

## **ITEM FOR ESTABLISHMENT SUBCOMMITTEE OF FINANCE COMMITTEE**

### **HEAD 49 – FOOD AND ENVIRONMENTAL HYGIENE DEPARTMENT Subhead 000 Operational expenses**

Members are invited to recommend to Finance Committee the creation of the following permanent post in the Food and Environmental Hygiene Department –

1 Assistant Director of Municipal Services  
(D2) (\$122,700 - \$130,300)

to be offset by the deletion of the following permanent post –

1 Administrative Officer Staff Grade C  
(D2) (\$122,700 - \$130,300)

### **PROBLEM**

We need to rectify the composition of directorate support in the Environmental Hygiene (EH) Branch of the Food and Environmental Hygiene Department (FEHD) to ensure that the operation of environmental hygiene services and the enforcement of relevant statutory provisions are efficiently and effectively planned, coordinated, supervised and executed on a regional basis.

### **PROPOSAL**

2. We propose to rationalise the directorate structure by creating an Assistant Director of Municipal Services (ADMS) (D2) post offset by the deletion of an Administrative Officer Staff Grade C (AOSGC) (D2) post in the EH Branch of FEHD with immediate effect, upon approval by the Finance Committee of Legislative Council.

**/JUSTIFICATION .....**

## JUSTIFICATION

### *Directorate Set-up of the Environmental Hygiene Branch*

3. FEHD was first set up on 1 January 2000 to serve the community of Hong Kong in the area of food safety and environmental hygiene. The EH Branch of FEHD, headed by Deputy Director (Environmental Hygiene) (DD(EH)) ranked at Administrative Officer Staff Grade B (D3) level, is responsible for the provision of environmental hygiene services to the public and management input for planning and setting environmental hygiene standards. At the time of the establishment of FEHD, DD(EH) was underpinned by three ADMSSs, departmentally titled as Assistant Directors (Operations) (AD(Ops)1, AD(Ops)2 and AD(Ops)3), and one AOSGC, departmentally designated as Assistant Director (Headquarters) (AD(HQ)). The three ADs(Ops) were responsible for managing the provision of frontline environmental hygiene services in the Hong Kong (including Islands district), Kowloon and New Territories regions, whereas AD(HQ) was responsible for providing policy input on matters relating to the Public Health and Municipal Services Ordinances (Cap. 132) and its subsidiary legislation, and coordinating on-going policy issues of a territory-wide nature.

4. When the three AD(Ops) posts were created in January 2000 vide EC(1999-2000)26, it was anticipated at the time that it would take about two years to align the management of environmental hygiene services and facilities in the urban area and the New Territories to achieve uniformity in systems, procedures and standards. It was undertaken by the Administration that with the full implementation of the new territory-wide system, the management structure of the EH Branch would be reviewed. The post of AD(Ops)2, in charge of the environmental hygiene operations in the Kowloon region, was therefore created on a supernumerary basis for a period of two years from 1 January 2000 to 31 December 2001 in case of any streamlining opportunity that might arise after the review.

5. At the end of 2001, FEHD conducted a review of the management structure of the EH Branch in the light of operational experience. It was shown in the review that although the management systems of environmental hygiene services between the urban area and the New Territories had been successfully aligned, the workload of the three ADs(Ops) had increased over time. The continued directorate support of AD(Ops)2 in overseeing and managing the environmental hygiene services in the Kowloon region remained vital.

6. Following the review, in the spirit of optimising the deployment of manpower, we have re-organised the work of the four AD posts within the EH Branch since January 2002. Specifically, we have frozen the AD(HQ) post ranked at AOSGC and created under delegated authority a supernumerary ADMS post, designated as AD(Ops)2, held against the frozen post. Under this arrangement, each of the three ADs(Ops) has been sharing one-third of the work of AD(HQ) on a grouped subject basis in addition to their existing schedule of duties. In so doing, we are able to cover operation of the service regions while at the same time ensuring that matters on policy formation and review are taken care of. The redeployment was initially meant to be a stop-gap arrangement. We have reviewed this short-term arrangement periodically to ensure that the environmental hygiene services provided to the public are maintained at a high standard.

