

立法會
Legislative Council

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by the Administration)

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Panel on Public Service

**Minutes of meeting held on
Monday, 20 July 2015, at 10:45 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 Emily LAU Wai-hing, JP
Hon TAM Yiu-chung, GBS, JP
Dr Hon LEUNG Ka-lau
Hon LEUNG Kwok-hung
Hon Claudia MO
Hon LEUNG Che-cheung, BBS, MH, JP
Hon SIN Chung-kai, SBS, JP
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 Mrs Regina IP LAU Suk-yee, GBS, JP
Hon IP Kin-yuen

**Public officers
attending**

: Item II

Mrs DO PANG Wai-yee, JP
Deputy Director of Administration 2
Administration Wing

Mrs Judy LI KWOK Chi-kit
Director of Protocol
Administration Wing

Item III

Mr Paul TANG, JP
Secretary for the Civil Service

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

Miss Natalie LI
Acting Deputy Secretary for the Civil Service 1

**Attendance by
invitation**

: Item III

Equal Opportunities Commission

Mr Raymond HO Wing-keung
Senior Equal Opportunities Officer
(Ethnic Minorities Unit)

Hong Kong Unison Limited

Miss YIP Ho-ling
Research Officer

Christian Action

Mr Brian WONG
Head of Humanitarian & Social Services (HK) Division

Mr KAN Man-piu
Social Worker

Mr Gyanendra GURUNG
Project Officer

Hong Kong Human Rights Monitor

Miss YIP Fun-yau
Project Officer

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

Staff in attendance : Mr Oscar WONG
Senior Council Secretary (4)2

Ms Rebecca LEE
Council Secretary (4)2

Miss Vivian YUEN
Legislative Assistant (4)2

Action

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

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

II. 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

LC Paper No. CB(4)1312/14-15(01) -- Administration's paper entitled "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"

Briefing by the Administration

2. At the invitation of the Chairman, Deputy Director of Administration 2 ("DD of Adm 2") briefed members on the proposal to re-grade the post of Director of Protocol ("D of P") to a post of Senior Principal Executive Officer ("SPEO") (both at D2 level) in the Protocol Division ("PD") of the Chief Secretary for Administration's Office, details of which were set out in the Administration's paper (LC Paper No. CB(4)1312/14-15(01)).

Discussion

3. Mr Tony TSE said that he did not object to the re-grading of the D of P post to a SPEO post in the PD of the Administration Wing of the Chief Secretary for Administration's Office. Referring to paragraph 5 of the Administration's paper setting out the range of services provided by PD, Mr TSE asked whether there had been any changes in the workload of different services provided by PD over the past years; if so, what these changes were and what were the implications on staff establishment. Mr TSE surmised that the need for PD to provide advice on the use of National flags and emblems and Regional flags and emblems should have lessened with time as PD would have established certain practices over the years.

4. DD of Adm 2 responded that although PD comprised three sections, i.e. the visits section, the honors section and the consular and ceremonial affairs section, each with varying workload at different times of the year, D of P would flexibly deploy staff within PD to help out a section with an upsurge of workload. For instance, in the past year, staff of all three sections had been enlisted to help in organizing the first ceremony to commemorate the Nanjing Massacre National Memorial Day.

5. D of P supplemented that PD currently had a complement of 17 staff, comprising 10 Executive Officer ("EO") grade staff and seven secretarial and clerical grades staff. This staff establishment had remained unchanged for many years. D of P further said that apart from enlisting all of its staff to organize large scale events, PD had also enlisted the assistance of EO grade staff from other bureaux/departments ("B/Ds") in organizing major functions, e.g. the Honours Presentation Ceremony. Such outside engagement would enable Eos from other B/Ds to obtain experience of the work of PD on the one hand and create a larger pool of suitable candidates for PD posts on the other. D of P also said that on the use of the National and Regional flags and emblems and protocol matters, they had from time to time reviewed practices, examined cases that contravened the proper use of flags and emblems, and given advice to B/Ds and members of the public over the years. PD handled over 100

enquiries/applications relating to the use of the National and Regional flags and emblems each year.

