

ITEM FOR ESTABLISHMENT SUBCOMMITTEE OF FINANCE COMMITTEE

HEAD 170 - SOCIAL WELFARE DEPARTMENT Subhead 000 Operational expenses

Members are invited to recommend to Finance Committee the creation of the following supernumerary post in the Social Welfare Department with effect from 1 October 2016 or upon approval of Finance Committee (whichever the later) to 31 March 2021 –

1 Assistant Director of Social Welfare
(D2) (\$154,950 - \$169,450)

PROBLEM

The Social Welfare Department (SWD) needs dedicated directorate support to head a Licensing and Regulation (LR) Branch to be established on 1 October 2016, which will be tasked to regulate residential care homes and centres licensed or registered by SWD, with a view to strengthening the monitoring of residential care homes for the elderly (RCHEs) and residential care homes for persons with disabilities (RCHDs) as well as enhancing their service quality.

PROPOSAL

2. SWD proposes to create one supernumerary post of Assistant Director of Social Welfare (ADSW) (D2), to be designated as Assistant Director (Licensing and Regulation) (AD(LR)), with effect from 1 October 2016 or upon approval of the Finance Committee (FC), whichever the later, to 31 March 2021.

/JUSTIFICATION

JUSTIFICATION

Background

3. As at end-March 2016, there were 728 RCHEs regulated under the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) and 311 RCHDs regulated under the Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613) offering 71 869 and 16 749 residential care places for the elderly and persons with disabilities respectively. SWD currently regulates and monitors RCHEs and RCHDs respectively through two separate offices, namely the Licensing Office of Residential Care Homes for the Elderly (LORCHE) and the Licensing Office of Residential Care Homes for Persons with Disabilities (LORCHD). The current arrangements for monitoring residential care homes are outlined at Enclosure 1.

Encl. 1

4. The Government also attaches great importance to the quality of residential care services, and is striving to enhance the service standards of residential care homes through a multi-pronged approach. Initiatives which have been put in place in recent years include the Enhanced Bought Place Scheme for private RCHEs, the Bought Place Scheme for private RCHDs, Dementia Supplement, Infirmary Care Supplement, the Navigation Scheme for Young Persons in Care Services, as well as the provision of training for home staff, etc. Further information about the above measures is set out at Enclosure 2.

Encl. 2

Strengthening Monitoring and Enhancing Service Quality

5. The public has been very concerned about the service standards and quality of residential care homes. There are also calls for stepping up inspections of RCHEs and RCHDs, stringently enforcing the law and strategically devising and adopting more effective measures, so as to strengthen the monitoring of these residential care homes. The Chief Executive announced, in the 2016 Policy Address, that the Government would comprehensively strengthen the monitoring of RCHEs and RCHDs, with measures including enhancing inspection and supervision, improving the regulatory mechanism and promoting staff training, etc. In order to take forward these initiatives, SWD plans to implement improvement measures in the following six main areas –

(1) *Strengthening inspection strategy and audit inspections*

- (a) a dedicated multi-disciplinary inspectorate team will be set up to formulate strategies and action plans for monitoring RCHEs with serious irregularities or poor track records.

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On top of the normal inspection mechanism, the dedicated team will, having regard to the nature and items of non-compliance of individual RCHEs, formulate individualised, concrete and targeted strategies and action plans to enhance the effectiveness of surprise inspections. Apart from increasing the number of surprise inspections, the dedicated team will strategically conduct surprise inspections in a small team approach or by a multi-disciplinary inspectorate team. With reference to the irregularities of individual RCHEs identified, the dedicated team will conduct surprise inspections flexibly at different times during office and non-office hours to closely monitor whether the homes have continuously complied with existing regulations and taken timely remedial measures, thereby ensuring that elderly persons will receive proper care. The dedicated team, staffed by more experienced inspectors and headed by a Senior Social Work Officer, will formulate and review the strategies required from time to time. The dedicated team will take sanctions and, where circumstances warrant, prosecution actions against RCHEs and RCHDs that contravene the licensing requirements;

- (b) the number of audit inspections to be conducted by supervisory officers will be increased to ensure the quality and standards of inspections at RCHEs and RCHDs. With increased manpower, there will be a significant increase in the number of audit inspections at RCHEs (from an annual average of 72 to 240) with the annual coverage of RCHEs to be increased from 10% to about 30%. The number of audit inspections at RCHDs will also be increased (from 12 of last year to an annual average of 24);

(2) *Dedicated handling and follow-up of complaints*

- (c) another designated team will be set up to handle complaints against RCHEs. Apart from conducting independent investigations, the team will follow up on substantiated complaint cases, including the imposition of appropriate sanctions against the RCHEs concerned according to the nature and severity of the irregularities identified, etc.;

/(3)

(3) *Reviewing Codes of Practice and formulating care-related guidelines*

- (d) the Code of Practice for RCHEs will be thoroughly reviewed and improvement areas will be identified with a view to enhancing the home staff's awareness of work ethics as well as improving the service quality and code of practice on care-related subjects. Upon completion of the aforementioned review, SWD will review the Code of Practice for RCHDs at the next stage to achieve the same objectives;
- (e) having regard to service needs, guidelines on care-related subjects will be formulated from time to time to facilitate the provision of proper care by RCHEs and RCHDs for residents. Improvement measures and good practices gathered from inspections or complaint investigations will be disseminated to RCHEs and RCHDs for continuous enhancement of service quality;

(4) *Enhancing training and planning for quality improvement project*

- (f) a new training and consultation programme on home management is planned to be launched in 2016-17 so as to enhance the management skills of managers of RCHEs and RCHDs and provide on-site coaching. The training will cover effective staff supervision and training, sharing of good management practices, consultation and guidance on the management of individual homes, etc.;
- (g) in collaboration with the sector and other relevant stakeholders, a quality improvement project that could promote and facilitate the participation of residential care homes in accreditation schemes will be actively explored for continuous improvement of their quality;

(5) *Stepping up law enforcement and increasing transparency*

- (h) the criteria and arrangements for issuing warnings to RCHEs will be revamped with a view to making the entire monitoring mechanism open, fair and legally binding. The proposals include making public the warning records of non-compliant RCHEs where practicable to enhance the transparency of the monitoring system and the deterrence against non-compliant homes. The implementation details of these proposals will be drawn up after legal advice has been sought;

- (i) a dedicated website on long-term care services for the elderly will be developed to offer one-stop service information of over 700 RCHEs in the whole territory for better transparency. The website will provide functions to search and to compare different RCHEs. The website will also provide information about RCHEs in respect of services, fees, licensing, staffing, facilities, service performance (including records of non-compliance and prosecutions), accreditation and participation in the Service Quality Group Scheme, etc. The new website is expected to be launched by end-2016. After the launch of this website, a similar dedicated website for RCHDs will be developed at the next stage to facilitate the public's access to information of individual RCHDs;
 - (j) In 2016-17, the Service Quality Group Scheme¹ will be extended to the whole territory with all types of RCHEs and all the licensed RCHDs covered, joining the collaboration forces with the community to monitor RCHEs and RCHDs through wider participation of community stakeholders in the scheme. Statistics relating to the Service Quality Group Scheme will be regularly published; and
- (6) *Enhancing support for rectification works of RCHDs*
- (k) various facilitating measures will be implemented to encourage and assist RCHDs operating with certificates of exemption² to expedite the carrying out of necessary rectification works. Such measures include providing these RCHDs with subsidy under the Lotteries Fund to carry out improvement works, streamlining the workflow of engaging authorised persons for the provision of technical support, preparing document templates to expedite the application process, implementing a special project to provide additional technical support for RCHDs facing difficulties in taking forward the rectification works, etc., so that the homes could fully comply with the licensing requirements as soon as possible.

/SETTING

¹ Members of the Service Quality Group, comprising healthcare personnel, service users/relatives/friends, local leaders, etc., will conduct unannounced visits to the RCHEs and RCHDs participating in the Scheme to assess their facilities and service provision, receive and collect views from residents, their relatives and/or home staff, and provide feedback for the home operators on their service delivery. As at April 2016, a total of 227 RCHEs (including 193 private RCHEs) and 26 RCHDs joined the Service Quality Group Scheme voluntarily.

² As at end-April 2016, out of a total of 311 RCHDs, 48 had been licensed while the rest were operating with certificates of exemption.

