

立法會
Legislative Council

LC Paper No. CB(2)2324/13-14
(These minutes have been
seen by the Administration)

Ref : CB2/PL/WS

Panel on Welfare Services

Minutes of meeting
held on Monday, 12 May 2014, at 9:30 am
in Conference Room 1 of the Legislative Council Complex

Members present : Hon CHAN Yuen-han, SBS, JP (Chairman)
Hon CHEUNG Kwok-che (Deputy Chairman)
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 Gary FAN Kwok-wai
Hon CHAN Chi-chuen
Hon CHAN Han-pan
Hon LEUNG Che-cheung, BBS, MH, JP
Dr Hon KWOK Ka-ki
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Hon POON Siu-ping, BBS, MH
Hon TANG Ka-piu

Member attending : Hon Albert CHAN Wai-yip

**Public Officers : Item III
attending**

Mr Donald CHEN
Deputy Secretary for Labour and Welfare (Welfare) 2
Labour and Welfare Bureau

Mr FUNG Pak-yan
Deputy Director of Social Welfare (Administration)
Social Welfare Department

Mr NG Wai-kuen
Chief Social Security Officer 1
Social Welfare Department

Item IV

Miss SHEA Wing-man
Principal Assistant Secretary for Labour and Welfare
(Welfare) 1
Labour and Welfare Bureau

Ms Carol YIP, JP
Director of Social Welfare
Social Welfare Department

Mr KOK Che-leung
Assistant Director of Social Welfare (Subventions)
Social Welfare Department

Item V

Mr Stephen SUI, JP
Commissioner for Rehabilitation
Labour and Welfare Bureau

Mr FONG Kai-leung
Assistant Director of Social Welfare (Rehabilitation &
Medical Social Services)
Social Welfare Department

Mr Kenneth WOO
Chief Executive Officer (Subventions and Planning)
Social Welfare Department

Item VI

Mr Matthew CHEUNG, GBS, JP
Secretary for Labour and Welfare
Labour and Welfare Bureau

Mrs Elina CHAN
Principal Assistant Secretary for Labour and Welfare
(Welfare) 3
Labour and Welfare Bureau

Mr Thomas CHAN, JP
Deputy Secretary for Development
(Planning & Lands)1
Development Bureau

Mr LAM Ka-tai
Deputy Director of Social Welfare (Services)
Social Welfare Department

Miss Cecilla LI
Assistant Director of Social Welfare (Elderly)
Social Welfare Department

Mr TANG Wai-leung
Assistant Director of Civil Engineering and
Development (Development)
Civil Engineering and Development Department

Ms Amy CHEUNG
Assistant Director of Planning (Territorial)
Planning Department

**Attendance by : Item VI
invitation**

Comfort Elderly Home

Ms Helen CHAN Suk-hing

Faith Home for the Aged

Mr TSANG Kim-kong

Everbright Home for the Elderly

Mr LI Ming-hui

Mr LAU Tak-kuen

Mr LEUNG Pak-yau

Mr WAN Hon-keung

Clerk in attendance : Mr Colin CHUI
Chief Council Secretary (2) 4

Staff in attendance : Ms Catherina YU
Senior Council Secretary (2) 4

Miss Maggie CHIU
Legislative Assistant (2) 4

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I. Information paper(s) issued since the last meeting

Members noted that no paper had been issued since the last meeting.

II. Items for discussion at the next meeting

[LC Paper Nos. CB(2)1430/13-14(01) to (02)]

2. Members noted that the Administration had proposed to discuss at the next meeting scheduled for 9 June 2014 the following items –

(a) Work progress of the Family Council; and

(b) Setting up a new contract residential care home for the elderly with a day care unit at ancillary facilities block of Anderson Road Public Housing Development, Kwun Tong.

3. The Chairman sought members' views on discussing at the next meeting "Review of Social Welfare Department's Standardised Care Needs Assessment Mechanism for Elderly Services" as proposed by Mr TANG Ka-piu.

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4. The Deputy Chairman said that the Administration intended to conduct a single contract bidding exercise to provide for a total of about 7 000 Enhanced Home and Community Care Services ("EHCCS") places to cover both the existing 5 500 odd places and the 1 500 new places for the contracts to be awarded before February 2015. Having regard to the objection of the welfare sector to the competitive bidding approach and the time factor of the subject matter, he suggested that the Panel should discuss the funding mode for EHCCS at the next meeting.

5. Mr TANG Ka-piu said that adopting the competitive bidding approach for selecting operators for the provision of EHCCS would have a great impact on the serving operators and their staff. He considered it necessary for the Panel to discuss the subject matter before the end of this session.

6. Dr Fernando CHEUNG supported discussing the subject matter at the next meeting. To allow sufficient time for discussion, he suggested that the discussion of the item "Review of Social Welfare Department's Standardised Care Needs Assessment Mechanism for Elderly Services" should be deferred. Members agreed.

III. Additional provision for social security recipients

[LC Paper Nos. CB(2)1393/13-14(01) and CB(2)1430/13-14(03)]

(The Deputy Chairman took the chair at this juncture in the temporary absence of the Chairman.)

7. The Deputy Chairman drew members' attention to Rule 83A of the Rules of Procedures ("RoP") regarding personal pecuniary interest to be disclosed. He reminded members to declare interests in the matter under discussion, if any.

8. At the invitation of the Deputy Chairman, Deputy Secretary for Labour and Welfare (Welfare)2 ("DSLW(Welfare)2") briefed members on the Administration's proposal to provide an extra payment for the recipients of Comprehensive Social Security Assistance ("CSSA"), Old Age Allowance (including the Guangdong Scheme thereafter), Old Age Living Allowance and Disability Allowance.