6. Mr SIN Chung-kai enquired about the existing arrangements for filling the D of P post.

7. DD of Adm 2 responded that in February 1998, the Finance Committee ("FC") of the Legislative Council approved, amongst others, the upgrading of the D of P post from D1 to D2 level to make the ranking of the post commensurate with the level of responsibility required of the post holder. A supernumerary SPEO post held against the D of P post was created under delegated authority on 1 March 1998 to accommodate the SPEO deployed to fill the D of P post. This arrangement of filling the D of P post by an SPEO had been maintained since then, as the majority of the duties of the D of P required expertise and experience that the EO grade was well trained in. DD of Adm 2 further said that it was evident over the years that PD's roles and responsibilities were delivered smoothly by EO grade officers to the satisfaction of the Director of Administration and other B/Ds that had regular contact with PD. The Chief Secretary for Administration's Office therefore considered it appropriate to re-grade the D of P post to an SPEO post. Moreover, re-grading of the D of P post to a general grade post would mean better manpower planning as there was a sizable pool to source the most suitable to fill the post. This would also facilitate succession planning.

8. Responding to Mr SIN Chung-kai's further enquiry on the number of SPEO post in the civil service, DD of Adm 2 said that the number of EO at directorate ranks currently stood at 54. Since directorate PEO (D1 level) could also be deployed to act in the D of P post, there would be a pool of 54 directorate candidates for the D of P post. DD of Adm 2 further said that SPEO was the highest rank in the EO grade.

9. Mr TAM Yiu-chung said that he supported the re-grading of the D of P post as this was cost neutral and would facilitate succession planning. He also supported that the post title should remain the same.

Conclusion

10. In closing, the Chairman said that members generally supported the re-grading proposal.

III. Employment of ethnic minorities in the civil service

LC Paper No. CB(4)1312/14-15(02) -- Administration's paper entitled "Employment of Ethnic Minorities in the Civil Service"

LC Paper No. CB(4)1312/14-15(03) -- Updated background brief on the "Employment of ethnic minorities in the civil service" prepared by the Legislative Council Secretariat

Briefing by the Administration

11. Secretary for the Civil Service ("SCS") updated members on the implementation of the measures to facilitate the employment of ethnic minorities in the civil service, details of which were set out in the Administration's paper (LC Paper No. CB(4)1312/14-15(02))

Views of deputations

Equal Opportunities Commission ("EOC")

12. Mr Raymond HO presented the views of EOC as set out in its submission (LC Paper No. CB(4)1342/14-15(01)). Specifically, EOC urged the Government, being the largest employer in Hong Kong, to take a lead in employing more ethnic minorities. EOC recommended the Government to encourage more B/Ds to review and suitably adjust the English and Chinese language proficiency requirements ("LPRs") for their jobs so as to enable more ethnic minorities to take up the jobs. To enable the public to keep track of the progress of employment of ethnic minorities in the civil service so as to identify areas for improvement, EOC also recommended that the Government should regularly update the numbers, races and ranks of ethnic minorities employed by B/Ds as well as the measures adopted by B/Ds to facilitate the employment of ethnic minorities.

Hong Kong Unison Limited

13. Miss YIP Ho-ling presented the views of Hong Kong Unison Limited as set out in its submission (LC Paper No. CB(4) 1342/14-15(02)). Specifically, the Hong Kong Unison Limited expressed concern about the slow progress made by the Civil Service Bureau ("CSB") in reviewing the LPRs of different civil service posts and adjusting the requirements, where appropriate, to give ethnic minorities equal employment opportunities in the civil service. To better

implement its equal opportunities policies, the Government was urged to, amongst others,:

- (a) come up with a timetable for reviewing the LPRs for all civil service posts;
- (b) provide up-to-date and clear job recruitment information for ethnic minorities interested in joining the civil service;
- (c) improve Chinese language training opportunities for adult ethnic minorities;
- (d) extend the appointment of ethnic minorities to carry out community liaison work to more B/Ds as well as public bodies; and
- (e) compile a racial profile of the civil service, which should include information on monthly salary and promotion history, for public scrutiny.

