

立法會
Legislative Council

LC Paper No. CB(2)2117/14-15
(These minutes have been
seen by the Administration)

Ref : CB2/PL/WS

Panel on Welfare Services

Minutes of meeting
held on Thursday, 23 July 2015, at 10:00 am
in Conference Room 1 of the Legislative Council Complex

Members present : Hon CHEUNG Kwok-che (Chairman)
Hon CHAN Yuen-han, SBS, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Frankie YICK Chi-ming, JP
Hon CHAN Chi-chuen
Dr Hon KWOK Ka-ki
Dr Hon Fernando CHEUNG Chiu-hung
Hon POON Siu-ping, BBS, MH
Hon TANG Ka-piu, JP

Members absent : Hon LEUNG Yiu-chung
Hon TAM Yiu-chung, GBS, JP
Hon Ronny TONG Ka-wah, SC
Dr Hon LEUNG Ka-lau
Hon CHAN Han-pan, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Dr Hon Helena WONG Pik-wan

Members attending : Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN
Hon Michael TIEN Puk-sun, BBS, JP

**Public Officers : Item III
attending**

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

Mr David LEUNG, JP
Commissioner for Rehabilitation
Labour and Welfare Bureau

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

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

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

**Attendance by : Item III
invitation**

爭取資助院舍聯席

Mr LAM Lai-shing

New People's Party

Miss WONG Ching-chi
Community Development Officer

Elderly Rights League (H.K.)

Mr KWOK Chin-yin
Chairman

ERL Hostels Concern Group

Ms LAU Sau-kam
Representative

Grass Root Worker Right Association

Ms CHEUNG Mei-lai
Representative

ERL Elderly Services Concern Group

Ms CHOI Yuen-tze
Representative

Private Hostel Concern Group

Ms LEUNG Yuet-chiu
Representative

Concern for Elderly Right Agency

Miss YUEN Shuk-yan
Community Organizer

Society for Community Organization

Mr NG Wai-tung
Community Organizer

Mr LAW Kwong-keung, Member of Shatin District
Council

Democratic Alliance for the Betterment and Progress of
Hong Kong

Mr CHOI Tin-yam
Deputy Spokesperson

SME Global Alliance Elderly and Special Needs
Services Association Ltd.

Mr Richard LEE Pak-ying
Chairman

Care Taker Concern Group

Ms CHU Moon-chun
Member

Mr LEE Kim-po

Chinese Grey Power

Mr CHEUNG Kai-bing
Member

老人福利關注組

Mr LAI Ming-lai
Member

Labour Rights Commune

Ms CHEUNG Man-wai
Member

Grassroots Development Centre

Mr NG Kin-wing
Member

The Democratic Party

Mr MAK Yun-pui
Representative

社工復興運動

Mr CHAN Siu-ming

Labour Party

Mr David CHIU
Representative

Hong Kong Private Nursing Home Owners Association

Mr Thomas KWONG Wai-ping
Vice Chairman

Ms YIP Ying-lun

The Forthright Caucus

Mr LO Ho-yuen
Representative

The Elderly Services Association of Hong Kong

Mr Alex LI
Secretary General

社區及院舍照顧員總工會

Mr CHENG Ching-fat
Secretary

Hong Kong Christian Service (Elderly Core Business)

Ms Dorothy CHOW Lok-ming
Chief Supervisor (Long Term Care Service)

香港基督教服務處長者評議會

Ms AU Fung-ling
Member

The Hong Kong Association of Senior Citizens

Mr Abraham POON Shue-yan
Director

長者政策監察聯席之友

Mr CHEUNG Kei
Member

The Hong Kong Council of Social Service

Ms Grace CHAN Man-yee
Chief Officer (Elderly Service)

Hong Kong S.K.H. Lady MacLehose Centre

Mr Benson NG Yuk-ming
Senior Service Coordinator

Hong Kong Young Women's Christian Association

Ms Daisy LI Kit-ching
Supervisor

Hong Kong Sheng Kung Hui Welfare Council Limited

Ms Melissa LUK Loi-tai
Service Director

1st Step Association

Mr YIP Kin-keung
Social Worker

Concerning Home Care Service Alliance

Miss CHEUNG Nga-lam
Organizer

FSWS

Mr WONG Kwun-wing
External Vice Chairman

Miss LEUNG Man-leong

**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

Ms Ada TANG
Clerical Assistant (2) 4

Action

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

[LC Paper Nos. CB(2)1741/14-15(01), CB(2)1780/14-15(01), CB(2)1936/14-15(01) and CB(2)1946/14-15(01)]

