

立法會
Legislative Council

LC Paper No. CB(4)1374/14-15
(These minutes have been seen
by the Administration)

Ref : CB4/PL/PS

Panel on Public Service

**Minutes of meeting held on
Monday, 22 June 2015, at 8:30 am
in Conference Room 3 of the Legislative Council Complex**

- Members present** : Hon POON Siu-ping, BBS, MH (Chairman)
Hon KWOK Wai-keung (Deputy Chairman)
Hon LEE Cheuk-yan
Hon TAM Yiu-chung, GBS, JP
Dr Hon LEUNG Ka-lau
Hon LEUNG Kwok-hung
Hon LEUNG Che-cheung, BBS, MH, JP
Hon SIN Chung-kai, SBS, JP
Hon IP Kin-yuen
Hon Martin LIAO Cheung-kong, SBS, JP
Hon TANG Ka-piu, JP
Hon Tony TSE Wai-chuen, BBS
- Member attending** : Hon WONG Kwok-hing, BBS, MH
- Members absent** : Hon Emily LAU Wai-hing, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Claudia MO

Public officers attending

: Item III

Mr Paul TANG, JP
Secretary for the Civil Service

Mr Raymond H C WONG, JP
Permanent Secretary for the Civil Service

Ms May CHAN, JP
Deputy Secretary for the Civil Service 2

Miss Winnie CHUI
Principal Assistant Secretary (Pay & Leave)

Item IV

Mr Paul TANG, JP
Secretary for the Civil Service

Mr Raymond H C WONG, JP
Permanent Secretary for the Civil Service

Mr Eddie MAK, JP
Deputy Secretary for the Civil Service 1

Clerk in attendance : Miss Mary SO
Chief Council Secretary (4)2

Staff in attendance : Ms Rebecca LEE
Council Secretary (4)2

Miss Vivian YUEN
Legislative Assistant (4)2

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

Members noted that no information paper was issued since the last meeting.

II. Items for discussion at the next meeting

LC Paper No. CB(4)1169/14-15(01) -- List of outstanding items for discussion

LC Paper No. CB(4)1169/14-15(02) -- List of follow-up actions

2. Members agreed to discuss the following items at the next regular meeting scheduled for Monday, 20 July 2015 at 10:45 am:

(a) Re-grading of the post of Director of Protocol to a post of Senior Principal Executive Officer in the Protocol Division of the Administration Wing of the Chief Secretary for Administration's Office; and

(b) Employment of ethnic minorities in the civil service.

III. 2015-2016 Civil Service Pay Adjustment

File Ref.: CSBCR/PG/4-085-001/75 -- Legislative Council ("LegCo") Brief on "2015-16 Civil Service Pay Adjustment" issued by the Civil Service Bureau on 9 June 2015

File Ref.: CSBCR/PG/4-085-001/75 -- LegCo Brief on "2015-16 Civil Service Pay Adjustment" issued by the Civil Service Bureau on 16 June 2015

LC Paper No. CB(4)1169/14-15(03) -- Updated background brief on the "2015-2016 Civil Service Pay Adjustment" prepared by LegCo Secretariat

Briefing by the Administration

3. At the invitation of the Chairman, Secretary for the Civil Service ("SCS") briefed members on the decision of the Chief Executive-in-Council ("CE-in-Council") on 16 June 2015 that, with retrospective effect from 1 April 2015, civil service pay for 2015-2016 should be adjusted in accordance with the following pay offers made to the staff sides of the four central consultative councils:

- (a) pay increase of 3.96% (equal to the net pay trend indicator ("PTI") for the upper salary band plus 0.5%) for civil servants in the upper salary band and the directorate;
- (b) a pay increase of 4.62% (equal to the net PTI for the middle salary band plus 0.5%) for civil servants in the middle salary band; and
- (c) a pay increase of 4.62% (equal to the recommended rate of pay adjustment for the middle salary band) for civil servants in the lower salary band.

4. SCS said that the decision of the CE-in-Council was made in accordance with the established mechanism having regard to the six relevant factors, namely, the net PTIs, the state of Hong Kong economy, changes in the cost of living, the Government's fiscal position, pay claims of the staff sides and civil service morale. Details of the above decision of the CE-in-Council were set out in the relevant LegCo Briefs.

