

立法會

Legislative Council

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Report of the Panel on Welfare Services for submission to the Legislative Council

Purpose

This report gives an account of the work of the Panel on Welfare Services during the 2012-2013 Legislative Council ("LegCo") session. It will be tabled at the Council meeting of 17 July 2013 in accordance with Rule 77(14) of the Rules of Procedure.

The Panel

2. The Panel was formed by a resolution of the Council on 8 July 1998 and as amended on 20 December 2000, 9 October 2002, 11 July 2007 and 2 July 2008 for the purpose of monitoring and examining Government policies and issues of public concern relating to welfare (including women welfare) and rehabilitation services, poverty, social enterprise and the Family Council. The terms of reference of the Panel are in **Appendix I**.

3. The Panel comprises 19 members, with Hon CHAN Yuen-han and Hon CHEUNG Kwok-che elected as its Chairman and Deputy Chairman respectively. The membership list of the Panel is in **Appendix II**.

Major work

Medium and long-term social welfare planning

4. Members were briefed on the Administration's medium and long-term social welfare planning. According to the Administration, an enhanced mechanism as proposed by the Social Welfare Advisory Committee had been implementing since 2012 after consultation with the social welfare sector. The enhanced mechanism provided an annual platform for consultation and planning

for the future development and delivery of welfare services at district level, central level, and advisory committees level on a regular basis.

5. Noting the absence of any five-year plan under the enhanced mechanism, members considered that the "Five-Year Plan" mechanism in the past allowed members to review the plans on a regular basis and was flexible as far as planning was concerned. They expressed grave concern about the lack of systematic and holistic planning for social welfare services, as the Administration had no reference to the development and services for youth, child care services and home-based support for the elderly and persons with disabilities ("PWDs") in its paper on long-term social welfare planning.

6. Members called on the Administration to draw up long-term plans having regard to the anticipated demand for welfare services. They stressed that in formulating plans for social welfare services, the Administration should assess the changes in population, future demand for welfare services, whether the existing services could cope with future demand and, if not, how they should be fine-tuned to meet the needs, etc. As it took time to secure the required resources, such as sites and manpower, for the provision of welfare services, it was important for the Administration to plan ahead. Members hoped that the Administration could set long-term policy direction for elderly services and rehabilitation services for the next five to 10 years.

7. Members were advised that social welfare planning was in place. Instead of continuing with the former "Five-Year Plan" mechanism, the Administration had adopted a more flexible approach in formulating its plans. The working meeting with the Hong Kong Council of Social Service ("HKCSS") held in June 2013 allowed the Administration to tap views of HKCSS and its members. The Administration had also been discussing with HKCSS how to make better use of the land owned by the non-governmental organizations ("NGOs") through redevelopment or in-situ expansion to provide diversified subvented and self-financing facilities to meet the needs of welfare services. To facilitate its monitoring work, members requested the Administration to brief the Panel every three months on the progress of medium and long-term social welfare planning. The Administration will report to the Panel on its progress at its regular meeting in July 2013.

Social Security

Annual adjustment of payment rates under the Comprehensive Social Security Assistance Scheme and the Social Security Allowance Scheme

8. The Panel was consulted on the Administration's funding proposal which

adjusted the standard payment rates under the Comprehensive Social Security Assistance ("CSSA") Scheme and rates of allowance under the Social Security Allowance ("SSA") Scheme as from 1 February 2013, having regard to the latest Social Security Assistance Index of Prices ("SSAIP"). Members were gravely concerned that under the current adjustment mechanism, the adjustment lagged behind inflation and failed to reflect changes in the prices of goods consumed by CSSA households. They urged the Administration to revert to the forecast methodology as adopted before 2000, and the SSAIP should also be adjusted with reference to the expenditure level of households in the lowest 5% expenditure group.

