

LEGISLATIVE COUNCIL PANEL ON PUBLIC SERVICE

Update on Integrity Enhancement Initiatives for Civil Servants

Purpose

This paper updates Members on the work of the Civil Service Bureau (“CSB”) in promoting and enhancing the core value of integrity in the civil service.

Integrity

2. The civil service is the backbone of the Government of the Hong Kong Special Administrative Region. It is a permanent, honest, meritocratic, professional and politically neutral institution. Civil servants are required to uphold a set of core values among which is integrity. Under the Civil Service Code¹, integrity is elaborated as follows:

“Integrity : Civil servants shall ensure that no actual, perceived or potential conflict of interest shall arise between their official duties and private interests. Where an actual, perceived or potential conflict of interest arises, they shall declare it to their supervisors so that the latter can determine how best to proceed or escalate the matter for a determination as necessary. They shall not use their official position to further personal interests or the private interests of others. They shall not solicit or accept, directly or indirectly, any advantage or gift which would, or might reasonably be seen to, compromise their integrity or judgment or influence the discharge or non-discharge of their duties and responsibilities. They shall not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties. They shall ensure that the views they express will not compromise their capacity to fulfil their official duties professionally, effectively and impartially. They shall use information gained by virtue of their official position for authorised purposes only. They shall not disclose documents, information or knowledge received in confidence from others in the course of their duties or by virtue of their official position.”

¹ The Civil Service Code was promulgated in September 2009.

Strategy in Promotion and Enhancement of Integrity

3. CSB and the Independent Commission Against Corruption (“ICAC”) work together with bureaux and departments (“B/Ds”) to promote and enhance the core value of integrity in the civil service under a three-pronged approach, namely, prevention, education and training, and sanction.

(a) Prevention

4. The emphasis of prevention is placed on the provision of clear policies and guidelines, and proper checks and balances. Accordingly, CSB issues, and regularly reviews and updates, service-wide circulars and guidelines on conduct and integrity matters, covering conflict of interest, declaration of investment, acceptance of advantages, entertainment and sponsored visits offered to civil servants in their official or private capacity, etc.

5. CSB also encourages B/Ds to develop and publish their own codes of conduct or guides on integrity matters for compliance by their staff, having regard to their own unique circumstances and operation needs. A number of departments have done so. For example, the Inland Revenue Department has issued a summary guide on integrity management; the Food and Environmental Hygiene Department has promulgated a guide on conduct and discipline; and the Hong Kong Police Force has issued a set of behavioural guidelines to fortify the values of integrity and honesty of police officers both on and off duty.

6. Personal financial problems, if any, of individual civil servants may, if not addressed properly, compromise the integrity of the civil servants concerned and the culture of integrity in the civil service. Therefore, CSB has issued service-wide guidelines reminding civil servants of the importance of prudent financial management. In addition, it monitors closely the indebtedness situation in the civil service through regular returns from departments with a higher number of indebted cases.

7. B/Ds have also implemented proactive measures to promote prudent financial management at the departmental level. For example, the Police Force has set up a dedicated working group to coordinate various initiatives in tackling the issue of indebtedness. It has issued guidelines on how to handle officers suspected to be in debt, and launched a help page on the intranet to offer advice to officers experiencing financial difficulty. It also provides training on prudent financial management to new recruits.

The Leisure and Cultural Services Department, Food and Environmental Hygiene Department, Fire Services Department and Correctional Services Department provide counselling support to their staff; and promote healthy lifestyle through induction training, workshops, departmental newsletters and intranets, etc.

8. In 2009, there were 130 insolvency or bankruptcy cases in the civil service, representing an increase by 35 cases (37%) compared to 2008 and a decrease of three cases (2%) compared to the four-year average from 2005 to 2008.

(b) Education and training

9. Throughout the years, CSB and ICAC have been working together on integrity education and training at all levels in the civil service. Corruption prevention courses are conducted jointly by the Civil Service Training and Development Institute of CSB and ICAC on a regular basis to enhance awareness of the high standards of conduct required of civil servants. In the three years ended 2009, over 1 780 training courses, including talks on corruption prevention and briefings on integrity and avoidance of conflicts of interest, were attended by some 66 200 civil servants at various levels.

10. In December 2006, CSB and ICAC jointly rolled out the Ethical Leadership Programme, which has been and will remain our flagship initiative for the years to come. The objective of this initiative is to entrench the core value of integrity and honesty on an enduring basis in the civil service through the leadership of the senior management in B/Ds. Under this Programme, each B/D has appointed a senior directorate staff as the Ethics Officer (“EO”) to lead and co-ordinate activities and efforts. EOs are assisted by Assistant Ethics Officers (“AEOs”) who are mostly departmental secretaries, and other staff responsible for integrity management matters.

