

立法會

Legislative Council

LC Paper No. CB(1)1715/11-12
(These minutes have been seen
by the Administration)

Ref : CB1/PL/ PS/1

Panel on Public Service

**Minutes of meeting held on
Monday, 19 March 2012, at 10:45 am
in Conference Room 3 of the Legislative Council Complex**

Members present : Hon Mrs Regina IP LAU Suk-ye, GBS, JP (Chairman)
Dr Hon PAN Pey-chyou (Deputy Chairman)
Hon LEE Cheuk-yan
Dr Hon Margaret NG
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon LI Fung-ying, SBS, JP
Dr Hon LEUNG Ka-lau
Hon IP Wai-ming, MH
Hon LEUNG Kwok-hung

Members absent : Hon CHEUNG Man-kwong
Hon WONG Sing-chi

Public officers attending : Agenda items II and III
Miss Denise YUE, GBS, JP
Secretary for the Civil Service

Mr Raymond H C WONG, JP
Permanent Secretary for the Civil Service

Mr Anthony MAK
Principal Assistant Secretary (Civil Service) Training
and Development

Agenda item IV

Miss Denise YUE, GBS, JP
Secretary for the Civil Service

Mr Raymond WONG H C, JP
Permanent Secretary for the Civil Service

Mr Brian LO, JP
Deputy Secretary for the Civil Service 2

Clerk in attendance : Mr Arthur LEUNG
Chief Council Secretary (1)7

Staff in attendance : Mr Simon CHEUNG
Senior Council Secretary (1)9

Miss Iris CHEUNG
Legislative Assistant (1)7

Action

I. Papers issued since last meeting

(LC Paper No. CB(1)1255/11-12(01) -- Letter from Hon LEE
(*Chinese version only*) Cheuk-yan proposing to hold a
special meeting to discuss the
impact of the Chief Executive's
acceptance of hospitality offered
by tycoons on the morale of the
civil servants)

Members agreed to consider the letter dated 1 March 2012 from Mr LEE Cheuk-yan to the Chairman (LC Paper No. CB(1)1255/11-12(01)) under the next agenda item.

II. Date of next meeting and items for discussion

(LC Paper No. CB(1)1217/11-12(01) -- List of outstanding items for discussion

LC Paper No. CB(1)1217/11-12(02) -- List of follow-up actions)

Proposal to hold a special meeting

2. Members noted that Mr LEE Cheuk-yan proposed in his letter dated 1 March 2012 that a special meeting be held to receive views from civil service unions and associations on the impact of the Chief Executive's ("CE") acceptance of hospitality offered by tycoons on the morale of civil servants, and to discuss the matter with the Administration. Dr Margaret NG expressed support for the proposal as she would like to know whether the Administration had assessed such impact and what remedial measures had been taken. She had the impression that the matter had dealt a serious blow to the morale of civil servants.

3. The Chairman also expressed support for the proposal to hold a special meeting. She said that some civil servants had reflected to her the view that while junior civil servants would be subject to severe sanctions for accepting advantages, CE was not regulated by any rules on acceptance of hospitality, other than those made by CE himself. Those civil servants queried that people in the upper echelon of the Administration were not subject to the stringent rules and regulations applicable to civil servants.

4. Secretary for the Civil Service ("SCS") responded that the Administration was committed to promoting a culture of integrity in the civil service by adopting a three-pronged approach, namely prevention, education and sanctions. She would be happy to brief members on the work of the Civil Service Bureau ("CSB") in this respect. Dr Margaret NG said that an honest and clean civil service was the cornerstone of effective governance. She considered that one could not expect civil servants to uphold high standards of integrity if some people in the Administration were not required to observe the relevant rules and regulations. Dr NG hoped that the Administration would advise members at the special meeting how it had addressed the sentiments of civil servants caused by CE's acceptance of hospitality.

5. Ms LI Fung-ying proposed that the Secretary for Constitutional and Mainland Affairs be invited to attend the special meeting so that he could listen to the views expressed by representatives of civil service unions and associations,

and review if the Code for Officials under the Political Appointment System need to be revised. Members agreed.