9. According to the Administration, deviations between the projected and actual SSAIP were inevitable as a forecast methodology was used. In fact, there had been significant over-estimations of SSAIP and, as a result, the social security payment rates had to be adjusted downward later to make up for the difference. As it was difficult for CSSA and SSA recipients to adapt to a significant downward adjustment of the standard payment rates, the Administration had decided to adopt the existing arrangement of making reference to the SSAIP movement for the past 12 months for the adjustment of social security payment rates starting from 2005. Given that the average monthly payments for CSSA households were invariably higher than the average monthly expenditure of the non-CSSA households of the same size in the lowest 25% expenditure group, the Administration had reservations about adjusting SSAIP by making reference to the expenditure level of households in the lowest 5% expenditure group.

Proposal to launch a pilot scheme to further encourage Comprehensive Social Security Assistance recipients to take up employment

10. Members were advised that in addition to the provision of disregarded earnings ("DE") arrangements under which the monthly earnings of CSSA recipients aged 15 to 59 could be partially disregarded: 100% of the first \$800 would be disregarded in full and 50% of earnings from \$801 to \$4,200 were disregarded up to a maximum of \$2,500 per month¹, the Administration proposed to launch a pilot scheme to further encourage CSSA recipients to take up employment. Under the pilot scheme, savings accounts would be set up for CSSA recipients who were in employment. The Community Care Fund

¹ Disregarded earnings are calculated as follows –

<u>Earnings</u>	<u>Level of disregard</u>	<u>Maximum amount to be disregarded</u>
First \$800	100%	\$800
Next \$3,400	50%	\$1,700
\$4,200 or above	The first \$800 and half of next \$3,400	\$2,500

("CCF") would provide funding equal to any employment earnings not disregarded and deposit them in their savings accounts as savings. When the total amounts of savings exceeded a specified level, the total savings amounts would be released to the CSSA recipients who would then leave the CSSA net.

11. Members welcomed the Administration's proposal. Nevertheless, as only a limited number of people could be benefited under the scheme, members considered that a substantial relaxation of the DE arrangements and the age limit would better serve the purpose of encouraging CSSA recipients to work.

Old Age Living Allowance

12. As pledged by the Chief Executive in his election manifesto, the Administration proposed to introduce an Old Age Living Allowance ("OALA") for Hong Kong elders aged 65 or above who were in need of financial support. The Administration consulted the Panel on the proposal in mid-October 2012 before its submission to the Finance Committee ("FC") on 26 October 2012. The Panel was strongly dissatisfied with the unreasonably tight schedule because the Panel required more time to consult the public on OALA and further discuss with the Administration in view of the wide public concern on the matter. The Panel Chairman, on behalf of the Panel, moved a motion to adjourn discussion on the relevant funding proposal at the FC meeting on 26 October 2012, so as to allow more time for the Panel to deliberate on the proposal. The motion was passed by FC. The Panel subsequently held two more meetings to receive views of deputations and meet with the Administration on the proposal.

13. Regarding the income and asset assessment of OALA applicants, some members opined that as Higher Old Age Allowance ("OAA") recipients who were elders aged 70 or above were non-means-tested, the same waiver should also be given to OALA applicants in this age group. It was also suggested that the waiver should also be extended to the other OALA applicants aged 65 to 69. Some other members, however, considered the means test necessary but suggested that the asset limit should be increased.

14. The Administration advised that OALA aimed at alleviating poverty and supplementing Hong Kong's living expenses for elders aged 65 or above who were in need of financial support. As such, its applicants must meet the income and asset requirements. If all Hong Kong people aged 70 or above were to be eligible for OALA irrespective of their financial means, the additional expenditure in the first year (in full-year terms) was estimated to immediately soar from around \$6.2 billion to almost \$10 billion. If this arrangement applied to all those aged 65 or above, the extra cost would rise to a

staggering \$13.6 billion. With a fast growing elderly population, the burden of OALA expenditure on public finance was bound to increase drastically over time and at the same time crowd out other Government expenditures (including welfare-related expenditures) required to cope with an ageing population.