Members noted that the following papers had been issued since the last meeting –

- (a) letter dated 15 June 2015 from Dr Joseph LEE requesting the Panel and the Panel on Health Services to hold a joint meeting to discuss the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) ("the RCHE Ordinance") with a view to improving the quality of these residential care homes ("RCHs") [LC Paper No. CB(2)1741/14-15(01)];
- (b) referral from the Public Complaints Office on policies relating to support for child carers [LC Paper No. CB(2)1780/14-15(01)];
- (c) paper on proposed amendments to Rules of the High Court (Cap 4A) and Rules of the District Court (Cap 336H) in relation to the Child Abduction Legislation (Miscellaneous Amendments) Ordinance 2014 [LC Paper No. CB(2)1936/14-15(01)]; and
- (d) letter dated 20 July 2015 from Dr Fernando CHEUNG requesting the Panel to discuss issues relating to child fatality review mechanism [LC Paper No. CB(2)1946/14-15(01)].

2. The Chairman suggested that the subjects mentioned in (a) and (d) above be discussed in the 2015-2016 session. Members agreed.

II. Proposed extension of period of work of the Subcommittee on Retirement Protection

[LC Paper No. CB(2)1906/14-15(01)]

3. The Chairman said that as the work of the Subcommittee on Retirement Protection ("Subcommittee") tied in with the progress of the Administration's work on taking forward the retirement protection scheme, the Subcommittee proposed to extend the period of its work and continue to operate in the 2015-2016 session. He sought members' view on the Subcommittee's proposal. Members agreed to the proposal and the submission of a report to the House Committee for seeking its approval of the proposal.

III. Issues relating to service quality and monitoring of private residential care homes

[LC Paper Nos. CB(2)1906/14-15(02) to (07), CB(2)1943/14-15(01), CB(2)1952/14-15(01), CB(2)1956/14-15(01), CB(2)1961/14-15(01) to (06), CB(2)1976/14-15(01) to (04), CB(2)2005/14-15(01) and CB(2)2037/14-15(01)]

4. The Chairman invited deputations/individuals to present their views. A total of 38 deputations/individuals expressed their views which were summarized in the **Appendix**.

(At 11:02 am, the Deputy Chairman took the Chair in the absence of the Chairman. The Chairman took the chair at 12:10 pm.)

The Administration's response to deputations' views

5. In response to the views of the deputations/individuals, Director of Social Welfare ("DSW") said that conducting inspections at RCHs alone would not adequately improve the service quality of private RCHs. The discipline and efforts of the industry and caring of family members and the community for residents of these homes were also important. The Administration considered that care workers should have a caring and respectful attitude towards RCH residents. The Administration would continue to communicate with the industry in order to enhance the monitoring and service quality of these homes and strengthen the training for care workers. To enhance the knowledge and skills of RCH staff, the Social Welfare Department ("SWD") had collaborated with the Department of Health ("DH") and the Hospital Authority ("HA") to organize various training programmes such as care services for elderly persons and persons

with disabilities ("PWDs") with special needs, drug management, etc. The number of attendance of these training programmes by RCH staff was over 70 000 in the past few years. In addition to providing training programmes for RCH staff, SWD was working out training packages in collaboration with the Employees Retraining Board and the Qualifications Framework ("QF") Secretariat for operators and home managers of residential care homes for the elderly ("RCHEs") with a view to improving the management quality of RCHEs. SWD would continue to collaborate with DH and HA in organizing more training programmes for RCH staff.

6. DSW further said that to address the manpower shortage problem in the elderly care sector, the Administration had launched the "first-hire-then-train" pilot project ("the Pilot Project") and the Navigation Scheme for Young Persons in Care Services ("the Navigation Scheme"). She then briefed members on the Pilot Project and the Navigation Scheme with reference to paragraph 12 of the Administration's paper (LC Paper No. CB(2)1906/14-15(02)).

7. DSW said that promotion prospect was one of the key factors to attract young persons to join the elderly care sector. To this end, with the assistance of the Administration, the QF Secretariat had formed Industry Training Advisory Committees to provide a platform for employers, employees, professional bodies and other stakeholders to exchange views on manpower development and upgrading.

