

For information

## **Legislative Council Panel on Public Service**

### **Follow-up to the Meeting on 18 January 2010**

At the meeting of the Panel on Public Service on 18 January 2010, the Administration was requested to provide information on the circumstances under which non-civil service contract (NCSC) staff might be employed and those under which agency workers might be used.

2. The NCSC Staff Scheme, introduced in 1999, allows Heads of Departments to employ NCSC staff under one or several of the following reasons –

- (a) to meet service needs which are time-limited, short-term or seasonal in nature;
- (b) to meet service needs which require staff to work less than conditioned hours;
- (c) to meet service needs where the mode of delivery of the service is under review or likely to be changed;
- (d) to meet service needs which are subject to market fluctuation; and
- (e) to tap the latest expertise in the market to meet special and changing operational needs.

3. As regards the use of agency workers, we promulgated in April 2010 a set of guidelines<sup>1</sup> to bureaux/departments (B/Ds) on the proper use of agency workers and advised B/Ds that agency workers<sup>2</sup> might and

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<sup>1</sup> The guidelines apply to all service contracts for the supply of agency workers for which quotations/tenders are invited after the issue of the guidelines. Existing service contracts prevailing at the time of the issue of the guidelines were not affected. However, B/Ds have to ensure compliance with the guidelines should they wish to renew or extend existing contracts.

<sup>2</sup> They do not include information technology manpower supplied by technical service providers under a term contract centrally administered by the Office of the Government Chief Information Officer (commonly known as “T-contract staff”) and service bureau staff providing public library service in the Leisure and Cultural Services Department.

should only be used under one or more of the following circumstances –

- (a) to meet service needs which entail irregular work pattern or where the nature of the work involved renders it difficult to recruit and retain staff;
- (b) to meet urgent or unforeseen service needs or unexpected surge in service demands for the short-term;
- (c) to fill short-term manpower gap; or
- (d) to provide short-term cover for manpower to deliver service the mode of which will be changed shortly.

As a general guideline, the short-term service demands under the circumstances at (b) to (d) above should last for no more than nine months.

4. From time to time, B/Ds may face unforeseen and short-term service needs or an unexpected surge in service demands lasting for only a short period of time, and that the service needs do not require to be handled by civil servants direct. Both the NCSC Staff Scheme and service contracts supplying agency workers provide B/Ds with the flexibility and necessary tools to reinforce their manpower more promptly to respond to such operational needs. B/Ds may engage NCSC staff and/or agency workers having regard to their particular needs. In some cases, given the lead time in the recruitment of NCSC staff, the urgency of the situation and the nature of the work involved, the use of agency workers may offer a quicker and more flexible response.

Civil Service Bureau  
October 2010