9. Mr TANG Ka-piu was concerned whether the disbursement of allowance to social security recipients would be temporarily suspended if the Appropriation Bill 2014 ("the Bill") could not be passed in May. He

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further asked if the funding proposal for the extra payment could be submitted to the Finance Committee ("FC") for approval ahead of the passage of the Bill in Council.

10. DSLW(Welfare)2 responded that the Council had passed the Vote on Account Resolution earlier to provide funding for the Government to maintain its services prior to the passage of the Bill. If the Bill was not passed by mid-May as scheduled and the aforesaid funding was exhausted, there would be funding shortfall for some bureaux and departments, and various public services would be affected. As an established practice, the Government would submit the funding proposal for the extra payment to FC for approval subject to the passage of the Bill.

11. Mr POON Siu-ping said that the Administration's provision of extra payments for social security recipients in each of the past few years implied that the existing level of CSSA was not adequate to maintain subsistence living. He asked whether the Administration would consider raising the level of CSSA payment. He also wondered if there was a decrease in the number of CSSA recipients which caused the drop of the provision for the CSSA one-off payments from \$1.325 billion in 2013 to \$1.238 billion in 2014.

12. DSLW(Welfare)2 responded that the provision of an extra payment as proposed in the 2014-2015 Budget, was one of the one-off relief measures, which had been introduced in each of the past few years. The one-off relief measures were put forward having regard to the economic outlook for Hong Kong and the financial position of the Government. Deputy Director of Social Welfare (Administration) ("DDSW(Admin)") confirmed reduction in the number of CSSA cases and a drop in the estimated provision of funding for the CSSA one-off payments.

13. In response to the Deputy Chairman's invitation of view, members supported in principle the submission of the relevant funding proposal to FC for consideration.

IV. Progress report on the production of the Best Practice Manual for non-governmental organizations receiving Lump Sum Grant Subvention

[LC Paper Nos. CB(2)1430/13-14(04) to (05)]

14. At the invitation of the Deputy Chairman, Director of Social Welfare ("DSW") briefed members on the progress report on the production of the

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Best Practice Manual ("BPM") for non-governmental organizations ("NGOs") receiving Lump Sum Grant Subvention ("LSGS").

Two-level guidelines in BPM

15. Members noted that there were two levels of guidelines set out in BPM. Level One guidelines were those that NGOs were expected to follow unless there were strong justifications not to do so; Level Two guidelines were those that NGOs were encouraged to adopt. Dr Fernando CHEUNG said that the arrangement would undermine the roles and views of service users as the relevant guidelines on communication were set at Level Two in BPM. Pointing out that the Level One and Level Two guidelines were fundamental principles for NGOs' governance, he urged the Administration to merge the two levels of guidelines into one set of guidelines which should bind NGOs receiving LSGS to ensure proper use of public money. Mr LEUNG Yiu-chung sought clarification on the rationale to have two levels of guidelines.

16. DSW responded that in the light of their diversities in developments, some NGOs might encounter difficulties in complying with some of the BPM guidelines. For example, some of the guidelines under corporate governance were placed under Level Two as the structure of NGOs' governing boards might vary with the different mix of services provided by NGOs including social, educational and health services. In any case, the implementation of BPM required the agreement and support of both the management and staff sides of NGOs. Guidelines on the roles and views of service users were included in BPM, such as the Level One guideline on NGOs' policies and procedures on complaints handling, which required NGOs to have documents spelling out their internal control measures in relation to handling LSG-related complaints.

17. Mr Albert HO said that it was unreasonable to group the 14 guidelines into two levels as they were considered equally important. One of the major concerns of the welfare sector was the excess reserves kept by subvented NGOs which adversely affected the remuneration of social workers and service delivery. Notwithstanding this concern, the guideline in respect of the optimal level of reserve was placed under Level Two as a preferred practice for NGOs. He called on the Administration to raise the Level Two guidelines to Level One. Sharing similar views, the Deputy Chairman urged the Administration to announce the upgrading date so that NGOs could prepare for the new requirements.

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18. DSW responded that the LSG Independent Review Committee ("LSGIRC") recommended setting out in BPM two levels of guidelines with a view to facilitating the LSG Steering Committee ("LSGSC"), which comprised representatives from the management and staff of NGOs, service users, Social Welfare Department ("SWD"), and independent members, to reach consensus on the 18 items under the BPM framework. By mid-2014, BPM with 14 consensus items would be implemented. Upon receiving the self-assessment checklists from NGOs by end-October 2015, SWD would study the feedback, and report the progress to the Panel on Welfare Services ("the Panel") in due course.

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19. Mr Albert HO suggested that the Panel should arrange for a public hearing to collect views of the management and staff sides of NGOs on the implementation of BPM. DSW said that BPM had already incorporated the views of the interested parties collected in the course of its production through the conduct of the consultancy study as well as visits, meetings, and consultation sessions.

Follow-up on the remaining four items

20. Pointing out that the remaining four items in respect of which consensus had yet to be reached were of most concern to social workers, Mr TANG Ka-piu was concerned about the crux of the controversy over the remaining four items and the Administration's time schedule to include the aforesaid items in BPM. The Deputy Chairman urged the Administration to include the four items in BPM in a year.

21. DSW responded that there were different views on the grouping of the four remaining items in BPM. The NGO management considered that it was a good start to place them under Level Two while the NGO staff side insisted to place them under Level One. As agreed by LSGSC, BPM with 14 consensus items would be launched by mid-2014 and the working group formed under LSGSC would continue to discuss the remaining four items.