5. SCS further said that:

- (a) although this year's rates of pay adjustment were not the same as the net PTIs, the decision was made in conformity with the established civil service pay adjustment mechanism. In fact, there was no requirement under the established mechanism that the rates of pay adjustment must be the same as the respective net PTIs despite the fact that the net PTI was an important factor as it reflected the year-on-year pay change in the private sector. That was why the civil service pay adjustment rates were usually the same as the net PTIs. That said, there were past occasions where the CE-in-Council had, after considering all relevant factors, decided not to adjust the civil service pay in accordance with the respective net PTIs;
- (b) the Government did not consider it necessary to give a "weighting"

to the six relevant factors under the established mechanism as some had suggested. The annual pay adjustment decision was made by the CE-in-Council after comprehensive consideration of all six relevant factors. The pay adjustment decision was a judgment made by the CE-in-Council rather than a calculation based on mathematical formula. There was thus no need to give any specific "weighting" to the six relevant factors. In fact, it was also impossible to do so as some of the factors, such as the factor of staff morale, were not quantifiable;

- (c) this year's pay adjustment decision should not be a cause for concern and would not set any precedent in future. The decision was a one-off arrangement having regard to this year's situation. It would not be binding on future annual pay adjustments, which would be considered independently; and
- (d) the 2015 Pay Trend Survey ("PTS") was conducted in compliance with the methodology agreed by the PTS Committee (which comprised representatives of the staff sides, the Administration as well as two independent advisory bodies on civil service salaries and conditions of service) and its findings were accurate.

6. SCS concluded that this year's pay adjustment decision was in line with the civil service pay policy objective of maintaining broad comparability between civil service and private sector pay. Subject to members' views, the Government planned to seek the approval of the Finance Committee ("FC") of LegCo for the proposed pay adjustments as soon as practicable.

Discussion

Justifications for the 2015-2016 civil service pay adjustment

7. Mr LEE Cheuk-yan noted that the decision of the CE-in-Council to add an extra 0.5% on top of the net PTIs for the pay rise of all civil servants this year was a one-off arrangement having regard to this year's situation. Mr LEE asked what such situation was.

8. SCS responded that the CE-in-Council had comprehensively considered all six relevant factors in deciding this year's pay adjustment. It was noted that the net PTIs for all three salary bands were lower than the Composite Consumer Price Index ("CCPI") inflation rate for the 12-month period ended 31 March 2015, and this was rare in the past. On the factor of civil service morale, it was noted that the civil service had been facing increasing challenges and pressure.

The CE-in-Council had also taken into account the financial implications arising from the proposed pay adjustment which would be recurrent in nature.

9. Mr LEE Cheuk-yan queried whether providing an extra 0.5% on top of the net PTIs as the pay rise for civil servants in 2015-2016 was a political decision to reward civil servants for the additional workload and pressure they had to face due to the constitutional development proposal launched by the Government last year, as the CE-in-Council had on most occasions in the past only followed the net PTIs in adjusting civil service pay annually. Mr LEE said that if one of the reasons for providing an extra 0.5% on top of the net PTIs as the pay rise of civil servants in 2015-2016 was that the net PTIs covering the 12-month period from 2 April 2014 to 1 April 2015 were lower than the CCPI inflation rate for the 12-month period ended March 2015, the CE-in-Council should in future top up the pay increases of civil servants to the CCPI inflation rate if the net PTIs in the upper, middle and lower salary bands were below the CCPI inflation rate during the survey period of the PTS.

10. SCS reiterated that as in the past, the CE-in-Council had thoroughly considered all the six relevant factors under the established mechanism in deciding pay adjustment for 2015-2016. He added that the annual civil service pay adjustment did not aim at tracking inflation. In any case, it was inappropriate to link the rates of annual civil service pay adjustment to any specific indices.

11. Mr LEE Cheuk-yan remarked that if adding an extra 0.5% to the pay rise for civil servants in 2015-2016 was not a political decision, the Administration should increase the manpower of the civil service to alleviate the increasing workloads and pressure faced by civil servants. Mr LEUNG Kwok-hung expressed similar view.