6. Members agreed that representatives from civil service unions and associations be invited to give views at the special meeting and allowed two weeks for making submissions. Mr LI Cheuk-yan and Dr Margaret NG opined that the special meeting should be held as early as possible, and preferably before the next regular Panel meeting on 16 April 2012. Members agreed.

(Post-meeting note: The special meeting was scheduled for Saturday 14 April 2012, from 8:30 am to 10:45 am. Civil service organizations were invited to give their views at the meeting.)

7. Members noted that the next regular Panel meeting would be held on 16 April 2012 to discuss the following items:

- (a) updated overview of the civil service establishment, strength, retirement and age profile; and
- (b) use of agency workers.

III. Civil Service Outstanding Service Award Scheme 2011

(LC Paper No. CB(1)1217/11-12(03) -- Administration's paper on Civil Service Outstanding Service Award Scheme 2011

LC Paper No. CB(1)1217/11-12(04) -- Paper on Civil Service Outstanding Service Award Scheme 2011 prepared by the Legislative Council Secretariat (background brief))

8. SCS briefed members on the Civil Service Outstanding Service Award Scheme 2011 ("the 2011 Scheme").

9. The Chairman opined that the Administration should step up publicity on the 2011 Scheme in order to give due recognition of the good efforts made by civil servants. From what she had gathered through participation as a chairperson of one of the Final Adjudication Panels in the 2011 Scheme, Ms LI Fung-ying had a high regard for the 2011 Scheme. Nevertheless, she was concerned that participation in the Scheme might involve too much extra

workload on the part of participating bureaux/departments ("B/Ds"). Ms LI considered that more staff members in participating B/Ds should be involved and she hoped that participation in Scheme would not become a matter of formality down the years.

10. In response, SCS said that participation in the Scheme should not affect B/Ds' priorities and daily services to the public. She agreed with the Chairman and Ms LI that as the Scheme aimed to foster a customer-focused culture in the civil service, efforts to further promote exemplary services and best practices of the winning B/Ds, especially to the non-participating B/Ds, should continue. The Administration would also ensure that the Scheme would not become a matter of formality for participating B/Ds through introducing new elements to the Scheme having regard to latest developments in the community. She said that the Administration would give consideration to injecting new themes such as integrity in the civil service in the next Scheme.

11. Dr PAN Pey-chyou said that the presentation of awards to staff members with outstanding performance would certainly help boost the morale of the B/Ds concerned. As awards under the 2011 Scheme were presented to departments or teams, he enquired if the Scheme in future could be extended to presenting awards to individual civil servants with outstanding performance. Also, noting that members of public were invited to vote in a survey to select three departments for the Best Public Image Award under the 2011 Scheme, Dr PAN enquired if users of services of participating B/Ds could also be invited to take part in the adjudication of other awards under the Scheme in future, as this would, in his view, promote a better service culture.

12. In reply, SCS said that there were other commendation schemes under which awards were granted to individual civil servants with exceptional merits. For example, the SCS Commendation Award Scheme gave recognition to some 70 civil servants with outstanding performance annually and commendation letters were issued under the Commendation Letter Scheme by Heads of Departments to individual civil servants with meritorious service. Feature stories on the work of such civil servants were published in local newspapers. Permanent Secretary for the Civil Service ("PSCS") added that awards received under the 2011 Scheme would be recorded in the personnel files of individual officers to give recognition to their outstanding service. As regards Dr PAN's suggestion to involve users of services in the adjudicating process for awards other than the Best Public Image Award, SCS undertook to give consideration to it in the planning of the next Scheme. PSCS added that seasoned practitioners from private sector organisations had served as adjudicators under the Scheme. SCS also advised members that at present departments gauged users' feedback on their services through different channels such as placing feedback forms at

venues where services were provided, organizing meetings of customer liaison groups and conducting customer surveys.

IV. Overview of medical and dental benefits for civil servants, pensioners and eligible dependants

(LC Paper No. CB(1)1217/11-12(05) -- Administration's paper on medical and dental benefits for civil servants, pensioners and eligible dependants

LC Paper No. CB(1)1217/11-12(06) -- Paper on medical and dental benefits for civil servants, pensioners and eligible dependants prepared by the Legislative Council Secretariat (updated background brief)

13. SCS briefed members on the Administration's paper which provided an overview on the provision of medical and dental benefits ("civil service medical benefits") to civil service eligible persons ("CSEPs").

