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16 July 2012

Clerk to Panel on Public Service
Legislative Council Complex,
1 Legislative Council Road,
Central, Hong Kong
(Attn: Mr Simon Cheung)
(Fax No.: 2869 6794)

Dear Mr Cheung,

Submission from the Accounting Officers Rights Concerns Group

Thank you for your letter of 2 May 2012 enclosing the submission dated 13 April 2012 from the Accounting Officers Rights Concerns Group (the Submission). The same letter has also been received by the Secretary for the Civil Service. Due to the anonymous nature of the letter, we have not been able to issue a reply. In consultation with the Treasury, we set out below the Administration's consolidated responses to the points made in the Submission.

Selection of candidates before recruitment exercises

In general, selection of candidates for appointment should be based on character, ability, qualifications prescribed for the rank under recruitment, and experience. According to the Treasury's records, the "junior Accounting Officer II (AcctO II)" mentioned in paragraphs 5 to 7 at page 2 of the Submission has not been selected for appointment as Treasury Accountant (TA). The allegation of selecting candidates before the recruitment exercise was conducted was therefore unfounded.

Age discrimination

Recruitment aims to select the most suitable person from within or outside the civil service in an open, fair and competitive manner to undertake the duties and responsibilities of a civil service vacancy. As an Equal Opportunities Employer, the Government is committed to eliminating all forms of discrimination, including age discrimination, in the recruitment process. Such guidelines have been widely promulgated for observation by bureaux/departments (B/Ds).

According to the Treasury, since the lifting of the general open recruitment freeze in 2007, they have appointed 69 new recruits of TAs in four recruitment exercises. Among them, 21 were serving AcctOs. Out of these 21 AcctOs, 13 (over 60%) were aged over 35 when appointed as TA, including six who were aged 40 or above. The Treasury has confirmed that there has been no age discrimination against the more senior AcctOs in the recruitment of TAs.

Candidates who had worked in large accounting firms

Working experience in major accounting firms is not an entry requirement for TA posts. Given that major accounting/auditing firms are the main breeding ground for qualified accountants and the major suppliers of potential TA candidates, it is natural that a considerable number of new TA recruits (in fact new AcctO IIs as well) have worked in major accounting/auditing firms.

Representation at Departmental Consultative Committee ("DCC") and staff morale

The main objective of a DCC is to provide a forum to achieve better understanding and cooperation between the departmental management and staff through regular discussions on matters affecting the well-being of staff in the department. Under the prevailing guidelines, staff representatives of DCC shall be staff serving in the department concerned. For grades with staff working in different B/Ds due to operational requirements, the well-being of these out-posted staff would be discussed at the DCC of the respective B/Ds in which they serve, and they are eligible for election as DCC staff representatives as other staff working in the B/Ds concerned. As regards their grade specific concerns, such as training, transfer, posting and promotion, their grade management would put in place suitable communication channels in addition to the DCC of their parent department to ensure effective communication with the out-posted staff.

For the Treasury DCC, it comprises representatives from all grades working in the department, including the departmental grades (viz. the TA and AcctO), the general grades (viz. Personal Secretary, Confidential Assistant, Clerical Assistant, and Office Assistant), the common grade (viz. Model Scale 1 staff) and non-civil service contract

staff. Staff of the Treasury have not formed any staff union/association. The staff side representative of the AcctO grade in the DCC is selected by its grade members working in the Treasury Headquarters, and the same practice has been applied to all other grades in the Treasury. In addition to grade representatives, the Treasury DCC also comprises representatives who are elected amongst staff of different offices. The Treasury DCC is broad-based to ensure that the interests of staff working in the department are sufficiently represented. The topics normally discussed at the DCC meetings include improvement of staff productivity such as the use of electronic means to deliver services, matters affecting the well-being of staff working in the department (e.g. office accommodation, and occupational safety and health), and civil service-wide issues (e.g. paternity leave). The DCC minutes are circulated to all staff working in the department including all AcctO grade members working in the Treasury Headquarters so as to keep them posted of the discussions.

The Treasury attaches great importance to the interests of out-posted Treasury Grades staff. Out-posted Treasury Grades staff are represented in the DCCs of the B/Ds in which they serve. The Treasury has also put in place communication channels to strengthen its communication with these out-posted staff on various grade specific concerns, such as career development, training, transfer and posting, etc. These channels include regular meetings and career interviews with the Treasury Grades staff (both TA and AcctO grades); the Treasury Grades forum; monthly visits of the grade management to meet with out-posted staff; counselling services for individual TAs/AcctOs as and when necessary; quarterly Treasury Newsletter to all Treasury Grades staff, etc.