22. In response to Mr TANG Ka-piu's criticism on the arrangement to determine the benchmark LSGS of each subvented NGO on the basis of mid-point salaries of the specified pay scales, DSW clarified that it was not the Government's intention to put in place the aforesaid arrangement to cap staff salaries at mid-point and discussion on it would continue.

Implementation of LSGS System ("LSGSS") and BPM

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23. Mr POON Siu-ping expressed concern about the handling of NGOs' non-compliance with BPM. Mr TAM Yiu-chung wondered if NGOs with non-compliance records would be in a less favorable position when they submitted bids for services.

24. DSW responded that according to the workflow of BPM, NGOs would be required to submit self-assessment checklists to SWD by end-October annually to report the progress of their implementation of BPM. If NGOs could not meet the Level One requirements, SWD would examine the circumstances and consider measures to enable the NGOs concerned to meet the requirements. SWD would report to LSGSC for steer if necessary. If certain cases required focused effort for deliberation, LSGSC would form a subcommittee for the purpose. The subcommittee would subsequently report its conclusions and recommendations to LSGSC.

25. The Deputy Chairman said that many problems on staff remuneration and financial management were identified in subvented NGOs and discussed from time to time at the meetings of the Panel. For example, offering salary below the entry point of the salary scale to social workers, making provident fund ("PF") contributions at the rate of 5% instead of utilizing government subvention on PF which was granted at the rate of 6.8%, and keeping excess reserves which were subsequently clawed back in the following financial year. He urged the Administration to convey members' grave concerns on the governance of NGOs and the implementation of BPM to the welfare sector at the briefing session to be organized by SWD.

26. DSW explained that the level of reserves kept by NGOs had all along been capped at 25% of NGOs' operating expenditure. SWD had all along encouraged NGOs to use the reserves, if any, to improve the staff remuneration package and strengthen manpower development. Assistant Director of Social Welfare (Subventions) added that according to SWD's records, the amount of reserves required for clawing back and the number of NGOs so involved were both insignificant. NGOs could seek SWD's approval for carrying forward the reserves for deployment in the following financial year if there was justifiable ground.

27. Mr Albert CHAN declared that he was previously a social worker. He strongly criticized that the implementation of LSGSS per se was proven ineffective in view of the substantial lowering of the entry point of the salary scale for newly recruited social workers since the inception of LSGSS. He urged the Administration to cease LSGSS instead of

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implementing non-binding BPM. He questioned why the Administration did not apply LSGSS to the education sector if the system was considered very effective. DSW responded that the Administration established LSGIRC in 2008 to assess the overall effectiveness of LSGSS. According to the findings of LSGIRC, service users generally considered that the implementation of LSGSS was effective.

28. Mr CHAN Han-pan said that many newly formed NGOs provided services which were outside the scope of services covered by LSGSS. He called on the Administration to extend the coverage of LSGSS so as to support the services of the new NGOs and recognize their efforts in serving the community. DSW responded that the Administration would keep in view the operation of LSGSS and the services of new NGOs.

(The Chairman took the chair at this juncture.)

Motion

29. Dr Fernando CHEUNG moved the following motion –

"整筆撥款津助制度對社福界帶來很大的負面影響，《最佳執行指引》的第一組和第二組指引皆為最基本管治原則，應立即強制執行，並且受到公眾監察；非政府機構董事會亦應加入員工及服務使用者的代表，以加強溝通及管治。"

(Translation)

"That LSGSS has a huge negative impact on the welfare sector, and the Level One and Level Two guidelines in BPM, being the most fundamental principles for governance, should be mandatorily followed with immediate effect which should be subject to public scrutiny; and representatives of staff and service users should also be included in the boards of directors of NGOs, so as to enhance communication and governance."

30. DSW stressed that BPM could only be implemented successfully with the consensus and cooperation of the management and staff sides of NGOs as well as service users. It was not feasible to enforce BPM in a mandatory manner when NGOs under LSGSS had practical difficulties in strictly following all guidelines in BPM.

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31. Mr Albert HO was of the view that NGOs should follow the guidelines set out in BPM unless there were strong justifications not to do so. Nevertheless, the Level Two guidelines were only preferred practices that NGOs were encouraged to adopt. The Administration showed no sincerity in enhancing the governance of NGOs.

32. Mr Frankie YICK supported in principle the implementation of BPM without further delay to strengthen the monitoring of subvented NGOs. Nevertheless, he had reservation on inclusion of representatives of NGO staff and service users in the boards of directors of NGOs.

33. The Chairman declared that currently she was the supervisor of a school and a manager in some other schools. She said that as per the school-based management, the Government had requested all government-aided school sponsoring bodies to include representatives of teaching staff and parents of students in their school management committees. She called on the Administration to make reference to the aforesaid practice of the education sector.

34. DSW responded that there was a BPM guideline on communication which requested NGOs to establish effective channels of communication between the governing boards, the management, staff and service users to ensure that feedback from staff and service users on LSG-related matters could be received. She reiterated that it was simply not feasible to ask the whole BPM (particularly, the Level Two guidelines) to be enforced in a mandatory manner when NGOs under LSGSS still had practical difficulties in implementing all guidelines in BPM.

35. The Chairman put the motion to vote. The Chairman said that while one member voted against it, the other members present were in favour of the motion. The Chairman declared that the motion was carried.

V. Setting up a day activity centre cum hostel for severely mentally handicapped persons and supported hostel for mentally handicapped persons in Cheung Sha Wan Estate, Sham Shui Po [LC Paper Nos. CB(2)1430/13-14(06) to (07)]

36. The Chairman drew members' attention to Rule 83A of RoP regarding personal pecuniary interest to be disclosed. She reminded members to declare interests in the matter under discussion, if any.

