

# 立法會

## *Legislative Council*

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### **Panel on Public Service**

**Meeting on 23 June 2014**

### **Updated background brief on employment of persons with disabilities in the civil service**

#### **Purpose**

This paper provides background information on the employment of persons with disabilities ("PWDs") in the civil service, and summarizes the major views and concerns expressed by members when the subject was discussed by the Panel on Public Service ("the Panel") at previous meetings.

#### **Background**

##### Policy on employment of PWDs and facilitating measures

2. The Government's policy and related facilitating measures on the employment of PWDs seek to enable candidates with disabilities to compete with able-bodied candidates on equal footing, thereby allowing them, able-bodied or disabled alike, to have equal access to job opportunities in the Government. The facilitating measures being implemented by the Administration for PWDs to apply for civil service posts are as follows –

- (a) Candidates with disabilities who meet the basic entry requirements for a post will not be subject to shortlisting criteria, if any. Once candidates with disabilities meet the basic entry requirements, they will be automatically invited to attend selection interview/test.
- (b) Where a candidate who has indicated that he/she has a disability is invited to a test/interview, the recruiting bureau/department ("B/D") is required to proactively ascertain from the candidate any assistance or accommodation needed,

and the test/interview process would be suitably adjusted to cater for his/her special needs.

- (c) If a candidate with disability is found suitable by the recruitment board to carry out the duties of certain posts in a specific rank, he/she may be recommended for appointment even though he/she may not be able to perform the full range of duties of every post in the concerned rank due to his/her disability.
- (d) An appropriate degree of preference may be given to candidates with disabilities found suitable for appointment by placing them ahead of able-bodied candidates whose suitability for appointment is considered comparable to the former.
- (e) If a candidate with disability who has satisfied the basic entry requirement is not recommended for appointment, the recruitment board's recommendation will be referred to an officer not below the rank of Assistant Director for consideration and decision so as to ensure that the merits of each candidate with disability would be duly assessed.

### Assistance provided to PWDs working in the Government

3. The Administration provides on-the-job assistance and reasonable accommodation to PWDs working in the Government, such as modifying the work areas and facilities, providing necessary equipment and making appropriate changes to job design and work schedules. The Administration established a central fund in April 1996 to finance the purchase of technical aids for civil servants with disabilities. Disbursements from the fund in the past three financial years were \$126,000, \$49,000 and \$101,000 respectively<sup>1</sup>.

### Statistics on PWDs being employed in the civil service

4. The Administration compiles statistics on the number of PWDs being employed in the civil service each year<sup>2</sup>. As at 31 March 2013, the number of PWDs employed in the civil service stood at 3 401, representing 2.12% of the strength of the civil service<sup>3</sup>.

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<sup>1</sup> Controlling Officer's Reply on the Examination of Estimates of Expenditure 2014-2015 (Reply Serial No. CSB064).

<sup>2</sup> There is no mandatory requirement for civil service job applicants and serving officers to declare their disability, if any. The statistics are compiled on the basis of information available to the management of B/Ds.

<sup>3</sup> Controlling Officer's Reply on the Examination of Estimates of Expenditure 2014-2015 (Reply Serial No. CSB064).

5. Further statistics on the employment of PWDs in the civil service are set out in **Appendices I to V** as follows -

- Appendix I** Number of PWDs in the civil service from 2008 to 2012 with breakdown by types of disabilities
- Appendix II** Number of new recruits with disabilities from 2002-03 to 2011-12 with breakdown by B/Ds
- Appendix III** Number of new recruits with disabilities from 2002-03 to 2011-12 with breakdown by types of disabilities
- Appendix IV** Number of PWDs serving in and leaving the civil service from 2002-03 to 2011-12
- Appendix V** Number of PWDs in the civil service in 2012 and 2013 with breakdown by lower/middle and upper ranks

### **Discussions at the Panel**

6. The Panel discussed issues relating to the employment of PWDs in the civil service at its meetings on 16 May 2011, 17 June 2013 and 15 July 2013, with deputations attending the meeting on 15 July 2013. The major issues discussed are summarized below.

#### Measures to promote and facilitate the employment of PWDs in the civil service

7. At the meetings on 16 May 2011 and 17 June 2013, members noted that the number of PWDs being employed in the civil service was about 2% of the strength of the civil service over the years. They considered that the percentage was too low and expressed concern that the increase in the number of PWDs serving in the civil service over the past five years (i.e. 3 225 in 2008 Vs 3 391 in 2012) was meagre. Some members also queried that the figure of "2%" of PWDs in the civil service included some civil servants who had become disabled after their appointments to the civil service, and the ratio of appointment offered to PWDs in the civil service was less than 1% in the past 10 years. They urged the Administration to devise measures to encourage B/Ds as well as public-funded organizations to employ more PWDs, and suggested that the Administration should set a benchmark target for employing PWDs.