Miss YIP further said that the Administration should ensure that the Education Bureau effectively carried its duties to support the integration of ethnic minority students, into the community, including facilitating their early adaptation to the local education system and mastery of the Chinese Language.

Christian Action

14. Mr KAN Man-piu hoped that the on-the-job training for young ethnic minorities provided the various initiatives launched by the Government, such as the pilot "Employment Services Programme for Ethnic Minorities" launched by the Labour Department ("LD") in September 2014, could be lengthened and that the sponsoring B/Ds could review the effectiveness of their initiatives in enhancing the employability of young ethnic minorities.

15. Mr Gyanendra GURUNG urged that suitable adjustments to the recruitment selection process concerning language requirements could be made to more civil service posts to better facilitate the employment of ethnic minorities in the civil service. Although the Police Force had adjusted the recruitment selection process for the Police Constable post in that applicants of Police Constable who met the basic academic qualifications and prescribed English language proficiency but did not meet the required Chinese LPRs would be arranged to sit for the Government Standard Examination, many ethnic minorities applicants still encountered much difficulties in passing the Government Standard Examination. Mr GURUNG further said that although the Government Flying Service had lowered the Chinese LPRs for its Aircraft Technician and Air

Crewman Officer grades, the classroom lectures provided to the staff of these two grades lacked sensitivity to the cultural differences amongst the participants and should be addressed.

16. Mr Brian WONG said that to better help B/Ds to integrate their ethnic minority staff into their workplace, Christian Action was willing to organize cultural sensitivity trainings to B/Ds to help civil servants understand more about the ethnic minority culture and their lives in Hong Kong, thus minimizing the gap due to stereotyping and unfamiliarity. Mr WONG also hoped that Social Welfare Department could enhance its efforts in recruiting ethnic minorities as Welfare Support and Liaison Assistant in its Integrated Family Services Centres, as only one non-ethnic Chinese ("NEC") had been employed as Welfare Support and Liaison Assistant since August 2014.

Hong Kong Human Rights Monitor ("HKHRM")

17. Miss YIP Fun-yau presented the views of HKHRM as set out in its submission (LC Paper No. CB(4) 1356/14-15(01)). Specifically, HKHRM considered that as Hong Kong was a multi-racial society, it was necessary that ethnic minorities were suitably represented in the civil service with reference to census data to better meet specific needs of the community. For instance, more ethnic minorities should be employed by the Police Force to serve those Police Districts inhabited by many people of non-Chinese ethnicities. Proficiency in English and/or Chinese languages should not be made mandatory for all civil service posts. Depending on the relevancy of the language(s) to the satisfactory performance of the duties of a job, a foreign language other than English and/or Chinese languages should be set as a LPR for the job concerned. Being the largest employer in Hong Kong, the Government should set a good example for the private sector by proactively implementing measures to facilitate the employment of ethnic minorities in the civil service.

Discussion

18. Mr LEE Cheuk-yan said that CSB was half-hearted in facilitating the employment of ethnic minorities in the civil service, as evidenced by the fact that only 23 grades, including the Aircraft Technician and the Air Crewman Officer grades of the Government Flying Service and the Dental Officer grade of the Department of Health referred to in paragraph 4 of the Administration's paper, had relaxed the Chinese LPRs since 2010. Another evidence was that although a total of 103 applications for Police Constable were received from NECs from April 2010 to March 2015, only 20 of whom were appointed. As regards applications for Assistant Officer II of the Correctional Services Department ("CSD"), although a total of 147 such applications were received from NEC from April 2010 to March 2015, only nine of whom were appointed.