12. Mr Martin LIAO enquired about the basis for the CE-in-Council to set the extra pay rise on top of the net PTIs for all civil servants at 0.5%. Mr IP Kin-yuen raised a similar question. SCS replied that the decision was an overall judgment of the CE-in-Council after comprehensive consideration of all six relevant factors. It was impossible to account for the weighting of each of the factors and to specify which factor was the dominating factor, etc.

13. Mr LEUNG Che-cheung said that the Democratic Alliance for the Betterment and Progress of Hong Kong supported the proposed 2015-2016 civil service pay adjustment. Mr LEUNG however expressed concern that the Government might put itself in a passive position in adjusting future civil service pay if it deviated from the existing civil service pay adjustment mechanism by adding an extra 0.5% to this year's pay rise for all civil servants.

14. SCS responded that there was no cause for such concern. Although it was more usual in the past that annual pay adjustment for civil servants followed the net PTIs, there were six prior occasions where civil service pay adjustments did not follow the net PTIs under different circumstances, such as when the inflation rates were high (at double-digit level) or when the net PTIs were negative. SCS reiterated that each pay adjustment exercise was a separate and independent exercise and each decision was made on the basis of the considerations pertinent to the prevailing circumstances. This year's decision would not be binding on future pay adjustment exercises.

15. Mr Tony TSE declared that he was a member of the Standing Commission on Civil Service Salaries and Conditions of Services ("the Standing Commission"), albeit he did not represent the Standing Commission to sit on the PTS Committee. Mr TSE expressed support for the proposed 2015-2016 civil service pay adjustment and hoped that the funding proposal for the pay adjustment could be approved by FC without undue delay. Mr TSE further said that whilst he did not object to the arrangement of aligning the pay adjustment for civil servants in the lower salary band to the net PTI for the middle salary band if the latter was higher than the net PTI for the lower salary band (below Master Pay Scale ("MPS") 10 or equivalent), he was concerned that the salaries of civil servants in the lower salary band would become higher than the salaries of their counterparts in the private sector as a result of such "bring-up" arrangement.

16. SCS responded that to ascertain whether the level of civil service pay remained broadly comparable with that of the private sector pay, a Pay Level Survey ("PLS") was conducted every six years. The last PLS was conducted in 2013 by the Standing Commission. Findings of the 2013 PLS revealed that the civil service pay indicator for Job Level 1 (i.e. civilian staff in MPS 0-10 and Model Scale 1 Pay Scale 0-13) was lower than the private sector pay indicator by 2%, which suggested that their pay remained broadly comparable with that of the counterparts in the private sector.

17. Mr WONG Kwok-hing expressed support for the additional 0.5% pay rise on top of the net PTIs. Mr WONG however urged the Government to track the Consumer Price Index (A) ("CPI(A)"), instead of the net PTIs, in making its decision in adjusting civil service pay annually so as to better maintain the purchasing power of civil servants.

18. SCS responded that civil service pay adjustment did not aim at tracking inflation although changes in the cost of living was one of the considerations. While the findings of other market pay surveys was not one of the relevant factors under the established mechanism, it was noted that pay rise in the private sector in 2015 as indicated by these surveys generally ranged from 4.2% to 4.8%, which was comparable to the proposed civil service pay adjustment rates ranging from

3.96% to 4.62%. In fact, the cumulative pay rise of the three salary bands since 1997 (46.2%, 51.3% and 51.2% for the upper, middle and lower salary bands respectively) was higher than the cumulative CCPI and the CPI(A) inflation rates of the same period. SCS reiterated that it was inappropriate to link the civil service pay adjustment to specific inflation figures. He added that the CPI(A) was not a good reference in considering the factor of changes in cost of living as it only covered some 50% of households in the relatively low expenditure ranges. The Administration considered that the CCPI, which covered some 90% of the household sector as a whole, should be a better reference. In any case, the CE-in-Council would consider all inflation figures before an annual pay adjustment decision was made.

