants have been identified as suitable for substantive promotion or ready for testing in the rank of these posts; or
- (b) to enable civil servants to be tested for duties at a higher rank and for suitability for substantive promotion to that rank.

B. Permanent posts under review

4. For permanent posts which are subject to review, they should not be filled substantively in order not to pre-empt any re-organisational or post deletion plan which may come out of the review. They may be filled by acting appointments in the interim.

C. Time-limited posts

5. For posts which are created for a time-limited duration, they cannot be counted as promotable posts in order not to give rise to redundancy in future. They may, therefore, be filled by civil servants on acting appointment for the duration of the posts. They may also be filled by civil servants on substantive appointment. In the latter situation, the same number of posts at the same rank in other parts of the department(s)/ bureau(x) would be filled by civil servants on acting appointment. This is to ensure that the total number of civil servants in the said rank does not exceed the total number of promotable posts in that rank.

D. Temporary absence of incumbent

6. In addition, irrespective of whether the posts are permanent or time-limited, there are occasions where an acting appointment may be made to cover the temporary absence (e.g. on vacation or sick leave, training, secondment, etc.) of the incumbent of a post so that the associated work and duties can continue to be discharged.

Mechanism for administering acting appointments

7. The mechanism for selecting suitable candidates for taking up acting appointments and for reviewing acting appointments are stipulated in the relevant Civil Service Regulations and supplementary guidelines promulgated by the Civil Service Bureau (CSB) from time to time. According to the prevailing rules and regulations, the management of a bureau or department should take the following procedures in arranging acting appointments -

- (a) acting appointments lasting or expected to last for longer than six months should be approved by the appropriate authority for substantive appointment, and the need for making acting arrangements should be reviewed on a regular basis; and
- (b) for acting appointments lasting more than six months, the approving authority should adopt the same procedures as for substantive appointment (i.e. by conducting promotion or selection boards) to select the most suitable civil servants to take up the acting appointments. For posts under the purview of the Public Service Commission¹, the management must also seek the advice of the Commission on the selection to ensure fairness and impartiality in the selection process.

8. The Secretary for Civil Service is the authority for substantive appointment to posts ranked at D2 of the Directorate Pay Scale (i.e. D2) or above and, therefore, is also the authority for acting appointment to D2 posts.

¹Posts remunerated on a pay scale with a maximum pay point at MPS 26 or above

Accordingly, CSB scrutinizes all acting appointments which last for more than six months for posts at D2 and above to ensure that the proper selection and review procedures have been taken by the management concerned. For posts ranked at D1 of the Directorate Pay Scale (D1) and below, the substantive and acting appointment authority has been delegated to heads of department (HoDs), heads of grade (HoGs) and officers at appropriate ranks.

Statistics

9. In light of the delegation of authority stated in paragraph 8 above, CSB does not have readily available statistics on acting appointments for posts at D1 and below. On a one-off basis, we have requested HoDs and HoGs to provide the relevant statistics. In the past three years ending 31 March 2007, a total of 2 083 civil servants had taken acting appointments for an aggregate of 24 months or more, mainly for the reasons set out in paragraphs 3 to 6 above. A detailed breakdown of these acting appointments is at Annex.

Conclusion

10. We consider the acting appointment mechanism is necessary in the civil service as it constitutes an important tool to test a civil servant's suitability for substantive promotion as well as to allow management to meet operational needs. We will continue to keep the guidelines for making acting appointments under regular review and make improvements as necessary. CSB will continue to remind departmental and bureau management to be vigilant in reviewing the continued need for acting appointments as a good management practice and to seek to fill vacant posts in promotional ranks substantively wherever practicable.

Civil Service Bureau
June 2007

<u>Reasons for Making Acting Appointments</u>	<u>Number of Officers on Acting Appointment</u>
Insufficient suitable civil servants ready for substantive appointment (<i>para. 3(a)</i>)	687
Testing civil servants' ability before substantive appointment (<i>para. 3(b)</i>)	754
Long-term service need of posts under review (<i>para. 4</i>)	326
Posts created for time-limited duration (<i>para. 5</i>)	270
Temporary absence of incumbents (<i>para. 6</i>)	46
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