

**For information on
2 November 2009**

LEGISLATIVE COUNCIL PANEL ON PUBLIC SERVICE

Grade Structure Review of the Disciplined Services: Job-related Allowances

PURPOSE

This paper provides additional information on some job-related allowances (JRAs)¹ payable to disciplined services staff, as recommended in the Grade Structure Review (GSR) Report on the Disciplined Services submitted by the Standing Committee on Disciplined Services Salaries and Conditions of Service (SCDS) and approved by the Chief Executive (CE)-in-Council.

BACKGROUND

2. In end 2007, we invited the SCDS to conduct a GSR for the disciplined services grades. The SCDS completed the review and submitted its Report to the CE on 27 November 2008. In it, the SCDS made a number of recommendations concerning a number of JRAs payable to disciplined services staff.

RECOMMENDATIONS

3. At the meeting on 20 October 2009, the CE-in-Council approved the following recommendations concerning JRAs -

- (a) the rates of the Extra Duties Allowance for Disciplined Services – Diving (Diving Allowance) should be enhanced;

¹ JRAs are additional payments to compensate staff for aspects of work which are not normally expected of a particular grade or rank and which have not been taken into account in the determination of the pay scales of the relevant grade and rank. The last comprehensive review of various JRAs payable to disciplined services staff was completed by the Administration in October 2007 after lengthy consultation with the departmental management and staff, and the recommendations were supported by the SCDS and have been implemented.

- (b) a new JRA should be introduced for disciplined services staff up to the rank of Chief Inspector of Police or equivalent for performing undercover duties for a period of not less than 30 days;
- (c) the rate of the Special Allowance for Officers Performing Regular and Frequent Detective Duties (Detective Allowance) should be adjusted annually (instead of biennially);
- (d) the granting of the Special Allowance for Paramedic Ambulance Supervisors (Paramedic Allowance) should be continued, pending further review on an appropriate continuous professional development framework with a robust accreditation system and having regard to the interface of various providers of pre-hospital care and other paramedic services;
- (e) a two-tier allowance should be introduced for eligible fire and ambulance personnel in the Fire Services Department (FSD) for performance of duties which require special competence and involve exceptional danger, risk and hardship; and
- (f) the outcome of the review conducted on the Remote Stations Allowance and the associated Additional Allowance payable to the disciplined services personnel of the Correctional Services Department (CSD) and the Hong Kong Police Force (HKPF), and the Special Allowance for Overnight On-call payable to the former should be accepted.

Diving Allowance

4. The Diving Allowance is payable to eligible staff in the Customs and Excise Department (C&ED), FSD and HKPF at two levels -

- (a) Level 1 (at a rate of 5% of Point 1 of the General Disciplined Services (Rank and File) Pay Scale (i.e. GDS(R)1) per month) for rank and file officers who have passed the FSD course in Scuba diving (or equivalent courses approved by the Administration) and are regularly engaged in diving duties; and

- (b) Level 2 (at a rate of 10% of GDS(R)1 per month) for advanced divers regularly engaged in diving duties and who –
- (i) in addition to the FSD course in Scuba diving, have passed an advanced course in Surface Demand Diving Equipment diving and dive up to a depth of 42 metres involving the use of hand-held powered equipment; or
 - (ii) in addition to the course on diving using compressed air, have passed a higher-standard course on diving using pure oxygen.

5. We agree with the SCDS' recommendation that Level 1 of the allowance should be increased from 5% to 6% of GDS(R)1 (i.e. from \$674 to \$809 under the existing pay scale) and Level 2 from 10% to 15% of GDS(R)1 (i.e. from \$1,348 to \$2,022 under the existing pay scale), having regard to the demanding nature of diving duties which include underwater search and rescue, and working in submerged vessels and vehicles, flooded buildings, wells and caissons, sewer and drains. The discharge of these duties invariably involve working in adverse environment with poor visibility in all-weather conditions, exposure to danger and health hazard arising from rapid water currents and water pollution.

