

香港特別行政區政府  
消防處

香港九龍尖沙咀東部康莊道一號  
消防總部大廈



APPENDIX 32

**FIRE SERVICES DEPARTMENT  
GOVERNMENT OF THE HONG KONG  
SPECIAL ADMINISTRATIVE REGION**

FIRE SERVICES HEADQUARTERS BUILDING,  
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HONG KONG.

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20 December 2013

Ms Mary SO  
Clerk to Public Account Committee  
Legislative Council Complex  
1 Legislative Council Road  
Central  
Hong Kong

Dear Ms SO,

**Public Account Committee  
Consideration of Chapter 6 of the Director of Audit's Report No. 61  
Fire protection and prevention work of the Fire Services Department**

Thank you for your letter dated 12 December 2013. This Department's responses to the questions raised are set out in the Appendix to facilitate the Committee's consideration of the captioned Chapter of the Audit Report. The Chinese translation of our responses will be provided to you shortly.

If you have any questions, please feel free to contact Mr. Robert LAU, our Assistant Director (Licensing & Certification), at 2733 7744.

  
(CHAN Chor-kam)  
Director of Fire Services

c.c. Secretary for Financial Services and the Treasury (Fax : 2147 5239)  
Secretary for Security (Fax : 2877 0636)  
Director of Audit (Fax : 2583 9063)

Encl.

**Public Accounts Committee**  
**Consideration of Chapter 6 of the Director of Audit's Report No. 61**  
**Fire protection and prevention work of the Fire Services Department**

**Response to Questions**

<b><i>Monitoring fire service installations and equipment (FSIs) in buildings</i></b>	
<b><i>(a)</i></b>	<p><b><i>What is the progress of updating and verifying the FSI data in the Integrated Licensing, Fire Safety and Prosecution System (LIFIPS) launched by the Fire Services Department (FSD) in April 2012 to better support its fire protection work</i></b></p>
	<p>Considering the large volume of paper-based building FSI information (FS 21) and Certificates of Fire Service Installations and Equipment (FS 251) that have to be converted into digital data, inputted into the LIFIPS and verified, extra temporary staff have been employed to carry out the work.</p> <p>The conversion of paper-based FS 21 into digital data was completed in November 2013. The contractor of the LIFIPS will complete the migration of the converted data to LIFIPS's database in the first quarter of 2014.</p>
<b><i>(b)</i></b>	<p><b><i>what actions have been / will be taken by the FSD to ensure that (i) the LIFIPS' data of FSIs installed in 47 000 buildings are accurate, and (ii) that the LIFIPS could ascertain for buildings with evidence of having conducted annual inspections, i.e. buildings with FS251, that the inspections had covered all the FSIs installed</i></b></p>
	<p>Extra temporary staff have been employed to convert paper-based building FSI information (FS 21) into digital data for input into the LIFIPS since December 2012. They are also responsible for inputting FS 251 information (annual inspection) into the LIFIPS. By cross-matching FS 21 and FS 251 data, discrepancies can be identified for detailed verification to ensure data accuracy. With up-to-date and accurate building FSI records in the LIFIPS, FSD can ensure that annual FSI inspections have covered all FSIs in a building.</p> <p>The Department will continue to deploy staff to input newly received FS 21 and FS 251 information into the LIFIPS and conduct verification to ensure data accuracy for subsequent monitoring of annual inspections of building FSIs.</p>
<b><i>(c)</i></b>	<p><b><i>whether the FSD had conducted any exercise of checking whether the 47 000 buildings had FS251s prior to April 2013; if so, how did the outcome of the past checking exercise(s) compare with the outcome of the checking exercise conducted in April 2013. According to paragraph 2.10 of the Audit Report, in April 2013, the FSD used LIFIPS to match the 47 000 building records with the records of some 135 000 FS 251s received for the 12 months since April 2012. The FSD found that no FS251 was received for 20 690 buildings (44% of 47 000), suggesting that annual inspection had not been conducted on their FSIs</i></b></p>
	<p>Prior to the commissioning of the LIFIPS, buildings lacking annual FSI inspections could not be readily identified. With the implementation of the LIFIPS which supports matching of FS 251s and FS 21s, buildings of different types which lack annual FSI</p>