15. Members noted that the Administration proposed to set the effective date for OALA Payment on the first day of the month of FC's approval. Given the submission of the relevant funding proposal to FC for consideration on 26 October 2012, the effective date would originally be 1 October 2012 if the proposal was approved at the FC meeting. As the funding proposal had been deferred to the subsequent FC meeting in November 2012, the effective date would be postponed correspondingly according to the Administration's proposal on the effective date. Members, however, strongly urged the Administration to put in place a retrospective disbursement arrangement for OALA, under which the effective date for OALA payment should be fixed on 1 October 2012.

16. According to the Administration, the effective date for OALA payment was proposed to be set on the first day of the month of FC's approval. To ensure prudent management of public resources and to avoid pre-empting FC, the Government would not normally allow funding proposals for new recurrent schemes to take retrospective effect. The Administration's proposal was an exceptional arrangement primarily for the purpose of providing greater benefits to the needy elders upon the commencement of a new financial assistance scheme, and making up for the necessary lead time for the Social Welfare Department ("SWD") to put in place the application procedures without compromising on the validity of the means declaration.

17. Members were of the view that instead of providing piecemeal financial assistance to the elderly, the Administration should formulate long-term plans to help the needy elderly such as universal retirement protection. The Administration pointed out that the community had not yet reached a consensus on whether universal retirement protection should be introduced in Hong Kong. Meanwhile, the Government would continue to consolidate and strengthen the three-pillar retirement protection system, i.e. the Mandatory Provident Fund ("MPF") system, voluntary private savings and the non-contributory social security system, to ensure that the existing pillars could fully complement each other. The Commission on Poverty ("CoP") would be studying how to introduce short, medium and long-term measures to solve the problem of elderly poverty and improve the present social security and retirement protection systems. In this connection, CoP had formed a Task Force on Social Security and Retirement Protection to explore the relevant matters.

Universal retirement protection

18. The Panel was very concerned about the provision of retirement protection for the public at large, particularly for the elderly as they could not benefit from the MPF system. Members were of the view that the MPF system should be enhanced, and the provision of OALA should not be regarded as a form of retirement protection. In the light of the ageing population, the Panel considered that the Government should establish a universal retirement protection system for all people in Hong Kong.

19. In view of the above concern and the recommendation of the former Subcommittee on Retirement Protection of the Fourth LegCo that the Panel of the current LegCo should follow up with the Administration on the matter, members agreed to appoint a subcommittee on retirement protection in the current LegCo to study the related issues in detail. The subcommittee will commence its work upon the availability of a vacant slot for subcommittees on policy issues.

Guangdong Scheme

20. The Panel was advised that the Guangdong ("GD") Scheme, which allowed eligible Hong Kong elderly people residing in GD to receive OAA with a 305-day permissible limit of absence from GD per payment year, would be launched not later than November 2013. Members were also advised that there would also be a special one-off arrangement in the first year of implementing the GD Scheme whereby the one-year-continuous-residence rule in Hong Kong would be waived for eligible applicants of the GD Scheme.

21. Noting that about 30 000 elders would be beneficiaries of the Scheme, members called on the Administration to ensure that its publicity on the Scheme, particularly the special one-off arrangement, could reach the targeted eligible elders who had settled in GD for some years. Members also urged the Administration to put in place proper arrangements for efficient processing of applications and case review mechanism to keep track of changes in eligibility and personal circumstances of GD Scheme participants.

22. The Administration, however, advised that it would only review the GD Scheme one year after its launch. Members called on the Administration to immediately extend the Scheme to OALA and to those elderly people who were Hong Kong permanent residents living in Hong Kong.

Review of Disability Allowance and of system for processing applications

23. The Panel was briefed on the recommendations of SWD's Working Group on Review of the Mechanism for Implementing the Disability Allowance Scheme, which was set up to follow up on the recommendations in the Ombudsman's Direct Investigation Report on SWD's granting of Disability Allowance ("DA") and processing of appeals.

24. Members pointed out that, according to the Ombudsman's Report, SWD had not acceded to the Hospital Authority's request for a re-examination of the misleading reference "100% loss of earning capacity" in the eligibility criteria for DA. In his Report, the Ombudsman pointed out that at the inception of the DA scheme in 1973, the only rough and ready "guide" to disability was in relation to workmen's compensation. The Ombudsman took the view that having regard to the change of time and circumstances, particularly the clear irrelevance of employment to the scheme, there was a case for a thorough review of the criteria. Noting that the reference was retained notwithstanding the above requests for review, members urged the Administration to remove the reference.

