

立法會 *Legislative Council*

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Panel on Public Service

Meeting on 20 January 2014

Updated background brief on employment of ethnic minorities in the civil service

Purpose

This paper provides background information on issues relating to the employment of ethnic minorities in the civil service, and summarizes the major views and concerns expressed by members when the subject was discussed at meetings of the Panel on Public Service ("the Panel").

Background

2. According to the Administration¹, appointments to the civil service are based on the principle of open and fair competition. The race of a candidate is not a relevant consideration in the assessment for selection, appointment and promotion of civil servants. The arrangement of specifying the appropriate Chinese and English language proficiency requirements ("LPRs") as part of the entry requirements for appointment to individual grades having regard to the job requirements of the concerned grades is in line with the guidance of the Equal Opportunities Commission ("EOC") as set out in its Code of Practice on Employment under the Race Discrimination Ordinance ("the Code of Practice") issued in July 2009. Under the Code of Practice, an employer must ensure that any language requirement for a job is relevant to and should be commensurate with the satisfactory performance of a job.

¹ LC Paper No. CB(4)545/12-13(04)

Review of LPRs and other relevant measures

3. As advised by the Administration, a number of measures have been implemented to facilitate the recruitment of candidates whose first language is not Chinese, as follows -

- (a) *Review of LPRs* - Following a comprehensive review of LPRs by all Heads of department/grade ("HoDs/HoGs") in 2010, the Chinese LPRs of certain grades, such as Workman and Artisan, have been adjusted and implemented in relevant recruitment exercises. The Government Logistics Department has also revised the LPRs for the Motor Driver grade since January 2013;
- (b) *Acceptance of results of non-local public examinations* - The results of specified non-local public examinations² on the subject of Chinese language are accepted in addition to local qualifications as meeting the LPRs for the purpose of appointments to the civil service;
- (c) *Adjustments in recruitment selection process* - Some departments, such as the Hong Kong Police Force ("the Police") and the Correctional Services Department ("CSD") have made suitable adjustments to their recruitment selection process, particularly the part concerning tests of language/communication ability; and
- (d) *Implementation of employment initiatives* - Departments may employ ethnic minorities to meet specific operational needs where appropriate. For instance, the Police launched a scheme in 2010 to hire Non-ethnic Chinese ("NECs") as Police Community Liaison Assistants in some of the Police Districts. As of April 2013, there were 15 such positions in 14 Police Districts.

Racial profile of the civil service

4. The Administration conducted a voluntary anonymous survey to gather statistics on the racial profile of the civil service in 2011. A total of 26 671 civil servants (or 17% of the 156 781 serving civil servants on 31 March 2011) responded to the survey, out of which 225 (or 0.8%) were NECs. The Administration considered that the distribution of individual ethnic minority groups in the civil service, as revealed in the survey, was broadly comparable to

² Chinese language results in the United Kingdom International General Certificate of Secondary Education (IGCSE)/General Certificate of Secondary Education (GCSE)/General Certificate of Education (GCE) 'Ordinary' Level as well as GCE 'Advanced'/'Advanced Subsidiary' Levels are accepted for the purpose of appointments to the civil service.

that in the general population as noted in the 2006 By-census. The Administration advised in April 2013 that it had launched another similar survey. Apart from information on ethnicity and salary band, the survey would also collect information on respondents' education level and length of service in the civil service.

Discussions by the Panel

5. The Panel discussed LPRs for civil service appointments on 24 May 2010, the racial profile of the civil service on 20 June 2011 and employment of ethnic minorities in the civil service on 15 April 2013. At the meeting on 24 May 2010, the Panel received views from ethnic minority persons, EOC and the Hong Kong Unison³. The major views and concerns expressed by Panel members and the Administration's responses are summarized in the ensuing paragraphs.

Employment of ethnic minorities in the civil service to enhance service delivery to respective ethnic communities

6. With the increase in the population of ethnic minorities in Hong Kong, members considered that there was a need for the Administration to recruit more ethnic minorities in the civil service to ensure that public services could be provided more effectively to the respective ethnic communities. In this regard, members suggested that more ethnic minorities should be employed in those bureaux/departments ("B/Ds") which provided direct services to ethnic minority communities, such as the Social Welfare Department, the Education Bureau and the Hospital Authority.