	<p>inspections can be efficiently identified. The considerable number of cases involving buildings lacking annual FSI inspections so identified, which require follow up, have brought about a substantial increase in workload for staff.</p>
<i>(d)</i>	<p><b><i>how many of the 20 690 buildings, referred to in (c) above, had yet to submit their FS251s to the FSD</i></b></p>
	<p>Based on LIFIPS records, annual inspection of FSIs have been carried out in about 6 000 amongst the 20 690 buildings as at 17 December 2013. It is likely that annual FSI inspections have already been conducted and FS 251 submitted in some buildings out of the remaining 14 690 as there are around 15 000 FS 251s pending data input into the LIFIPS. In this connection, extra temporary staff have been employed to expedite data input work.</p>
<i>(e)</i>	<p><b><i>why the FSD was still not able to obtain detailed information on which buildings it had received FS251s by 31 August 2013, after issuing the advisory letters to owners, occupiers or management offices of the 20 690 buildings referred to in (c) above (paragraph 2.11 of the Audit Report refers)</i></b></p>
	<p>After the issue of advisory letters to owners, occupiers and management offices of the 20 690 buildings in April 2013, the number of FS 251s received ranges from 17 000 to 31 000 per month between May and November 2013. The FS 251 information has to be inputted into the LIFIPS for cross-matching to identify those buildings (out of the 20 690 buildings concerned) of which annual FSI inspections have been carried out or otherwise. Extra temporary staff have been employed to assist in data input work such that those buildings which still lack annual FSI inspections could be identified as soon as possible for further action.</p>
<i>(f)</i>	<p><b><i>whether the guidelines provided by the FSD to its staff on monitoring the rectification of defective FSIs, referred to in paragraph 2.16 of the Audit Report, has specified when an advisory letter and a warning letter should be issued</i></b></p>
	<p>For monitoring of the rectification of FSI defects, the Department has provided instructions to its staff stipulating the circumstances under which advisory letters or warning letters should be issued.</p>
<i>(g)</i>	<p><b><i>what is the latest ageing analysis of outstanding cases involving defects in major FSIs. According to paragraph 2.22(c) of the Audit Report, the FSD has reshuffled duties among staff to deal with additional caseloads. Additional features will be added to the LIFIPS to flag up overdue cases for case officers to take follow-up actions</i></b></p>
	<p>According to the ageing analysis of cases involving defects of major FSIs conducted in December 2013 (see <u>Annex I</u>), 2 081 of the mentioned 7 662 cases have been handled and completed. Manpower resources have been re-deployed and work processes re-engineered to expedite the handling of the remaining 5 581 cases. It is expected that these outstanding cases can be handled within the first quarter of 2014.</p> <p>In the longer term, work processes will be further reviewed and features will be added in the LIFIPS to streamline case handling and shorten case processing time.</p>

(h)	<p><i>with regard to the seven cases whereby the supervisors had not given any instruction on the different follow-up actions to take on major FSIs found with defects proposed by the case officers (referred to in paragraph 2.19(a) of the Audit Report) and to the three cases whereby the case officers had not carried out the follow-up actions by specified dates instructed by the supervisors on complaints about fire safety (referred to in paragraph 6.9(a)(i) of the Audit Report), whether the FSD (i) had studied why the staff concerned failed to take timely follow-up actions, (ii) whether any disciplinary action had been taken against the staff concerned; (iii) what actions had been taken by the FSD to address the problems; and (iv) what is the latest ageing analysis of outstanding complaint cases</i></p>
	<p>During the inception stage of implementing the LIFIPS, case officers need to adapt to the significant changes in work processes. Coupled with their increased caseload upon the efficient identification of non-compliance cases through LIFIPS (as mentioned in (c)), the workload has become so overwhelming that backlogs have accumulated at both case officer and supervisor levels. Having examined the seven cases mentioned in the Audit Report, the Department considers that while there is room for improvement in their handling, there is no misconduct on the part of officers involved as to warrant the contemplation of disciplinary action. The officers have been duly reminded to exercise vigilance to ensure the timely and proper handling of cases in future.</p> <p>On the procedure side, case processing procedures will be reviewed and features will be added in the LIFIPS to streamline case handling and shorten case processing time both at case officer and supervisor levels. The Department has sought the advice of the Efficiency Unit and a risk-based approach in arranging inspections will continue to be adopted, meaning that cases involving major defects of major FSIs will be accorded higher priorities for processing.</p> <p>The latest ageing analysis of outstanding complaint cases is in <u>Annex II</u>.</p>
(i)	<p><i>what is the FSD's analysis of unwanted alarms; and whether the study group formed by the FSD in 2006 to conduct a review to identify ways to reduce the number of unwanted alarms has come up with any new measures to tackle the problem, if so, what they are</i></p>
	<p>The Department has reviewed the causes of unwanted alarms in 2012. The four common causes are tabulated in <u>Annex III</u>.</p> <p>In the Study conducted in 2006, it came up with the following recommendations:</p> <ul style="list-style-type: none"> <li>(i) Disconnect 'Direct Telephone Link' for electrical &amp; mechanical plant rooms in domestic buildings;</li> <li>(ii) Replace smoke detectors by heat detectors in plant rooms or adopt 'Cross-zone' actuation or multi-sensor detectors;</li> <li>(iii) Disconnect detectors for automatic actuating device from 'Direct Telephone Link';</li> <li>(iv) Disregard student hostels which are used for non-transient accommodation as sleeping risk occupancy;</li> </ul>