Special Allowance for Performing Undercover Duties

6. Undercover duty is a necessary and useful part of detective duties that warrant exceptional recognition. Officers performing undercover duties are directed under an authorised investigation to use false identities to infiltrate a criminal syndicate in order to collect intelligence and secure necessary and sufficient evidence leading to the arrest and prosecution of criminals. These duties involve concealment of identities, close association with criminals, long and irregular hours and social segregation, resulting in exceptional stress, danger, risk to personal safety and hardship to the staff concerned. These duties are not part of the normal duties expected of disciplined services officers, and are performed by selected officers with suitable attributes and skills only.

7. We agree with the SCDS that a new JRA, namely the Special Allowance for Performing Undercover Duties, should be introduced for undercover duties performed by staff up to the rank of Chief Inspector of Police or equivalent ranks in the disciplined services departments (notably in C&ED, Immigration Department (ImmD), and the Independent Commission Against Corruption (ICAC)) for a period of no less than 30 days in a single operation. For the avoidance of doubt, only the period where their identities are concealed for undercover operation should be counted towards the payment of the allowance. We agree with the SCDS that the rate of the allowance should be set at 18% of Point 1 of the Police Pay Scale (i.e. PPS1) (i.e. \$2,824 under the existing pay scale) per month, which is the prevailing highest rate among the existing monthly-rated JRAs for the disciplined services.

Detective Allowance

8. The Detective Allowance is payable to disciplined services staff of C&ED, HKPF, ImmD and ICAC deployed on regular and frequent detective duties in plain clothes for 30 days or more. It is granted as a token allowance in recognition of the impracticability of staff to claim reimbursement of the numerous small out-of-pocket expenses on travel, meals, refreshments, etc. when trailing suspects or contacting informants and witnesses. The current rate of the allowance is \$360 per month for inspectorate officers up to the rank of Chief Inspector of Police or equivalent, and \$180 per month for rank and file staff. These rates are adjusted biennially by reference to the actual movement of the Consumer Price Index. We agree with the SCDS' recommendation that the rates should be adjusted on an annual basis.

Paramedic Allowance

9. The Paramedic Allowance, first introduced as a temporary allowance in 1995, is payable to qualified staff in the Principal Ambulanceman and Senior Ambulanceman² ranks in recognition of their higher qualifications (at Emergency Medical Assistant II (EMA II) level), special skills and greater responsibilities in performing paramedic duties. The rate of the allowance is set at 10% of GDS(R)1 (i.e. \$1,348 under the existing pay scale) per month. The staff concerned need to undergo re-certification of their paramedic proficiency at EMA II level every three years. Because of this, the SCDS recommended, and we agree, that the allowance should continue to be granted, pending further review on an appropriate continuous professional development framework with a robust accreditation system to sustain and enhance the quality of paramedic ambulance service in Hong Kong, having regard to the interface of various providers of pre-hospital care and other paramedic services in Hong Kong.

² Including certain Ambulanceman rank staff on long-term acting pending promotion to Senior Ambulanceman.

Two-tier Allowance for FSD Staff

10. The SCDS recommended that there was a *prima facie* case for introducing a two-tier allowance to recognise the special competence, specialist training, extra duties, coupled with the exceptional danger, risk and hardship associated with certain high level responsibilities of the Fireman grade. It has subsequently endorsed the details of the allowance worked out in consultation with the FSD management. The main features include –

- (a) the Special Allowance for Specialist Duties Performed by Fire and Ambulance Personnel (the Special Allowance), should be payable to eligible fire and ambulance staff³ in FSD for performance of duties which require special competence and involve exceptional danger, risk and hardship;
- (b) Tier 1 of the allowance should be set at 5% of GDS(R)1 (i.e. \$674 under the existing pay scale) per month, and be granted to members of the Fireman grade who are qualified to perform conduit rescue, basic Special Rescue Squad and First Responder duties, and who perform such duties on a deployment basis for an aggregate of no less than 50% of their total working time per month;
- (c) Tier 2 of the allowance should be divided into two categories, one for Technical Rescue and one for Tactical Response;
- (d) Tier 2 (Technical Rescue) of the allowance should consist two components, each set at 5% of GDS(R)1 per month. One component should be for the special competence, specialist knowledge and exceptional danger, risk and hardship in performing search and rescue/life support duties associated with catastrophic incidents or major emergency situations⁴ by fire and ambulance personnel. The other component should be for the special competence and specialist knowledge for operating various heavy, specialised, and highly complex search and rescue equipment associated with catastrophic incidents or major emergency situations by the fire personnel. The fire personnel (up to the rank of Divisional Officer) in the Technical Rescue Cadre who are qualified

³ Eligibility for Tier 2 (Technical Rescue) of the Special Allowance is extended to certain fire and ambulance personnel other than the Fireman grade staff performing specialist duties in catastrophic incidents or major emergency situations as we consider that the payment of the allowance should be determined by proficiency level and functional requirement of the jobs.