7. The Administration responded that where appropriate, B/Ds might employ ethnic minorities to meet specific operational needs. The Administration undertook to convey members' suggestion of employing ethnic minorities to serve the respective ethnic communities to relevant B/Ds for consideration. The Administration however pointed out that it was not advisable to appoint ethnic minorities not possessing the required level of Chinese language proficiency to fill a number of special posts for serving the ethnic communities, as the appointees might not be able to effectively perform the full range of duties of the grades concerned, thus limiting their posting and promotion prospects. To facilitate effective communication with ethnic minorities, B/Ds could consider creating non-civil service contract positions or engaging non-government organizations for providing such services.

³ An advocacy group for the rights of ethnic minority people

LPRs for civil service appointments

8. Some members queried whether there was a genuine need for imposing a high level of Chinese LPRs, particularly written Chinese, for appointment to civil service posts. They were concerned that although the Administration had relaxed the LPRs for some grades to a certain extent, a lot of ethnic minorities still could not meet the Chinese LPRs. They called on the Administration to critically review LPRs for civil service appointments and where appropriate relax the Chinese LPRs. To solve the problem at root, the Administration should enhance the Chinese language education for ethnic minority children.

9. The Administration advised that in order to ensure effective delivery of public services, the Administration had to specify appropriate Chinese and English LPRs as part of the entry requirements for appointment to individual grades having regard to the operational needs and job requirements of the concerned grades. HoDs/HoGs were responsible for stipulating the LPRs for each of the grades under their management and making suitable adjustments in response to changes in the community and operational needs. Following a comprehensive review of LPRs by all HoDs/HoGs in 2010, actions had been taken to adjust the Chinese LPRs of certain grades. To ensure that LPRs set on individual grades remain relevant to and commensurate with the satisfactory performance of the relevant duties, the Civil Service Bureau had launched another review of the LPRs of all civil service grades in early 2013

10. A member expressed concern that although there was a policy of accepting overseas Chinese language qualifications as meeting the stipulated LPRs, in practice, some individual B/Ds had their own internal language assessments. The Administration clarified that all B/Ds had to accept the Chinese language results of specified non-local public examinations, in addition to local qualifications. During the selection process, some B/Ds might arrange other job-related tests or interviews to further assess the suitability of the candidates. For example, applicants for the post of Police Constable might be arranged to watch videos on crime-related incidents and then give a simple account of the incidents in written English and Chinese. Such arrangement could help assess the applicants' job-related communication ability and should not be regarded as additional Chinese language tests imposed on EM applicants.

Racial profile of the civil service

11. Noting that only "0.8%" of the civil servants were NECs according to the Administration's survey conducted in 2011, some members considered the ratio too low, and urged the Administration to adopt a more proactive approach in facilitating the employment of ethnic minorities in the civil service. The

Administration explained that the figure of "0.8%" should be read in perspective in view that the survey was conducted on a voluntary and anonymous basis. Having regard to the principles of fair competition and meritocracy, the Administration did not consider it appropriate to set a target ratio of ethnic minorities in the civil service.

Relevant questions raised at Council meetings

12. Hon IP Kwok-him and Hon Emily LAU raised questions on the Chinese LPRs for appointment to the civil service at the Council meetings of 20 January 2010 and 27 February 2013 respectively. Hyperlinks to the relevant Hansards are provided in the **Appendix**.

Latest development

13. The Administration would update the Panel on employment of ethnic minorities in the civil service at the meeting on 20 January 2014.

Relevant papers

14. A list of relevant papers is in the **Appendix**.

Council Business Division 4
Legislative Council Secretariat
16 January 2014

Appendix

Employment of ethnic minorities in the civil service

List of relevant papers

| Meeting | Date of meeting | Paper |
|-------------------------|---|--|
| Panel on Public Service | 24 May 2010 (Agenda item IV) | Agenda Administration's paper Minutes |
| Panel on Public Service | 20 June 2011 (Agenda item V) | Agenda Administration's paper Minutes CB(1)2371/11-12(01) |
| Panel on Public Service | 15 April 2013 ^{IV} (Agenda item IV) | Agenda Administration's paper Minutes CB(4)779/12-13(01) |
| Council Meeting | 20 January 2010 | Official Record of Proceedings Pages 7 - 17 (Oral Question 1) |
| Council Meeting | 27 February 2013 | Official Record of Proceedings Pages 68 - 71 (Written Question 15) |