19. Mr SIN Chung-kai said that the Government should adjust civil service pay in accordance with the net PTIs, so as to maintain that civil service pay was broadly comparable with private sector pay. Should the Government continue to deviate from the established mechanism of adjusting civil service pay in accordance with the net PTIs, the Government should reduce civil service pay if the net PTIs exceeded the CCPI inflation rate.

20. SCS clarified that pay adjustment decision was not to track inflation, albeit changes in the cost of living was taken into consideration by the CE-in-Council. Although an extra 0.5% was added to the net PTIs in the pay rise of civil servants this year, the overall rates of pay increases of civil servants in the upper, middle and lower salary bands were still broadly comparable with those of the private sector as revealed by other pay surveys. SCS added that under the existing mechanism, civil service pay could be adjusted upward or downward. There were occasions in the past whereby civil service pay was reduced when Hong Kong was in an economic recession and experienced a deflation. Should such a situation occurred in the future, the CE-in-Council would consider the prevailing situation before a pay adjustment decision was made. SCS further reiterated that the decision on this year's pay adjustment was a one-off arrangement having regard to this year's situation and would not be binding on future annual pay adjustments, which would be considered independently by the CE-in-Council.

Deducting payroll cost of increments ("PCIs") from the gross PTIs

21. Whilst expressing support for the 2015-2016 civil service pay adjustment, Mr TANG Ka-piu urged the Government to discontinue the practice of deducting PCIs from the gross PTIs as this would be unfair to those civil servants whose salaries had reached the maximum pay points of their ranks.

22. Mr LEE Cheuk-yan was of the view that gross PTIs should be used as the basis for adjusting civil service pay, as the Government should share the fruits of economic prosperity with civil servants. Mr IP Kin-yuen expressed similar view.

23. Mr KWOK Wai-keung said that many civil service associations/unions had requested for a pay rise of some 5% to 6% so as to preserve their purchasing power. Mr KWOK asked whether consideration would be given to only applying the gross PTIs for the pay increases of those civil servants whose salaries had reached the maximum pay points of their ranks.

24. Mr WONG Kwok-hing expressed support for the additional 0.5% pay rise on top of the net PTIs. Noting that the salaries of some 54% of the civil servants had reached their maximum pay points in 2014-2015, Mr WONG urged the Government to review whether the practice of following the net PTIs in adjusting civil service pay annually, i.e. deducting the PCIs from the gross PTIs, should be continued. Mr Martin LIAO, Mr TANG Ka-piu, Mr LEE Cheuk-yan and Mr IP Kin-yuen concurred with Mr WONG.

25. In response to Members' enquiries about the practice of deduction of PCI SCS explained that:

- (a) the practice of deduction of PCIs was a key component of the pay adjustment mechanism and had been implemented on the recommendation of the Committee of Inquiry into the 1988 Civil Service Pay Adjustment and Related Matters ("the 1988 Committee of Inquiry") together with the inclusion of private sector in-scale increment and merit pay in the computation of the gross PTIs. The 1988 Committee of Inquiry took the view that, if private sector in-scale increment and merit pay were to be included in the PTS, the PCIs should be deducted for fairness sake;
- (b) if the practice of deduction of PCIs were to be ceased, the established arrangement of including the private sector merit pay and in-scale increment might also need to be changed for fairness sake. This would affect the PTIs figures to be taken into account by the CE-in-Council in considering the annual civil service pay adjustment;
- (c) civil servants who had reached the maximum pay points had benefited and would continue to benefit from the inclusion of private sector merit pay in the computation of the gross PTIs; and

- (d) in sum, the Government had no plan to change the existing practice of using the net PTIs as one of the factors in deciding the annual civil service pay adjustment for the reason explained above. As a matter of fact, the percentage of the civil servants who had reached their maximum pay points (54% in 2014-2015) would decrease with the gradual injection of new blood into the civil service.

26. Responding to Mr TANG's enquiry about the percentage of civil servants whose salaries had reached the maximum points of their ranks, Deputy Secretary for the Civil Service 2 ("DSCS 2") said that the overall figure was around 54% for 2014-2015; and the figures for the upper, middle and lower salary bands were 52%, 59% and 35% respectively. DSCS 2 further said that the percentages of the civil servants in the three salary bands whose salaries had reached their maximum pay points in 2014-2015 had dropped slightly as compared to 2013-2014.

