

立法會 *Legislative Council*

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Panel on Public Service

Meeting on 20 July 2015

Updated background brief on employment of ethnic minorities in the civil service

Purpose

This paper provides background information on issues relating to the employment of ethnic minorities in the civil service, and summarizes the major views and concerns expressed by members when the subject was discussed at meetings of the Panel on Public Service ("the Panel").

Background

2. According to the Administration¹, appointments to the civil service are based on the principle of open and fair competition. The race of a candidate is not a relevant consideration in the assessment for selection, appointment and promotion of civil servants. The arrangement of specifying the appropriate Chinese and English language proficiency requirements ("LPRs") as part of the entry requirements for appointment to individual grades having regard to the job requirements of the concerned grades is in line with the guidance of the Equal Opportunities Commission ("EOC") as set out in its Code of Practice on Employment under the Race Discrimination Ordinance ("the Code of Practice") issued in July 2009. Under the Code of Practice, an employer must ensure that any language requirement for a job is relevant to and should be commensurate with the satisfactory performance of a job.

¹ LC Paper No. CB(4)307/13-14(04)

Review of LPRs and other relevant measures

3. As advised by the Administration, a number of measures have been implemented to facilitate the recruitment of candidates whose first language is not Chinese, as follows -

- (a) *Review of LPRs* - To ensure that Heads of department/grade ("HoDs/HoGs") make continuous efforts in reviewing and where appropriate, adjusting the LPRs, Civil Service Bureau ("CSB") conducts, in consultation with the bureaux/departments ("B/Ds"), reviews of LPRs of all civil service grades from time to time. Since 2010, there are a total of 20 grades which have relaxed the Chinese LPRs upon review;
- (b) *Acceptance of results of non-local public examinations* - The results of specified non-local public examinations² on the subject of Chinese language are accepted in addition to local qualifications as meeting the LPRs for the purpose of appointments to the civil service;
- (c) *Adjustments in recruitment selection process* - Some departments, such as the Hong Kong Police Force ("HKPF") and the Correctional Services Department ("CSD") have made suitable adjustments to their recruitment selection process, particularly the part concerning tests of communication ability; and
- (d) *Implementation of employment initiatives* - Departments may employ ethnic minorities to meet operational needs where appropriate. For instance, the Education Bureau has employed Non-ethnic Chinese ("NECs") as teaching staff in government schools with NEC students. The Police Force launched a scheme to hire NECs as Police Community Liaison Assistants on non-civil service contract ("NCSC") terms in five selected Police Districts in September 2010. The scheme has subsequently been extended to cover 14 Police Districts with a total of 15 positions. The Social Welfare Department is planning to launch a trial scheme to hire NECs on NCSC terms and part-time basis in the Integrated Family Service Centres in certain districts.

² 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' Level as well as GCE 'Advanced'/'Advanced Subsidiary' Levels are accepted for the purpose of appointments to the civil service.

Racial profile of the civil service

4. The Administration conducted voluntary anonymous surveys to gather statistics on the racial profile of the civil service in 2011 and 2013 respectively. Apart from information on ethnicity and salary band, the 2013 survey also collected information on respondents' education level and length of service in the civil service. A total of 24 690 civil servants (or 15.4% of the 160 441 serving civil servants on 31 March 2013) responded to the survey in 2013, out of which 470 (or 1.9%) were NECs. The Administration considered that the distribution of individual ethnic minority groups in the civil service, as revealed in the 2013 survey, was broadly comparable to that in the general population as noted in the 2011 Population Census.

Discussions by the Panel

5. The Panel discussed LPRs for civil service appointments on 24 May 2010, the racial profile of the civil service on 20 June 2011 and employment of ethnic minorities in the civil service on 15 April 2013 and 20 January 2014. At the meeting on 24 May 2010, the Panel received views from ethnic minority persons, EOC and the Hong Kong Unison³. The major views and concerns expressed by Panel members and the Administration's responses are summarized in the ensuing paragraphs.

Employment of ethnic minorities in the civil service

6. Members noted that many ethnic minority persons in Hong Kong possessed good academic qualifications, and yet were unable to join the civil service because they failed to meet the LPRs for civil service appointments. The Administration was urged to adopt a more proactive approach in promoting the employment of ethnic minorities by setting a target ratio of ethnic minority employees in the civil service.

7. The Administration responded that setting a target proportion of civil service posts for appointment of ethnic minorities to the civil service might not be the most appropriate and effective means for promoting the employment of ethnic minorities. Rather, the Administration would ensure that ethnic minorities would continue to have equal access to job opportunities in the civil service. In this regard, CSB had worked with the B/Ds to review the LPRs of all civil service grades from time to time to see if the LPRs could be adjusted having regard to the prevailing operational needs of the grades concerned.

³ An advocacy group for the rights of ethnic minority people.