8. At the meeting on 15 July 2013, some members shared the views of deputations that the Administration should allocate additional financial funding

for B/Ds to employ more PWDs, and to offer PWDs with long-term positions instead of engaging them under consecutive short-term contracts.

9. The Administration advised that it would continue its efforts in promoting the employment of PWDs in the civil service. Apart from reminding B/Ds of the policy and guidelines on the employment of PWDs when conducting recruitment exercises, Civil Service Bureau would work closely with Labour Department ("LD") to encourage more job seekers with disabilities to apply for government jobs, and liaise with Social Welfare Department to explore further room to provide more job attachments in B/Ds for trainees with disabilities. Under the Non-Civil Service Contract Staff Scheme, B/Ds had the discretion to determine the contract duration having regard to operational needs. Disability of individual employees was not a pertinent factor in determining the duration of the contract.

10. The Administration also advised that the number of appointments offered to candidates with disabilities depended on a number of factors, including the number of qualified applicants with disabilities as well as their suitability for employment. For the civil service recruitment exercises concluded in 2010-11 and 2011-12, the ratio of appointment offered to qualified candidates who had declared their disabilities was 3%, whereas the overall ratio of appointment offered to qualified applications was 1.9%.

11. As regards the suggestion of setting a benchmark for employing PWDs, the Administration advised that as there was no objective basis for determining such a benchmark, any proposed benchmark could only be arbitrary. Instead, the Administration considered it more appropriate to enhance the awareness of B/Ds in complying with the prevailing policy on the employment of PWDs in the civil service and cultivating peer acceptance of disabled staff.

#### Disclosure of disability by civil service job applicants and serving employees

12. Some members enquired whether the Administration's practice of not requiring government job applicants and serving employees to declare their disability status on a mandatory basis is in line with international practices.

13. The Administration advised that the existing arrangement under which job applicants and serving civil servants with disability could choose to disclose their disability was considered appropriate, as it struck a balance between the need to protect the privacy of individual job applicants and serving officers and the desire of the Administration to monitor the general employment situation of PWDs in the civil service.

### Referrals by LD for PWDs to apply for civil service posts

14. Some members expressed concern over the decrease in both the number and success rate of referrals made by the Selection Placement Division ("SPD") of LD for PWDs applying for civil service posts. The Administration explained that the number of referrals made by SPD hinged on a number of factors, including the number of government vacancies available and preference of job seekers with disability to apply government jobs through SPD or by other means. LD would step up promotional efforts to encourage more PWDs to apply for government jobs.

### Barrier-free working environment

15. At the meeting on 16 May 2011, some members enquired whether the Administration would enhance the accessibility of Government office buildings and upgrade the barrier-free facilities in Government offices, in order to facilitate PWDs to work in the Government. The Administration responded that the Government was actively following up the recommendations made in an investigation report published by EOC in June 2010<sup>4</sup> on the provision of a barrier-free working environment, and that the matter was presently overseen by the Chief Secretary for Administration. A timetable for retrofitting and upgrading barrier-free facilities in Government premises and facilities had been in place.

### Promotion prospects of civil servants with disabilities

16. At the meeting on 16 May 2011, members expressed concern on whether civil servants with disabilities would be in a disadvantaged position if they were considered alongside other candidates against the same selection criteria in a promotion exercise. The Administration responded that although the promotion prospects of civil servants with disabilities might be affected by the staff's postability limitation, their promotion prospects would mainly depend on the number of posts available in the higher rank.

17. As to the number of civil servants with disabilities who were promoted in the past few years, the Administration advised that they did not collect such information at present. The Administration agreed to consider requesting B/Ds to provide information on the number of PWDs who had been selected for promotion in future.

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<sup>4</sup> Formal Investigation Report: Accessibility in Publicly Accessible Premises published by Equal Opportunities Commission in June 2010.

### **Council questions**

18. Hon TAM Yiu-chung and Hon Emily LAU raised written questions at the Council meetings of 24 October 2012 and 5 June 2013 respectively regarding employment of PWDs in the Government, referrals made by SPD for PWDs, measures to promote or facilitate the employment of PWDs, and the suggestion of introducing a mandatory quota system for employment of PWDs. Dr Hon Fernando CHEUNG raised a written question at the Council meeting of 26 March 2014 regarding the employment of PWDs in public-funded organizations and statutory bodies and measures undertaken by the Administration to promote the employment of PWDs. Hyperlinks to the relevant Hansards are provided in **Appendix VI**.