Methodology of the PTS

27. Noting that the staff side of the Disciplined Services Consultative Council ("DSCC") and three of the four constituent associations of the Police Force Council ("PFC") had withdrawn from the PTS Committee in 2013 after the conclusion of the 2013-2014 civil service pay adjustment, Mr LEUNG Che-cheung asked what measure(s) had been put in place to ensure that the findings of the PTS could accurately reflect the year-on-year pay adjustment movements in the private sector.

28. SCS responded that the annual PTS was first conducted in 1974 and it had built up its credibility on ascertaining the year-on-year pay adjustment movements in the private sector over the years. Since 1983, the annual PTS had been commissioned and its conduct had been overseen by the PTS Committee, which was a tripartite committee comprising representatives of the staff sides of the four central consultative councils, i.e. the Senior Civil Service Council ("SCSC"), the PFC, the DSCC and the Model Scale 1 Staff Consultative Council, the Government as well as two independent advisory bodies on civil service salaries and conditions of service, namely, the Standing Commission and the Standing Committee on Disciplined Services Salaries and Conditions of Service (SCDS). After the completion of each PTS, the PTS Committee would review the survey methodology with a view to further improving it. This practice would continue in future PTS. In response to Mr KWOK Wai-keung's concern that some staff representatives did not validate the results of the 2015 PTS, SCS reiterated that the 2015 PTS was conducted in accordance with the methodology agreed by the PTS Committee. The Government was of the view that the findings of the 2015 PTS were in order, but whether to validate the results of the PTS was a decision of individual PTS Committee members. Permanent

Secretary for the Civil Service ("PSCS") supplemented that the reasons for the two central consultative councils not validating the 2015 PTS findings were set out in paragraph 4 of the LegCo Brief dated 16 June 2015.

29. To better collect the views of all civil servants on the PTS, Mr TANG Ka-piu said that there was a need for the Government to set up another central staff consultative council with the staff side representing civil servants in the middle salary band and appoint representatives of the staff side of this new central staff consultative council to sit in the PTS Committee.

30. SCS clarified that the PTS Committee comprised not only the representatives of the four central consultative councils but also representatives from the Standing Commission and the SCDS, as well as the Administration. He added that the existing PTS composition was in place for a long time, any change to it should be considered carefully. SCS further said that apart from the staff sides of the four central consultative councils, views were also collected from the four service-wide staff unions in considering the annual pay adjustment. PSCS supplemented that individual constituent associations of the Senior Civil Service Council also represented civil servants in the middle salary band. In respect of the staff sides of the PFC and the DSCC, they represented all ranks of staff in the Police Force and in other disciplined services respectively.

Application of civil service pay adjustment to subvented sector staff

31. Mr IP Kin-yuen said that it was unfair that staff employed by the Vocational Training Council ("VTC") under the new terms of employment were not entitled to back payment arising from civil service pay adjustment if they left the employ of VTC before such pay adjustment was approved by FC.

32. SCS responded that whether back payment would be given to individual employees who had left a subvented organization was a matter between the subvented organization as employers and its employees. PSCS supplemented that in general the Government would not take part in the day to day human resources management of subvented organizations and hence, would not directly impose any pay adjustment applicable to the civil service on the subvented sector. As in the past, after the annual pay adjustment proposal was approved by the FC, the Civil Service Bureau ("CSB") would, through the relevant Controlling Officers, remind the subvented bodies concerned that the additional subventions from the Government were meant to allow room for pay adjustment for their staff. As to whether an individual staff member was eligible for back payment would depend on the salary adjustment policies set out in the terms and conditions of the employment agreements or contracts of the staff concerned.

Timetable for seeking funding support from FC

33. Responding to Mr TANG Ka-piu's enquiry as to when the Administration would seek funding support from FC for the proposed 2015-2016 civil service pay adjustment, SCS said that the Administration would do so as soon as possible.

34. Mr WONG Kwok-hing enquired when civil servants and subvented sector staff would be paid their salaries incorporating the 2015-2016 civil service pay adjustment.