25. According to the Administration, the reference "100% loss of earning capacity" was meant for facilitating doctors' assessments on whether the nature and degree of disability of the applicants satisfied the definition of "severe disability" within the meaning of DA. There was no linkage between an individual's eligibility for DA and his/her employment status.

26. Members were also advised that an inter-departmental working group ("Working Group") had been set up to review DA. The Working Group would follow up on the subject of allowing people with loss of one limb to apply for DA as mentioned in the CE's Manifesto and related issues. As regards the target completion time for the review, the Administration advised that the Working Group would explore various options in its study. Given the amount of work involved, the Working Group was unable to come up with a time frame for the completion of its study at this stage. Nevertheless, the Working Group would endeavour to complete the review as soon as practicable. Members were strongly dissatisfied with the absence of a work schedule for the Working Group and urged the Working Group to complete its work and make recommendations before July 2013. They also urged the Administration to report to LegCo by the summer of 2013. The Panel would follow up the issue with the Administration at its meeting in July 2013.

Services for the elderly

Promoting active ageing

27. Members were briefed on the Administration's initiatives relating to the promotion of active ageing, which included, among other things, the Elder Academy Scheme ("EA Scheme") and the Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities ("Concession Scheme"). Members requested the Administration to provide new initiatives in implementing the EA Scheme, such as providing more courses through broadcasting on radio given that the elderly liked to listen to radio broadcasts. The Administration advised that it would consider introducing enhancements to the scheme, such as collaborating with the mass media in launching courses so that they could reach a wider audience.

28. Members urged the Administration to set the minimum age requirement for the Concession Scheme at 60 instead of 65. The Administration advised that as the Concession Scheme had just been implemented for a short period of time, it would be reviewed after more experience had been gained from the operation of the Scheme. The request for relaxing the age requirement would be taken into account in the review.

Manpower situation of residential care homes for the elderly

29. Members were concerned about the shortage of manpower in residential care homes for the elderly ("RCHEs"). According to the Administration, SWD had put in place measures to increase the manpower supply with a view to enhancing the service quality of the RCHE sector. For instance, SWD had implemented the Training Sponsorship Programme for the Welfare Sector which fully sponsored the fee for training of Enrolled Nurses ("ENs") to work in the sector. Additional funding was provided by SWD for offering more competitive salaries for recruitment and retention of paramedical staff or hire of such services.

30. Members stressed that the Administration should formulate an overall manpower planning for the RCHE sector. They asked about the manpower requirement projection for different types of staff in RCHEs, such as Health Workers, ENs and Care Workers. The Administration advised that to ascertain the manpower demand in the social welfare sector, SWD conducted regular projections on the manpower demand for various types of paramedical and care staff of the sector (especially for the elderly care and rehabilitation services). SWD took into consideration a series of factors in order to assess the overall manpower demand of the sector. In the process, SWD would make effort to

understand the manpower demand of the social welfare service providers, make reference to other related surveys and views, and take into account the additional manpower demand arising from the new initiatives/projects that SWD had planned to implement in future. SWD would have regard to the manpower demand in planning for the additional training places for the welfare sector.

31. Members pointed out that the high wastage and vacancy rates of front-line care staff had affected adversely the quality of residential and community care services. They urged the Government to provide a special allowance for front-line care staff and monitor the relevant organizations to ensure that the allowance was used to retain the existing staff and attract new entrants to the services. Meanwhile, the Government should review the staffing establishments for various types of homes and develop the manpower planning for long-term care services and the promotion ladder for care staff, so as to enhance the quality of care services.