### *Continued Need for Three AD(Ops) Posts*

7. Over the years, the three ADs(Ops) have shouldered the prime responsibility of ensuring the daily smooth and efficient operation of comprehensive environmental hygiene services within the respective regions as well as effective enforcement of the relevant statutory provisions. Each has to direct the work of an average of some 3 000 staff, no less than that of a medium-size government department. Heavy management/directorate input is required on a full-time basis to sustain service standards so that streets are kept clean, food establishments meet the required licensing requirements/conditions, public markets are managed properly and complaints from the public are efficiently dealt with, to name but a few examples.

8. In addition to the operational responsibilities common to the three regions, each AD(Ops) is tasked with specific responsibilities for cross-territory functions as well as the re-distributed responsibilities previously vested with AD(HQ). These are detailed below –

- (a) AD(Ops)1 is responsible for the formulation of departmental prosecution policy and procedures to ensure efficient discharge of enforcement action in compliance with legal requirements and departmental policy. He has also taken over AD(HQ)'s role in reviewing and formulating departmental policies, strategies, operational procedures, management practices and procedures relating to the licensing of food and non-food premises, and to steer the operation of the Licensing Section to ensure efficient and effective delivery of licensing services. Furthermore, since late 2004, he has assumed the management responsibility for the newly created

Hygiene Section on matters relating to licensing enforcement and abatement of environmental nuisances. He has to initiate improvement measures and advise on legislative amendments in relation to these services. He also has to oversee the Boards and Committees Section in the provision of secretariat support to the Liquor Licensing Board and the processing of appeal cases lodged with the Licensing Appeals Board and the Municipal Services Appeals Board by licensees and licence applicants;

- (b) AD(Ops)2 is responsible for the management of 11 public cemeteries, eight columbaria and six crematoria throughout the territory. He monitors the service standards of these facilities, plans for the expansion of columbaria to cope with the growing demand for niches and replacement of old cremators with new ones to enhance the handling capacity and reduce air emission. AD(Ops)2 has taken over AD(HQ)'s role in reviewing and formulating departmental policies, strategies, practices and procedures relating to public market management and hawker control, including measures to enhance the viability of public markets and cost-effectiveness in the operation of public markets. Since January 2007, he has also taken over the Contract Management and Insect Control Unit from the Centre for Food Safety; and
- (c) AD(Ops)3 is responsible for all matters concerning meat and poultry consumption and slaughtering activities, meat safety and hygiene standards in the three licensed slaughterhouses, and taking enforcement actions against illegal slaughtering and smuggling activities to ensure that meat sold is fit for human consumption. AD(Ops)3 has taken over AD(HQ)'s role in reviewing and formulating departmental policies, strategies, practices and procedures relating to street cleansing, waste collection, management of public toilets, contract management matters, anti-littering and pest control operations, and advising the Environmental Protection Department and Department of Health on matters relating to waste management. AD(Ops)3 is the departmental coordinator for avian influenza and Severe Acute Respiratory Syndrome contingency measures. Besides, AD(Ops)3 heads the departmental Intelligence Unit, which plays a critical role in enhancing the surveillance and enforcement capabilities of the department in tackling illicit activities that give rise to food safety and environmental hygiene concerns.

*/Deletion .....*

***Deletion of One Permanent AOSGC Post***

9. The permanent AOSGC post, departmentally designated as AD(HQ), has been left vacant and held against by the supernumerary AD(Ops)2 post since January 2002. The work schedule of AD(HQ) has been redistributed amongst and effectively carried out by the three ADs(Ops) for the last few years. With their rich on-the-ground operational experience, the ADs(Ops) ranked at ADMS have helped factor operational considerations into the policy formulation process at an early stage, provided solid input to matters relating to the Public Health and Municipal Services Ordinance and its subsidiary legislation, and have been coordinating very effectively various on-going policy issues of a territory-wide nature. In short, the redeployment arrangement has now been on trial for several years and has proved to be very successful. We therefore propose the directorate structure of the EH Branch be rationalised by creating a permanent ADMS post offset by the deletion of an AOSGC post. The proposed permanent AD(Ops)2 post will continue to report to DD(EH). The proposed job descriptions of the three AD(Ops) posts are at Enclosures 1 to 3. The proposed organisation chart showing FEHD's directorate structure is at Enclosure 4.