8. Regarding supply of RCHs, DSW advised that in addition to purchasing places under the Enhanced Bought Places Scheme ("EBPS"), the Administration had earmarked 11 sites in development projects for the construction of new contract RCHEs in the coming few years. Under the Special Scheme on Privately Owned Sites for Welfare Uses ("Special Scheme"), the Administration was processing 63 preliminary proposals. 9 000 elderly service places and 8 000 rehabilitation service places were expected to be provided under the Special Scheme if all projects proceeded as proposed. The Administration would make its best efforts to press ahead the implementation of these projects.

9. DSW said that to enhance transparency of the service quality of RCHs, the Administration would consider the suggestion of publishing updated information on the service quality of RCHs on a dedicated website. She added that as amending the RCHE Ordinance would be a lengthy process and would involve a lot of complicated issues, the Administration would review the mechanisms under the existing legal framework to improve the monitoring and raise the service standards of RCHEs. That said, the

Administration adopted an open mind in reviewing the RCHE Ordinance.

Discussion

Introducing a statutory service quality accreditation system

10. Mr TANG Ka-piu considered it necessary to conduct a holistic review of the RCHE Ordinance which included reviewing provisions on staffing ratio, average per capita space, penalties, etc. Considering the lengthy legislative amendment process, he enquired whether the Administration would amend the RCHE Ordinance by phases and start with a statutory service quality accreditation system for all RCHEs.

11. DSW responded that the Administration had all along been encouraging RCHEs to actively join independent service quality accreditation schemes. Additional scores were awarded to those RCHEs which had passed accreditation or assessment in the EBPS purchase exercise. Information on voluntary participation of accreditation schemes by private RCHEs had been uploaded onto the SWD's website. The Administration would discuss member's suggestion of introducing a statutory service quality accreditation system with the industry.

12. Mr TANG Ka-piu asked whether the views of the industry would dominate the Administration's decision on whether it would accede to the requests for introducing a statutory service quality accreditation system for all RCHEs, as well as conducting a comprehensive review of the RCHE Ordinance and the monitoring system for RCHEs. Dr Fernando CHEUNG wondered why the Administration was unwilling to amend the RCHE Ordinance.

13. DSW reiterated that the Administration adopted an open mind in amending the RCHE Ordinance and would actively study the subject matter. In considering the feasibility of introducing a statutory service quality accreditation system, the Administration would need to take into account the penalties to be imposed on RCHEs which had not passed accreditation, the enforcement of relevant provisions and the handling of the aftermath. The Administration would consult the industry and seek legal advice in this regard. She said that the Administration would strengthen the monitoring of RCHEs.

14. Mr LEUNG Kwok-hung said that the Administration should publish information on the performance of RCHEs and the RCHEs which were unable to obtain accreditation to facilitate consumers to make informed

decisions on choosing RCHEs.

Enhancing service quality of RCHEs

15. Mr TANG Ka-piu said that elderly persons on Comprehensive Social Security Assistance ("CSSA") were receiving around \$6,000 per month from CSSA to pay for the services of private RCHEs. Given the high operating costs of private RCHEs, many private RCHEs could not afford to provide better services but could only peg their services to the amount of monthly CSSA payments received by elderly persons. Before amending the RCHE Ordinance, the Administration should adopt measures to ensure that quality service would be provided by private RCHEs. The Administration should consider providing a dedicated amount of money for private RCHEs which admitted elderly persons who were on CSSA and these RCHEs should be required to sign an agreement for upgrading their services.

16. DSW responded that the CSSA Scheme provided a safety net for those who could not support themselves financially and was designed to bring their income up to a prescribed level to meet their basic needs. Family members of elderly persons had the responsibility to help take care of the elderly members. She clarified that on average, elderly CSSA recipients who were living in private RCHEs were receiving more than \$7,600 a month from CSSA. Mr TANG Ka-piu said that the amount of CSSA received by some elderly persons with 50% disability was far below \$7,600.

17. Dr Fernando CHEUNG said he could not accept that some private RCHEs failed to maintain basic personal hygiene for some frail elderly residents and it was sad to note that some were only bathed once every two days in an affluent city like Hong Kong. He considered that the substandard service quality of private RCHEs was a result of the existing subvention system. As the Administration had no control of the use of CSSA payments by these RCHEs, some operators might only spend a small portion of the payments on services in order to maintain a profit margin. In his view, the service quality of private RCHEs could not be improved in the absence of profit control and changes to the RCHE Ordinance. DSW shared that it would be unacceptable if RCHEs failed to maintain basic personal hygiene for frail residents. The Administration would strengthen monitoring of personal care services during inspections to RCHEs.