Services for people with disabilities

Progress on implementation of licensing scheme for residential care homes for persons with disabilities

32. Members were updated on the progress of the licensing scheme since the commencement of the Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613) ("the Ordinance") in November 2011. Members and deputations expressed concern about the difficulties of private residential care homes for persons with disabilities ("RCHDs") in complying with the licensing requirements, which faced financial and operational problems such as high rental and shortage of manpower. Members urged the Administration to provide more support to private RCHDs such as offering loans to operators of private RCHDs and increasing the percentage of purchased places under the Pilot Bought Place Scheme ("BPS").

33. The Administration advised that RCHDs which had been granted certificates of exemption ("CoEs") would be given time to complete the improvement works for meeting the licensing requirements. The Ordinance provided that the validity period of CoEs should not be more than 36 months and the Administration would usually issue CoEs with one-year validity and renewal would only be granted where the Director of Social Welfare considered that there were full justifications for allowing a reasonable time for completion of the rectification works. During the course of applications for CoE and licences, the Licensing Office of Residential Care Homes for Persons with Disabilities would provide necessary assistance to RCHD applicants to facilitate

them to carry out the improvement works.

34. The Administration pointed out that it was conducting an interim review of the Pilot BPS and collecting views from stakeholders and would consider adjusting the percentage of purchased places to enhance the sustainability of the operation of private care homes. The Administration assured members that it would closely monitor the situation with a view to minimizing the adverse impact on the residents. The Administration also pointed out that operators of private RCHDs were required to give residents one month prior notice if they intended to close their RCHDs.

35. Noting that seven private RCHDs had not yet submitted applications for the licence or CoE and 34 RCHDs had not yet been issued with licence or CoE, members expressed concern about the decanting arrangements for the residents of these RCHDs should they cease operation for non-compliance with the licensing requirements before the expiry of the grace period. They called on the Administration to work out detailed displacement plans for each and every resident being affected by the closure of these RCHDs.

36. The Administration advised that there were about 50 residents residing in the seven RCHDs which had not applied for licences or CoEs. The RCHDs concerned had already reserved places in other RCHDs for these residents. Regarding the 34 RCHDs which had submitted applications, SWD would endeavour to issue licences or CoEs to these RCHDs if they met the relevant statutory requirements before the end of the grace period.

Rehabilitation services for pre-school children

37. Members were briefed on the Administration's rehabilitation services for pre-school children. According to the Administration, the Government strived to provide children with disabilities with early intervention through pre-school rehabilitation services, including Early Education and Training Centres, Special Child Care Centres and Integrated Programme in Kindergarten-cum-Child Care Centres, to enhance their physical, psychological and social development, thereby improving their opportunities for attending ordinary schools and participating in daily life activities and helping their families to meet their special needs.

38. The Panel was gravely concerned about the inadequate provision of rehabilitation services for pre-school children. Members urged the Administration to substantially increase pre-school rehabilitation service places, establish an inter-departmental mechanism for formulating a policy on rehabilitation of pre-school children and making long-term planning on service

places, manpower (for both professional and supporting staff), premises, facilities, resources, etc.

Services for young people

Child Development Fund

39. The Panel was briefed on the latest progress of the Child Development Fund ("CDF") projects and the enhancement measures for future batches of the projects. The Administration advised that it had so far rolled out three batches of 40 CDF projects benefiting over 4 000 children and would roll out, in the third quarter of 2013, another batch of projects benefitting about 2 300 children. Some members were concerned that the number of children benefitted from the projects was too small having regard to the fact that about 275 000 children were living in poverty in Hong Kong. They called on the Administration to enlarge the project scale so that more children in poverty could be benefitted.

40. The Administration advised that after completing a longitudinal study to evaluate the first batch of projects, the consultant commissioned by the Administration to conduct the study was of the view that CDF had helped create favourable conditions for participating children to overcome inter-generational poverty. With personal development plan ("PDP"), participating children had been induced to conduct longer-term planning for their future development. They had higher expectation on their academic performance, had less delinquent behaviour and had exhibited better time management. The mentorship programme had enlarged participating children's social network by giving them exposure to social environment and opportunities not provided by their own families. The process of accumulating savings and implementing PDP had prepared participating children for their future personal and career development. Whilst welcoming these positive changes to the children concerned, members called on the Administration to formulate concrete policies with a view to solving the problem of inter-generational poverty.