SETTING UP A NEW LICENSING AND REGULATION BRANCH

6. SWD proposes to improve the existing organisation structure for the purpose of effective implementation of the above work. Administratively, LORCHE and LORCHD are at present respectively subsumed under the Elderly Branch headed by Assistant Director (Elderly) (AD(E)) and the Rehabilitation and Medical Social Services (RMSS) Branch headed by Assistant Director (Rehabilitation and Medical Social Services) (AD(RM)). LORCHE and LORCHD are similar in their function and nature of work, particularly in terms of the staffing complement, licensing and regulatory responsibilities, work approach and strategies, as well as day-to-day management and practice. SWD proposes putting LORCHE and LORCHD under the management of the LR Branch to be established on 1 October 2016 to unleash synergy, facilitate the transfer of knowledge and management, as well as ensure consistency in the handling of licensing, inspection and monitoring matters and the imposition of sanction measures. This will also facilitate the formulation of law enforcement strategies for effective regulatory control measures in respect of residential care homes licensed by SWD.

7. 39 time-limited non-directorate posts will be created for the new LR Branch from 1 October 2016 to 31 March 2021. These posts would be filled by staff of the Social Work Officer grade, Social Work Assistant grade, Registered Nurse grade, professional and technical grades seconded from the Buildings Department and the Fire Services Department as well as clerical and supporting general grades who would be responsible for implementing the various improvement measures as set out in paragraph 5 above. Together with the existing manpower of the Licensing Office³ under the Elderly Branch and LORCHD(a total of 81 posts), and the new supernumerary ADSW post proposed in paragraph 8 below, the new LR Branch will have a total of 121 posts.

CREATION OF A NEW SUPERNUMERARY ADSW POST

8. As the newly established LR Branch will need to implement various enhancement measures as set out in paragraph 5 above, SWD needs to create a supernumerary ADSW post (AD(LR)) to head and steer the work of five of the sections under the new branch that are relevant to the quality of RCHEs and RCHDs, namely LORCHE, LORCHD, Quality Service Section,

/Target

³ Currently, the Licensing Office under the Elderly Branch assumes a central role in coordinating the work of LORCHE, the Licensing Office of Drug Dependents Treatment Centres and the Child Care Centres Advisory Inspectorate. The Licensing Office is responsible for enforcing the licensing or registration, control and inspection of RCHEs, drug treatment and rehabilitation centres as well as child care centres.

Target Monitoring and Prosecution Section, and Risk Management and Complaints Section. Having regard to similarities in the nature of work, the branch will also steer the work of the Licensing Office of Drug Dependents Treatment Centres and Child Care Centres Advisory Inspectorate⁴. Under the new organisation structure, the proposed AD(LR) will provide dedicated supervision over the planning, development and operation of matters relating to the licensing or registration systems under the purview of SWD. The work involves regulating more than 1 100 homes and centres under the respective ordinances, and requires AD(LR) to provide comprehensive guidance and lead a multi-disciplinary team to achieve synergy and carry out the duties effectively. The duties include handling matters relating to licensing and inspection; leading a dedicated team to handle complaints against RCHEs independently; formulating strategies and action plans for monitoring RCHEs with serious irregularities or poor track records in a targeted manner; stepping up sanctions and prosecution actions against RCHEs and RCHDs that contravene the licensing requirements; and formulating strategies and implementing measures to strengthen the management of homes and enhance their service quality. In carrying out the various measures as referred to above, the proposed AD(LR) will have to formulate relevant strategies to pursue the participation and collaboration of stakeholders.

PROPOSED ORGANISATION STRUCTURE

- Encl. 3 9. The job description of the proposed AD(LR) post is at Enclosure 3.
- Encls. 4 & 5 The organisation charts of the proposed LR Branch and SWD upon the creation of the proposed AD(LR) post are at Enclosures 4 and 5 respectively. Upon the establishment of LR Branch, the existing Licensing Office⁵ and LORCHD will be transferred from the Elderly Branch and RMSS Branch respectively to the new LR Branch. The proposed organisation chart of the Elderly Branch and RMSS Branch upon the establishment of the new LR Branch is at Enclosure 6.
- Encl. 6

10. The new organisation structure will be put into operation for a period of time for SWD to consolidate the experience and review the effectiveness in due course, with a view to ascertaining its suitability as a long-term arrangement. Having considered the relevant factors, SWD proposes that the

/ADSW

⁴ The Licensing Office of Drug Dependents Treatment Centres formulates strategies on registration, monitoring, regulatory control and law enforcement in respect of drug treatment and rehabilitation centres (DTRCs), as well as enforces relevant legislation and inspects DTRCs. Child Care Centres Advisory Inspectorate formulates strategies on registration, monitoring, regulatory control and law enforcement in respect of child care centres, as well as enforces relevant legislation and inspects child care centres. At present, the two sections are subsumed under the Licensing Office of the Elderly Branch.

⁵ The Licensing Office consists of LORCHE, the Licensing Office of Drug Dependents Treatment Centres and the Child Care Centres Advisory Inspectorate.

ADSW post should be created on a supernumerary basis with effect from 1 October 2016 or upon FC's approval, whichever the later, to 31 March 2021, while the 39 new non-directorate posts will be created from 1 October 2016 to 31 March 2021. Before the expiration of the posts, SWD will review the long-term manpower requirements having regard to the progress of work of the newly established LR Branch.

ALTERNATIVES CONSIDERED

Encl. 7

11. The major responsibilities of the existing ADs of SWD are at Enclosure 7. SWD has critically examined the feasibility of arranging an existing Assistant Director (AD) within SWD to take up the duties of the proposed AD(LR) post. It is noted that AD(E) and AD(RM), who are currently overseeing the Licensing Office and LORCHD respectively, have been persistently over-stretched with the increasing workload involving a wide spectrum of residential and community care services for the elderly and persons with disabilities, as well as various new initiatives coming on stream. Neither AD(E) nor AD(RM) would have any spare capacity to take up the extra duties arising from the implementation of the enhancement measures as set out in paragraph 5 above. The setting up of the AD(LR) post in the new Branch would relieve AD(E) and AD(RM) of their licensing related activities (which account for a relatively small portion of their work), thus enabling them to better tackle the various challenges in elderly and rehabilitation services.

12. Facing with a rapidly ageing population, apart from substantially increasing the supply of services, AD(E) has to implement a number of pilot schemes on long-term care services for the elderly, including the the Pilot Scheme on Community Care Service Voucher for the Elderly, a pilot scheme based on a medical-social collaboration model to provide support services for elderly persons with dementia, the Pilot Residential Care Services Scheme in Guangdong, etc.; enhance the support for carers of elderly persons, including the Pilot Scheme on Living Allowance for Carers of the Elderly Persons from Low Income Families; promote various initiatives of active ageing, including the Opportunities for the Elderly Project, the Senior Citizen Card Scheme, etc.; provide on-going training for healthcare staff, including the Navigation Scheme for Young Persons in Care Services, training programmes for enrolled nurses and health workers, etc.; review and enhance the infrastructure of long-term care and the Standardised Care Need Assessment Mechanism for Elderly Services; and take forward implementation measures as recommended under the future Elderly Services Programme Plan, etc.

13. The challenges faced by AD(RM) include implementing and reviewing on-site pre-school rehabilitation service, preparing for its regularisation and conducting overall planning for pre-school rehabilitation services;

/formulating

formulating strategies and concrete measures to address the ageing of users of rehabilitation services; undertaking planning for rehabilitation services and taking measures on various fronts to increase the provision of service places so as to alleviate the demand and shorten the waiting time; implementing various pilot schemes for pre-school children with special needs, peer supporters for ex-mentally ill persons, persons with autism, carers of persons with disabilities, etc.; and closely monitoring the supply and demand of manpower in rehabilitation services and devising appropriate plans and measures.

14. Given the rapid expansion in different service areas of social welfare, all other existing ADs are also fully engaged in their own schedule of responsibilities. It is operationally not feasible for anyone of them to take up the duties of AD(LR) without adversely affecting the discharge of their current duties.

FINANCIAL IMPLICATIONS

15. The additional notional annual salary cost at mid-point of the proposed supernumerary ADSW (D2) post is \$1,973,400, and the full annual average staff cost required, including salaries and staff on-cost, is \$2,492,000. As for the 39 time-limited non-directorate posts, the additional notional annual salary cost at mid-point is \$23,504,700 and the full annual average staff cost required is about \$36,274,000.

16. The necessary provision has been included in the Estimates of 2016-17 and will be reflected in the Estimates of the relevant years for meeting the cost of this proposal.