### **Latest development**

19. The Administration will brief the Panel on the employment of PWDs in the civil service at the Panel meeting scheduled for 23 June 2014.

### **Relevant papers**

20. A list of relevant papers is given in **Appendix VI**.

## Appendix I

### Number of persons with disabilities in the civil service with breakdown by types of disabilities as at 31 March for the years from 2008 to 2012

	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Physical handicap	1 742	1 754	1 768	1 739	1 750
Visceral disability <sup>Note</sup>	389	403	455	481	494
With history of mental illness	284	284	300	309	330
Intellectual disability	20	20	20	18	19
Visual impairment	497	484	465	456	462
Hearing impairment	280	280	295	302	320
Others (e.g. autism, speech impairment, specific learning difficulties, etc.)	13	13	13	12	16
<b>Total</b>	<b>3 225</b>	<b>3 238</b>	<b>3 316</b>	<b>3 317</b>	<b>3 391</b>

<sup>Note</sup> Persons with chronic illness in the Civil Service are grouped under "Visceral disability".

*(Source: Examination of Estimates of Expenditure 2013-14 by the Finance Committee - Reply Serial No. CSB001)*

## Appendix II

### Number of new recruits to the Civil Service who declared their disabilities, with breakdown by B/Ds, in the past ten years

(Source: Annex C to LC Papers No. CB(4)902/12-13(03))

	2002-03 Note 1	2003-04 Note 1	2004-05 Note 1	2005-06 Note 1	2006-07 Note 1	2007-08	2008-09	2009-10	2010-11	2011-12
Agriculture, Fisheries and Conservation Department								1	3	1
Census and Statistics Department								2		
Civil Aviation Department						1		1		
Civil Engineering and Development Department							1	1		1
Companies Registry									1	
Correctional Services Department							3	2		1
Department of Health					1			2	1	
Drainage Services Department							1		1	1
Electrical and Mechanical Services Department							1			
Environment Protection Department								1		
Fire Services Department							7		1	
Food and Environmental Hygiene Department								1	9	17
Government Logistics Department								1	1	2
GS: Commerce and Economic Development Bureau (including Innovation and Technology Commission)									1	
GS: Education Bureau									3	1
GS: Health, Welfare and Food Bureau <sup>Note 2</sup>			1							
Highways Department								1	1	
Home Affairs Department						1	1	3		2
Hong Kong Police Force	1									
Housing Department								5	1	4
Inland Revenue Department						2	3	1	6	7
Intellectual Property Department								1		
Labour Department										1
Land Registry										1
Lands Department							1	1	1	
Leisure and Cultural Services Department						5	1	6	2	4
Marine Department										1
Post Office						2		3	3	



	2002-03 Note 1	2003-04 Note 1	2004-05 Note 1	2005-06 Note 1	2006-07 Note 1	2007-08	2008-09	2009-10	2010-11	2011-12
Social Welfare Department					2	2	4	4	3	2
Student Financial Assistance Agency									1	
Trade and Industry Department								1		
Transport Department									1	1
Treasury	1							1		
Water Supplies Department							5	2		3
<b>Total number of new recruits who declared their disabilities</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>13</b>	<b>28</b>	<b>41</b>	<b>40</b>	<b>50</b>

Note 1 Implementation of enhanced efficiency drives in the period, particularly the six years of open recruitment freeze which ended in March 2007 (namely from 1999-2000 to 2006-07, save for 2001-02 and 2002-03 when exceptional approval was given for a limited number of grades to conduct open recruitment to meet special operational needs).

Note 2 Upon the re-organisation of the Government Secretariat in July 2007, the former Health, Welfare and Food Bureau was renamed as Food and Health Bureau with change in the policy portfolios.

**Number of new recruits to the Civil Service who declared their disabilities,  
with breakdown by types of disability, in the past ten years**

(Source: Annex B to LC Papers No. CB(4)902/12-13(03))

	2002-03 Note 1	2003-04 Note 1	2004-05 Note 1	2005-06 Note 1	2006-07 Note 1	2007-08	2008-09	2009-10	2010-11	2011-12
Visual impairment <sup>Note 2</sup>	0	0	1	0	0	0	7	7	8	12
Hearing impairment	0	0	0	0	1	4	6	16	10	15
Physical disability	0	0	0	0	2	5	1	9	12	8
Intellectual disability	2	0	0	0	0	0	0	0	0	0
Ex-mentally ill persons	0	0	0	0	0	1	1	1	4	1
Visceral disability	0	0	0	0	0	3	13	8	6	12
Others, e.g. autism, speech impairment, specific learning difficulties, etc.	0	0	0	0	0	0	0	0	0	2
<b>Total number of new recruits who declared their disabilities</b>	2	0	1	0	3	13	28	41	40	50
<b>Total number of new recruits</b>	1 917	173	558	1 404	2 780	4 202	6 112	6 027	5 465	7 877

Note 1 There was significant drop in the recruitment figures due to the implementation of enhanced efficiency drives in the period, particularly the six years of open recruitment freeze which ended in March 2007 (namely from 1999-2000 to 2006-07, save for 2001-02 and 2002-03 when exceptional approval was given for a limited number of grades to conduct open recruitment to meet special operational needs).