	<p>(v) Disconnect the link of automatic fire detection system for rooms not used by visitors;</p> <p>(vi) Employ stand-alone sounder base detectors for hostels not used for transient accommodation;</p> <p>(vii) Review alarm zoning arrangements for premises of various occupancies;</p> <p>(viii) De-link manual fire alarm system from the automatic fire alarm system for certain buildings;</p> <p>(ix) Provide sounder-base detector for hotel/guesthouse; and</p> <p>(x) Conduct public education and regular visits to premises with frequent unwanted alarms.</p> <p>FSD has liaised with the Association of Registered Fire Service Installation Contractors of Hong Kong Limited, the Property Management Association, government property maintenance providers etc to remind them the importance of proper installation and maintenance of automatic fire detection systems to avoid unwanted alarms. Various pamphlets and posters on the subject have been produced and distributed to the concerned parties. The broadcasting frequency of APIs related to proper maintenance of FSIs will continue.</p>
<p><b><i>Monitoring licensed premises</i></b></p>	
<p>(j)</p>	<p><b><i>whether the five cases of delay in conducting verification inspections to food premises (referred to in paragraph 3.8 of the Audit Report) were due to negligence of staff; if so, whether any disciplinary action had been taken against the staff concerned and what remedial actions had been taken to avoid such delays from recurring</i></b></p>
	<p>Before conducting verification inspections of food premises, case officers usually need to liaise with licence applicants or the applicant's contractor / licensing consultant to agree on a date for inspection. As such, there may be delay in conducting verification inspections when a mutually agreed date could not be scheduled within the pledged time frame. Regarding the five cases mentioned in the Audit Report, there is no indication of misconduct on the part of the staff concerned which may warrant the contemplation of disciplinary action.</p> <p>In light of the Audit Commission's observations, an instruction has been issued in August 2013 to remind all case officers to carry out verification inspections concerning provisional licence applications within 7 working days. If a case officer and the licensee could not work out a mutually agreed inspection date within the pledged time frame, such must be documented.</p>
<p>(k)</p>	<p><b><i>why the FSD did not inform the Food and Environmental Hygiene Department (FEHD) of the 10 non-compliance cases with fire safety requirements. According to paragraph 3.10 of the Audit Report, in all the 17 non-compliance cases, the FSD issued letters to advise the provisional food business licensees to take immediate remedial action. However, it informed the FEHD in parallel in seven cases only and there were no documented reasons for not doing the same for the other 10 cases</i></b></p>
	<p>For the 17 cases mentioned in the Audit Report, the provisional food business licensees</p>