PUBLIC CONSULTATION

17. SWD consulted the Legislative Council Panel on Welfare Services (the Panel) at its meeting on 9 May 2016 on the above proposal. The Panel supported in principle the creation of one supernumerary AD(LR) post. At that meeting, the Panel requested supplementary information and asked SWD to meet with the 'Alliance for Subvented Residential Care Service' and to respond to its preliminary proposals. In this connection, SWD met with representatives of the deputation and exchanged views with them on 13 May 2016. The Government also issued a written reply to the Panel on 3 June 2016 and a copy is at

Encl. 8

Enclosure 8.

/ESTABLISHMENT

ESTABLISHMENT CHANGES

18. The establishment changes in SWD for the past two years are as follows –

Establishment (Note)	Number of Posts			
	Existing (as at 1 May 2016)	As at 1 April 2016	As at 1 April 2015	As at 1 April 2014
A*	25#	25	25	25
B	704	700	692	677
C	5 079	5 071	5 020	4 913
Total	5 808	5 796	5 737	5 615

Note:

- A - ranks in the directorate pay scale or equivalent
- B - non-directorate ranks, the maximum pay point of which is above MPS Point 33 or equivalent
- C - non-directorate ranks, the maximum pay point of which is at or below MPS Point 33 or equivalent
- * - excluding supernumerary posts created under delegated authority
- # - as at 1 May 2016, there was no unfilled directorate post in SWD

CIVIL SERVICE BUREAU COMMENTS

19. The Civil Service Bureau supports the creation of the proposed supernumerary ADSW post. The grading and ranking of the proposed post are considered appropriate having regard to the level and scope of responsibilities required.

ADVICE OF THE STANDING COMMITTEE ON DIRECTORATE SALARIES AND CONDITIONS OF SERVICE

20. As the post is proposed on a supernumerary basis, its creation, if approved, will be reported to the Standing Committee on Directorate Salaries and Conditions of Service in accordance with the agreed procedures.

Labour and Welfare Bureau
Social Welfare Department
June 2016

**Existing Arrangements for the Monitoring of
Residential Care Homes for the Elderly (RCHEs) and
Residential Care Homes for Persons with Disabilities (RCHDs)**

The Licensing Office of Residential Care Homes for the Elderly

The Licensing Office of Residential Care Homes for the Elderly (LORCHE) of the Social Welfare Department (SWD) is responsible for regulating RCHEs by enforcing the various requirements stipulated in the Residential Care Homes (Elderly Persons) Ordinance (the RCHE Ordinance) (Cap. 459), its subsidiary legislation and the Code of Practice for RCHEs^{Note}. LORCHE comprises 4 professional inspectorate teams with 38 staff, including those from the Social Work Officer grade, Social Work Assistant grade, Registered Nurse grade, and professional and technical grades seconded from the Buildings Department (BD) and the Fire Services Department (FSD). According to section 18 of the RCHE Ordinance, they conduct surprise inspections at RCHEs to ensure RCHEs' compliance with the licensing requirements. The scope of inspections covers building safety, fire safety, home management, drug management, personal care services, infection control, handling of accidents, environmental hygiene, meals and staffing, etc. to monitor whether the homes concerned have complied with the statutory requirements for management, staffing, space and layout, building structure, precautionary measures and quality of care, etc. To ensure the quality of inspections, 6 officers from the Social Work Officer grade will also conduct audit checks through surprise inspections at RCHEs randomly selected by the computer system from those which have been inspected by the inspectors.

2. LORCHE adopts a risk-based approach in conducting inspections and accords priority to handling of complaints. It also adjusts the number of inspections at individual RCHEs having regard to the number and nature of irregularities identified during inspections to ensure timely rectification of such irregularities. If the inspectors of LORCHE detect irregularities during the inspections, depending on the severity of the irregularities, advisory or warning letters will be issued to the non-compliant RCHEs. In addition, under the RCHE Ordinance, SWD may issue directions to RCHEs to direct remedial measures. If the RCHE concerned fails to comply with the requirements specified in a direction, SWD may take prosecution actions.

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^{Note} The Code of Practice for RCHEs and the Code of Practice for RCHDs set out the principles, procedures, guidelines and standards for the operation, keeping, management or other control of RCHEs and RCHDs respectively. They also set out detailed requirements in respect of the licence, building and accommodation, safety and fire precautions, floor space, furniture and equipment, management, staffing, health and care services, infection control, nutrition and meals, cleanliness and sanitation, social care, etc. The latest versions of these two Codes of Practice have been uploaded to SWD's website for public reference.

The Licensing Office of Residential Care Homes for Persons with Disabilities

3. The Licensing Office of Residential Care Homes for Persons with Disabilities (LORCHD) is responsible for regulating RCHDs by enforcing the various requirements under the Residential Care Homes (Persons with Disabilities) Ordinance (the RCHD Ordinance) (Cap. 613), its subsidiary legislation and the Code of Practice for RCHDs^{Note}. LORCHD comprises 4 professional inspectorate teams with 14 staff, including those from the Social Work Officer grade, Registered Nurse grade, and professional and technical grades seconded from BD and FSD. According to section 16 of the RCHD Ordinance, the inspectorate teams conduct surprise inspections at RCHDs covering the same aspects as those for inspections at RCHEs. To ensure the quality of inspections, 3 officers from the Social Work Officer grade will also conduct audit checks through surprise inspections at RCHDs randomly selected by the computer system from those which have been inspected by the inspectors.

4. Same as LORCHE, LORCHD also adopts a risk-based approach in conducting inspections and accords priority to handling of complaints. If the inspectors of LORCHD find that an RCHD is not in full compliance with the licensing requirements, depending on the severity of the irregularities, an advisory or warning letter will be issued to the RCHD concerned requiring it to make improvements within a specified period. Inspectors will also follow up on the case and review the situation. In addition, under the RCHD Ordinance, SWD may issue directions to RCHDs to direct remedial measures. If the RCHD concerned fails to comply with the requirements specified in a direction, SWD may take prosecution actions.

**Measures to Enhance the Service Quality of
Residential Care Homes in Recent Years**

The Government attaches great importance to the quality of residential care services (RCS). New and on-going initiatives on this front implemented in recent years include –

Enhancing the Level of Care of Subsidised RCS Places for the Elderly

2. Since 2005-06, the Social Welfare Department (SWD) has been implementing a conversion programme to convert, in phases, self-care hostel and home for the aged places without a long-term care element into care-and-attention (C&A) places providing a continuum of care (COC). In 2013-14, additional resources were allocated to increase the subvention for about 7 000 C&A places with COC under the conversion programme and upgrade some 7 850 ordinary C&A places in subvented residential care homes for the elderly (RCHEs) to places providing COC. These RCHEs may make use of the additional allocation to enhance their manpower for meeting the care needs of the elderly residents whose health has deteriorated. Starting from 2014-15, the COC concept has been extended to a total of 1 574 subsidised nursing home (NH) places in 6 subvented NHs in Hong Kong to provide enhanced care services for frail elderly persons. Since 2014-15, additional funding has been allocated to raise the unit subsidy of all the bought places under the Enhanced Bought Place Scheme (EBPS) and the Nursing Home Place Purchase Scheme with a view to strengthening the care and support of these homes for the elderly residents.

Enhanced Bought Place Scheme (EBPS)

3. In 1998, SWD launched EBPS with a view to upgrading the service standards of private RCHEs by enhancing the staffing ratio and per capita space standards. The scheme also helps increase the supply of subsidised places, thereby reducing elderly persons' waiting time for subsidised C&A places.

4. A major characteristic of EBPS is that once a private RCHE has participated in the scheme, the same enhanced standards (e.g. staffing and bed spacing requirements) will apply to the entire home (including non-subsidised places), hence making the scheme an effective means of encouraging private RCHEs to enhance their service quality. As at end-March 2016, there were 142 private RCHEs in Hong Kong participating in the scheme, providing a total of 8 048 subsidised places. Of these, 4 635 were EA1 places and 3 413 EA2 places.

5. Starting from 2016-17, the Government will progressively convert 1 200 existing EA2 places under EBPS to EA1 places so as to increase the supply of higher quality subsidised places and improve the overall quality of private RCHEs. The number of higher quality EA1 places is expected to increase from about 4 600 at present to about 5 800 after the upgrading exercise.

6. In order to encourage RCHEs to participate in accreditation or assessment schemes, SWD will award additional scores to those RCHEs which have passed accreditation or assessment when purchasing places under EBPS.