18. Dr Fernando CHEUNG moved the following motion –

"鑒於《安老院條例》已近二十年沒有就人手、人均面積等方面作實質修訂，《殘疾人士院舍條例》及有關安老及殘疾院舍的《實務守則》皆未能與時並進，本委員會促請政府立即對上述條例及守則進行修訂，以改善院舍服務質素。"

(Translation)

"That, given that no substantive amendments have been made to the Residential Care Homes (Elderly Persons) Ordinance in respect of the staffing ratio and average per capita space for nearly two decades, and neither the Residential Care Homes (Persons with Disabilities) Ordinance nor the Codes of Practice for residential care homes for the elderly and for residential care homes for persons with disabilities can keep abreast of the times, this Panel urges the Government to immediately amend the above Ordinances and the Codes of Practice, so as to enhance the service quality of residential care homes."

19. The Chairman put the motion to vote. All members present voted for the motion. The Chairman declared that the motion was carried.

20. The Deputy Chairman said that the Hong Kong Federation of Trade Unions took the view that the existing proportion of subvented places and bought places in RCHEs was unhealthy. Instead of providing residential care services ("RCS") through private RCHEs, the Administration should increase the number of subvented places in RCHEs progressively. Given the poor performance of some private RCHEs, the Administration should suspend the implementation of the Pilot Scheme on Residential Care Service Voucher for the Elderly ("RCS Voucher Scheme"). In her view, it was pivotal for RCHE staff to have a respectful attitude towards elderly persons. She urged the Administration to critically look into the service quality, manpower provision and the code of conduct of staff of private RCHEs. The Administration should also take note of the high rental borne by private RCHEs if it wished to leverage on the resources in private RCHEs to replenish the supply of subsidized RCS places for the elderly.

21. DSW shared the view that a caring and respectful attitude of RCHE staff towards elderly persons was very important and the Code of Practice for Residential Care Homes (Elderly Persons) ("Code of Practice") also required such an attitude in the provision of services. She supported that the code of conduct of RCHE staff should be placed as the foremost requirement under the Code of Practice.

22. Mr Albert HO said that the Administration should closely monitor the service quality of private RCHEs. Given the shortfall of supply of RCHEs, the Administration might have difficulties in rehousing residents of RCHEs the licences of which were revoked because of non-compliance. As such, the Administration might have reservations in taking enforcement actions against non-compliant RCHEs. In his view, the poor service quality of some private RCHEs boiled down to inadequate subvention provided for them by the Administration. The Administration should review the subvention system and allocate more funds to the provision of RCHEs. Given the substantial demand for subsidized RCHEs, elderly persons from the grass-roots requiring RCS should be accorded priority for admission to non-profit making RCHEs operated by NGOs, while those from the middle-class should live in private RCHEs. DSW responded that providing more assistance for the financially inadequate was an important principle adopted by the Administration in the provision of welfare services.

23. While expressing support for strengthening the monitoring of RCHEs, Mr Michael TIEN said that New People's Party worried that many RCHEs would be closed down if the Administration stepped up the monitoring of RCHEs and as a result, residents of these RCHEs would be affected.

Inspection to RCHEs

24. Mr CHAN Chi-chuen said that as a review of the RCHE Ordinance might take a few years, the Administration should start implementing measures to strengthen the support for and the monitoring of private RCHEs. Following up on some deputations' view that some RCHEs were informed in advance of surprise inspections and arranged "on-the-run staff" to impersonate their staff members during inspections, he cast doubt on whether surprise inspections would serve their purposes. He sought information on the number of inspections conducted to private RCHEs in a day and the process, duration and checklist of inspections.

25. DSW stressed that inspections were surprise visits and no RCHEs should be informed of any surprise inspections in advance. She appealed to the deputations attending the meeting to provide concrete information in this regard, if any, for the Administration to follow up. The Licensing Office of Residential Care Homes for the Elderly ("LORCHE") conducted over 5 000 inspections a year to private RCHEs (on average seven surprise inspections at each private RCHE per year). In addition to surprise inspections which were carried out by four professional inspectorate teams, supervisory staff would conduct audit checks through surprise inspections at the RCHEs randomly assigned to them by LORCHE's computer system to ensure the quality of inspections.