19. Responding to Mr LEE Cheuk-yan's enquiry about the number of NEC employed to the grades which had relaxed their Chinese LPRs since 2010, SCS said that such information was unavailable as applicants for civil service jobs were not required to declare their ethnic origins in the recruitment selection process. Appointments to the civil service were based on the principle of open and fair competition. All candidates in an open recruitment exercise were assessed on the basis of their ability, performance and character, and having regard to the stipulated entry requirements (including language proficiency) set according to the job requirements of the grade concerned. Race was not a relevant consideration in the selection process. However, to gauge the composition of the civil service by racial groups, the Government conducted the first survey on the racial profile of the civil service in 2011. The survey, conducted on a voluntary and anonymous basis, sought to reflect the overall racial profile of the civil service through compilation of consolidated information. A similar survey was last conducted in 2013. A total of 24 690 civil servants (or 15.4% of the 160 324 civil servants serving on 31 March 2013) responded to the 2013 survey. Of the respondents, 24 220 (or 98.1%) were of Chinese ethnicity whereas 470 (or 1.9%) were of non-Chinese ethnicities. The five largest ethnic minority groups, in descending order of their size, were Mixed, White, Indian, Pakistani, and other Asian. The distribution of individual ethnic minority groups in the civil service was broadly comparable to that in the general population as reported in the 2011 Population Census.

20. Permanent Secretary for the Civil Service ("PSCS") supplemented that to facilitate NECs in applying for civil service jobs, the Government would continue to keep the LPRs of individual grades under review and make suitable adjustments as appropriate with a view to meeting actual operational needs, and at the same time facilitating those who wished to join the Government, including the ethnic minorities, in applying for civil service jobs. In setting the LPRs for recruitment to the civil service, the job nature and operational requirements of the grade concerned were the primary considerations. Under the prevailing guidelines, individual civil service grades should ensure that the LPRs specified were relevant to and commensurate with the satisfactory performance of the duties of the grades concerned. CSB had issued guidelines to Heads of department/grade ("HoDs/HoGs"), reminding them to review the LPRs from time to time taking into account the operational needs, and to adjust the LPRs when necessary. Departments and grades had accordingly taken appropriate follow-up actions in this regard, examples of which were set out in paragraphs 4 to 7 of the Government's paper.

21. Mr WONG Kwok-hing said that instead of conducting a survey to understand the racial profile of its workforce, a more direct approach might be for

the Administration to collect the race-related information of the civil service from the personnel records of all civil servants.

22. SCS responded that it was not possible to gauge the racial profile of the civil service from the personnel records of civil servants as the Government did not collect information about the ethnic origins of individual civil servants.

23. Mr Martin LIAO said that NECs still experienced much difficulties in landing jobs in the civil service because of their lack of Chinese language proficiency. Whilst welcoming the various employment initiatives implemented by the Government to employ NECs as set out in paragraph 8 of the Administration's paper, the jobs concerned mainly targeted at serving the ethnic minority community and were not mainstream civil service jobs. To better facilitate the employment of ethnic minorities in the civil service, Mr LIAO urged the Administration to lower the Chinese LPRs for more civil service posts and of higher rank so long as to do so would not compromise satisfactory performance of the duties of the posts concerned. Mr LIAO pointed out that the posts which had their respective Chinese LPRs lowered so far were mainly frontline posts.

24. SCS responded that HoDs/HoGs were responsible for stipulating the LPRs for their respective grades and reviewing the LPRs from time to time taking into account changing operational needs. In this regard, HoDs/HoGs had made continuous efforts to review and where appropriate, suitably adjust the LPRs if operational needs of the grades so justified. Since 2010, the Chinese LPRs of over 20 civil service grades had been suitably lowered, ranging from junior grades such as Workman II to degree/professional grades such as Government Counsel. Also, the Government accepted Chinese language results of specified non-local public examinations in addition to local qualifications as meeting the LPRs. Specifically, Chinese language results in the United Kingdom International General Certificate of Secondary Education ("IGCSE") /General Certificate of Secondary Education ("GCSE")/General Certificate of Education ("GCE") 'Ordinary' ('O') Level as well as GCE 'Advanced'/'Advanced Subsidiary' ('A'/'AS') Levels, which were qualifications popular amongst students learning Chinese as a second language, were accepted for the purpose of appointments to the civil service. Moreover, in tandem with the introduction of the Applied Learning Chinese (for non-Chinese speaking students) subject at senior secondary level in the 2014-2015 school year, results of "Attained" and "Attained with Distinction" for this subject would be accepted for the purpose of meeting the relevant Chinese LPRs for civil service appointments.