Bought Place Scheme (BPS) for Residential Care Homes for Persons with Disabilities (RCHDs)

7. In October 2010, SWD launched a 4 year Pilot BPS for Private RCHDs to encourage private RCHDs to upgrade their service quality by enhancing the staffing ratio and per capita space standards. The Government regularised the scheme in 2014-15, with the number of subsidised places in each participating private RCHD raised from 55% to 70% of its total recognised capacity. As at end-March 2016, there were 9 private RCHDs participating in BPS, providing a total of 450 bought places. The Government will provide 150 additional bought places in 2016-17.

Dementia Supplement (DS)

8. DS is provided as additional support for elderly persons with dementia in subvented RCHEs and RCHDs as well as private RCHEs participating in EBPS. With the DS allocation, RCHEs and RCHDs may employ additional professional staff, including occupational therapists, nurses and social workers, etc., or purchase relevant professional services. In 2016-17, DS amounting to \$235.5 million, including about \$228.9 million for RCHEs and about \$6.6 million for RCHDs, will be provided for 262 eligible RCHEs and 21 eligible RCHDs respectively, with about 5 900 beneficiaries.

Infirmity Care Supplement (ICS)

9. ICS is an additional resource to support frail elderly persons living in subvented RCHEs and RCHDs as well as private RCHEs participating in EBPS who have been medically assessed to be in need of infirmity care. The eligibility of elderly persons for ICS is confirmed by the Community Geriatric Assessment Teams of the Hospital Authority (HA). ICS is to be used as an allowance for

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existing staff (including physiotherapists, occupational therapists, nurses, health workers, care workers and workmen) or for the employment of qualified staff, including the purchase of professional services. In 2016-17, ICS amounting to \$119 million, including about \$108.6 million for RCHEs and about \$10.4 million for RCHDs, will be provided for 130 eligible RCHEs and 9 eligible RCHDs respectively, with about 1 700 beneficiaries.

Enrolled Nurse (EN) Training Programme

10. To alleviate the shortage of nurses in the welfare sector, SWD has been collaborating with HA since 2006 to organise a two-year EN (General)/EN (Psychiatric) Training Programme for the welfare sector. A total of 14 training classes have been organised so far, providing about 1 800 training places. Another 920 training places will be provided in the coming years. The Training Programme is fully subsidised by SWD. The trainees are required to sign an undertaking to work in the welfare sector continuously for 2 years upon graduation. Among the graduates of the first 11 training classes, over 90% have joined the welfare sector after graduation.

Navigation Scheme for Young Persons in Care Services (Navigation Scheme)

11. To encourage young people to join the elderly long-term care sector, the Government launched a “first-hire-then-train” pilot project (the Pilot Project) in 2013 with an allocation from the Lotteries Fund. Young people were recruited to take up care work in RCHEs. Apart from receiving on-the-job training, these young employees were provided with subsidies from the Government to pursue a two-year part-time diploma course. The Pilot Project was implemented in two phases, providing a total of 200 training places. Given the positive response to the Pilot Project, the Government has earmarked about \$147 million to implement the Navigation Scheme, providing a total of 1 000 training places in the coming years to encourage young people to join the elderly and rehabilitation care services. SWD has selected 5 non-governmental organisations to implement the Navigation Scheme. 3 of the organisations started recruiting trainees in July 2015, while the other 2 started recruiting trainees in April 2016.

Providing Training for Staff of Residential Care Homes

12. To enhance the knowledge and skills of RCHE staff in taking care of elderly persons, SWD has been collaborating with the Department of Health (DH) since 2008 to provide training programmes for RCHE staff. Topics include drug safety, infection control, fall prevention, dementia care, prevention of elder abuse, handling of accidents, management of work stress, etc. From 2008 to end-March 2016, about 13 600 RCHE staff attended the training workshops.

13. To enhance the management skills of operators and home managers of RCHEs and to promote good corporate governance, SWD, in collaboration with the Qualifications Framework Secretariat and the Hong Kong Association of Gerontology, organised a seminar on RCHE management in October 2015 with around 260 participants from the elderly residential care sector. SWD organised another management training workshop in February 2016, covering topics on crisis management and work ethics. Around 300 RCHE operators and management staff attended the workshop. On the other hand, the Employees Retraining Board has launched, in 2016-17, a new course titled “Certificate in Operation Management for Residential Care Home for the Elderly (Part-time)” under its “Skills Upgrading Scheme Plus” for current RCHE management staff to enhance their knowledge and skills on the operation and management of RCHEs.

14. For RCHD staff, SWD, in collaboration with DH and relevant professionals, has been organising training programmes. Topics include infection control, management of psychotropic drugs and understanding the social, recreational and developmental needs of persons with disabilities, etc. Infection control officers and relevant staff of RCHDs have been briefed on infection control, principles in handling psychotropic drugs, hygiene and health care issues. About 800 RCHD staff participated in these training programmes each year.

15. To tie in with the implementation of the licensing system for RCHEs and RCHDs and to enhance the caring skills of home staff, SWD invites training institutes to organise a series of health worker training courses applicable to RCHEs and RCHDs in accordance with relevant requirements. Currently, 37 training institutes have obtained SWD’s approval for organising 70 training courses applicable to RCHEs, whereas 23 training institutes have obtained SWD’s approval for organising 72 training courses applicable to RCHDs.

**Job Description for
Assistant Director (Licensing and Regulation)**

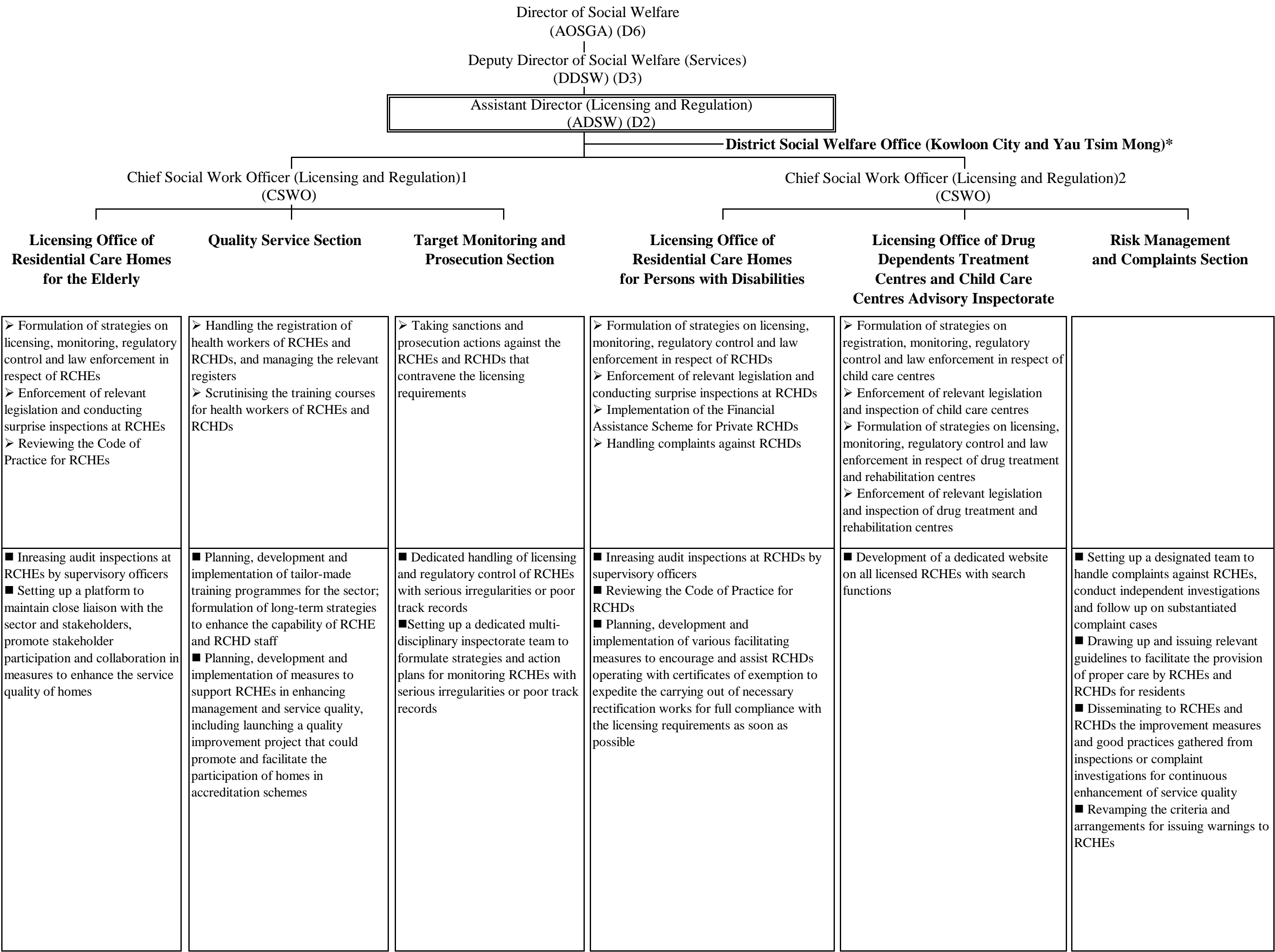
Rank : Assistant Director of Social Welfare (D2)

