

For Information

Legislative Council Panel on Public Service

Follow-up to the Meeting on 16 December 2013

At the meeting of the Legislative Council Panel on Public Service on 16 December 2013, the Administration was requested to provide, inter alia, the following information relating to the employment of non-civil service contract (NCSC) staff –

- (a) a breakdown of the 909 NCSC staff employed by the Education Bureau (EDB) to meet the unique operational needs in government schools under the school-based management initiative by functions/work types and reasons of employment, and how these reasons of employment could comply with the four requirements for employing NCSC staff as mentioned in paragraph 2(a) to (d) of the Administration's paper; and
- (b) respective amounts of employer's contributions made by Bureaux/Departments (B/Ds) to the Mandatory Provident Fund (MPF) in respect of their NCSC staff which were used for offsetting the severance and long service payments.

NCSC Staff in EDB

2. Among the 909 NCSC staff engaged in government schools as at 30 June 2013, 505 were employed under the Funding Flexibility Scheme (FFS)¹ whereby government schools are given the flexibility to hire the right mix of supporting staff to meet their operational needs for clerical and janitor services at different times. The supporting staff complement

¹ It was recommended by the Education Commission in its Report No. 7 published in 1997 that "government schools should be provided with the same degree of funding and management flexibility as aided schools". The Funding Flexibility Scheme was introduced, inter alia, to take forward this recommendation.

and the staff mix vary from schools to schools depending on their operational needs having regard to their programme of activities, extent of IT and technical applications, extra-curriculum activities, etc.

3. The engagement of these NCSC staff is under constant review and where there is an established permanent staffing need, government schools will make staffing proposals for civil service posts to replace these NCSC positions when considered appropriate. For instance, out of the 670 civil service posts to be created in various B/Ds in 2014-15 for replacement of NCSC positions the permanent need of which has been established, about 40 posts are for replacing NCSC positions in government schools. These positions include General Workers, General Clerks, Account Clerks, School Office Assistants, etc.

4. The remaining 404 NCSC staff in government schools were employed under various funds/grants, such as the time-limited Enhanced Senior Secondary Curriculum Support Grant, allocated to government schools to meet different short-term service needs having regard to changing educational needs of the students or foci of attention of the schools. As the staffing needs are essentially project-based, NCSC staff have to be engaged. A breakdown of the 909 NCSC staff in government schools by functions/work types and reasons of employment is at **Annex**.

Offsetting of Severance Payment and Long Service Payment by MPF contributions

5. NCSC staff are granted severance payment or long service payment if such is payable in accordance with the provisions of the Employment Ordinance (EO) (Cap. 57). In accordance with the provisions of sections 31I and 31Y of the EO, the employing B/Ds will use the end-of-contract gratuity granted and the staff's accrued MPF benefits derived from the MPF contributions made by the Government in respect of the years of service for which the severance payment or long service payment is payable for offsetting severance payment and long service payment and then pay the staff the difference.

6. The B/Ds are responsible for the employment and management of NCSC staff which includes, among other things, the calculation and disbursement of severance payment and long service payment. We understand that the amounts of accrued benefits derived from employer's MPF contributions made by B/Ds which were used for offsetting the severance payment or long service payment each year can vary considerably, depending on the number of outgoing NCSC staff and their years of service, as well as the amounts of end-of-contract gratuity granted and accrued benefits derived from the MPF contributions made by the Government in respect of the years of service for which the severance payment or long service payment is payable. The Civil Service Bureau does not therefore have information on the amounts of severance payment and long service payment disbursed to NCSC staff nor the amounts of accrued benefits derived from employer's contributions made by the employing B/Ds to the MPF in respect of their NCSC staff which were used for offsetting the severance payment and long service payment.

Civil Service Bureau
July 2014

NCSC staff in government schools
Breakdown by functions/work types and reasons of employment
(position as at 30 June 2013)

Functions/work types	Number of NCSC staff employed		
	For meeting service needs where the mode of delivery of the service was under review	For meeting service needs of time-limited, short-term or seasonal nature	Total
Technical support (To organise school activities, prepare teaching materials and equipment for experiments, provide IT support, etc.)	102	336	438
General support (To perform manual work, daily cleaning duties, outdoor and indoor dispatch duties, counter reception duties, etc.)	289	0	289
Clerical/administrative/ executive support	114	68	182
Total	505¹	404²	909

¹ NCSC staff employed under the Funding Flexibility Scheme.

² NCSC staff employed under various funds/grants.