Inclusion of Chinese medicine

14. Dr PAN Pey-chyou said that Chinese medicine had gained recognition by the Government as accredited Chinese medicine degree programmes were taught in public-funded tertiary institutions and sick leave certificates issued by registered Chinese medicine practitioners were recognised under labour laws. He did not understand why the Administration had maintained its position not to include Chinese medicine in the scope of civil service medical benefits. He urged the Administration to review if civil service medical benefits could be extended to cover consultations and treatments provided by Chinese medicine clinics ("CMCs") under the Hospital Authority ("HA"). Ms LI Fung-ying and Mr LEE Cheuk-yan shared Dr PAN's views.

15. In response, SCS said that it was not out of any discriminatory policy or considerations that Chinese medicine was not included in the scope of civil service medical benefits. Civil servants would be granted sick leave upon production of sick leave certificates issued by registered Chinese medicine practitioners and they were entitled to reimbursement of expenses arising from Chinese medical treatments necessitated by work injuries under the Employees' Compensation Ordinance (Cap 282). As an employer, the Government had a

contractual obligation to provide civil service medical benefits to CSEPs. The medical and dental benefits referred to in the Civil Service Regulations and the letters of appointment for civil servants were those provided by HA and Department of Health ("DH"). At present, HA and DH did not provide Chinese medical services and all CMCs under HA were run on a tripartite model involving HA, a non-governmental organisation and a local university. Services provided by CMCs under HA were not part of the standard services of HA, and as such did not fall within the scope of the civil service medical benefits. Unless there were changes to the existing arrangements, the Administration had to abide by the contractual obligations to offer medical and dental benefits to CSEPs through HA and DH. She would continue to keep in view the development of Chinese medicine in the public healthcare system in consultation with the Food and Health Bureau and HA. Also, the financial implications of any change to the provision of civil service medical benefits had to be assessed carefully as there were some 500 000 CSEPs.

16. Dr PAN Pey-chyou pointed out that as herbal medicines were generally cheaper than western patent drugs, the inclusion of Chinese medicine in civil service medical benefits might be less costly than the Administration might think. In response, SCS expressed doubts on the validity of this argument because civil servants could still consult western medical practitioners after consulting Chinese medical practitioners. The Government would need to assess carefully the additional financial implication if Chinese medicine was included in the scope of civil service medical benefits.

17. Dr PAN Pey-chyou noted that there was a trend of providing medical benefits to CSEPs in a manner detached from HA's mainstream services provided to the public. This was evidenced by the setting up of designated specialist clinic and new dental surgeries solely serving CSEPs. He considered that there was room for extending the scope of civil service medical benefits to cover Chinese medicine under such a service mode.

18. SCS clarified that the Administration had no plan to segregate the services provided to CSEPs from those to the general public. The setting up of specialist clinics for CSEPs was to supplement services provided by HA clinics and this represented only a small portion of the medical services provided to CSEPs. To date, the HA was the sole service provider for in-patient services and the major service provider of general out-patient services to CSEPs. SCS also clarified that since its establishment, HA had never operated any dental clinic for CSEPs. All such clinics were operated by DH.

Designated specialist out-patient clinic at the Prince of Wales Hospital

19. As regards the dedicated specialist out-patient clinic newly set up at the Prince of Wales Hospital ("PWH") for CSEPs, the Chairman enquired about the types of specialty services available in the clinic.

20. Deputy Secretary for the Civil Service 2 ("DSCS") advised that seven specialties were provided at the clinic: i.e. Ear, Nose & Throat; Family Medicine; Gynaecology; Medicine; Orthopaedic & Traumatology; Paediatrics & Adolescent Medicine; and Surgery. These specialty services were selected after discussions between CSB and PWH management, having regard to the specialty services available in PWH and the specialty services used most often by CSEPs in the past. In reply to the Chairman's question on whether heart bypass surgeries would be performed at this clinic, DSCS said that where necessary, the PWH clinic would refer CSEPs to departments of other sub-specialty for treatments. The Chairman enquired further if cleft-lip and palate operations would be provided to dependent children of civil servants by the clinic. SCS replied that treatment required on medical grounds would be provided to CSEPs and that such decisions were always made by the attending doctors. CSB had never intervened with such decisions.