Encls. 1-3  
Encl. 4

***Other Alternatives Considered***

10. Continuation of the existing short-term redeployment arrangement is not desirable as it is amply clear that the arrangement of having three ADs(Ops) ranked at ADMS to take charge of the operation of environmental hygiene services and enforcement of statutory provisions on a regional basis serves the department's needs best. We are satisfied that there is a permanent need for the EH Branch to have three ADs(Ops) to undertake the strategic planning and overall management of environmental services in their respective regions.

**FINANCIAL IMPLICATIONS**

11. The proposal is cost-neutral to the Government in terms of additional notional annual salary at mid-point as follows –

	<b>Rank</b>	<b>Notional Annual Salary Cost at Mid-point (\$)</b>	<b>No. of Posts</b>
	ADMS	1,518,000	1
<i>Less</i>	AOSGC	1,518,000	1
	<b>Total</b>	<b>0</b>	<b>0</b>

/The .....

The full annual average staff costs, including salaries and oncost, of the ADMS post and AOSGC post are \$1,944,000 and \$2,144,000, respectively. There will be a net saving of \$200,000 annually upon the proposed creation of the ADMS post and deletion of the AOSGC post.

## PUBLIC CONSULTATION

12. We consulted the Legislative Council Panel on Food Safety and Environmental Hygiene on 9 December 2008. Members indicated support for the proposal as no net increase in the number of directorate posts is involved.

## ESTABLISHMENT CHANGES

13. The current proposal will not result in any changes in the establishment of FEHD. For Members' reference, the establishment changes in FEHD for the last two years are as follows –

Establishment (Note)	Number of posts			
	Existing (As at 1 February 2009)	As at 1 April 2008	As at 1 April 2007	As at 1 April 2006
A	15*#	15*	15*	13*
B	271	256	244	210
C	10 854	10 846	10 794	10 785
<b>Total</b>	<b>11 140</b>	<b>11 117</b>	<b>11 053</b>	<b>11 008</b>

Note:

A – ranks in the directorate pay scale or equivalent

B – non-directorate ranks the maximum pay point of which is above MPS Point 33 or equivalent

C – non-directorate ranks the maximum pay point of which is at or below MPS Point 33 or equivalent

\* excluding the supernumerary ADMS post currently held against one frozen AOSGC post, i.e. the supernumerary ADMS post which is proposed for creation on a permanent basis in this paper

# As at 1 February 2009, there was no unfilled directorate post in FEHD.

## CIVIL SERVICE BUREAU COMMENTS

14. The Civil Service Bureau supports the proposal to formalise the directorate establishment in FEHD. The grading and ranking of the proposed ADMS post are considered appropriate having regard to the level and scope of responsibilities and the professional input required.

/ADVICE .....

**ADVICE OF THE STANDING COMMITTEE ON DIRECTORATE SALARIES AND CONDITIONS OF SERVICE**

15. The Standing Committee on Directorate Salaries and Conditions of Service has advised that the grading proposed for the post would be appropriate if the proposal were to be implemented.

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Food and Health Bureau  
February 2009

**Job Description  
Assistant Director (Operations) 1**

**Rank** : Assistant Director of Municipal Services (D2)

**Responsible to** : Deputy Director (Environmental Hygiene)

**Major Duties and Responsibilities –**

1. To plan, review, direct and supervise the operations of environmental hygiene (EH) services and the provision of EH facilities for the Hong Kong and Islands Region (comprising the Central/Western, Eastern, Wanchai, Southern and Islands Districts), including management of public markets, hawker control, refuse collection, street cleansing, pest control, licensing and regulation of food and other licensed premises, management of public toilets and dead removal services.
2. To review and formulate departmental policies, strategies, management practices and operational procedures relating to the licensing of food and non-food premises, and to steer the operation of the Licensing Section in the Headquarters (HQs) to ensure efficient and effective delivery of licensing services. To process applications for review to the Appeals Boards in respect of licensing matters of food and non-food premises; and provide support services to Liquor Licensing Board on liquor licensing matters.
3. To assume the management responsibility of the Hygiene Section in HQs on matters relating to licensing enforcement, abatement of environmental nuisances and to initiate improvement measures and advise on legislative amendments in relation to these services.
4. To formulate departmental prosecution policy and procedures to ensure efficient discharge of enforcement functions in compliance with legal requirements and departmental policy.
5. To attend meetings of the Legislative Council (LegCo) Panels and ad hoc committees as appropriate and liaise with stakeholders in the relevant trades and sectors.
6. To handle referrals and complaints received from LegCo, Audit Commission, Independent Commission Against Corruption, The Ombudsman and other organisations to ensure that policies are implemented consistently and equitably, and problems are identified and addressed.