Responsible to : Deputy Director of Social Welfare (Services)

Main Duties and Responsibilities –

1. To assist in the formulation of strategies and objectives on licensing, registration and regulatory control in respect of residential care homes for the elderly (RCHEs), residential care homes for persons with disabilities (RCHDs), residential drug treatment and rehabilitation centres and child care centres.
2. To provide comprehensive guidance and direction for the formulation, implementation and review of operational procedures, monitoring systems, law enforcement strategies and management practices, etc. on matters relating to licensing and regulatory control.
3. To formulate strategies and to plan, develop, implement and review measures for enhancing the management and service quality of RCHEs and RCHDs.
4. To oversee the collection, collation and analysis of statistical data for continuous review of operation.
5. To administer and deploy the manpower of and other resources allocated to the Licensing and Regulation Branch, and oversee the manpower planning and staff training for the Branch to meet the changing operational requirements.
6. To provide coaching and guidance for the management and supervisory staff of the Licensing and Regulation Branch.

Proposed Organisation Chart of the Licensing and Regulation Branch under the Social Welfare Department



The new Licensing and Regulation Branch will have 6 different sections. Each section will take up part of the functions of the Licensing Office and the Licensing Office of Residential Care Homes for Persons with Disabilities which are at present respectively subsumed under the Elderly Branch and the Rehabilitation and Medical Social Services Branch, as well as implement a number of improvement measures.

Legend:

- AOSGA

- Administrative Officer Staff Grade A
- ADSW

- Assistant Director of Social Welfare
- Supernumerary post proposed to be created under the current proposal
- *

- District Social Welfare Office (Kowloon City and Yau Tsim Mong), currently under the supervision of Assistant Director (Subvention), will be put under the supervision of Assistant Director (Licensing and Regulation)
- - Proposed new functions
- CSWO

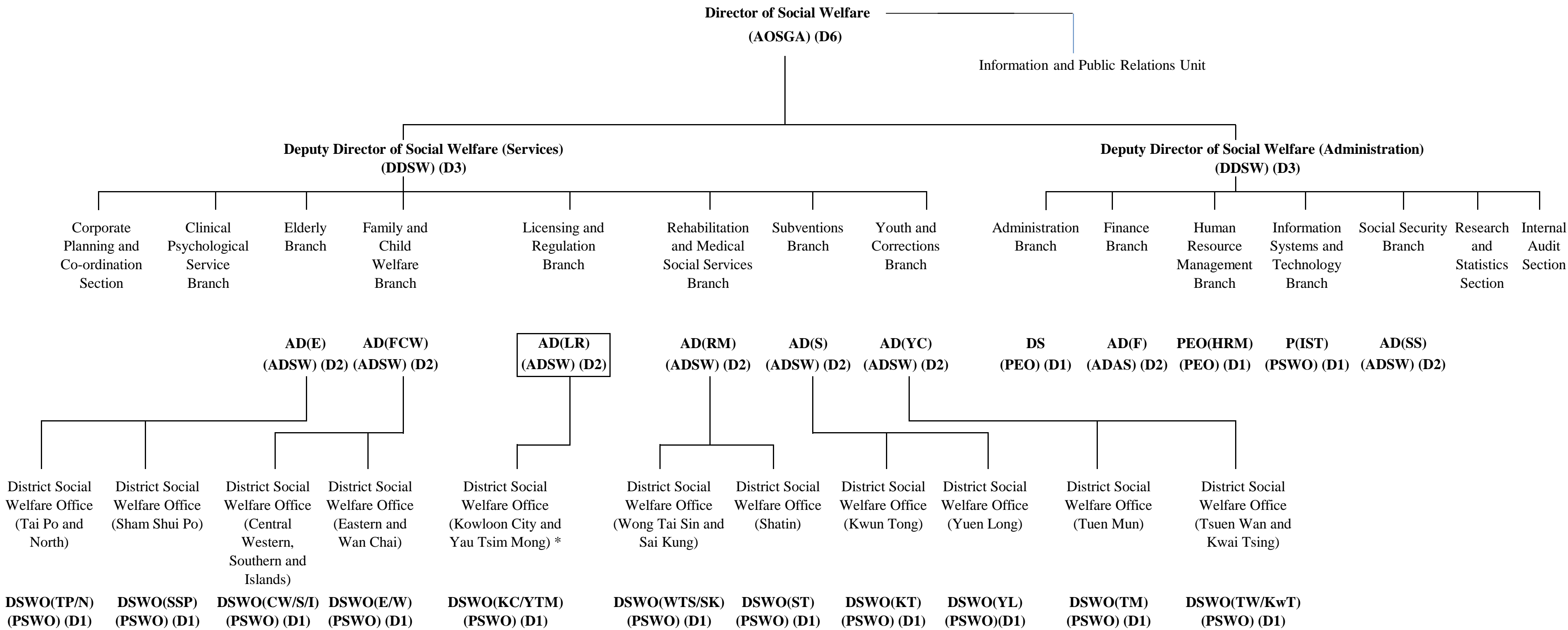
- Chief Social Work Officer
- DDSW

- Deputy Director of Social Welfare
- RCHD

- Residential Care Home for Persons with Disabilities
- RCHE

- Residential Care Home for the Elderly

Proposed Organisation Chart of the Social Welfare Department



Legend:

ADAS - Assistant Director of Accounting Services

ADSW - Assistant Director of Social Welfare

AOSGA - Administrative Officer Staff Grade A

DDSW - Deputy Director of Social Welfare

- Supernumerary post proposed to be created under current proposal

* - District Social Welfare Office (Kowloon City and Yau Tsim Mong), currently under the supervision of AD(S), will be put under the supervision of AD(LR)