25. Responding to Mr Martin LIAO's enquiry as to whether the Administration would conduct a comprehensive review of LPRs of all civil service grades, SCS said that the Government, in consultation with all B/Ds, conducted reviews of LPRs of all civil service grades from time to time. Going

forward, HoD/HoGs would continue to make suitable adjustments to the LPRs taking into account changing operational needs.

26. Referring to the comments made by HKHRM and Christian Action, Ms Claudia MO asked whether consideration could be given to (a) increasing the number of ethnic minority frontline Police to a level which was broadly comparable to the proportion of ethnic minorities in the population of Hong Kong; and (b) extending the six-month on-the-job training provided to NEC trainees of the Youth Employment and Training Programme ("YETP") employed as employment services ambassadors under the pilot project named "Employment Services Programme for Ethnic Minorities" launched by LD in September 2014.

27. SCS reiterated that race was not a relevant consideration of the recruitment selection process of the civil service. However, in order to facilitate NECs in applying for the Police Constable post, the Police Force had, since May 2011, arranged applicants of Police Constable who met the basic academic qualifications and minimum English language proficiency standard but did not have the required minimum Chinese language proficiency standard to sit for the Government Standard Examination. At the Group Interview stage, applicants would be arranged to participate in a job-related "Practical Incident Handling Test" to assess their communication ability, judgment and fact-finding ability, under which candidates were required to give a simple account of the incidents as shown in the videos to them in written English and Chinese respectively. This had replaced the previous requirement for candidates to answer questions in Chinese. In addition, applicants of Police Constable who possessed foreign language skills were awarded extra marks in the selection process. According to the Police Force, the average success rate of NEC applicants for Police Constable was higher than that of other applicants. SCS further said that to enhance liaison with NEC communities, the Police Force had employed NECs as Police Community Liaison Assistants on non-civil service contract terms in 14 Police Districts. As regards extending the six-month on-the-job training provided to NEC trainees of YETP employed as employment services ambassadors under the LD's pilot project, SCS said that these views would be relayed to LD for reference.

28. Mr TAM Yiu-chung said that apart from implementing measures to facilitate NEC candidates in applying for civil service jobs, the Administration should also provide training in Chinese language to ethnic minority civil servants to better assist them in performing their duties. SCS responded that the Government had organized Chinese language training tailored for the vocational needs of NEC staff to facilitate their effective performance of duties and career advancement and where necessary, more training courses on Chinese language could be organized.

29. Mr LEUNG Kwok-hung said that for fairness, the Administration should set an employment quota for ethnic minorities in the civil service with reference to the percentage of ethnic minorities of the population of Hong Kong.

30. PSCS reiterated that the LPRs specified for civil service grades should be relevant to and commensurate with the satisfactory performance of the duties of the grades concerned. This arrangement was in line with the guidance of the EOC as set out in the Code of Practice on Employment under the Race Discrimination Ordinance. Race was not a relevant consideration in the recruitment selection process of applicants for civil service jobs. PSCS further said that whilst Hong Kong was a multi-cultural society, some 98% of the population of Hong Kong was of Chinese ethnicity. It was necessary for civil service grades to specify appropriate Chinese and English LPRs to maintain effective communications. The primary considerations in setting LPRs for recruitment to the civil service remained the job nature and operational requirements of the grade concerned. All HoDs/DoGs had been and would continue to suitably adjust the Chinese LPRs taking into account of operational needs.

31. Mr TANG Ka-piu said that in his contact with youngsters of Indian or Pakistani ethnicity, many of them were interested in joining the Police Force and CSD. Mr TANG asked whether the Administration would engage EOC and other concerned bodies in adjusting the LPRs to facilitate NEC candidates for applying jobs in the Police Force and CSD and assessing the effectiveness of such adjustment.