26. Having regard to the concern of members and the stakeholders about the monitoring of RCHEs, the Chairman suggested that the Administration should brief different political parties and relevant community groups on inspections to RCHEs and collect their views on how inspections could be improved.

27. In response to Mr POON Siu-ping's enquiry about whether the Administration would increase manpower so that more inspections could be made to RCHEs, DSW responded that the Administration would keep in view the manpower requirement.

Enhancing transparency of information on RCHEs

28. Mr POON Siu-ping enquired about when the Administration would complete its review on making available the list of RCHEs classified as high risk for public inspection. Dr Fernando CHEUNG also sought the timetable for setting up a dedicated website for information on RCHs. DSW responded that the risk level of an RCHE was classified as high, medium or normal, having regard to the number and nature of non-compliant items found during inspections. LORCHE would accord priority to RCHEs with higher risk in conducting inspections. The risk levels of RCHEs were reviewed from time to time based on the information obtained by LORCHE during inspections. The Administration was examining whether relevant information should be released to the public, taking into account the legal issues involved in disseminating such information.

Manpower development for the elderly care sector

29. Mr POON Siu-ping expressed concern about whether the Pilot Project was useful in attracting young persons to join the elderly care sector. In this connection, he sought information on the number of young persons who continued to work in the sector after completion of the Pilot Project and the remuneration offered to them. DSW responded that under the Pilot Project, young persons were required to sign a two-year contract and take up care work in the welfare sector. Under the Second Phase of the Pilot Project, the monthly salary for these young persons was around \$10,000 in the first year of study and increased to over \$10,000 in the second year of study.

30. Mr Michael TIEN and Mr LEUNG Kwok-hung said that importation of labour was not a long-term solution to the manpower problem of the elderly care sector. Mr Michael TIEN said that RCHEs were facing the problem of manpower shortage. As elderly care involved noxious work,

many young persons were unwilling to work in RCHEs. Many RCHEs were understaffed and had difficulties in recruiting staff. To attract more young people to join the elderly care sector, a fourth level should be added to QF for the elderly care service industry. Care workers who had obtained the fourth level qualification should be allowed to perform some duties of paramedical staff to facilitate them to pursue further studies in the paramedical field. It would provide them with an opportunity to obtain paramedical-related qualifications, thereby facilitating their upward mobility. Mr LEUNG Kwok-hung said that to address the manpower shortage problem in the elderly care sector, the Administration should formulate policies to ensure that care workers could get a decent pay.

31. DSW responded that SWD had collaborated with HA in offering the enrolled nurse training programme since 2006. SWD fully subsidized the tuition fees for the whole programme, provided that trainees of the programme met the requirement of working in the welfare sector for a continuous period of no less than two years after satisfactory completion of training. The approach to QF for care workers was under study.

Increasing the provision of RCHEs

32. In view of ageing population, Mr Michael TIEN said that the demand for RCHEs would be sharply increased to around 200 000 places 25 years later. The Administration should address the inadequate supply of RCHEs through providing sufficient funding, land and manpower for RCHEs. As a large portion of income of private RCHEs went into the landlords' pockets because of the exorbitant rental, it would be difficult for RCHEs to improve their services. To relieve RCHE operators of the burden of competing with other industries in bidding for premises for RCHE operation, the Development Bureau ("DB") should make the provision of RCHEs a land sale condition. The Transport and Housing Bureau should liaise with DB to earmark sites in public rental housing ("PRH") development projects for construction of RCHEs. He asked whether the Labour and Welfare Bureau ("LWB") had made such requests to the Chief Executive ("CE").

33. Mr LEUNG Kwok-hung said that notwithstanding that the Hung Shui Kiu New Development Area ("NDA") was a key development area in New Territories West, no provision of RCHEs was planned there. He opined that many private RCHEs were unable to provide better services because of high rental, and in turn elderly persons would suffer. To address the problem, the Administration should include in outline zoning plans the provision of RCHEs. He asked whether LWB had been consulted on the provision of welfare facilities in the Hung Shui Kiu NDA development and

whether LWB had requested for such provision.