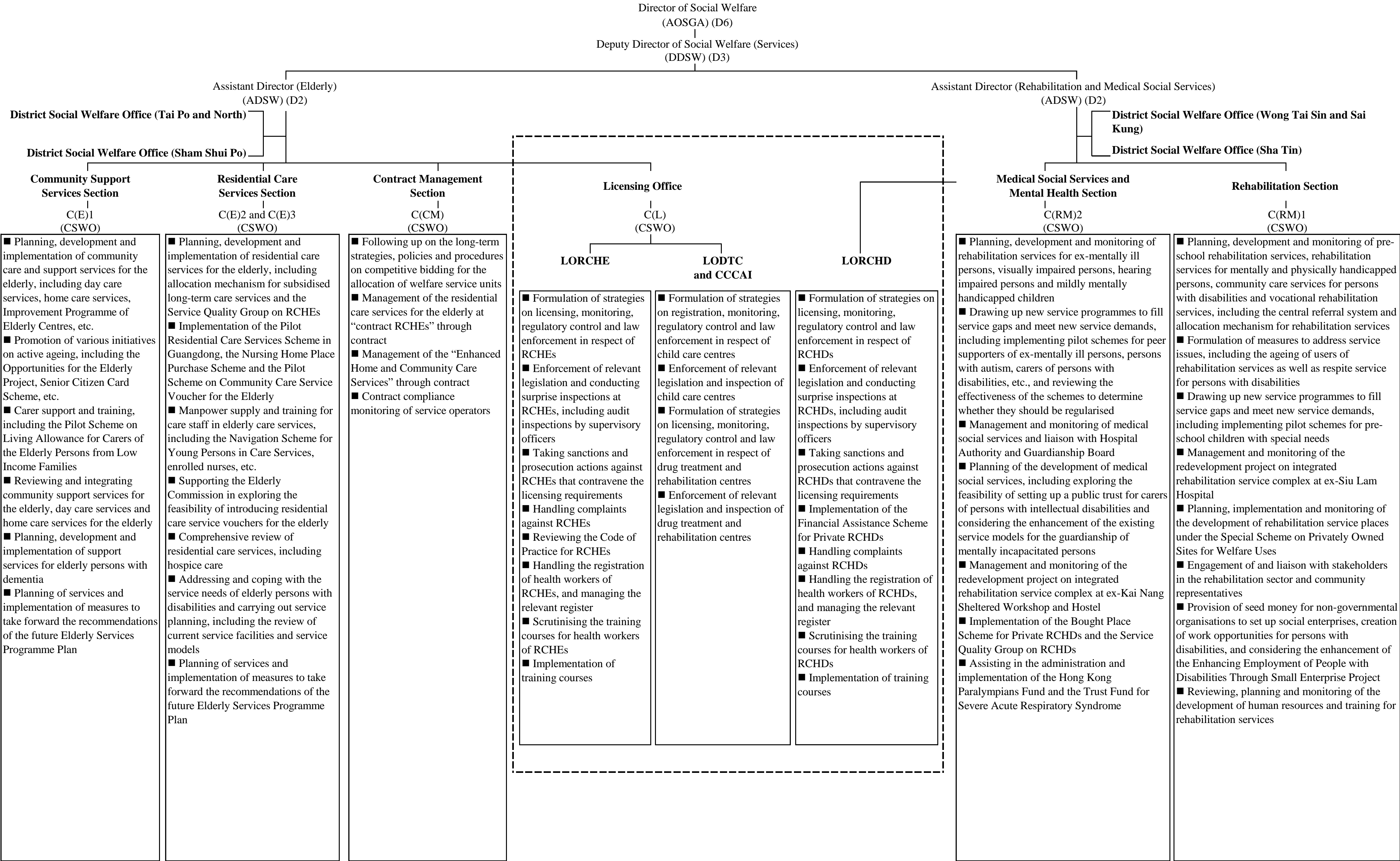
DS - Departmental Secretary

DSWO - District Social Welfare Officer

PEO - Principal Executive Officer

PSWO - Principal Social Work Officer

Proposed Organisation Chart of the Elderly Branch and Rehabilitation and Medical Social Services Branch under the Social Welfare Department



Legend:

- ADSW - Assistant Director of Social Welfare
- AOSGA - Administrative Officer Staff Grade A
- CSWO - Chief Social Work Officer
- DDSW - Deputy Director of Social Welfare
- LODTC and CCCAI - Licensing Office of Drug Dependents Treatment Centres and Child Care Centres Advisory Inspectorate

- LORCHD - Licensing Office of Residential Care Homes for Persons with Disabilities
- LORCHE - Licensing Office of Residential Care Homes for the Elderly

- RCHD - Residential Care Home for Persons with Disabilities
- RCHE - Residential Care Home for the Elderly

- The Licensing Office and LORCHD will be transferred to the new Licensing and Regulation Branch from the Elderly Branch and the Rehabilitation and Medical Social Services Branch respectively. The duties shown in the box are the existing duties of the two licensing offices.

**Major Responsibilities of Existing Assistant Directors
in the Social Welfare Department (SWD)**

Post/Rank	Major Responsibilities
Assistant Director (Elderly)/ Assistant Director of Social Welfare (ADSW)	<ul style="list-style-type: none"> • Planning, development and implementation of residential care services for the elderly, including allocation mechanism for subsidised long-term care services, supervision of the work of the Licensing Office^{Note} and implementation of the Service Quality Group on residential care homes for the elderly • Planning, development and implementation of community care and support services for the elderly, including day care services, home care services, the Pilot Scheme on Community Care Service Voucher for the Elderly, Improvement Programme of Elderly Centres, Pilot Project on Community Support Service for Elderly Persons with Dementia under a medical-social collaboration model, etc. • Hire of service and contract management in respect of community care services and residential care services for the elderly, including the Pilot Residential Care Services Scheme in Guangdong • Carer support and training, including the Pilot Scheme on Living Allowance for Carers of the Elderly Persons from Low Income Families • Manpower supply and training for care staff in elderly care services, including the Navigation Scheme for Young Persons in Care Services, Training Programme for Enrolled Nurses and Health Workers, etc. • Providing advice, steer and support for the Opportunities for the Elderly Project, Elder Academy and Senior Citizen Card Scheme, etc.

^{Note} Currently, the Licensing Office under the Elderly Branch assumes a central role in co-ordinating the work of the Licensing Office of Residential Care Homes for the Elderly, the Licensing Office of Drug Dependents Treatment Centres and the Child Care Centres Advisory Inspectorate. The Licensing Office is responsible for enforcing the licensing or registration, control and inspection of RCHes, drug treatment and rehabilitation centres as well as child care centres.

Post/Rank	Major Responsibilities
Assistant Director (Family and Child Welfare)/ADSW	<ul style="list-style-type: none"> • Planning, development and implementation of family welfare and family support services, including monitoring the implementation of integrated family service centres, family life education, departmental hotline service and services for street sleepers • Planning, development and implementation of child welfare and child care services, including the central referral system for residential child care services and monitoring the implementation of various day child care services, foster care and adoption service • Planning, development and implementation of services to combat domestic violence and support victims of sexual violence, including provision of support for the Child Fatality Review Panel • Planning and monitoring of the provision of humanitarian assistance services for non-refoulement claimants and the short-term food assistance service projects • Overseeing the implementation and review of the Community Care Fund assistance programmes under the purview of SWD
Assistant Director (Finance)/ Assistant Director of Accounting Services	<ul style="list-style-type: none"> • Managing the accounting and financial management operations of SWD and trust funds under the Director of Social Welfare Incorporated (DSWI) • Co-ordinating the Resource Allocation Exercise, preparing and monitoring SWD's budget • Providing advice on financial matters • Managing the investments of trust funds under DSWI • Monitoring technical issues of the Internal Audit Section

Post/Rank	Major Responsibilities
Assistant Director (Rehabilitation and Medical Social Services)/ ADSW	<ul style="list-style-type: none"> • Planning, development and monitoring of social rehabilitation services for persons with disabilities, including the central referral system and allocation mechanism for rehabilitation services, licensing and monitoring of residential care homes for persons with disabilities (RCHDs) and implementation of the Service Quality Group of RCHDs • Handling service issues, including the ageing of service users in rehabilitation facilities as well as respite service for persons with disabilities, and formulation of measures • Drawing up new service programmes to fill service gaps and meet new service demands, including the implementation of pilot schemes for pre-school children with special needs, peer supporters of ex-mentally ill persons, persons with autism, carers of persons with disabilities, etc. and developing parameters for evaluation of these projects • Engagement of and liaison with stakeholders in the rehabilitation sector and community representatives • Management and monitoring of medical social services and liaison with Hospital Authority and Guardianship Board • Management and monitoring of the redevelopment projects on integrated rehabilitation service complexes at ex-Siu Lam Hospital and ex-Kai Nang Sheltered Workshop cum Hostel
Assistant Director (Social Security)/ ADSW	<ul style="list-style-type: none"> • Planning, developing and managing the social security system including – <ul style="list-style-type: none"> • the Comprehensive Social Security Assistance Scheme; and • the Social Security Allowance Scheme – <ul style="list-style-type: none"> - Old Age Allowance (including the Guangdong Scheme), - Old Age Living Allowance, - Disability Allowance

Post/Rank	Major Responsibilities
	<ul style="list-style-type: none"> • Overseeing the administration and operation of the Traffic Accident Victims Assistance Scheme, the Criminal and Law Enforcement Injuries Compensation Scheme, and the Social Security Appeal Board • Overseeing the administration and operation of emergency relief service
Assistant Director (Subventions)/ ADSW	<ul style="list-style-type: none"> • Executing, reviewing and interpreting social welfare subvention policies, rules and procedures, including the Lump Sum Grant (LSG) arrangements • Administering the LSG subvention system, formulating and evaluating the policies and procedures in relation to service performance monitoring of service providers, including non-governmental organisations (NGOs) • Establishing close liaison with NGOs, evaluating the effectiveness of the LSG subvention system in the provision of one-stop services to NGOs • Administering the Lotteries Fund • Reviewing the policy and monitoring of charitable fund-raising activities in public places authorised by the Director of Social Welfare under section 4(17)(i) of the Summary Offences Ordinance (Cap. 228), including general charitable fund-raising and flag day activities • Reviewing the principles and procedures on allocations from the Lotteries Fund, and overseeing the processing of applications for grants and loans to funding bodies • Planning and co-ordinating capital projects of welfare premises funded by the Lotteries Fund and Capital Works Reserve Fund Block Allocations, including planning, conducting technical feasibility studies, determining physical design standards and criteria for making funding applications • Implementing the above-mentioned capital projects and overseeing their progress