35. SCS responded that if the proposed 2015-2016 civil service pay adjustment was approved by FC by mid-July 2015, the adjusted salaries, together with the back-payment, would be paid to civil servants by the end of July 2015. As for the subvented sector, SCS stated that the additional provisions were expected to be paid to the subvented sector about one month later although the exact timing to effect the pay adjustment would be up to the management of individual subvented bodies to decide. At the request of Mr WONG Kwok-hing, SCS said that CSB would, through the relevant Controlling Officers, remind the subvented bodies to pay the adjusted salaries to their staff as soon as practicable upon receipt of the additional subventions from the Government.

Motion

36. Mr LEE Cheuk-yan moved the following motion:

"本委員會要求立即檢討自1989年實施的扣減增薪額開支的政策，以令過半數達頂薪點公務員能獲得合理加薪，並在半年內提交本委員會檢討結果。"

(Translation)

"That this Panel requests the Administration to immediately review the policy of deducting the payroll cost of increments implemented since 1989 so that more than half of the civil servants who have reached the maximum pay points of their ranks can be offered reasonable pay increase, and to provide the review outcome to this Panel in six months."

37. SCS said that since the calculation of the gross PTIs had included the private sector merit pay, for fairness sake, the civil service PCIs should be also deducted. The Government had to strike a balance between being a good employer by giving an attractive pay to civil servants and maintaining the credibility and fairness of the civil service pay adjustment mechanism. PSCS

added that, by way of background, the practice of deduction of PCIs was recommended by the 1988 Committee of Inquiry along with its recommendation of including the private sector merit pay and in-scale increment in the computation of the gross PTIs which were not included prior to 1989. The 1988 Committee of Inquiry considered that part of the private sector merit pay should be included in the pay comparison, but part of it which was for recognition of exceptional personal performance should not be included. It was however impracticable to distinguish between the two parts of merit pay. The 1988 Committee of Inquiry recommended that, as a pragmatic approach, the private sector merit pay and in-scale increment should be included in the computation of the gross PTIs in full. At the same time, for fairness sake, the civil service PCIs should be deducted from the gross PTIs. PSCS further added that though the practice had been implemented since 1989, the Government considered that the principle was still applicable to the present situation. PSCS also noted that the cessation of the practice of deduction of the PCIs would incur significant financial implications and hence must be handled carefully.

38. The Chairman put Mr LEE's motion to vote. Five members voted for and no member voted against the motion. The Chairman declared that the motion moved by Mr LEE was passed.

Conclusion

39. The Chairman concluded that members had no objection to the Administration seeking funding support from FC on the proposed 2015-2016 civil service pay adjustment.

IV. Employment of persons with disabilities in the Civil Service

LC Paper No. CB(4)1169/14-15(04) -- Administration's paper on "Employment of Persons with Disabilities in the Civil Service"

LC Paper No. CB(4)1169/14-15(05) -- Updated background brief on "Employment of persons with disabilities in the civil service" prepared by LegCo Secretariat

Briefing by the Administration

40. SCS updated members on the implementation of the policy and relevant measures to facilitate the employment of persons with disabilities in the civil

service, details of which were set out in the Administration's paper (LC Paper No. CB(4)1169/14-15(04)).

Discussion

41. Mr IP Kin-yuen said that to better raise the awareness of job opportunities for persons with disabilities in the civil service, CSB should visit special schools to apprise students of the government policy and facilitating measures on employment of persons with disabilities.

42. Deputy Secretary for the Civil Service 1 ("DSCS 1") responded that the Government welcomed persons with disabilities to apply for government jobs. To better facilitate job seekers with disabilities in obtaining a better understanding of the government policy and facilitating measures on employment of persons with disabilities, CSB had, in collaboration with the Labour Department ("LD"), published a booklet entitled "Employ People Based on Their Abilities – Application for Government Jobs by Persons with Disabilities". The booklet set out the major points to be noted by applicants with disabilities in applying for government jobs and the assistance provided by the Selective Placement Division ("SPD") of LD for job seekers with disabilities. The booklet had been uploaded onto the websites of CSB and SPD and distributed to social welfare organizations, special schools, etc. to facilitate wider dissemination of the relevant information. DSCS 1 added that consideration would be given to other suitable means for disseminating the information, including Mr IP Kin-yuen's suggestion of visiting special schools to apprise students of the government policy and facilitating measures on employment of persons with disabilities.