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**Job Description**  
**Assistant Director (Operations) 2**

**Rank** : Assistant Director of Municipal Services (D2)

**Responsible to** : Deputy Director (Environmental Hygiene)

**Major Duties and Responsibilities –**

1. To plan, review, direct and supervise the operations of environmental hygiene (EH) services and the provision of EH facilities for the Kowloon Region (comprising the Yau Tsim, Mong Kok, Shamshuipo, Kowloon City, Wong Tai Sin and Kwun Tong Districts), including management of public markets, hawker control, refuse collection, street cleansing, pest control, licensing and regulation of food and other licensed premises, management of public toilets and dead removal services.
2. To manage, review and steer the provision of public cemetery and crematorium facilities and services, initiate facility improvement and service enhancements, plan for and oversee the development of new facilities, and promote modern alternative modes for disposal of human remains (including scattering of ashes at sea and in gardens of remembrance, and use of eco-coffins).
3. To review and formulate departmental policies, strategies, management practices and operational procedures relating to the operation and management of public markets (including cooked food markets), provide input in the market policy review, and implement new government initiatives that relate to public markets (e.g. issue of fixed penalty notices to smoking offenders in public markets).
4. To oversee, steer and review existing departmental policies, strategies, management practices and operational procedures relating to the licensing and control of hawkers, provide input in the hawker licensing policy review, and implement new government initiatives that relate to hawkers (e.g. issue of fixed penalty notices to smoking offenders in hawker bazaars).
5. To attend meetings of the Legislative Council (LegCo) Panels and ad hoc committees as appropriate and liaise with stakeholders in the relevant trades and sectors.
6. To handle referrals and complaints received from LegCo, Audit Commission, Independent Commission Against Corruption, The Ombudsman and other organisations to ensure that policies are implemented consistently and equitably, and problems are identified and addressed.

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**Job Description  
Assistant Director (Operations) 3**