⁴ Such incidents include rescue at height, confined space/sewage/tunnel rescue, collapsed building rescue, major road traffic accident rescue, earthquake and tsunami, etc.

to perform the relevant duties and who perform such duties on a deployment basis for an aggregate of no less than 50% of their total working time per month should be granted both components of the allowance at 10% of GDS(R)1 (i.e. \$1,348 under the existing pay scale) per month. The ambulance personnel (up to the rank of Senior Ambulance Officer) in the Technical Rescue Cadre who are qualified to perform the relevant duties and who perform such duties on a deployment basis for an aggregate of no less than 50% of their total working time per month should be granted the first component of the allowance set at 5% of GDS(R)1 per month;

- (e) Tier 2 (Tactical Response) of the allowance should be set at 10% of GDS(R)1 per month, and be granted to members of the Fireman grade in the Tactical Response Cadre and fire stations who are qualified to deal with hazardous materials, and chemical, biological, radiological and nuclear incidents, and who perform such duties on a deployment basis for an aggregate of no less than 50% of their total working time per month; and
- (f) individual staff should only receive either Tier 1 or Tier 2 of the allowance. Also, individual staff should only receive the maximum rate of 10% of GDS(R)1 under Tier 2 of the Special Allowance at any point in time, i.e. no one should be allowed to draw the Tier 2 (Technical Rescue) and Tier 2 (Tactical Response) of the allowance at the same time.

Remote Stations Allowance, Additional Allowance and Special Allowance for Overnight On-call

11. The Remote Stations Allowance (RSA) is granted to disciplined services staff of CSD and HKPF who are required to work and live in remote stations in Cheung Chau, Lamma Island, Hei Ling Chau and southern Lantau for operational reasons to compensate them for the physical, social and financial hardship imposed on them. It comprises two components. Component A is to compensate for physical and social hardship including social segregation, physical fatigue and insufficient rest due to prolonged traveling hours and constraint on the mobility of officer and his family. Component B is to compensate for the financial hardship resulting from the higher expenditure on transport that the officer and his family incur for traveling between the outlying islands and the urban area. The associated Additional Allowance (AA) is payable to staff in receipt of RSA for each child attending school in the urban area, up to a maximum of four children. CSD disciplined services staff in Cape Collinson Correctional Institution in Chai Wan, which is only accessible

by very limited public transport, are also eligible for RSA and AA, but at half the rates to reflect the lesser inconvenience of working and living there. The Special Allowance (SA) for Overnight On-call is payable to disciplined services staff of CSD who are required to perform overnight on-call duty⁵ in the area of their institution but not living in staff quarters in the area of the institutions.

12. The three allowances are reviewed at regular intervals. We have just completed a review and the gist of the outcome is set out below -

- (a) the three allowances should be retained;
- (b) some disciplined services staff of CSD and HKPF, though not living in the remote stations, perform shift duties which require overnight or extended stay in remote stations on a frequent basis and hence suffer similar degree of physical and social hardship as staff working and living in remote stations. They should be granted Component A of the RSA (i.e. the compensation for physical and social hardship)⁶;
- (c) the rate of Component A of the RSA is pegged to the rates of the Hardship Allowances (Management Consideration) payable to civilian staff⁷ and the rate of Component B is pegged to the fares of specified trips (see the formula and rates set out at **Annex A**). The rate of Component A was last revised in 1998 based on the rates of Hardship Allowances (Management Consideration) of 1997-98. Since the Hardship Allowances (Management Consideration) were abolished in mid-2003, the rate of Component A should be updated by reference to the cumulative annual pay adjustments (both upward and downward) since 1998-99 for civil servants in the lower salary band. Component B should continue to be pegged to the fares of the specified trips. The revised formula and the updated rates of the two components are set out in **Annex B**;

⁵ All correctional institutions in CSD operate round-the-clock on a four-shift system. CSD disciplined services staff working on the second shift (from 1315 to 2015 hours) are required to remain on-call in the area of the institution for ten and a half hours (from 2015 to 0645 hours) each night for a maximum of 12 nights a month. This overnight on-call arrangement is essential to the security of a correctional institution as the strength of night shift staff is normally kept to a minimum, and overnight on-call staff may be mobilized in case of major incidents such as fire, mass disturbance, escape and riot.