Admin 34. DSW responded that relevant government departments would be consulted on the facilities to be provided in new development projects and PRH development projects. SWD would reflect its requirements for welfare facilities, including facilities for elderly services and rehabilitation services for PWDs, to the bureaux/departments concerned. She said that during the discussion of the provision of residential welfare facilities in PRH developments at previous meetings of the Panel, members were informed that SWD and the Housing Department would collaborate with relevant government departments to plan for the provision of community facilities in a comprehensive manner. Mr Michael TIEN strongly urged DSW to ask the Secretary for Labour and Welfare to relay to CE his requests for earmarking sites in PRH development projects for construction of RCHEs and making the provision of RCHEs a land sale condition. DSW reiterated that relevant government departments would be consulted on the facilities to be provided in new development projects and PRH development projects.

(At 12:57 pm, the Chairman extended the meeting for 15 minutes beyond the appointed ending time to allow sufficient time for discussion.)

35. The Chairman said that to achieve the policy objective of "ageing in place as the core, institutional care as back-up", the Administration should enhance community care services ("CCS") for the elderly. With quality and adequate CCS, the demand for institutional care services would be reduced. He asked the Administration to respond to the suggestions of using the \$800 million earmarked for the RCS Voucher Scheme on CCS and imposing profit control of private RCHEs which provided EA1 places.

36. Deputy Secretary for Labour and Welfare (Welfare) 2 ("DS(W)2") responded that the Administration would take care of the elderly persons' needs at different stages and was committed to increasing the provision of both subsidized CCS and RCS. As far as subsidized CCS was concerned, he said that some 1 600 additional enhanced home and CCS places had been provided and some 2 000 day care service places would be provided by non-profit-making organizations under the Special Scheme.

37. DS(W)2 further said that the Administration should adhere to the financial discipline and therefore it would not be feasible to redeploy the \$800 million earmarked for the RCS Voucher Scheme to other uses. Having regard to the concerns about service quality of private RCHEs, the Working Group on Long Term Care Model under the Elderly Commission ("EC"),

which had been tasked to carry out the feasibility study of the RCS Voucher Scheme, had asked its consultant to revisit the preliminary recommendations of the study with a view to considering whether and how the requirements on service quality of RCHEs participating in the RCS Voucher Scheme could be further enhanced. EC would discuss the findings of the consultancy study and put up its recommendations for the Administration's consideration. In response to the Chairman, DS(W)2 said that suggestions on imposing profit control on participating private RCHEs had been received by the consultant. The Chairman said that the Panel would follow up with the Administration on the suggestion of redeployment of the \$800 million earmarked for the RCS Voucher Scheme.

Regulation of residential care homes for PWDs ("RCHDs")

38. Noting from the submission of The Association of Parents of the Severely Mentally Handicapped that only 20% of private RCHDs and 5% of subvented RCHDs were issued with licences since the implementation of the Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613) ("the RCHD Ordinance") in November 2011, Dr Fernando CHEUNG expressed grave concern about the slow progress of the implementation of the licensing scheme. DSW responded that the Administration had launched a pilot Bought Place Scheme for private RCHDs since October 2010 to encourage private RCHDs to upgrade their service standard. Certificates of exemption ("CoE") were issued to RCHDs which existed before the commencement date of the RCHD Ordinance but were unable to comply fully with the licensing requirements to allow them reasonable time to carry out improvement works for meeting the licensing requirements and standards. The Administration would facilitate RCHDs issued with CoE to meet the licensing requirements.

IV. Any other business

39. There being no other business, the meeting ended at 1:16 pm.

Council Business Division 2
Legislative Council Secretariat
18 September 2015

Panel on Welfare Services

Meeting on Thursday, 23 July 2015 at 10:00 am

Issues relating to service quality and monitoring of private residential care homes

