

**The Administration's Response to the
Motion Passed at the Meeting of the Legislative Council
Panel on Public Service held on 20 June 2011**

At its meeting held on 20 June 2011, the Panel on Public Service discussed the determination of salaries for government school teachers, with particular reference to the “no better than” principle and the “healthy turnover” measure in view of differences in salaries and employment terms for government school teachers and aided school teachers. It also passed the motion –

“That this Panel urges the Administration to review afresh the salaries and terms of employment of government school teachers and make compensation for their loss of income arising from previous mistakes.”

Our response to the motion is set out below.

2. We would like to point out from the outset that government school teachers¹ are civil servants and subject to Civil Service Regulations (CSRs). Their salaries and other employment terms and conditions are determined according to CSRs and other rules and regulations as promulgated by the Civil Service Bureau. Aided school teachers are *not* civil servants. They are employed under a separate and different employment system. Their salaries and other employment terms and conditions are determined by the Codes of Aid and other rules and regulations as promulgated by the Education Bureau.

3. It is *not* correct to describe the differences in salaries between teachers in the Government sector and those in the aided school sector as “loss of income arising from previous mistakes”. Given the two separate and different employment systems, the employment terms and conditions of government school teachers and aided school teachers are bound to be different.

4. As explained at the afore-mentioned Panel meeting, the grievance felt by some government school teachers may have stemmed from their mis-interpretation of the “no better than” principle and the

¹ Except those temporary teachers who are not appointed on civil service terms.

“healthy turnover” measure. To reiterate, the “no better than” principle prescribes that the remuneration package of staff in the subvented sector should use the remuneration package of the civil service as the benchmark, and should not be better than that of comparable staff in the civil service. In other words, in the context of school teachers in the public education sector, the benchmark is the remuneration package of government school teachers, and *not* the remuneration package of teachers in the aided sector. It does *not* mean that the remuneration package of government school teachers should be aligned to that of teachers in the aided sector, where doing so is to the benefit of government school teachers. It does *not* mean that there is any “loss of income” for a government school teacher whose salary is lower than that of a counterpart in the aided sector. It therefore follows that there is *no* case for any remedy or compensation.

5. The “healthy turnover” measure was introduced in 2000 to protect individual teachers who decide, for one reason or another, to transfer from one school to another in the public education sector. It ensures that a teacher would at least receive his/her existing salary upon transfer between schools, instead of receiving the reduced starting salary prevailing between 1 April 2000 and 31 July 2007 for new recruits, provided that the transfer was without a break in service and the transfer was not from a graduate teaching post to a non-graduate teaching post. The measure does *not* prescribe that two different teachers with the same qualification and teaching experience will receive the same salary upon appointment to a government school and an aided school.

6. In short, government school teachers and aided school teachers are employed under two separate and different employment systems. The differences in employment terms and conditions reflect the very different nature of the two systems. The rules for determining employment terms and conditions for government school teachers and aided school teachers have been consistently applied in the respective employment systems. Loss of income arising from previous mistakes is not substantiated; and there is no question of making any compensation.