Note 2 New recruits with colour blindness or defective colour perception are not included in the statistics.

**Number of persons with disabilities  
serving in and leaving the Civil Service in the past ten years**

(Source: Annex A to LC Papers No. CB(4)902/12-13(03))

<b>Year</b> <sup>Note 1</sup>	<b>Total number of persons with disabilities</b> <sup>Note 2</sup> <b>serving in the Civil Service</b>	<b>Total number of persons with disabilities leaving the Civil Service</b> <sup>Note 3</sup>	<b>Total Strength in the Civil Service</b>
2002-03 <sup>Note 4</sup>	3 398	176	169 100
2003-04 <sup>Note 4</sup>	3 319	198	163 039
2004-05 <sup>Note 4</sup>	3 241	168	157 300
2005-06 <sup>Note 4</sup>	3 256	103	155 019
2006-07 <sup>Note 4</sup>	3 263	126	153 805
2007-08	3 225	168	153 477
2008-09	3 238	179	155 128
2009-10	3 316	166	156 573
2010-11	3 317	204	156 886
2011-12	3 391	206	159 195

Note 1 Position as at the end of the financial year (i.e. as at 31 March).

Note 2 Persons with colour blindness or defective colour perception are not included in the statistics.

Note 3 Reasons for leaving the Civil Service include retirement, resignation, death, etc.

Note 4 Implementation of enhanced efficiency drives in the period, particularly the six years of open recruitment freeze which ended in March 2007 (namely from 1999-2000 to 2006-07, save for 2001-02 and 2002-03 when exceptional approval was given for a limited number of grades to conduct open recruitment to meet special operational needs).

**Number of persons with disabilities<sup>Note 1</sup> in the Civil Service with  
breakdown by the lower and middle ranks and the upper ranks as  
at 31 March for the years of 2012 and 2013**

Group	As at 31 March 2012		As at 31 March 2013	
	No. of persons with disabilities in the Civil Service	% of strength in that group	No. of persons with disabilities in the Civil Service	% of strength in that group
Lower and middle ranks <sup>Note 2</sup> (Covers ranks with maximum salary below Master Pay Scale (MPS) Point 34 or equivalent)	3 230	2.32%	3 232	2.30%
Upper ranks (Covers ranks with maximum salary between MPS Point 34 to 49 and on Directorate Pay Scale or equivalent)	161	0.81%	169	0.83%
<b>Total</b>	<b>3 391</b>	<b>2.13%</b>	<b>3 401</b>	<b>2.12%</b>

Note 1 Persons with colour blindness or defective colour perception in the Civil Service are not included in the statistics.

Note 2 We do not collect breakdown figures specifically for the lower ranks.

*(Source: Examination of Estimates of Expenditure 2014-15 by the Finance Committee - Reply Serial No. CSB064.)*

## Employment of persons with disabilities in the civil service

### List of relevant papers

Meeting	Date of meeting	Paper
Panel on Public Service	16.5.2011 (item IV)	<a href="#">Administration's paper</a>  <a href="#">Press Release</a>  <a href="#">Minutes</a>  <a href="#">Administration's follow-up paper</a>
Council Meeting	24.10.2012	<a href="#">Official Record of Proceedings Pages 88 - 94 (Written question raised by Hon TAM Yiu-chung)</a>
Council Meeting	5.6.2013	<a href="#">Official Record of Proceedings Pages 138-141 (Written question raised by Hon Emily LAU)</a>
Panel on Public Service	17.6.2013 (item V)	<a href="#">Agenda</a>  <a href="#">Administration's paper</a>  <a href="#">Minutes</a>  <a href="#">Administration's follow-up response to issues raised at the Panel meeting</a>
Panel on Public Service	15.7.2013 (item V)	<a href="#">Agenda</a>  <a href="#">Administration's paper</a>  <a href="#">Minutes</a>
Council Meeting	26.3.2014	<a href="#">Official Record of Proceedings Pages 72-88 (Written question raised by Hon Fernando CHEUNG)</a>

<b>Meeting</b>	<b>Date of meeting</b>	<b>Paper</b>
Examination of Estimates of Expenditure 2014-15	31.3.2014	<a href="#">Controlling Officer's Reply (Reply Serial No. CSB064)</a>

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