Employment of ethnic minorities in certain B/Ds

8. On the suggestion of employing ethnic minorities to fill some civil service posts for providing service to ethnic minority communities exclusively, the Administration advised that holders of civil service posts were expected to be able to perform the full range of duties of the ranks concerned. Appointing ethnic minorities who did not fully meet the entry requirements, in particular the specified Chinese LPRs of the grades concerned, would limit the appointees' posting and promotion prospects. That said, where appropriate and when there were no comparable civil service grades performing the required tasks, B/Ds might engage ethnic minorities on NCSC terms to meet the specific operational needs. For instance, in addition to the Police Community Liaison Assistants engaged by HKPF, Social Welfare Department was planning to launch a trial programme to engage persons who were non-ethnic Chinese on NCSC terms and part-time basis to meet specific service needs in the Integrated Family Service Centres in certain districts.

9. Noting that both the number of applications received from ethnic minority applicants and their success rates for appointments for the posts of Police Constable of HKPF and Assistant Officer II of CSD from 2010 to 2013 were low, members enquired for the reasons for that.

10. The Administration explained that among the 61 applications received from NECs for the post of Police Constable during 2010-2011 to 2012-2013, 21 applicants failed to meet the stipulated entry requirements of the post, 14 applicants did not attend the selection interview/tests and 15 applicants failed the tests. The Administration further advised that HKPF had put in much effort in conducting career talks in secondary schools with ethnic minority students so as to instill their interest in joining the HKPF. The Administration acknowledged that many ethnic minorities might be hesitant in showing commitment to apply for HKPF's posts. In fact, HKPF recruited officers all year round and those who failed could re-apply in 12 months. As regards the recruitment exercises for Assistant Officer II of CSD, the Administration advised that, with the department's efforts in promoting recruitment exercises to ethnic minority groups, there had been a notable increase in the number of applications received from ethnic minorities.

LPRs for civil service appointments

11. Some members queried whether there was a genuine need for imposing a high level of Chinese LPRs, particularly written Chinese, for appointment to civil service posts. They were concerned that although the Administration had

relaxed the LPRs for some grades to a certain extent, a lot of ethnic minorities still could not meet the Chinese LPRs. They called on the Administration to critically review LPRs for civil service appointments and where appropriate relax the Chinese LPRs. To solve the problem at root, the Administration should enhance the Chinese language education for ethnic minority children.

12. The Administration advised that in order to ensure effective delivery of public services, the Administration had to specify appropriate Chinese and English LPRs as part of the entry requirements for appointment to individual grades having regard to the operational needs and job requirements of the concerned grades. HoDs/HoGs were responsible for stipulating the LPRs for each of the grades under their management and making suitable adjustments in response to changes in the community and operational needs. The Administration advised that review of LPRs was an ongoing process. CSB had issued guidelines to HoDs/HoGs reminding them to review LPRs from time to time.

13. A member expressed concern that although there was a policy of accepting overseas Chinese language qualifications as meeting the stipulated LPRs, in practice, some individual B/Ds had their own internal language assessments. The Administration clarified that all B/Ds had to accept the Chinese language results of specified non-local public examinations, in addition to local qualifications. During the selection process, some B/Ds might arrange other job-related tests or interviews to further assess the suitability of the candidates. For example, applicants for the post of Police Constable might be arranged to watch videos on crime-related incidents and then give a simple account of the incidents in written English and Chinese. Such arrangement could help assess the applicants' job-related communication ability and should not be regarded as additional Chinese language tests imposed on applicants.

14. A member suggested that for those civil service posts which involved direct service provision to the ethnic minority communities, the Administration should specify the LPRs in respect of the relevant ethnic minority language and such LPRs should substitute for the Chinese LPRs for the relevant grades. The Administration replied that for some grades, applicants who possessed foreign language skills would be awarded extra marks in the recruitment selection process. In setting the LPRs for appointments to different grades in the civil service, the job nature and operational requirements of the grades concerned were the primary considerations. The Administration would ensure that the LPRs specified would remain relevant to and commensurate with the satisfactory performance of the duties of the grades concerned.

Relevant questions raised at Council meetings

15. Hon IP Kwok-him and Hon Emily LAU raised questions on the Chinese LPRs for appointment to the civil service at the Council meetings of 20 January 2010 and 27 February 2013 respectively. Hyperlinks to the relevant Hansards are provided in the **Appendix**.

Latest development

16. At the meeting on 20 July 2015, the Administration will update the Panel on employment of ethnic minorities in the civil service. The Panel will receive views from the EOC and some organizations on the effectiveness of the measures undertaken by the Administration in facilitating ethnic minorities to join the civil service at the same meeting.

Relevant papers

17. A list of relevant papers is in the **Appendix**.

Council Business Division 4
Legislative Council Secretariat
14 July 2015

Appendix

Employment of ethnic minorities in the civil service

List of relevant papers

Meeting	Date of meeting	Paper
Panel on Public Service	24 May 2010 (Agenda item IV)	Agenda Administration's paper Minutes
	20 June 2011 (Agenda item V)	Agenda Administration's paper Minutes Administration's follow-up paper
	15 April 2013 (Agenda item IV)	Agenda Administration's paper Minutes Administration's follow-up paper
	20 January 2014 (Agenda item V)	Agenda Administration's paper Minutes Administration's follow-up paper
Council Meeting	20 January 2010	Official Record of Proceedings Pages 7 - 17 (Oral Question 1)

Meeting	Date of meeting	Paper
	27 February 2013	<u>Official Record of Proceedings</u> <u>Pages 68 - 71 (Written</u> <u>Question 15)</u>

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