43. Mr IP Kin-yuen said that consideration could be given to arranging civil servants with disabilities to give talks to students of special schools to raise the latter's awareness of the job opportunities in the civil service for persons with disabilities.

44. Mr LEE Cheuk-yan said that the Administration did not have the sincerity to employ persons with disabilities. According to Appendix III of the updated background brief on "Employment of persons with disabilities in the civil service" prepared by LegCo Secretariat (LC Paper No. CB(4)1169/14-15(05)), only 288 of the 52 291 new civil service recruits (or 0.55%) from 2002-2003 to 2013-2014 were persons with disabilities. The number of new civil service recruits who declared their disabilities over the total number of new civil service recruits in 2011-2012, 2012-2013 and 2013-2014 were 0.63%, 0.41% and 0.95% respectively. Noting that the number of persons with disabilities being employed in the civil service was 3 415 as at 31 March 2014, representing around 2% of the strength of the civil service, Mr LEE Cheuk-yan queried how many of these civil servants became disabled after joining the civil service. To better

facilitate persons with disabilities to obtain employment in the civil service, Mr LEE said that the Administration should adopt a positive discrimination policy in recruiting persons with disabilities.

45. SCS responded as follows:

- (a) based on the information available to the management of bureaux/departments (B/Ds), the number of civil service new recruits with disabilities known to their B/Ds were 80 in 2013-2014, 30 in 2012-2013 and 50 in 2011-2012. In addition, according to a separate survey conducted by CSB, amongst the 1 788 applicants who had declared their disabilities in the 206 civil service recruitment exercises launched and concluded in 2013-2014 and 2014-2015, 78 (or 4.4%) were subsequently offered appointment. The percentage was broadly comparable to that of other applicants which was 3.7% (about 9 400 out of 255 000);
- (b) there was no mandatory requirement for job applicants and government employees to declare their disabilities, if any. Therefore, the statistics compiled by CSB could only reflect the information available to the management of B/Ds instead of providing a full picture of the exact number of job applicants and serving officers with disabilities. That said, the Administration considered the existing arrangement appropriate as it struck a balance between the need to protect the privacy of individual job applicants and serving officers and to monitor the general employment situation of persons with disabilities in the civil service;
- (c) instead of setting any numeric target, it was the Government's policy to ensure that persons with disabilities could compete with all other applicants for government jobs on an equal footing by implementing suitable facilitating measures for applicants with disabilities. Details were set out in paragraphs 4 and 5 of the Administration's paper. Furthermore, it was the Government's policy to give a suitable degree of preference, where appropriate, to persons with disabilities who were found suitable for appointment. Relevant guidelines were recapped in paragraphs 6 and 7 of the Administration's papers; and
- (d) the Administration did not consider it appropriate or necessary to set a maximum or minimum number of persons with disabilities working in the Government. According to overseas experience, a mandatory employment quota for persons with disabilities no

longer presented the most appropriate means to promote the employment of persons with disabilities. In fact, the International Labour Organization did not encourage the imposition of a mandatory quota for the employment of persons with disabilities. The prevailing trend had moved away from employment quota system to anti-discrimination legislation, enhanced support measures and promotion of equal opportunities for persons with disabilities.

46. Mr LEE Cheuk-yan remarked that the fact that the Administration did not set a benchmark for employing persons with disabilities was a testament of its lack of sincerity in promoting the employment of persons with disabilities in the civil service. Mr LEUNG Kwok-hung expressed similar view. Mr LEUNG further said that although 2% of the strength of the civil service was persons with disabilities as at 31 March 2014, it appeared that some 1% of the civil servants with disabilities as at 31 March 2014 did not become disabled until after they joined the civil service having regard to the fact that the number of new civil service recruits who declared their disabilities over the total numbers of new civil service recruits in 2013-2014 was 0.95%.