Post/Rank	Major Responsibilities
Assistant Director (Youth and Corrections) /ADSW	<ul style="list-style-type: none"><li data-bbox="552 322 1402 636">• Planning, development and implementation of youth and corrections services, including probation and community service order services, integrated children and youth services centres, school social work, services for ex-offenders and discharged prisoners, outreaching social work services, and residential services for children and juveniles with behavioural problems, drug treatment and rehabilitation centres, etc.<li data-bbox="552 680 1402 837">• Overseeing the operation of the Tuen Mun Children and Juvenile Home as a place of refuge, a remand home, a reformatory school and a detention centre for juveniles and children under the respective Ordinances<li data-bbox="552 882 1402 949">• Overseeing the operation of the Central Office for Volunteer Service<li data-bbox="552 994 1402 1151">• Overseeing and monitoring the Partnership Fund for the Disadvantaged to promote the tripartite partnership among the welfare/education sector, the business community and the Government<li data-bbox="552 1196 1402 1263">• Monitoring projects under Child Development Fund to assist children from a disadvantaged background

**Legislative Council Panel on Welfare Services
Meeting on 9 May 2016**

**Proposed Creation of a Supernumerary Post of
Assistant Director of Social Welfare to
Strengthen the Inspection and Monitoring of
Residential Care Homes for the Elderly and
Residential Care Homes for Persons with Disabilities**

Supplementary Information

At the meeting of the Legislative Council Panel on Welfare Services (the Panel) on 9 May 2016, the proposal to create a supernumerary post of Assistant Director of Social Welfare to head a new Licensing and Regulation (LR) Branch of the Social Welfare Department (SWD) for strengthening the inspection and monitoring of residential care homes for the elderly (RCHEs) and residential care homes for persons with disabilities (RCHDs) was discussed. Members requested SWD to meet with the “Alliance for Subvented Residential Care Service” after the meeting, and to provide the following supplementary information to the Panel before submitting its proposal to the Establishment Subcommittee -

- (i) its response to the submission from the “Alliance for Subvented Residential Care Service” which was tabled at the meeting on 9 May 2016;
- (ii) the number of SWD’s inspections of RCHEs and RCHDs as well as the contents, results and effectiveness of these inspections;
- (iii) SWD’s inspection plan which should include the numbers of additional inspections of RCHEs and RCHDs and additional staff to be deployed for conducting inspections of RCHEs and RCHDs after setting up the new LR Branch;
- (iv) its response to members’ suggestions of making public the names of RCHEs and RCHDs with poor track records, requiring RCHEs and RCHDs to sign “Quality Service Charter” and appointing representatives from concern groups as members of Service

Quality Group of the Service Quality Group Scheme¹; and

- (v) the direction of the reviews of the Code of Practice for RCHEs and the Code of Practice for RCHDs and the timetable for these reviews.

This note provides the requested information.

Response to the Submission from the “Alliance for Subvented Residential Care Service”

2. Having met with representatives from the “Alliance for Subvented Residential Care Service” and exchanged views with them on 13 May 2016, SWD made a written reply on 1 June 2016. A copy of the reply is at **Appendix** (only Chinese version is available).

Inspections of RCHEs and RCHDs

3. According to section 18 of the Residential Care Homes (Elderly Persons) Ordinance (RCHE Ordinance) (Cap. 459), the inspectorate teams of the Licensing Office of Residential Care Homes for the Elderly (LORCHE) of SWD conduct inspections at RCHEs to ensure their compliance with the licensing requirements. The scope of inspections covers building safety, fire safety, home management, drug management, personal care services, infection control, handling of accidents, environmental hygiene, meals and staffing, etc.

4. According to section 16 of the Residential Care Homes (Persons with Disabilities) Ordinance (RCHD Ordinance) (Cap. 613), the inspectorate teams of the Licensing Office of Residential Care Homes for Persons with Disabilities (LORCHD) of SWD conduct inspections at RCHDs, covering the same aspects as those for inspections at RCHEs. Irrespective of whether the homes are RCHEs or RCHDs, all inspections are surprise inspections to monitor whether they have complied with the

¹ Members of the Service Quality Group, comprising healthcare personnel, service users/relatives/friends, local leaders, etc., will conduct unannounced visits to the RCHEs and RCHDs participating in the Scheme to assess their facilities and service provision, receive and collect views from residents, their relatives and/or home staff, and provide feedback for the home operators on their service delivery. As at April 2016, a total of 227 RCHEs (including 193 private RCHEs) and 26 RCHDs joined the Service Quality Group Scheme voluntarily.

statutory requirements on management, staffing, space and layout, building structure, precautionary measures and quality of care, etc.

5. To ensure the quality and standards of inspections at RCHEs and RCHDs, the supervisory officers of LORCHE and LORCHD will conduct audit checks through surprise inspections at RCHEs and RCHDs randomly selected by the computer system from those which have been inspected by the inspectors.

6. If the inspectors of LORCHE and LORCHD detect irregularities during the inspections, depending on the severity of the irregularities, advisory or warning letters will be issued to the non-compliant homes. In addition, under the RCHE Ordinance and the RCHD Ordinance, SWD may issue directions to RCHEs and RCHDs respectively to direct remedial measures. SWD may take prosecution actions if the RCHE or RCHD concerned fails to comply with the requirements specified in a direction.

7. Over the past 3 years, LORCHE of SWD has taken a total of 15 successful prosecutions. During the same period, no RCHD was prosecuted. The numbers of surprise inspections conducted and advisory/warning letters issued by LORCHE and LORCHD are provided as follows –

Year	2013-14		2014-15		2015-16	
	RCHE	RCHD	RCHE	RCHD	RCHE	RCHD
Number of surprise inspections	5 254	1 657	5 445	1 907	5 260	2 387
Number of advisory letters	3 204	318	3 028	466	2 674	481
Number of warning letters	364	0	320	1	361	5

Inspections after the Establishment of the New LR Branch

8. LORCHE and LORCHD under the proposed LR Branch will adopt a risk-based approach in conducting inspections and accord priority

to handling of complaints. The number of inspections at individual residential care homes will also be adjusted having regard to the number and nature of non-compliant items identified during inspections to ensure timely rectification of the non-compliant items. Moreover, SWD plans to increase the number of audit inspections to be conducted by supervisory officers in order to ensure the quality and standards of inspections at RCHEs and RCHDs. With increased manpower, there will be a significant increase in the number of audit inspections at RCHEs (from an annual average of 72 to 240) with the annual coverage of RCHEs to be increased from the present 10% to about 30%. The number of audit inspections at RCHDs will also be increased (from 12 of last year to an annual average of 24).

9. On the other hand, SWD plans to set up a dedicated multi-disciplinary inspectorate team under the new LR Branch to formulate strategies and action plans for monitoring RCHEs with serious irregularities or poor track records. On top of the normal inspection mechanism, the dedicated team will, having regard to the nature of non-compliant items of individual RCHEs, formulate individualised, concrete and targeted strategies and action plans to enhance the effectiveness of surprise inspections. Apart from increasing the number of surprise inspections, the dedicated team will strategically conduct surprise inspections in a small team approach or by a multi-disciplinary inspectorate team. According to the irregularities of individual RCHEs identified, the dedicated team will conduct surprise inspections flexibly at different times during office and non-office hours to closely monitor whether the homes have continuously complied with existing regulations and taken timely remedial measures, thereby ensuring that elderly persons will receive proper care. The dedicated team, staffed by more experienced inspectors and headed by a Senior Social Work Officer, will formulate and review the strategies required from time to time. The dedicated team will take sanctions and, where circumstances warrant, prosecution actions against RCHEs and RCHDs that contravene the licensing requirements.

Public Participation in Monitoring and "Service Charter"

10. Upon the establishment of the LR Branch, SWD will revamp the

criteria and arrangements for issuing warnings to RCHEs with a view to making the entire monitoring mechanism open, fair and legally binding. SWD also proposes making public the warning records of non-compliant RCHEs where practicable to enhance the transparency of the monitoring system and the deterrence against non-compliant homes. The implementation details of these proposals will be drawn up after legal advice has been sought.