Family and child welfare services

Policies on handling domestic and sexual violence and related welfare services

41. The Panel has all along been concerned about the inadequate services and support for victims of domestic and sexual violence, particularly housing assistance for these victims. According to the Administration, victims of domestic violence who were not existing public rental housing ("PRH") tenants but had genuine and imminent housing needs might seek recommendation for Compassionate Rehousing ("CR") from SWD for housing assistance. The

Conditional Tenancy ("CT") Scheme under CR provided PRH assistance to those who were assuming custody of children and in need of accommodation while awaiting the court's decision on their divorce applications. If PRH tenants (including their new arrival spouses) encountered domestic violence, they could apply for household splitting in order to prevent further deterioration of the situation. The CT scheme was also applicable to existing PRH tenants and their spouses who were victims of domestic violence and unable to continue to live under the same roof during the process of divorce proceedings.

42. The Panel was also concerned about the lack of knowledge and skill of front-line staff to handle cases of domestic violence involving ethnic minority and sexual minority victims. The Administration advised that training had been provided by SWD to enhance the understanding and sensitivity of the front-line social workers in rendering services to people of different sexual orientations. Training on various domestic conflict related issues, such as handling domestic violence incidents, handling heterosexual/homosexual relationships, victim's psychology and conflict management, was provided to police officers at various stages of their careers, including during basic training, crime investigation training and development training. Notwithstanding the Administration's explanation, members considered that the provision of welfare services to victims of domestic violence required substantial improvement. The Panel appointed a subcommittee to study issues relating to the strategy and measures to tackle domestic violence. The subcommittee will commence its work upon the availability of a vacant slot for subcommittees on policy issues.

Support for street sleepers

43. The Panel discussed the support services for street sleepers, particularly those who were not on CSSA. The Administration advised that it had endeavoured to help street sleepers find an accommodation through a wide range of assistance offered by the three subvented Integrated Services Teams for Street Sleepers, including day and late-night outreaching visits, emergency shelter and short-term hostel placement, counselling, employment guidance, and emergency relief fund to cover various expenses such as short-term payment of rent and living costs. Other support included the provision of PRH, CR, urban hostels, social security payments, short-term food assistance service and medical services.

44. Members expressed concern about the lack of collaboration among various government departments to offer support to address the housing, employment and emergency needs of street sleepers and urged the Administration to enhance the provision of PRH and singleton urban hostels, review and raise the maximum level of rent allowance under CSSA, as well as

formulate a comprehensive policy on street sleeping. They took a strong view against the eviction of the street sleepers in the area under the Ferry Street flyover and appealed to the Administration to provide immediate accommodation for the street sleepers concerned.

Services for offenders

Integrated community-based services for offenders

45. Members were briefed on the implementation of the integrated community-based services for offenders by SWD since 3 July 2012. Under this integrated model, the seven Probation and Community Service Orders Offices ("PCSOs") started to provide services for offenders who were ordered by the court to be placed under probation or Community Service Orders ("CSO") supervision, while a Co-ordinating Office of Community Service Orders ("COCSO") was set up to support the seven PCSOs in arranging unpaid community work for persons who are placed under CSO by the court. According to the Administration, the initial feedback from the courts, the district management and concerned offices showed that the integrated model had worked smoothly.

46. Members considered that probation cases should be assigned to the PCSO in the vicinity of the residential districts of the probationers, instead of the PCSO in the vicinity of the law court concerned under the current arrangement.

47. Members were also concerned about the conflict of roles of a probation officer who, under the integrated model, took on two roles. Apart from being the supervisor of a probationer, a probation officer was also the social worker who assisted in the rehabilitation of probationers through establishing relationship with them in small group activities. They considered that the supervisory role of a probation officer was not conducive to the establishment of such a relationship. Members called on the Administration to take the above view and concern into account in its review on the integrated model which would be conducted in around July 2013.