47. SCS reiterated that the Government's policy objective on employment of persons with disabilities sought to ensure that they would, like other candidates, have equal access to job opportunities in the Government. To this end, the Government had put in place suitable measures to ensure that persons with disabilities could compete with able-bodied applicants on equal footing, thereby allowing them, able-bodied or disabled alike, to have equal access to job opportunities in the Government.

48. Mr Martin LIAO asked whether the Administration had referred any suitable civil service jobs through the SPD of LD for persons with disabilities to apply. DSCS 1 replied in the positive.

49. Mr KWOK Wai-keung said that being the largest employer in Hong Kong, the Government should set a good example by employing more persons with disabilities. If the Government did not consider it appropriate to set a benchmark for employing persons with disabilities, it should at least maintain a certain target of employing persons with disabilities.

50. SCS responded that as explained above, the Government did not consider it necessary or appropriate to set any numeric target for employing persons with disabilities. Instead, the Government would continue to employ the relevant facilitating measures, which included, among other things, employing persons with disabilities who were found suitable to carry out the duties of certain posts in a specific rank in the civil service, albeit they might not be able, due to their

disabilities, to perform the full range of duties of the posts concerned. SCS added that to complement the recruitment efforts, CSB would continue to promote the awareness of human resource managers in all B/Ds of the policy and guidelines on the employment of persons with disabilities and to share with them practical tips on how to facilitate the conduct of recruitment exercises involving applicants with disabilities and integration of officers with disabilities into the workplace. Also, as an essential part of the policy to integrate officers with disabilities in the workplace, all B/Ds were encouraged to provide on-the-job assistance and practical arrangements to address the needs of officers with disabilities in the workplace having regard to the different nature and degree of their disabilities. With these on-going efforts, it was expected that progress would continue to be made in employing persons with disabilities in the civil service.

51. Mr KWOK Wai-keung noted from Appendix IV of LC Paper No. CB(4)1169/14-15(05) that 204 persons with disabilities left the civil service in 2010-2011 and from Appendix III of the same that there were 40 civil service new recruits who declared their disabilities in 2010-2011. In the light of this, Mr KWOK enquired why the total number of persons with disabilities serving in the civil service increased from 3 317 in 2010-2011 to 3 391 in 2011-2012 as set out in Appendix IV of LC Paper No. CB(4)1169/14-15(05).

52. DSCS 1 explained that the statistics in question were compiled on an anonymous basis by using the information available to the management of B/Ds (e.g. through requests of applicants who had declared disabilities for special arrangements for selection tests/interviews, or applications from serving officers with disabilities for fund to purchase technical aids to assist in their performance of duties). Given the foregoing, the statistics only served the purpose of providing general reference rather than indicating the exact number of persons with disabilities in the civil service. Nor could CSB establish any statistical correlation between the number of persons with disabilities serving in the civil service and those leaving the service.

53. Mr LEE Cheuk-yan said that if CSB refused to make any changes to the existing policy on employment of persons with disabilities to enable more persons with disabilities to become civil servants, it would undermine the work of the Commission on Poverty to, amongst others, assist the underprivileged groups with special needs, including persons with disabilities, to integrate into the community, be self-reliant and move upwards along the social ladder, in order to achieve the objectives of preventing and alleviating poverty.

54. SCS reiterated that instead of setting a numeric target for employing persons with disabilities, the Government's policy and facilitating measures represented, on balance, a more appropriate approach. It was noted that steady

progress was made by B/Ds in employing persons with disabilities. SCS further said that CSB would continue to work closely with SPD of LD to encourage more persons with disabilities to apply for government jobs and with the Education Bureau to apprise students with disabilities of the Government's policy on employment of persons with disabilities and the facilitating measures that had been put in place to ensure that persons with disabilities could compete with all other able-bodied applicants on equal footing, as well as the assistance that could be provided to persons with disabilities working in the Government.

Conclusion

55. The Chairman concluded that members would continue to closely monitor the employment of persons with disabilities in the civil service.

V. Any other business

56. There being no other business, the meeting ended at 10:40 am.

Council Business Division 4
Legislative Council Secretariat
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