

立法會

Legislative Council

LC Paper No. CB(4)726/17-18
(These minutes have been seen
by the Administration)

Ref : CB4/PL/PS

Panel on Public Service

**Minutes of meeting held on
Monday, 15 January 2018, at 10:45 am
in Conference Room 3 of the Legislative Council Complex**

Members present : Hon POON Siu-ping, BBS, MH (Chairman)
Hon Jeremy TAM Man-ho (Deputy Chairman)
Hon Charles Peter MOK, JP
Hon KWOK Wai-keung, JP
Hon IP Kin-yuen
Dr Hon Elizabeth QUAT, BBS, JP
Hon Martin LIAO Cheung-kong, SBS, JP
Dr Hon CHIANG Lai-wan, JP
Hon CHUNG Kwok-pan
Hon CHU Hoi-dick
Hon Jimmy NG Wing-ka, JP
Hon HO Kai-ming
Hon LAM Cheuk-ting
Hon SHIU Ka-fai
Dr Hon Pierre CHAN

Members absent : Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon YUNG Hoi-yan

Public Officers attending : **Agenda item IV**

Mr Joshua LAW, GBS, JP
Secretary for the Civil Service

Mr Thomas CHOW, JP
Permanent Secretary for the Civil Service

Mr LI Pak-hong, JP
Director of General Grades
Civil Service Bureau

Agenda item V

Mr Joshua LAW, GBS, JP
Secretary for the Civil Service

Mr Thomas CHOW, JP
Permanent Secretary for the Civil Service

Mr LI Pak-hong, JP
Director of General Grades
Civil Service Bureau

Mr Victor LAM, JP
Deputy Government Chief Information Officer
(Infrastructure and Operations)

Ms Fiona LI
Chief Executive Officer (Administration)
Office of the Government Chief Information Officer

Clerk in attendance : Mr Anthony CHU
Chief Council Secretary (4)1

Staff in attendance : Ms Wendy JAN
Senior Council Secretary (4)7

Ms Maggie CHUNG
Council Secretary (4)1

Mr Griffin FUNG
Legislative Assistant (4)8

Mr Terry HON
Clerical Assistant (4)1

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I. Confirmation of minutes

(LC Paper No. CB(4)456/17-18 -- Minutes of meeting held
on 20 November 2017)

The minutes of the meetings held on 20 November 2017 were confirmed.

II. Information papers issued since the last regular meeting on 22 December 2017

(LC Paper No. CB(4)416/17-18(01) -- Administration's response to the joint letter dated 6 December 2017 from Hon Charles Peter MOK and Hon SHIU Ka-chun regarding the alignment of the pay frameworks of all disciplined services departments with that of the Hong Kong Police Force

LC Paper No. CB(4)477/17-18(01) -- Submission from the Government Amenity Management Supervisors General Union (Chinese version only) (Restricted to members only)

LC Paper No. CB(4)477/17-18(02) -- Administration's response to the submission from the Government Amenity

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Management Supervisors
General Union
(Restricted to members
only))

2. Members noted that the above papers had been issued since the last meeting.

III. Date of next meeting and items for discussion

(LC Paper No. CB(4)455/17-18(01) -- List of outstanding
items for discussion)

3. Members agreed that the next regular Panel meeting would be held on 26 February 2018 to discuss the following items proposed by the Administration:

- (a) Update on extension of the service of civil servants; and
- (b) Employment of non-ethnic Chinese in the civil service.

Members also noted that the Civil Service Bureau ("CSB") had updated the title of item (b) above from the originally proposed "Employment of ethnic minorities in the civil service" to "Employment of non-ethnic Chinese in the civil service".

IV. Non-civil service contract staff

(LC Paper No. CB(4)455/17-18(02) -- Administration's paper
on non-civil service
contract staff

LC Paper No. CB(4)455/17-18(03) -- Paper on non-civil
service contract staff
prepared by the
Legislative Council
Secretariat (updated
background brief))

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4. At the invitation of the Chairman, Secretary for the Civil Service ("SCS") briefed members on the latest position of the employment of non-civil service contract ("NCSC") staff by the Administration and its current measures and positions regarding matters of concerns to Panel members, as set out in the Administration's paper (LC Paper No. CB(4)455/17-18(02)).

Employment situation of NCSC staff

5. Mr KWOK Wai-keung pointed out that the net reduction of the total number of NCSC staff by 1 543 from 2016 to 2017 was the result of around 4 400 NCSC staff leaving and some 2 900 new NCSC staff joining the Government during the same period. As the Administration was still engaging a large number of new NCSC staff, he urged the Administration to expedite the replacement of NCSC positions by civil service posts and the employment of NCSC staff who had worked in bureaux/departments ("B/Ds") for a long period of time as civil servants. Mr KWOK further asked whether the Administration had set any concrete targets in this regard. Dr CHIANG Lai-wan also enquired about the future manpower planning of the civil service, including the employment of NCSC staff.

6. SCS replied that the number of NCSC staff had been on a continuous downward trend in the past decade. The total number of NCSC staff had dropped by around 44% from 18 537 in June 2006 to 10 380 in June 2017. As stated in the policy initiative in the Chief Executive ("CE")'s 2017 Policy Address, the Administration would augment the civil service establishment by not less than 3% in the 2018-2019 financial year. This increase in the overall civil service establishment would include new civil service posts to replace some NCSC positions for which the long-term need had been established. Relevant details would be announced in the 2017-2018 Budget in February 2018.