21. Ms LI Fung-ying welcomed the measures implemented by the Administration to improve civil service medical benefits. She enquired if the Administration had any plan to establish, apart from the specialist out-patient clinic at PWH, similar clinics in hospital clusters other than the New Territories East. Dr PAN Pey-chyou expressed reservation that Psychiatric Service was not one of the specialty services provided at the PWH clinic as he knew there was a strong demand for the service among civil servants and their dependents. Further, he hoped that the Administration could also provide other specialty services i.e. Ophthalmology, Dermatology and Oncology at the specialist clinic in future.

22. In response, SCS advised that apart from the PWH specialist out-patient clinic, L Block of Queen Elizabeth Hospital was presently also providing dedicated specialist out-patient services to CSEPs. The Administration would explore with HA the feasibility of setting up similar clinics in other hospital clusters and including other specialty services at such clinics. At present, manpower constraint was the major hurdle that HA had to overcome in this regard.

Reimbursement of medical expenses

23. Ms LI Fung-ying enquired whether the Administration could provide a breakdown of the provision for 2011-2012 and of the estimate for 2012-2013 for the item "Payment and reimbursement of medical fees and hospital charges". SCS noted that the Administration would soon provide a written reply to a supplementary Special Finance Committee question on breakdown of "Payment and reimbursement of medical fees and hospital charges". In this connection, she informed Members that for the first eleven months of 2011-2012 (i.e. 1 April 2011 to 29 February 2012), the actual expenditure on payment and reimbursement of medical fees and hospital charges amounted to \$255.5 million, made up of \$172.9 million for drugs, \$6.2 million for medical equipment and treatment, \$14.4 million for medical tests and imaging services, \$3.3 million for medical expenses for officers on duty outside Hong Kong, and \$2.7 million for hospital charges.

24. Mr LEE Cheuk-yan enquired about the level of reimbursable fees HA was charging a civil servant for his Mainland wife giving birth in a public hospital. SCS replied that since wives of civil servants or pensioners were entitled to free HA obstetric services, there was no question of reimbursement of medical expenses in these cases.

Other issues

25. Referring to footnote 1 of the information paper provided by the Administration, Mr LEE Cheuk-yan sought clarification on the types of government employees who would be referred to as "other persons who are eligible for civil service medical benefits by way of their terms of appointment", and whether civil servants on three-year probation were among them. SCS advised that all civil servants on probation were eligible for civil service medical benefits. PSCS added that the "other persons" in question included a small number of officers recruited directly from outside the Government to fill promotional posts where no serving civil servants were found suitable. The entitlement of such persons to civil service medical benefits was set out in the memorandum of conditions of service offered to them. SCS supplemented that "other persons" in question also included officials appointed under the Political Appointment System. Mr LEE Cheuk-yan enquired further about the fringe benefits politically appointed officials were entitled which had not been converted to cash. SCS undertook to provide a written reply after consulting the Constitutional and Mainland Affairs Bureau.

V. Any other business

Admin 26. Noting that Mr Henry TANG, a former principal official and a Member of the Executive Council ("ExCo") who was running for the CE office, had openly admitted that he had divulged confidential information of ExCo, the Chairman proposed that the mechanism and regulations on preventing unauthorized disclosures of confidential information in the Government be discussed at the next regular meeting of the Panel, scheduled for 16 April 2012. As requested by the Panel, SCS agreed to prepare a discussion paper, covering the control arrangements governing disclosure of confidential information by civil servants.

Admin 27. The Chairman enquired about the mechanism on preventing unauthorized disclosure of confidential information by ExCo Members and principal officials. In response, SCS said she believed ExCo Members were responsible to CE. She would have to find out whether CE had delegated to any bureau/office the responsibility of ensuring ExCo Members' compliance with the confidentiality rule. The Chairman said that consideration should be given to inviting the Director of the Chief Executive's Office to the meeting to brief members on the matter.

28. There being no other business, the meeting ended at 12:19 pm.