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37. At the invitation of the Chairman, Commissioner for Rehabilitation ("C for R") briefed members on the Administration's proposal to set up a new day activity centre cum hostel for severely mentally handicapped persons ("DAC cum HSMH") and supported hostel for mentally handicapped persons ("SHOS") in Cheung Sha Wan Estate, Sham Shui Po ("the proposed project").

Provision of residential care places for persons with disabilities

38. Mr TAM Yiu-chung said that in view of the acute shortage of residential care homes for persons with disabilities ("RCHDs"), the Administration should expedite the process of identifying suitable sites for constructing RCHDs. Noting with concern that some private RCHDs did not meet the requirements under the Bought Place Scheme ("BPS") for Private RCHDs, he enquired about the steps the Administration would take to help these private RCHDs to meet the required standards, thereby increasing the supply of subsidized residential care places for persons with disabilities ("RCD places").

39. C for R responded that in addition to the proposed project, premises had been reserved for the provision of RCD places in other projects. Apart from the additional 896 HSMH places which would be provided by 2017-2018, another 607 additional HSMH places would be provided through redevelopment or expansion on the sites owned by NGOs, particularly those under the Special Scheme on Privately Owned Sites for Welfare Uses ("the Special Scheme"). The Administration would continue to actively identify suitable sites for setting up RCHDs.

40. As regards BPS, C for R said that as at end-March 2014, the Administration had purchased a total of 302 residential care places from six private RCHDs. The cap of subsidized places in each RCHD under BPS would be raised from 55% to 70% and the target number of places would be increased from 300 to 450 in 2014-2015. The Administration was reviewing the operation of BPS and the subvention level for bought places having regard to the market situation. The Administration would continue to subsidize private RCHDs under Financial Assistance Scheme to undertake improvement works so as to meet the licensing requirements and standards. While subsidized residential care places would continue to be the core of RCHD development in the long run, the Administration hoped that private RCHDs would provide more quality places.

41. In response to Mr POON Siu-ping's enquiry about other facilities to be provided in the newly constructed purpose-built ancillary facilities block under the proposed project, C for R said that the facilities to be provided in

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the ancillary facilities block included a district support centre for persons with disabilities, a residential care home for the elderly ("RCHE") and facilities for other rehabilitation services.

Setting target waiting time for RCHDs

42. Expressing grave concern about the exceedingly long waiting time for HSMH (105.6 months on average), Mr TAM Yiu-chung urged the Administration to assist private RCHDs to enhance their service quality, thereby reducing the waiting time for RCD places.

43. Sharing a similar concern, Mr POON Siu-ping asked whether the Administration would set a target waiting time for RCD places, say, to not more than three years. Mr Frederick FUNG strongly urged the Administration to make a pledge for reducing the waiting time for RCD places. Mr LEUNG Yiu-chung said that a pledge would facilitate better planning for the provision of the services and service performance assessment. He called on the Administration to provide a service pledge.

44. C for R responded that it would be difficult to set such a target as the waiting time would be affected by various factors, such as the location preference of individual waitlistees, the slow turnover of RCD places due to ageing of persons with disabilities, particularly the ageing of persons with intellectual disabilities. The Administration considered it necessary to review the mode of services having regard to ageing of persons with disabilities. To this end, the Rehabilitation Advisory Committee had set up a Working Group on Ageing of Persons with Intellectual Disabilities to examine in detail the service needs having regard to ageing persons with intellectual disabilities as well as the provision and the mode of the related services. A survey on the service users' profiles was being conducted to collect data for studying the supply of and demand for the services. The Administration would continue to bid for vacant premises in government buildings and vacant school premises and actively identify vacant public rental housing ("PRH") units for the provision of rehabilitation services. The Administration would also enhance community care services, which would help alleviate the demand for residential care services.

45. Noting that there were 2 200 persons with disabilities waiting for HSMHs but only 50 such places would be provided under the proposed project, Dr Fernando CHEUNG said that the Administration failed to meet the basic needs for such services. Pointing out that many waitlistees had been waited for 15 years before they were admitted to HSMHs, and given the well-developed economy of Hong Kong, he was of the view that such a

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long waiting time was totally unacceptable. The Government should seriously reflect on itself.

46. Declaring that his daughter was a user of a DAC, Dr Fernando CHEUNG said that many parents did not wish to send their children to HSMHs if they had other options. Nevertheless, the persons with disabilities who did not require residential care services had to wait for DAC cum HSMH places as most DACs were attached to HSMHs, thus prolonging the waiting time for DAC places. To reduce the waiting time and accommodate the needs of some 400 waitlistees, Dr CHEUNG and the Deputy Chairman took the view that the Administration should consider delinking DACs from HSMHs.

47. Dr Fernando CHEUNG further said that there was no need for SHOS to be set up on standalone premises. Having regard to the growing demand for SHOS, the Administration should consider making use of vacant flats in PRH for SHOS.

48. C for R responded that the Administration recognized that many parents of children with intellectual disabilities would prefer their children to live in the community. To facilitate persons with disabilities to live in the community, the Administration had enhanced community support services for persons with disabilities in the past few years. Apart from regularizing the home care services for persons with severe disabilities and the Community Care Fund programmes to provide subsidy for persons with severe physical disabilities for renting respiratory support medical equipment and purchasing medical consumables related to respiratory support medical equipment, the Administration had strengthened the services of District Support Centres and introduced a case management approach to support persons with disabilities to continue living in the community. It was anticipated that 1 036 additional DAC places would be provided in 2017-2018 and another 1 201 additional DAC places would be provided under the Special Scheme. The Administration would continue to explore different modes for providing DAC places.