11. To support the work of EOs and AEOs, CSB and ICAC organise regular workshops for them on a wide range of issues covering integrity, conduct and discipline matters. So far six workshops have been conducted. In addition, EOs, AEOs and other representatives from B/Ds participated in the anti-corruption seminars organised by ICAC’s Centre of Anti-Corruption Studies and the Fourth ICAC Symposium co-hosted by ICAC and the European Anti-Fraud Office of the European Commission in 2009.

12. Directorate staff in CSB and ICAC also pay joint visits to the senior management of departments and conduct presentations on subjects

such as conflict of interest, corruption, misconduct in public office, supervisory accountability, etc. So far, visits were made to the Lands Department, Housing Department and Radio Television Hong Kong.

13. To encourage experience sharing, CSB and ICAC have rolled out a dedicated intranet known as the Online Community for Ethics Officers (“OCEO”) for EOs, AEOs and other staff responsible for integrity management matters. Apart from providing a rich repository of literatures, highlights of precedent cases and training materials on conduct, discipline and integrity matters, the OCEO further serves as a platform enabling online exchange of experience and views among B/Ds. The OCEO also complements the online Resource Centre on Civil Service Integrity Management, which is accessible to all civil servants.

(c) Sanction

14. The Administration takes a serious view of criminal offences and misconduct acts involving a breach of trust in the public office or misuse of power held by civil servants. Disciplinary action is also taken against a civil servant if his financial problems have resulted in a misconduct (e.g. acceptance of unauthorised loans) or if his personal financial difficulties are due to a reprehensible cause (e.g. gambling). Alleged acts of misconduct are investigated promptly, and disciplinary sanctions are administered strictly for established cases of misconduct in accordance with the Public Service (Administration) Order or disciplined services legislation where appropriate.

15. In the first nine months of the fiscal year of 2009/10, there were three convicted cases of criminal offences (excluding corruption) and established cases of misconduct involving a breach of trust in the public office or misuse of power held by civil servants². The five-year average of such cases from the fiscal years of 2004/05 to 2008/09 is 23 cases per year.

16. The overall corruption scene in the civil service has remained generally stable as illustrated by the key indicators set out at the Annex. According to the annual report of the Transparency International released in 2009, Hong Kong was once again ranked the 12th least corrupt place among 180 countries and cities in the Corruption Perception Index. Such finding is echoed by the 2009 survey of the Political and Economic Risk Consultancy Limited which ranked Hong Kong the second cleanest place among 13 Asian economies.

² Other convicted cases of criminal offences and established disciplinary cases not involving a breach of trust in the public office or misuse of public power are not included, e.g. road traffic offences, unauthorised absence and improper behaviour.

Ongoing Efforts

17. CSB will, in collaboration with ICAC and B/Ds, keep up the momentum of integrity management and promotion. In 2010, we plan to conduct more theme-based workshops for B/Ds, such as the common law offence of misconduct in public office, prudent financial management, undesirable association, etc. We intend to publish a booklet to set out, in layman's terms, information on the common law offence of misconduct in public office, a gist of precedent cases, and some guidance on the 'Dos' and 'Don'ts' for civil servants in discharging their public duties. We will enrich online materials on integrity for reference by civil servants and departmental management. We will also continue to support the efforts of individual departmental management in entrenching the core value of integrity in their staff.

18. We are keenly aware that there is no room for complacency in our efforts to uphold an honest and clean civil service. We will, as always, remain vigilant and collaborate with ICAC and B/Ds to counter the threats of corruption and embed firmly the core values of integrity and honesty in the civil service.

Civil Service Bureau
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Key Indicators of Corruption Reports in the Civil Service

	2005	2006	2007	2008	<i>Average (2005-08)</i>	2009
(a) No. of alleged corruption reports against civil servants received by ICAC	1 161	1 068	975	960	<i>1 041</i>	1 061
➤ No. of pursuable reports	863	753	669	675	<i>740</i>	703
➤ % of pursuable reports	74%	71%	69%	70%	<i>71%</i>	66%
(b) No. of civil servants prosecuted for corruption related offences	25	24	25	12	<i>22</i>	21
➤ No. of civil servants convicted	16	19	18	8	<i>15</i>	14
➤ % of convicted cases	64%	79%	72%	67%	<i>71%</i>	67%
(c) No. of civil servants whom are referred by ICAC to bureaux/departments for consideration of disciplinary or administrative action ^{Note}	170	150	123	105	<i>137</i>	66

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

Source: ICAC