Apart from the DCC, the Treasury has also endeavoured to engage its staff on issues that may be of concern to them. One example is the return of about 60 Treasury Grades staff from the Housing Department (HD) in 1999-2000, which was part of the manpower strategy endorsed by the Human Resources Committee of the Housing Authority in 1998. The Treasury, as the Head of Grades, worked closely with HD on the phasing-out arrangement and timetable, having regard to the operational requirements of the two departments, staff redeployment difficulties and staff sentiment. To ensure smooth implementation of the phasing-out arrangement, the Treasury cancelled the AcctO II recruitment exercise in 1998 and the vacancies were used to accommodate the staff returned from HD. The Treasury also held a meeting with the senior Treasury Grades staff in HD in February 1999 on the detailed implementation of the phasing-out programme.

The training opportunities currently provided to the AcctO grade staff include seminars and experience sharing sessions on both professional and soft-skills related topics; tailor-made English writing skills workshops; and training attachment to private sector companies and other government departments. The Treasury has also put in place a robust career posting policy which is an important training and development initiative for the AcctO grade staff. Newly recruited AcctOs are subject to posting every two to three years whilst experienced AcctOs every three to five years. The exposure to a

variety of jobs and duties in different B/Ds is an important means to help enhance the confidence and competitiveness of the Treasury Grades staff.

Formation of staff union

According to the Treasury, they were aware of two anonymous emails of 1 April 2011 and 4 May 2011 sent to the Treasury Grades staff seeking their support for the formation of a staff union. As the identities of senders were not disclosed, the Treasury was not able to respond. Nevertheless, the Treasury issued two emails to the Treasury Grades staff on 5 April 2011 and 4 May 2011 to address the possible anxiety/confusion arising from the anonymous emails. The Treasury Grades staff were assured that the management always welcomed and treasured colleagues' views that would benefit the Treasury Grades and that these could be channeled to the management through various established communication channels. The grade management did not interview any Treasury Grades members in connection with the two anonymous mails. The allegation that the management interviewed individual officers to suppress the formation of staff union is unfounded.

All trade unions in Hong Kong, including civil service staff unions, must register with the Registrar of Trade Unions. All trade unions registered under the Trade Unions Ordinance (TUO) (Cap. 332) enjoy the right of corporation. Civil service staff unions operate independently from the Administration and have autonomy in conducting their own affairs subject to the provisions of the TUO and their constitutions. It is therefore not appropriate for the Administration or the Treasury to get involved in the formation of staff union as suggested in the Submission. The Administration respects the right and freedom of civil servants to form and join trade unions, and there is no evidence to suggest that the Treasury has any intention to suppress the formation of staff union in the department.

Grade structure

There are fundamental differences in both the entry and competency requirements between the TA Grade and the AcctO Grade. TA post applicants are required to be qualified accountants with a minimum of one year's post-qualification experience. For AcctO II posts, applicants are either partly-qualified or university graduates with no specific working experience requirements. AcctO grade officers perform duties which are more technical and operational in nature, whereas TA grade duties are of a wider spectrum with emphasis on leadership, strategic thinking, managerial skills as well as political acumen. In view of the foregoing and the need to cope with the multifarious duties of the Treasury Grades, the existing structure of Treasury Grades is considered appropriate. Under such circumstances, we are of the view that a grade

structure review of the Treasury grades with a view to merging the Senior AcctO (SAcctO) and the TA ranks is not warranted.

Reinstatement of SAcctO posts previously re-graded as TA posts

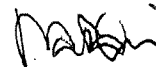
Regrading and deletion of Treasury Grades' posts are based on functional needs, which are initiated and justified by B/Ds having regard to the nature of work involved and the skill sets required. In the past five years, only one SAcctO post was re-graded as TA in 2007. On the other hand, four new SAcctO posts have been created from 2008 to 2012.

"Promote from within" policy

The Treasury needs to maintain a cadre of competent professional accountants with a balanced mix of expertise that could deliver quality services and measure up to the ever growing challenges. Conducting open recruitment for the TA posts will help to bring in the experience and skillset of the business sector.

While the Treasury would continue to explore feasible means to enhance the competitiveness of serving AcctOs, the Administration is mindful that any changes to the recruitment process should stand the test of meritocracy, fairness and transparency.

Yours sincerely,



(Miss Natalie Li)
for Secretary for the Civil Service

c.c. The Treasury (Attn: Miss Connie Kwok) (Fax: 2598 9273)

Internal
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