Manpower resources for the care sector

49. Expressing concern about the inadequate manpower resources for HSMHs, Mr LEUNG Che-cheung sought information on the training programmes for the welfare sector. C for R responded that to alleviate the shortage of allied health professionals in the welfare sector, the Administration had allocated funds for increasing the training places for nurses and allied health professionals (including physiotherapists,

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occupational therapists etc.). Through the support of the University Grants Committee, the student intakes of Bachelor of Science (Hons) Occupational Therapy and Bachelor of Science (Hons) Physiotherapy programmes had been increased by 44 places (i.e. from 46 to 90 places) and 40 places (i.e. from 70 to 110 places) per cohort in the 2012-2015 triennium. The two-year Master programmes in Occupational Therapy and Physiotherapy offered by The Hong Kong Polytechnic University in January 2012 had provided a total of about 60 training places (about 30 for each programme). The programmes would continue in 2014.

50. As regards training for nurses, C for R said that the trainees of the Enrolled Nurse Training Programme for the Welfare Sector, which was fully subsidized by the Government, were required to sign an undertaking to work in the welfare sector for two consecutive years upon graduation. Under the "first-hire-then-train" pilot scheme, young people were recruited to provide care services at RCHEs and were provided with subsidies to pursue a two-year part-time programme offered by the Open University. The Administration would expand the pilot scheme to cover rehabilitation services and provide an additional 1 000 places in the coming few years.

Consultation with PRH residents

51. Mr Frederick FUNG expressed dissatisfaction that the Administration had not consulted the residents of Cheung Sha Wan Estate on the proposed project. Mr LEUNG Yiu-chung said that to avoid unnecessary hassles, the Housing Department ("HD") should notify the PRH applicants concerned at the time of flat allocation if RCHD would be set up in a PRH estate. He asked how the Administration would deal with the objections of residents of Cheung Sha Wan Estate to the proposed DAC cum HSMH and SHOS, if any.

52. Assistant Director of Social Welfare (Rehabilitation & Medical Social Services) ("ADSW(R&MSS)") responded that the Transport and Housing Affairs Committee of the Sham Shui Po District Council had been consulted on the public housing development, including the provision of the proposed DAC cum HSMH and SHOS in June 2008. The proposed project was supported by members of the Committee.

Planning for and policies on provision of residential care services

53. Mr Frederick FUNG and the Deputy Chairman said that the Administration should draw up plans for the provision of welfare facilities, particularly for residential care services. To alleviate the shortfall of

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residential care services, the Administration should consider allocating a certain percentage of the total floor area of new PRH projects to RCHEs and/or RCHDs. Sharing a similar view, Mr LEUNG Che-cheung said that the provision of RCD places in Home Ownership Scheme flats should also be considered. Mr Frederick FUNG said that the provision of RCHEs and RCHDs should be included as a condition in the sale of land. The Deputy Chairman took the view that to increase the supply of HSMH places, the Administration should consider introducing BPS for private HSMHs.

54. In response to Dr Fernando CHEUNG and the Deputy Chairman's proposal that the Administration should consider delinking DACs from HSMHs, ADSW(R&MSS) explained that among the applicants waitlisting for DAC service, only 408 indicated that they would accept standalone DAC, whereas 805 would only accept HSMH cum DAC places. Therefore, there was a need to continue to provide DAC cum Hostel together with standalone places to meet the service demand. In the coming five years, an additional 1 036 DAC places and 896 HSMH cum DAC places would be provided. Chief Executive Officer (Subventions/Planning) supplemented that SWD had maintained close liaison with the Planning Department, the Lands Department and HD in drawing up provision plans for RCD places. Provision of welfare facilities would be considered under both private and public housing development projects, as well as urban renewal projects. The number and types of welfare facilities to be provided under these projects would be determined by various factors including the service provision, the parameters governing the development of the sites concerned, the needs for welfare services, etc. SWD would make its best efforts to bid for as much floor area as possible for welfare facilities in these projects.

55. The Chairman and Mr LEUNG Yiu-chung said that the Administration should formulate policies on the provision of RCHEs and/or RCHDs in new PRH projects. C for R responded that the Administration would give some thoughts to members' suggestion.

56. The Chairman said that the Panel would follow up matters relating to policies on providing RCHEs and/or RCHDs in new PRH projects in the next session.

57. In response to the Chairman's invitation of views, members present supported in principle the submission of the funding proposal to FC for consideration.

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VI. Rehousing matters relating to residential care home for the elderly (including the privately-run RCHEs at Dills Corner Garden) affected by the North East New Territories New Development Areas Project

[LC Paper Nos. CB(2) 905/13-14, CB(2)1255/13-14(09), CB(2)1321/13-14(01), CB(2)1430/13-14(08) and CB(2)1520/13-14(01)]

58. At the invitation of the Chairman, Secretary for Labour and Welfare ("SLW") briefed members on the information and latest development on the existing private RCHEs at the Dills Corner Garden ("DCG") and the elderly residents living therein ("the elderly residents"), in the context of implementing the Kwu Tung North ("KTN") New Development Area ("NDA") in 2018. Deputy Secretary for Development (Planning & Lands)¹ ("DS/DEV(P&L)1") added that the clearance of DCG for KTN NDA was proposed to be carried out in 2018 (the first phase) and 2023 at the latest (the second phase), including the exploration of constructing a purpose-built complex of contract homes ("the new contract homes") with 1 100 places for the elderly residents at a possible site within KTN NDA in the vicinity of DCG.