32. SCS responded that the Government had all along been maintaining dialogue with EOC and other parties concerned on measures to facilitate the employment of ethnic minorities in the civil service. SCS further said that to encourage potential candidates including those from the ethnic minority community to apply for government jobs, departments including CSD, Fire Services Department and Immigration Department, had carried out outreach work, e.g. conducting career talks in secondary schools with NEC students. The Police Force had also organized engagement projects in certain Police Districts, such as visits to Police Units and sharing by police officers on work experience and job interview skills with NECs interested in joining the Police Force.

33. Whilst welcoming the "Employment Services Ambassador Programme for Ethnic Minorities" launched by LD to help ethnic minority job seekers find jobs, Mr TANG Ka-piu hoped that the on-the-job training provided to the NEC employment services ambassadors could be enhanced and extended so as to better equip these NECs with the necessary skills to land jobs. SCS said that these views would be relayed to LD for reference.

34. Ms Emily LAU said that as Hong Kong was a multi-racial society, the Government should ensure that NECs had access to join the civil service. Referring to the EOC's recommendation that the Government should regularly publicize up-to-date information on the employment of ethnic minorities in the civil service so as to enable the public to keep track of the employment situation of ethnic minorities in the civil service, Ms LAU said that the information should include the number of applications received from NECs for a civil service post and the number of these NECs applicants appointed to the post and the number of NEC civil servants promoted in different B/Ds and the posts and ranks concerned.

35. SCS responded that the Government did not collect information about the ethnic origins of individual civil servants (including new recruits). Race was not a relevant consideration in assessing the suitability of a job applicant for appointment to the civil service or that of a serving civil servant for promotion to the higher ranks. Promotion of civil servants from a lower rank to a higher rank of the same grade was based on merit and on prescribed criteria including performance, acquisition of prescribed qualification, etc. LPRs were not included as an eligibility criterion for promotion within the same grade in most cases. To gauge the composition of the civil service by racial groups, SCS pointed out that the Government conducted a voluntary and anonymous survey on the racial profile of the civil service in 2011 and 2013 respectively. Apart from collecting information on ethnicity and salary band as in the 2011 survey, the 2013 survey had expanded the scope of the survey to collect information on the respondents' education level and length of service in the civil service.

36. PSCS supplemented that the Government had reported the findings of the 2011 and 2013 surveys on the racial profile of the civil service to this Panel. Although the surveys were voluntary, they provided a useful basis for the Government to gauge the composition of the civil service by racial groups. The Government planned to conduct another survey at an appropriate time. PSCS further said that the Government had communicated with EOC on the conduct of the 2013 survey on the racial profile of the civil service, and would do so again in its next survey.

37. Mr KWOK Wai-keung asked the Administration whether it had identified any positions in the civil service which only required NECs for dealing with matters relating to ethnic minorities in the community; if so, what the number was.

38. SCS responded that given the importance of maintaining effective communications, it was necessary for the Government to specify appropriate English and Chinese LPRs in the civil service. That said, some departments had made suitable adjustments to their recruitment process, particularly the part concerning tests of communication ability. For instance, applicants of Police

Constable who possessed proven foreign language skills would be awarded extra marks in the selection process.

39. Regarding Mr KWOK Wai-keung's enquiry as to whether the recruitment and appointment of civil servants were in line with international rules and guidelines on eliminating discrimination on employment, Mr Raymond HO of EOC replied in the positive. Mr HO however said that not making race a relevant consideration in the selection process and lowering the Chinese LPRs of certain jobs to the effect that the candidates were only required to be able to communicate in Chinese and/or write simple Chinese to carry out the duties of the jobs concerned only met the baseline requirements of facilitating the employment of ethnic minorities in the civil service. Mr HO urged the Administration to seriously consider the recommendations made by EOC in its submission to the Panel to improve access in applying for more civil service jobs by ethnic minorities.

Conclusion

40. In closing, the Chairman said that members would continue to closely monitor the employment of ethnic minorities in the civil service.

IV. Any other business

41. There being no other business, the meeting ended at 1:00 pm.

Council Business Division 4
Legislative Council Secretariat
9 September 2015