11. SWD plans to develop a dedicated website on long-term care services for the elderly to offer one-stop service information of over 700 RCHEs in the whole territory for better transparency. The website will provide functions to search and to compare different RCHEs. The website will also provide information about RCHEs in respect of services, fees, licensing, staffing, facilities, service performance (including records of non-compliance and prosecutions), accreditation and participation in the Service Quality Group Scheme, etc. The new website is expected to be launched by end-2016. After the launch of this website, SWD will start developing a similar dedicated website for RCHDs at the next stage to facilitate the public's access to information of individual RCHDs.

12. In addition, SWD will extend in 2016-17 the Service Quality Group Scheme to the whole territory with all types of RCHEs and all the licensed RCHDs covered, joining forces with the community to monitor RCHEs and RCHDs through wider participation of community stakeholders in the scheme. SWD will make arrangements for public bodies interested in visiting homes. SWD will regularly publish statistics relating to the Service Quality Group Scheme.

13. As regards the "Quality Service Charter", SWD's Tai Po and North District Coordinating Committee on Elderly Service organised a ceremony on 17 July 2015 to launch the "Elderly Care Charter". By signing up to the "Elderly Care Charter", participating RCHEs and elderly service units jointly made a pledge to provide quality services for elderly persons. SWD plans to organise relevant activities throughout the territory in 2016-17.

Review of Codes of Practice

14. SWD will thoroughly review the Code of Practice for RCHEs and identify improvement areas with a view to enhancing the home staff's awareness of work ethics as well as improving the service quality and code of practice on care-related subjects. Upon completion of the aforementioned review, SWD will review the Code of Practice for RCHDs at the next stage to achieve the same objectives.

Labour and Welfare Bureau
Social Welfare Department
June 2016



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爭取資助院舍聯席

(電郵地址：alliancerescare@gmail.com)

回應「完善院舍監察制度」初步建議

就 貴聯席在 2016 年 5 月 9 日向立法會福利事務委員會書面提交的「完善院舍監察制度」初步建議，本署署長及副署長(服務)已於 2016 年 5 月 13 日與 貴聯席的代表、張國柱議員及張超雄議員會面，聆聽你們的建議並深入交流意見。有關本署對各項建議的回應，請參閱附件。

如對本回覆有任何查詢，歡迎致電 2961 7251 與安老院牌照事務處總社會工作主任葉巧瑜女士聯絡。

社會福利署署長

(彭潔玲



代行)

2016 年 6 月 1 日

回應爭取資助院舍聯席的「完善院舍監察制度」初步建議

社會福利署(下稱「社署」)署長及副署長(服務)於 2016 年 5 月 13 日與爭取資助院舍聯席(下稱「聯席」)的代表、張國柱議員及張超雄議員會面，聆聽聯席就「完善院舍監察制度」提出的建議並深入交流意見。社署向聯席闡釋社署需要成立新的「牌照及規管科」，以開展加強監管院舍及提升院舍服務質素的工作。聯席支持社署增加人手及增設一個社署助理署長編外職位，以儘快落實推行有關工作。

就聯席在上述會議上及在 2016 年 5 月 9 日向立法會福利事務委員會書面提交「完善院舍監察制度」初步建議，社署回應如下：

有關處理投訴、通報及保密機制

- 社署計劃在新的「牌照及規管科」下，設立一支專責隊伍，專責處理有關安老院的投訴。社署與衛生署及醫院管理局會維持互相通報的機制，倘若院舍／員工涉嫌觸犯其他刑事罪行，社署會轉交警方或有關政府部門調查及跟進；如警方或其他政府部門懷疑院舍有違規事件，亦會轉介予社署調查及跟進。
- 在調查投訴的過程中，除非得到投訴人／住客的同意，社署絕不會透露投訴人／住客的身份。

有關培訓及認證

- 社署計劃在 2016-17 年度推行新的院舍管理訓練及諮詢計劃，提升安老院及殘疾人士院舍主管的管理技巧，並提供實地指導。
- 社署亦會聯同衛生署定期為院舍員工舉辦培訓，包括邀請臨床心理學家提供減輕員工壓力的培訓。
- 社署會積極與業界及其他相關持份者探討一項可推動及協助院舍參與認證的質素提升計劃，以持續提升院舍質素。

有關檢討院舍《實務守則》及條例

- 社署會仔細檢視《安老院實務守則》及找出需要改善的範疇，以提升院舍員工的職業操守意識，並加強與照顧有關的服務質素及守則。待上述檢視完成後，社署會在下一階段檢視《殘疾人士院舍實務守則》，以達到相同的目的。
- 部份《實務守則》的內容會牽涉法例規管的範疇，該等範疇亦會包括在檢視之內。

有關巡查的安排(如抽樣訪問職員、服務使用者及查看閉路電視記錄等)

- 社署在經常性突擊巡查及調查投訴的突擊巡查中會實地觀察、查核院舍的管理及服務記錄，以及抽樣訪問職員、服務使用者及照顧者，從而了解院舍的運作，亦會按情況查看閉路電視記錄來搜集資料。

有關加強執法、增加透明度、公眾參與監察及討論等

- 社署計劃在新的「牌照及規管科」下，設立一支跨專業的專責督察隊伍，就監察嚴重違規或記錄欠佳的安老院制訂策略及行動方案。專責隊伍將會在一般的巡查機制以外，根據個別院舍的違規性質及事項，制訂個別、具體及具針對性的策略及行動方案，以加強突擊巡查的效果。除了增加突擊巡查次數外，專責隊伍亦會策略性地選擇以小隊模式或由跨專業督察隊伍進行突擊巡查，並會就個別院舍的違規情況，靈活彈性地在辦公及非辦公時間內的不同時段到院舍進行突擊巡查，以密切監察院舍有否持續遵守現行規例及適時採取糾正措施，確保長者獲得妥善照顧。該專責隊伍亦會由較資深的督察出任，並由高級社會工作主任領導，制定及不時檢討所需策略。專責隊伍會對違反發牌規定的安老院及殘疾人士院舍施以處分和按情況採取檢控行動。
- 社署正研究重整對安老院發出警告的準則及安排，有關建議將在徵詢法律意見後再作具體落實安排，務求令整套監管機制公開、公平及具法律約束力。建議包括在切實可行的情況將違規而被警告的安老院記錄發放予公眾查閱，以加強監管制度的透明度及對違規院舍的阻嚇性。聯席建議的扣分制及神秘顧客安排對於違規的院舍沒有法律約束力，社署會循各方面繼續多聽意見，檢視不同的方案。
- 社署正籌備建立一個有關長者長期護理服務的專門網頁，一站式提供全港 700 多間安老院的服務資料，從而加強院舍服務的透明度。網頁將備有搜尋及方便比較的功能，並提供安老院在服務、收費、牌照、人手、設備、服務表現(包括違規及被檢控記錄)、認證及參與「服務質素小組」計劃等多方面的資訊。預期新網頁可在 2016 年年底推出。待上述網頁完成後，社署會在下一階段着手為殘疾人士院舍設立類似的專門網頁，讓市民大眾可方便地查閱個別殘疾人士院舍的資料。
- 社署會在 2016-17 年度將「服務質素小組」計劃擴展至全港各區，涵蓋所有類別的安老院及所有已獲發牌照的殘疾人士院舍。至於有興趣參與探訪院舍的公眾團體，社署會作出安排。待「牌照及規管科」成立後，社署會定期公布有關「服務質素小組」計劃的統計數據。
- 社署亦計劃成立一個讓業界及各界持份者參與的專責小組，就監察及提升安老院及殘疾人士院舍的服務進行討論並提供意見。

提升殘疾人士院舍改善工程的支援

- 為鼓勵及協助現時以豁免證明書營運的殘疾人士院舍加快進行所需的糾正工程，社署會推行多項便利措施，包括透過獎券基金撥款資助院舍進行改善工程、簡化聘用認可人士提供技術支援的流程、擬備文件範本以加快申請程序、推行一項特別計劃向在開展糾正工程方面遇到困難的殘疾人士院舍提供額外技術支援等，以期儘快全面符合發牌的要求。

有關服務約章、優質院舍及優秀員工選舉

- 社署大埔及北區安老服務協調委員會在 2015 年 7 月 17 日舉辦「護老關愛約章齊起動」活動，透過「護老關愛約章」讓參與的安老院與安老服務單位共同承諾為長者提供優質服務。社署計劃在 2016-17 年度在全港各區推行有關活動。
- 社署會繼續鼓勵及支持業界舉辦有關提升院舍及員工質素的活動。

社會福利署

2016 年 6 月