Presentation of views by deputations

59. The Chairman invited deputations to express their views. Ms Helen CHAN Suk-hing from Comfort Elderly Home, Mr TSANG Kim-kong from Faith Home for the Aged and Mr LI Ming-hui from Everbright Home for the Elderly presented their views as detailed in the submissions from 石仔嶺安老服務聯會 (LC Paper Nos. CB(2)1321/13-14(01) and CB(2)1520/13-14(01)).

60. Mr LAU Tak-kuen urged the Administration to accede to the wish of the nearly 1 000 elderly residents and their family members to retain the RCHEs at DCG to ease their worries.

61. Mr LEUNG Pak-yau demanded for "no removal and no demolition" of the RCHEs at DCG so that he would not become homeless and could have a stable life.

62. Mr WAN Hon-keung urged the Administration to preserve the RCHEs at DCG to allow him to spend his twilight years peacefully there.

The Administration's response to deputations' views

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(To allow sufficient time for discussion, the Chairman extended the meeting for 15 minutes beyond the appointed ending time .)

63. Responding to deputations' major views, SLW said that to allow first population intake for KTN NDA, keeping the DCG site intact was not an option. The Development Bureau ("DEVB"), the Labour and Welfare Bureau ("LWB") and relevant government departments had endeavoured to explore the best possible measures to assist the elderly residents. An inter-departmental working group would be set up to maintain close contact with all operators of the RCHEs at DCG in an attempt to enabling a seamless transition of eligible elderly residents from the existing RCHEs at DCG to the new contract homes.

64. SLW stressed that the well-being of the elderly residents was the Administration's primary concern. There were 958 residents living in 16 RCHEs operated by 11 operators in 21 blocks at DCG. According to the latest estimate, 11 blocks would be demolished during the first phase clearance. Of these, eight blocks were occupied by RCHEs involving no more than 300 elderly residents. The remaining RCHEs on the part of the site which was subject to development by 2023 could stayput until the second phase clearance. Furthermore, the Administration would make its best effort to reduce the number of elderly residents affected and minimize the impact on the stakeholders.

65. SLW further said that the Government would make every effort to help each and every of the elderly residents to find alternative accommodation as appropriate when the RCHEs at DCG were cleared in 2018. For eligible elderly residents affected by the second phase clearance, they might choose to move directly from the existing RCHEs at DCG to the new contract homes if they had passed the care needs test under the Standardised Care Needs Assessment Mechanism for Elderly Services ("SCNAMES") before service commencement of the new contract homes in 2023. For those elderly residents who had not passed the care needs test or had not been assessed under SCNAMES by the time of service commencement of the new contract homes, SWD would offer them assistance in finding alternative placements in other private RCHEs.

66. Regarding the concern that there might be elderly residents not able to afford the places in the future contract homes, SLW clarified that eligible elderly residents at DCG would be offered subsidized places at the proposed new contract homes. Affordability should not be an issue.

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67. DS/DEV(P&L)1 supplemented that, with the interest of the elderly residents in mind, the Administration had made special arrangements under the development programme, i.e. considering decanting and demolishing the RCHEs at DCG in two phases and exploring the construction of a purpose-built complex of contract homes. The Administration aimed to reduce the number of RCHE blocks to be demolished in the first phase clearance to minimize the number of affected elderly residents as far as practicable. It was estimated that no more than eight existing RCHE blocks at DCG would be affected in the second phase clearance. To further reduce the number of affected elderly residents, the Administration would actively explore retaining more existing RCHE blocks at DCG, subject to the outcome of the consultancy study of the detailed design of the advance works of the KTN NDA development programme. The Administration was also studying the feasibility of vacating and converting a government block at DCG to RCHE to accommodate more elderly residents.

Clearance of DCG for KTN NDA

68. Mr Albert HO said that Members had a lot of discussions and diverse views about the North East New Territories ("NENT") NDA project. The fundamental concern of some Members was the development scale of NENT NDAs. These Members objected to the proposed large development scale and suggested other development options, e.g. redeveloping NENT NDAs in a smaller scale. To avoid setting the scene for the NENT NDAs project, he took the view that the discussion of KTN NDA development programme should not commence until this fundamental concern was resolved. He stated his objection to the land resumption by the Government arising from the NENT NDAs project and supported "no removal and no demolition" of the RCHEs at DCG.

69. Pointing out that the NENT NDA project had not been endorsed by the Public Works Subcommittee ("PWSC") and a conclusion had yet to be made regarding the way forward for the NENT NDAs project, Dr Helena WONG took the view that the Panel should shelve the discussion of clearance of the RCHEs at DCG. She said that the elderly residents had built a closely-knitted community in DCG and regarded the RCHEs there their homes. The Administration should not focus only on commercial opportunities brought about by the NENT NDA project but should give due regard to these values when drawing up the development plans.

70. SLW responded that the Administration respected the values treasured by the elderly residents. The Administration would strive to

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mitigate the impact on the elderly residents, the operators and staff of the RCHEs at DCG by retaining as many existing RCHE blocks as practicable in the first phase clearance.

71. Pointing out that the funding proposal for the advance site formation and engineering infrastructure works at the NENT NDAs had not yet been approved by FC and wide public consultations had not been conducted for the proposed uses (e.g. mixed use, the business and technology park) at DCG, Dr KWOK Ka-ki said that the Administration should not draw up any clearance plans for DCG at this stage.

72. Mr Gary FAN said that he had all along objected to any form of development for NENT NDAs. The NENT NDA project was controversial and had a profound implication. In the motion passed by the Panel on Development at its meeting on 25 February 2014, which demanded the Government to retain or relocate the RCHEs at DCG, the retention demand was based on his carried amendment to the motion. Pointing out that some elderly persons had passed away after moving out from Choi Yuen Tsuen as they could not adapt to the new environment, the Administration should learn its lesson and call off the clearance of DCG for KTN NDA.