Summary of views and concerns expressed by deputations/individuals

No.	Deputation/individual	Views
1.	爭取資助院舍聯席	<ul style="list-style-type: none"> [LC Paper No. CB(2)1961/14-15(01)]
2.	New People's Party	<ul style="list-style-type: none"> [LC Paper No. CB(2)1961/14-15(02)]
3.	Elderly Rights League (H.K.)	<ul style="list-style-type: none"> [LC Paper No. CB(2)1906/14-15(05)]
4.	ERL Hostels Concern Group	<ul style="list-style-type: none"> [LC Paper No. CB(2)1906/14-15(05)]
5.	Grass Root Worker Right Association	<ul style="list-style-type: none"> [LC Paper No. CB(2)1906/14-15(05)]
6.	ERL Elderly Services Concern Group	<ul style="list-style-type: none"> [LC Paper No. CB(2)1906/14-15(05)]
7.	Private Hostel Concern Group	<ul style="list-style-type: none"> [LC Paper No. CB(2)1906/14-15(05)]
8.	Concern for Elderly Right Agency	<ul style="list-style-type: none"> [LC Paper No. CB(2)1906/14-15(05)]
9.	Society for Community Organization	<ul style="list-style-type: none"> [LC Paper No. CB(2)1906/14-15(05)]
10.	Mr LAW Kwong-keung, Member of Shatin District Council	<ul style="list-style-type: none"> [LC Paper No. CB(2)1961/14-15(03)]
11.	Democratic Alliance for the Betterment and Progress of Hong Kong	<ul style="list-style-type: none"> The Administration should increase the provision of residential care services ("RCS") for the elderly, deploy more manpower for carrying out inspections to residential care homes for the elderly ("RCHEs") and conduct more inspections. Upward mobility opportunities should be provided for elderly care workers to attract young people to work in RCHEs.

No.	Deputation/individual	Views
12.	SME Global Alliance Elderly and Special Needs Services Association Ltd.	<ul style="list-style-type: none"> [LC Paper No. CB(2)1961/14-15(04)]
13.	Care Taker Concern Group	<ul style="list-style-type: none"> Instead of implementing the Pilot Scheme on Residential Care Service Voucher for the Elderly ("RCS Voucher Scheme"), the Administration should allocate resources to the provision of subvented RCHEs. The Administration should plan ahead for the provision of elderly care services, taking into account the needs of elderly persons at different ages. Users of elderly services should not be subject to means test and the "user-to-pay" principle should not be adopted. The financially adequate persons should contribute more to elderly services through a progressive tax system.
14.	Mr LEE Kim-po	<ul style="list-style-type: none"> [LC Paper No. CB(2)1961/14-15(05)]
15.	Chinese Grey Power	<ul style="list-style-type: none"> [LC Paper No. CB(2)2037/14-15(01)]
16.	1 st Step Association	<ul style="list-style-type: none"> [LC Paper No. CB(2)1976/14-15(03)]
17.	老人福利關注組	<ul style="list-style-type: none"> The Administration lacked a clear direction for development of elderly services. A mechanism for monitoring private RCHEs should be established.
18.	Labour Rights Commune	<ul style="list-style-type: none"> Many private RCHE operators had difficulties in recruiting suitable staff because the salary they offered was too low. Manpower shortage problem of private RCHEs could be addressed if operators were willing to offer higher pay.
19.	Grassroots Development Centre	<ul style="list-style-type: none"> [LC Paper No. CB(2)2005/14-15(01)]
20.	The Democratic Party	<ul style="list-style-type: none"> [LC Paper No. CB(2)1961/14-15(06)]
21.	社工復興運動	<ul style="list-style-type: none"> The Administration should impose profit control of private RCHEs and formulate a 10-year provision plan for RCHEs.
22.	Labour Party	<ul style="list-style-type: none"> Opposed to privatization of RCHEs and the implementation of the RCS Voucher Scheme. The Administration should impose stringent penalties on non-compliant RCHEs and strengthen subsidized long-term care services. Objected to importation of labour for the elderly care sector.
23.	Hong Kong Private	<ul style="list-style-type: none"> The Administration should provide cash allowance, say \$2,000