	<p>were unable to produce invoices and / or test certificates for PU foam filled furniture. It is quite common that licence applicants may not be able to get ready a full set of documents to prove the compliance of flammability standard of PU foam filled furniture at the time of issue of provisional licences (PLs).</p> <p>In some cases when a case officer has adequate reasons to believe that the PU foam filled furniture provided on the premises should have met the required flammability standard, e.g. there is a "flammability standard compliance label" affixed on the furniture or the applicant can provide other documentary proof to indicate that the furniture items are fabricated from certified materials, the use of such PU foam filled furniture will not be considered as a non-compliance of fire safety requirement which warrants the cancellation of PL. As such, the case would not be referred to the FEHD.</p> <p>In light of the Audit Commission's observations, revised guidelines have been issued in August 2013 to align the licensing processes in various offices. All case officers have been reminded to document their reasons of action and they are required to inform FEHD in case of non-compliance.</p>
(l)	<p><b><i>why the FSD had not taken any enforcement action against seven licensed premises which had not submitted any FS251 to the FSD for all four years from 2009-2010 to 2012-2013 (paragraph 3.16 of the Audit Report refers)</i></b></p>
	<p>Given the existing resources, a risk-based approach has been adopted to monitor fire safety standard of licensed premises. In the circumstances, licensed premises may not be subject to FSD's inspection annually. Should there be a breach of licence condition in regard to fire safety, inspection officer would take appropriate action including the issue of Fire Hazard Abatement Notice or institution of prosecution.</p> <p>As regards the irregularities identified by the Audit Commission and pursuant to extant legislation, such complaint shall only be made or such information shall be laid within 6 months from the time when matter of such complaint or information respectively arose. In other words, prosecution is time-barred and the cases have to be dealt with by other enforcement actions such as fire hazard abatement actions.</p>
(m)	<p><b><i>what are the criteria for selecting premises for inspection and determining the inspection frequencies, to avoid wasting valuable resources on inspecting premises which are not in operation and on re-inspecting premises with no irregularities found within a short period as illustrated in the cases referred to in paragraph 3.23 of the Audit Report</i></b></p>
	<p>FSD has, in consultation with the Efficiency Unit, adopted a risk-based inspection programme commencing December 2011. Licensed premises having higher fire risk, e.g. floor area larger than 230 m<sup>2</sup> and not located on ground floor, premises with sealed windows etc will be selected for inspection more frequently, whilst premises of lower fire risk will be inspected less frequently. Selection criteria and inspection frequencies are reviewed annually.</p> <p>As regards the circumstances revealed by the Audit Commission, guidelines have been issued in September 2013 requiring inspection officers to consult case files, LIFIPS</p>

	records, or the appropriate licensing authority to confirm case status to avoid unnecessary inspections.
(n)	<b><i>why there were no documented reasons for inspecting the school (referred to in paragraph 3.23(b) of the Audit Report) twice within a short period</i></b>
	<p>The subject school was randomly selected for inspection in July 2012 by Inspection Officer (A) under a risk-based inspection programme. In December 2012, the same school was again randomly selected for inspection by Inspection Officer (B) who was unaware of the prior inspection as he had not consulted the inspection record in the LIFIPS.</p> <p>To avoid recurrence of repeated inspections, guidelines have been issued in September 2013 requiring inspection officers to consult case files, LIFIPS records, or the appropriate licensing authority to confirm case status before conducting inspection.</p>
(o)	<b><i>Why the FSD did not apply for the orders to forfeit illegal fuel during the period from January 2010 to June 2013. According to the Dangerous Goods Ordinance (Cap.295), a magistrate may order a forfeiture of the dangerous goods with respect to which any offence against the Ordinance has been committed, whether any person has been charged with such offence or not</i></b>
	<p>Pursuant to Cap 295 Dangerous Goods Ordinance, the Department did have applied for court orders to forfeit dangerous goods (DG) in some DG cases. However, there is no provision empowering FSD to forfeit fuel involved in Illicit Fuelling Activities (IFA) pursuant to Cap 95F Fire Services (Fire Hazard Abatement) Regulation.</p> <p>FSD has formulated an action plan in 2012 to strengthen the combat against IFA and will monitor its effectiveness. If an offender of IFA is being prosecuted against Cap 295, FSD will endeavour to apply for court orders to forfeit fuels involved in IFA where appropriate to achieve a deterrent effect.</p>
<b><i>Monitoring ventilating systems</i></b>	
(p)	<b><i>What are the actions that will be taken by the FSD to rectify the existing incomplete records of ventilating systems in buildings referred to in paragraph 4.5 of the Audit Report</i></b>
	<p>As regards pre-2001 buildings, the majority of premises with higher fire and life risks, e.g. restaurants, cinemas, theatres etc in these buildings having ventilating systems (VS) installed are licensed premises which are subject to licensing regimes of respective licensing authorities. Thus their fire safety in relation to VS is considered sufficiently monitored.</p> <p>The Department opines that the VS database for licensed premises together with post-2001 building VS records in the LIFIPS can provide adequate information for monitoring VS which are required to be inspected annually by statute. Having said that, FSD will liaise with the concerned licensing authorities to establish a mechanism for regularly updating and verifying VS records.</p>