73. Mr Gary FAN opined that the Administration had breached procedural justice as the KTN NDA and Fanling North ("FLN") NDA projects were still being examined by the Town Planning Board and PWSC had not yet completed the relevant discussion. Pointing out that the Administration had received 50 000 submissions in the second stage of public engagement under the planning and engineering study, with only seven submissions supporting the NENT NDAs project, he strongly urged the Administration to withdraw the development programme. He questioned why the Administration insisted on proceeding with the development programme without considering the views and concerns of the public, or other options such as resumption of the Fanling Golf Course site for housing development.

74. Mr LEUNG Yiu-chung said that as the study on the NENT NDA project was still in progress, the Administration should not pre-empt the study results and propose to clear the RCHEs at DCG. He asked whether the Administration had decided to clear the RCHEs at DCG and, if so, the reasons for carrying out the study. In his view, the retention of the RCHEs at DCG should be the pre-requisite of the study. He sought information on the content of the study.

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(The Deputy Chairman took the chair at this juncture in the temporary absence of the Chairman.)

75. DS/DEV(P&L)1 responded that the KTN and FLN NDAs were part of the planning and engineering study on NENT NDAs. Having gone through three stages of public engagement under the planning and engineering study for the NENT NDA between 2008 and 2012, the Administration had gazetted the draft KTN Outline Zoning Plan ("OZP") and the relevant town planning was underway in accordance with the prescribed procedures. In seeking PWSC's endorsement and FC's approval of the funding for detailed design and site investigation for the advance site formation and engineering infrastructure works of the two NDAs, the Administration had explained to members that flexibilities should be allowed for future changes to OZP according to town planning procedures. As the two NDAs would provide a total of about 60 000 new flats including about 30 000 subsidized housing units, the housing supply would be greatly affected if the project were to be re-planned. The Administration had carried out the necessary steps including liaising with the affected parties with a view to making the most suitable arrangements for them.

76. Mr TAM Yiu-chung considered it appropriate for the Administration to brief members early on the latest proposed arrangements for the elderly residents. In his view, the NENT NDA project was important in that it would provide land resources and relieve the waitlisting situation for public housing. He hoped that the Administration would strive to balance the needs of all parties concerned.

Rehousing arrangements for the elderly residents

77. Dr KWOK Ka-ki said that it was a waste of public money to clear the RCHEs at DCG on the one hand and construct a purpose-built complex of contract homes at DCG on the other. The Administration should commit to retaining the RCHEs at DCG and ensure that all the elderly residents could stay there in the run-up to 2023. He considered that the future design of RCHEs in rural areas should model on that of the RCHEs at DCG to provide a spacious living environment for elderly persons. SLW responded that the new contract homes would not be located at the site of the existing RCHEs at DCG, but in the vicinity of DCG.

78. Mr Frederick FUNG said that in-situ accommodation should be arranged for the affected elderly residents. In case it was not possible, they should be accommodated at RCHEs which were with the same

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pleasant environment and average living space per person as the RCHEs at DCG.

79. Mr CHAN Han-pan said that given the carried motion mentioned in paragraph 72 above, DEVB and LWB should discuss feasible options with the operators of the RCHEs at DCG. While understanding the need for development, he hoped that the Administration would also take into account the needs of the elderly residents and the RCHE operators concerned. The Administration should re-provide the existing RCHEs at other sites in the two NDAs as far as practicable.

80. Mr CHAN Han-pan and Mr Frankie YICK called on the Administration to critically consider advancing the construction of the new contract homes and at the same time deferring the first phase clearance, so that all the elderly residents could move to the new contract homes direct without the need to move to other RCHEs between 2018 and 2023.

81. SLW reiterated that the Administration would endeavour to balance the need for development and the interest of the elderly residents. The Administration would make its best effort to reduce the number of RCHE blocks to be demolished in the first phase clearance and expedite the construction project of the new contract homes building.

82. Dr Fernando CHEUNG said that the Administration's latest proposal regarding the clearance of DCG was in an attempt to secure the support of members belonging to the Hong Kong Federation of Trade Unions for the NENT NDA project. The Administration was totally oblivious to the well-being of the elderly residents, the livelihood of the operators of RCHEs at DCG and their staff. He was gravely concerned about the arrangements for the elderly residents who had not been assessed under SCNAMES by the first phase clearance in 2018.

(The Chairman took the chair at this juncture.)

83. Mr TANG Ka-piu and Mr POON Siu-ping expressed concern about the rehousing arrangements for the elderly residents affected by the first phase clearance and the elderly residents who had not been assessed or did not pass the care needs test under SCNAMES. SLW responded that the Administration was considering converting the non-RCHE blocks at DCG into RCHEs in the interim for accommodating elderly residents affected by the first phase clearance. There were also about 200 vacant private RCHE places in North District. The elderly residents who had not been assessed under SCNAMES could consider these places. In addition, the operators

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of the RCHEs at DCG might arrange the affected elderly residents to be admitted to their other RCHEs, subject to the residents' wishes.

84. Pointing out that there was inadequate supply of RCHEs in North District, Mr TANG Ka-piu sought information on the rehousing arrangement for the 551 residents who had not been assessed under SCNAMES. SLW responded that if the 551 elderly residents wished to apply for assessment by SCNAMES, SWD stood ready to assist in arranging for such assessments.

85. Mr POON Siu-ping asked whether the Administration could assure the elderly residents that they did not need to move out from the existing RCHEs in case the new contract homes could not commence service in 2023 as scheduled. SLW responded that it was the Administration's target to have the new contract homes commenced service by 2023 to enable a smooth transition.