No.	Deputation/individual	Views
	Nursing Home Owners Association	to \$3,000 per month, for care workers direct to help private RCHEs to retain employees.
24.	Ms YIP Ying-lun	<ul style="list-style-type: none"> • The Administration should formulate policies to protect the privacy of RCHE residents. • Subsidized RCS should be provided for elderly persons who were in need of RCS and were financially inadequate. Those better-off should receive private RCS. Applicants for subvented RCHEs should take and pass a means test to ensure proper use of public resources. • The manpower ratio of local workers to imported workers should be set at 1:1 so as to alleviate the manpower shortage problem in the elderly care sector.
25.	The Forthright Caucus	<ul style="list-style-type: none"> • [LC Paper No. CB(2)1976/14-15(01)]
26.	The Elderly Services Association of Hong Kong	<ul style="list-style-type: none"> • [LC Paper No. CB(2)1943/14-15(01)]
27.	社區及院舍照顧員總工會	<ul style="list-style-type: none"> • Poor service quality of private RCHEs was a result of privatizations of RCS for the elderly by the Administration. • The Residential Care Homes (Elderly Persons) Ordinance ("the RCHE Ordinance") and Code of Practice for Residential Care Homes (Elderly Persons) were outdated and should be reviewed.
28.	Hong Kong Christian Service (Elderly Core Business)	<ul style="list-style-type: none"> • [LC Paper No. CB(2)1976/14-15(02)]
29.	香港基督教服務處長者評議會	<ul style="list-style-type: none"> • RCHE operators should recruit adequate nurses, provide nutritious meals and sufficient space for their residents. • The RCHE Ordinance should be reviewed once every two to three years to ensure that the design and safety standards of RCHEs would progress with time. • The Administration should increase the number of inspections, adjust the content of inspections and impose heavier penalties on non-compliant RCHEs.
30.	The Hong Kong Association of Senior Citizens	<ul style="list-style-type: none"> • The Social Welfare Department ("SWD") should take the lead in providing training programmes on filial piety for elderly care workers to enhance the service quality of RCHEs and raise the sense of respect for elderly persons in the society.
31.	長者政策監察聯席之友	<ul style="list-style-type: none"> • The Administration should conduct a comprehensive review and amend the principal provisions of the RCHE Ordinance.
32.	The Hong Kong Council of Social Service	<ul style="list-style-type: none"> • Requiring applicants for RCHEs to take and pass a means test could not help enhance service quality of RCHEs. A review

No.	Deputation/individual	Views
		<p>mechanism for RCHEs should be put in place and the RCHE Ordinance should be amended.</p> <ul style="list-style-type: none"> • In reviewing service quality of RCHEs, the Administration should start with improving staffing ratio, per capita space, etc. of RCHEs. • A pre-emptive approach should be adopted for monitoring and managing risk level of RCHEs.
33.	Hong Kong S.K.H. Lady MacLehose Centre	<ul style="list-style-type: none"> • Transformation of private RCHEs into non-governmental organizations should be considered. These RCHEs could then be subsidized by SWD for providing services with better quality. • The RCS Voucher Scheme should not be implemented before an effective and transparent mechanism for monitoring RCHEs was put in place. • The Administration should establish a system to constantly publish information on staffing and average per capita space of RCHEs, satisfactory levels of RCHE residents and number of inspections conducted by the Administration, etc.
34.	Hong Kong Young Women's Christian Association	<ul style="list-style-type: none"> • SWD should monitor service standards, staffing ratio and employees' qualification of private RCHEs to ensure that services would be provided according to impairment levels of the elderly persons. • Elderly persons admitted to private RCHEs should undergo assessments and personal care plans should be drawn up for RCHEs to formulate staffing plans according to the care needs of the elderly persons. • The existing licensing system for RCHEs should be rationalized to relieve RCHE operators' burden of applying for different licences from SWD and the Department of Health.
35.	Hong Kong Sheng Kung Hui Welfare Council Limited	<ul style="list-style-type: none"> • Information on service quality indicators of RCHEs should be made available on relevant websites so that RCHE users could participate in the monitoring of service quality of RCHEs. • RCHE operators should make reference to service quality indicators in making plans for manpower provision and care services. Service quality indicators should be reviewed on a regular basis.
36.	Concerning Home Care Service Alliance	<ul style="list-style-type: none"> • [LC Paper No. CB(2)1976/14-15(04)]
37.	FSWS	<ul style="list-style-type: none"> • Service quality of many private RCHEs was poor because these operators reduced the operating costs by exploiting their employees to make more profit. • The Administration should use the \$800 million earmarked for the RCS Voucher Scheme on providing more subvented RCHEs. In the long run, private RCHEs should be replaced by subvented RCHEs so that elderly persons requiring RCS could

No.	Deputation/individual	Views
		spend their twilight years with dignity.
38.	Miss LEUNG Man-leong	<ul style="list-style-type: none"> • The inspection and licensing system for monitoring RCHEs should be improved. The Administration should introduce a mandatory accreditation system for RCHEs to ensure the service quality of RCHEs. • The existing penalties were not effective in deterring non-compliance of RCHEs. The Administration should review licence applications of all RCHEs which were owned by the same owner if one of his or her RCHEs did not meet the licensing requirements. • The Administration should increase the provision of subvented RCHEs.

Council Business Division 2
Legislative Council Secretariat
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