<i>(q)</i>	<b><i>why no warning letter had been issued or follow-up action had been taken by the FSD on 60 cases of ventilating systems not supported by inspection certificates referred to in paragraph 4.7 of the Audit Report</i></b>
	Since the commissioning of the LIFIPS in the first quarter of 2012, teething problems were encountered and staff required some time to get used to working with the LIFIPS. System bugs affecting the monitoring of annual inspections of VS in buildings had been identified and were fixed by the LIFIPS contractor. The problem was resolved in October 2013 and advisory letters were issued to owners of the 60 overdue cases in September 2013.
<i>(r)</i>	<b><i>why, as at 30 June 2013, 4 262 inspection certifications of ventilating systems had not been inputted into the LIFIPS; and whether this was due to negligence of staff</i></b>
	Upon the commissioning of the LIFIPS, all information related to licensing applications and the received Annual Inspection Certificates (AICs) have to be manually inputted into the LIFIPS. Given the existing resources, extra temporary staff have been employed to assist in inputting paper-based AIC information into the LIFIPS. No staff negligence is revealed.
<i>(s)</i>	<b><i>why of the 72 cases with defects reported in the ventilating systems selected for checking of accuracy of the inspection certificates (paragraph 4.12 of the Audit Report refers), in 63 cases the FSD conducted inspections beyond 20 days after receiving the inspection certificates</i></b>
	<p>Given the existing resources, only a percentage of received AICs are selected for audit inspection. There is no specific requirement for inspection to be conducted within a certain time frame.</p> <p>In light of the Audit Commission's observations, FSD will adopt a risk-based inspection programme where higher priority will be accorded to cases concerning major defects in ventilating systems.</p>
<b><i>Handling complaints about fire safety</i></b>	
<i>(t)</i>	<b><i>why six of the 45 complaint cases with target response time within 10 working days took 13 to 89 working days to complete and there were no documented reasons for approvals for the days; and why in 15 of the aforesaid 45 complaint cases, 13 of them had no documentary evidence that the complainants had been advised and in the other two cases the complainants were advised after 38 and 174 working days (paragraph 6.4 of the Audit Report refers); and</i></b>
	During the inception stage of implementing the LIFIPS, case officers need to adapt to the significant changes in work processes. Coupled with their increased caseload upon the efficient identification of non-compliance cases through LIFIPS (as mentioned in (c)), the workload has become so overwhelming that backlogs have accumulated. The Department considers that while there is room for improvement in the handling of the cases mentioned in the Audit Report, there is no misconduct on the part of officers involved as to warrant the contemplation of disciplinary action.

	<p>Instructions have been issued in October 2013 to remind case officers to strictly observe respective performance pledges. In addition, all related information, including case vetting, liaison with other departments, date of informing complainant of inspection outcome, reasons for not meeting pledges should be properly documented.</p>
<p>(u)</p>	<p><b><i>whether the FSD had put in place a system to penalize staff for the errors mentioned in (t) above; if not, whether consideration would be given to introducing such.</i></b></p>
	<p>There are statutory provisions in the Fire Services Ordinance and disciplinary codes in the FSD General Orders governing the performance of duty of FSD officers.</p> <p>As regards the circumstances highlighted in (t) above, the Department has put in place an active reporting mechanism since November 2013. In addition, supervisory level officers will select cases for audit purpose to ensure compliance. Where there is evidence of staff committing misconduct in the course of their duty, suitable disciplinary/administrative actions will be taken accordingly.</p>

## Ageing Analysis of Cases Involving Defects of Major FSIs

<b>Outstanding period (Day)</b>	<b>Number of cases as at 5.8.2013</b>	<b><i>Cases completed as at 20.12.2013</i></b>
100 or less	2 552	572
101 to 150	973	239
151 to 200	1 069	244
201 to 250	997	312
251 to 350	1 375	458
Over 350	696	256
Total:	7 662	2 081

## Ageing analysis of outstanding complaint cases

<b>Outstanding period (Day)</b>	<b>Number of cases as at 15.7.2013</b>	<b><i>Cases completed as at 20.12.2013</i></b>
30 or less	167	113
31 to 90	457	292
91 to 180	322	173
181 to 360	422	228
Over 360	157	77
Total:	1 525	883

**The Four Most Common Causes of Unwanted Alarms in 2012**

<b>Ranking</b>	<b>Cause</b>	<b>Number in 2012</b>
1	Detector fault	7 267
2	Control panel fault	6 691
3	Human activities, e.g. smoking, cooking, welding etc.	6 674
4	Environment impact, e.g. high humidity, dusty.	1 731