86. The Deputy Chairman asked whether the Administration should consider the suggestion of 石仔嶺安老服務聯會 to construct more temporary RCHEs at DCG if the non-RCHE blocks to be converted into RCHEs could not accommodate all the elderly residents affected by the first phase clearance. Noting with concern that the existing operators of the RCHEs at DCG would be required to participate in the open tendering exercise and bid for the operation of the new contract homes, he urged the Administration to put in place a special mechanism to accommodate these operators, their employees and the elderly residents en bloc at the proposed new contract homes.

87. SLW responded that DEVB had explored the suggestion of constructing more RCHEs at DCG but considered it difficult. He, however, explained that vacant places were available in those RCHEs at DCG which were not affected by the first phase clearance. And, as there were about 110 DCG elderly residents on the Central Waiting List for subsidised residential care places, some of them might have been offered subsidised places before 2018 and more vacant places could be made available for housing elderly residents affected by the first phase clearance. The Administration would closely work with RCHEs in DCG to facilitate the elderly residents affected by the first phase clearance as far as practicable.

88. The Chairman, Mr CHAN Han-pan, Mr TAM Yiu-chung and Mr Frankie YICK said that the Administration had taken into account the views and concerns of the stakeholders in making improvement to assisting

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residents at the private RCHEs in DCG in its latest proposal. Nevertheless, the Chairman considered it unacceptable that some 300 elderly residents had to move to other RCHEs before the new contract homes came into operation. The principle of local rehousing adopted in other public housing redevelopment projects should also apply to the elderly residents. The Administration should accede to the elderly residents' request for the provision of a garden in the new contract homes.

89. Dr Fernando CHEUNG asked whether the operators had any difficulties in admitting the nearly 300 elderly residents to other RCHEs operated by them. Ms Helen CHAN Suk-hing from Comfort Elderly Home responded that it was not possible for them to receive all these elderly residents. The wish of the elderly residents should be the major consideration as they might not want to reside in other RCHEs.

90. The Chairman reiterated her concern about the rehousing arrangement for the elderly residents between 2018 and 2023 and the impact on the existing operators. SLW responded that selecting suitable operators through invitation of tenders would facilitate service quality enhancement of RCHEs. The Administration would maintain close dialogue with the operators with a view to achieving seamless transition. The Administration was optimistic that many concerns could be addressed through sincere communication with the operators concerned.

Assistance for the existing operators of the RCHEs at DCG

91. Given that medical social workers and social workers of family service centres would cease to refer elderly persons to RCHEs at DCG because of the clearance project, Dr Fernando CHEUNG said that the operators' business would be seriously affected. Pointing out that the elderly residents had developed a close rapport with the operators of the RCHEs at DCG and the Administration had endorsed the good performance of the operators, Mr Frederick FUNG and Mr Albert HO took the view that the operators should be allowed to continue to operate in the new contract homes.

92. While recognizing the efforts of the operators of the RCHEs at DCG in making DCG an elderly village, SLW said that the KTN NDA development programme was necessary for the economic and housing development of Hong Kong.

93. Mr TAM Yiu-chung said that DCG was a former military camp and was not meant for operating RCHEs. The designs of the buildings there

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were not ideal for RCHE operation. He considered that new residential care homes with the latest design and standard would be more suitable for meeting the care needs of the elderly persons. The Administration should take into account the experience of the operators and their close relationship with the elderly residents in selecting operators for the new contract homes.

94. Given the competency and long service of the existing operators, Mr TANG Ka-piu and Mr LEUNG Kwok-hung said that they should be exempted from the open tendering exercise. The Administration should make special arrangements and allow them to operate in the new contract homes.

Motion

95. Dr Fernando CHEUNG moved the following motion -

"石仔嶺花園經過17年的經營，已成為近千位長者安老的老人村，因其環境優美，適合長者安居；本事務委員會認為石仔嶺花園各安老院舍應予保留，在新界東北新發展區計劃中以"不遷不拆"的原則重新規劃，讓長者能安心頤養天年。"

(Translation)

"That after 17 years of operation, Dills Corner Garden, with its beautiful environment being fit for accommodation of elderly people, has become an elderly village for almost one thousand elderly people; this Panel considers that the residential care homes for the elderly at Dills Corner Garden should be preserved and re-planned on the principle of "no removal and no demolition" under the North East New Territories New Development Areas Project, so that the elderly people can enjoy a peaceful life in their twilight years."

96. Mr TAM Yiu-chung took the view that the Administration might not be able to preserve and re-plan the RCHEs at DCG on the principle of "no removal and no demolition". As such, he did not support the motion. It was important that there would be a smooth transition and the elderly residents would receive better service after moving into the new contract homes. He called on the Administration to work towards achieving these objectives.

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97. The Chairman put the motion to vote. Mr Ronny TONG claimed a division. Of the 13 members present, eight voted for, two voted against and two abstained from voting on the motion. Dr LEUNG Ka-lau was present but did not vote. The Chairman declared that the motion was carried. The voting results of the individual members were as follows:

For:

Mr CHEUNG Kwok-che
Mr Albert HO
Mr LEUNG Yiu-chung
Mr Ronny TONG
Mr LEUNG Kwok-hung
Mr Gary FAN
Dr Fernando CHEUNG
Dr Helena WONG
(8 members)

Against:

Mr TAM Yiu-chung
Mr Frankie YICK
(2 members)

Abstain:

Miss CHAN Yuen-han
Mr TANG Ka-piu
(2 members)

VII. Any other business

98. There being no other business, the meeting ended at 1:11 pm.