**Rank** : Assistant Director of Municipal Services (D2)

**Responsible to** : Deputy Director (Environmental Hygiene)

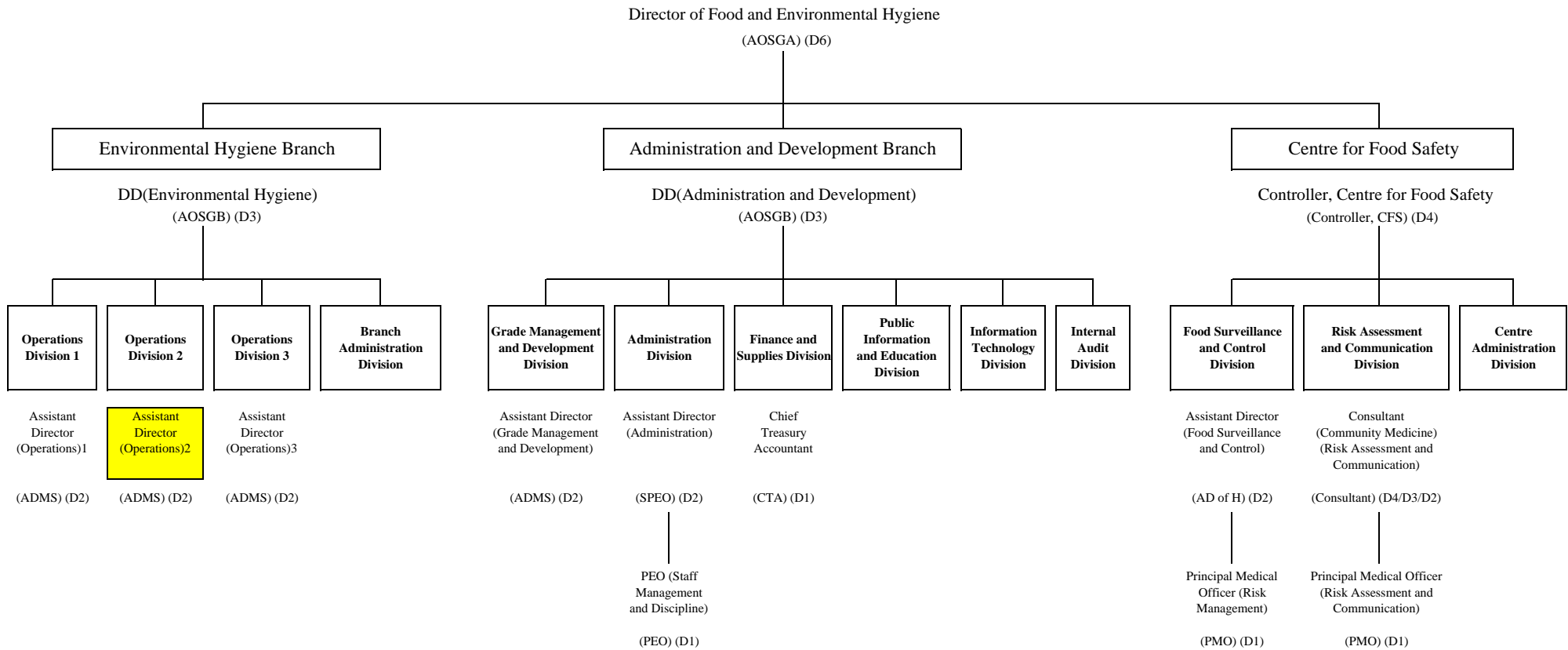
**Major Duties and Responsibilities –**

1. To plan, review, direct and supervise the operations of environmental hygiene (EH) services and the provision of EH facilities for the New Territories Region (comprising the Kwai Tsing, North, Sai Kung, Sha Tin, Tai Po, Tsuen Wan, Tuen Mun and Yuen Long Districts), including management of public markets, hawker control, refuse collection, street cleansing, pest control, licensing and regulation of food and other licensed premises, management of public toilets and dead removal services.
2. To review and formulate departmental policies, strategies, management practices and operational procedures relating to the regulation of meat slaughtering services to protect food safety and public hygiene; oversee the operation of the Sheung Shui Slaughterhouse in accordance with the new Operations Services Agreement; and maintain regulatory oversight over the Tsuen Wan Slaughterhouse.
3. To oversee and coordinate departmental action in the control of avian influenza risk at poultry retail outlets, enforce the ban of overnight keeping of live poultry in retail outlets, and take forward the Poultry Slaughtering Plant project to achieve segregation of live poultry from humans at retail level.
4. To assume the management responsibility of the Cleansing and Pest Control Section in the Headquarters on matters relating to public cleansing, pest control and street management problems (including on-street promotional activities involving unauthorised display of bills and posters, illegal parking of bicycles, laundry drying and metal cages in public places.
5. To plan and implement the public toilet refurbishment and improvement programme and conversion of all aqua privies into flush toilets.
6. To attend meetings of the Legislative Council (LegCo) Panels and ad hoc committees as appropriate and liaise with stakeholders in the relevant trades and sectors.

7. To handle referrals and complaints received from LegCo, Audit Commission, Independent Commission Against Corruption, The Ombudsman and other organisations to ensure that policies are implemented consistently and equitably, and problems are identified and addressed.

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**Proposed Organisation Chart of the Food and Environmental Hygiene Department**



**Legend:**

- Permanent post proposed to be created offset by deletion of an existing permanent AOSGC post, i.e. AD(Headquarters)
- AD - Assistant Director
- AD of H - Assistant Director of Health
- ADMS - Assistant Director of Municipal Services
- AOSGA - Administrative Officer Staff Grade A
- AOSGB - Administrative Officer Staff Grade B
- AOSGC - Administrative Officer Staff Grade C
- Controller, CFS - Controller, Centre for Food Safety
- CTA - Chief Treasury Accountant
- DD - Deputy Director
- PEO - Principal Executive Officer
- PMO - Principal Medical and Health Officer
- SPEO - Senior Principal Executive Officer