⁶ Eligible staff in the Cape Collinson Correctional Institution should be granted half of the Component A of RSA.

⁷ The rates of the monthly Hardship Allowances (Management Consideration) payable to civilian staff used to be adjusted in accordance with the movement of Point 1 of the Master Pay Scale as a result of the civil service pay adjustment.

- (d) the rate of AA is set at half of the fare of a normal return ferry trip between Lantau and Central times 24 (being the average number of school days in a month). This should remain unchanged but the rate, last revised in 1998, will be updated accordingly;
- (e) the rate of the SA for Overnight On-call was last revised in 1998 by reference to the annual civil service pay adjustment (both upward and downward) for the lower salary band. It should be updated by reference to the cumulative annual pay adjustments (both upward and downward) for civil servants in the lower salary band since then; and
- (f) to keep the value of the allowances up-to-date, the rates of the RSA, the associated AA, and the SA for Overnight On-call should be reviewed and revised in accordance with the stipulated formula or mechanism on an annual basis. And the authority delegated to the Secretary for Financial Services and the Treasury to approve revisions to the rates of RSA, AA and SA for Overnight On-call in accordance with the stipulated formula or mechanism should remain unchanged.

ADVICE SOUGHT

13. Members are invited to note the additional information on the recommendations approved by the CE-in-Council regarding JRAs payable to disciplined services staff in the GSR Report on the Disciplined Services.

Civil Service Bureau
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Annex A

Existing Calculation Formula and Rates of the Remote Stations Allowance

Formula	Component A	+	Component B	
	Mean of the highest and the lowest level of monthly rated Hardship Allowance (Management Consideration)		Fare of one return ferry trip between Lantau and Central + fare of one return bus trip between Shek Pik and Mui Wo on Sundays / public holidays	$x2 \times 69^{\#}/12^{\@}$
Current rate (last adjusted in May 1998)	$\$(342+758)/2=\550	+	$\$(34+17.6)$	$x2 \times 69^{\#}/12^{\@}$
Total	\$550	+	\$593	= \$1,143

* for officer and spouse or one family member

total number of Sundays (52) and public holidays (17) in a year

@ number of months in a year

Annex B

Revised Calculation Formula and Rates of the Remote Stations Allowance

Formula	Component A		Component B	
	Taking the absolute value of the last-adjusted Hardship Allowance (Management Consideration)-pegged Component A (i.e. \$550 as at the financial year of 1997-98) as the base value and adjusting it by reference to the salary adjustment for the lower band civil servants	+	Fare of one return ferry trip between Lantau and Central + fare of one return bus trip between Shek Pik and Mui Wo on Sundays / public holidays	$x 2^*x69^{\#}/12^{\@}$
Proposed rate	$\$550 \times 1.0579 \times 1.0238 \times 0.9842 \times 0.9687 \times 0.9677 \times 1.0462 \times 1.0529^1 = \605	+	$\$(38.4 + 27)$	$x 2^*x69^{\#}/12^{\@}$
Total	$\$605$	+	$\$752.1$ say $\$752$	$=\$1,357$

* for officer and spouse or one family member

total number of Sundays (52) and public holidays (17) in a year

@ number of months in a year

¹ The annual pay adjustments for civil servants in the lower salary band since 1998-99 were +5.79% (with effect from 1 April 1998), +2.38% (with effect from 1 April 2001), -1.58% (with effect from 1 October 2002), -3.13% (with effect from 1 January 2004), -3.23% (with effect from 1 January 2005), +4.62% (with effect from 1 April 2007) and +5.29% (with effect from 1 April 2008).