Support services

Partnership Fund for the Disadvantaged

48. The Panel was briefed on the updated position of the Partnership Fund for the Disadvantaged, which was set up to promote tripartite partnership among the welfare sector, the business community and the Government through the provision of matching grants to donations made by the business partners to

support NGOs to run welfare projects for the disadvantaged. The Administration advised that there had been an increasing trend in the number of applicant NGOs, number of business partners involved and amount of donations.

49. Some members were concerned that the requirement of involvement of business partners might lead to an emphasis on self-financing or even profit-making. Such an emphasis was hard to put into practice for welfare projects for the disadvantaged. They also called on the Administration to speed up the application, vetting and approval procedures.

Community Development

Injection to the Community Investment and Inclusion Fund

50. The Panel supported the Administration's proposal to inject \$200 million into the Community Investment and Inclusion Fund ("CIIF") to ensure that it could continue to perform its social function in furthering social capital development. Members, however, called on the CIIF Committee to speed up the vetting of applications and fund disbursement. They considered that CIIF should not emphasize the sustainability and self-financing aspects of the projects but should focus on helping the disadvantaged. The Administration should set targets to evaluate the effectiveness of the funded projects and make use of CIIF to enhance measures in addressing the poverty problems at district level.

51. Members also urged the Administration to formulate policies to help small organizations run community projects. They called on CIIF to work with members of the local community and step up the promotion of community inclusiveness with a view to gaining support from the local community for the provision of rehabilitation services for the mentally ill persons, services for PWDs and elderly.

Arrangements for Non-Civil Service Contract Community Work Organizers of Social Welfare Department at the expiry of their employment contracts

52. The Panel was briefed on the arrangements for SWD's Non-Civil Service Contract ("NCSC") Community Work Organizers ("CWOs") at the expiry of their employment contracts. According to SWD, after knowing that funding was reserved in the Budget in February 2012 for the implementation of the integrated programme to contract out the service, it had immediately informed the affected 80 CWOs of the relevant arrangements, so that they had more than a year's time to find jobs or make other arrangements. SWD had been making a

lot of effort in assisting these CWOs to find jobs or seek employment.

53. Members noted from the relevant staff associations' submissions that many NCSC CWOs had been employed in the same position since 1999. In view of these CWOs' long years of service, commitment to work and relevant working experience, members found the SWD's arrangements for these CWOs unacceptable. Members were strongly dissatisfied with SWD for abusing the system of non-civil service contracts, ignoring the employment protection for CWOs and insisting on dismissing all CWOs on 31 March 2013. The Panel urged SWD to retain these CWOs and offer them civil service terms of employment instead.

Meetings held

54. During the period between October 2012 and June 2013, the Panel held a total of 16 meetings, including a joint meeting with the Panel on Manpower to discuss the manpower situation of residential care homes for the elderly. It has scheduled another meeting in July 2013.

Council Business Division 2
Legislative Council Secretariat
11 July 2013

Appendix I

Legislative Council

Panel on Welfare Services

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to welfare (including women welfare) and rehabilitation services, poverty, social enterprise and Family Council.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Panel on Welfare Services

Membership list for 2012 - 2013 session

Chairman	Hon CHAN Yuen-han, SBS, JP
Deputy Chairman	Hon CHEUNG Kwok-che
Members	Hon Albert HO Chun-yan Hon LEUNG Yiu-chung Hon TAM Yiu-chung, GBS, JP Hon Frederick FUNG Kin-kee, SBS, JP Hon Ronny TONG Ka-wah, SC Dr Hon LEUNG Ka-lau Hon Alan LEONG Kah-kit, SC Hon LEUNG Kwok-hung Hon Frankie YICK Chi-ming Hon CHAN Chi-chuen Hon CHAN Han-pan Hon LEUNG Che-cheung, BBS, MH, JP Hon Alice MAK Mei-kuen, JP Dr Hon Fernando CHEUNG Chiu-hung Dr Hon Helena WONG Pik-wan Hon POON Siu-ping, BBS, MH Hon TANG Ka-piu

(Total : 19 members)

Clerk	Mr Colin CHUI
Legal adviser	Mr YICK Wing-kin
Date	16 October 2012