7. Noting the decreasing trend of the number of NCSC staff employed by the Administration, Dr CHIANG Lai-wan opined that the total number of civil servants together with all the other manpower employed/engaged by the Administration should largely follow the changes in the population so as to ensure the provision of adequate public services. In this connection, both Dr CHIANG and Mr CHU Hoi-dick requested data on the change in the total number of civil servants, full-time NCSC staff and outsourcing manpower employed/engaged by the Administration since the establishment of the Hong Kong Special Administrative Region. SCS pointed out that data on NCSC staff was

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only available from 1999 when the scheme was set up. He agreed to check whether the other data requested would be available.

8. SCS supplemented that the civil service strength was around 190 000 in 1997, and with downsizing through enhanced efficiency drives, the civil service strength stood at around 160 000 in 2007. In recent years, the civil service had grown steadily to meet the demands for new or improved public services, but there was still a continued need for some B/Ds to engage a certain number of NCSC staff to meet specific operational and service needs that could not be catered for by civil servants.

Admin

9. Mr LAM Cheuk-ting considered that to facilitate the Panel's understanding of the necessity of extending NCSC positions which had been created for a long time, he requested and SCS undertook to provide the following information after the meeting:

- (a) a breakdown of full-time NCSC positions by duration for which the positions had been created; and
- (b) for those positions which had been created for five years or more in (a) above, a breakdown by reasons for not replacing them by civil service posts.

Employment of NCSC staff by certain B/Ds

10. Whilst commending the Administration for its efforts in reducing the number of NCSC staff over the years, Mr IP Kin-yuen pointed out that the three departments which had the largest number of NCSC staff, namely, the Hongkong Post ("HKP"), the Leisure and Cultural Services Department ("LCSD") and the Education Bureau ("EDB"), had each employed more than 1 000 NCSC staff as at 30 June 2017, and the number of NCSC staff employed by EDB had even increased by 3.8% from 1 157 in 2016 to 1 201 in 2017. While he understood that both HKP and LCSD had to employ NCSC staff to meet service needs that were seasonal in nature, he sought the reasons for employing such a large number of staff in EDB on NCSC terms.

11. SCS explained that out of the 1 201 NCSC staff in EDB, 984 of them (82%) were employed by government schools to provide services under time-limited funds/grants, such as the Capacity Enhancement Grant and the Composite Information Technology Grant, and under the Funding Flexibility Scheme to hire the right mix of supporting staff to meet their operational needs for clerical and janitor services.

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12. Mr IP Kin-yuen remarked that the Administration's time-limited funding to government schools had led to the employment of a large number of NCSC staff. As the grants mentioned by SCS, such as the Capacity Enhancement Grant, had been introduced for more than 10 years, Mr IP strongly urged the Administration to change the mode of funding for these programmes to a long-term basis, so as to facilitate the replacement of the NCSC positions in government schools by civil service posts. SCS undertook to convey Mr IP's views to EDB for consideration.

Admin

13. Noting that the number of full-time NCSC staff in the Buildings Department ("BD") had decreased from 222 in June 2016 to 147 in June 2017, Mr LAM Cheuk-ting was concerned whether BD had sufficient manpower to cope with the heavy workload arising from enforcement actions against unauthorized building works. He enquired about the reasons that had led to the reduction in the number of NCSC staff, the number and ranks of NCSC positions deleted and created, the number of civil service posts, if any, created and their rank(s), to replace these NCSC positions. SCS agreed to provide the information after the meeting.

14. Regarding the reduction of NCSC staff in BD, Mr KWOK Wai-keung pointed out that after the completion of the Operation Building Bright ("OBB") Project in July 2017, CE announced in her Policy Address on 11 October 2017 the Government's plan to launch OBB 2.0 in 2018. He criticized the Administration for poor coordination which resulted in a gap between OBB and OBB 2.0, and the employment of those experienced NCSC staff under OBB had to be terminated by BD. Mr KWOK called on the Administration to consider giving priority to employing the former NCSC staff if they applied for NCSC positions under OBB 2.0.

15. In reply, SCS advised that the arrangement of OBB 2.0 was not yet finalized. If it was decided that NCSC staff would be employed under OBB 2.0, the former NCSC staff were welcomed to apply for the new positions and they should generally enjoy a competitive edge over other applicants because of their relevant working experience.

Admin

16. Mr Charles Peter MOK was concerned about the number of professional NCSC staff engaged by B/Ds. At Mr MOK's request, SCS undertook to provide a breakdown of full-time professional NCSC staff undertaking information technology ("IT") or engineering duties by B/Ds.

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Fringe benefits of NCSC staff

17. While expressing concern that NCSC staff were receiving less favourable terms and conditions of service than their civil service counterparts doing the same job, Mr KWOK Wai-keung asked whether the Administration would extend the retirement age of NCSC staff as the employment contracts of some NCSC staff, such as the sports instructors in LCSD, were not renewed once they had reached 60 years of age.

18. Echoing a similar view, Mr HO Kai-ming remarked that it was unfair to NCSC staff that they had to retire at 60 years of age while the retirement age of new civilian grades civil servants had been extended to 65. According to his understanding, HKP, which had employed 1 818 NCSC staff as at end June 2017, had set out in its departmental guidelines that the employment contracts of NCSC staff would not be further renewed after they had reached 60 years of age.

19. SCS clarified that, as a matter of policy, the Administration had not set any retirement age for NCSC staff, but B/Ds were given the discretion to decide on the retirement age of some NCSC positions having regard to requirements of the positions concerned, such as physical fitness, operational need, etc. Nevertheless, SCS undertook to convey members' views to LCSD and HKP for consideration.

20. Noting that the employer's contributions to the Mandatory Provident Fund ("MPF") schemes of NCSC staff were used for offsetting the end-of-contract gratuities, both Mr KWOK Wai-keung and Mr HO Kai-ming strongly urged the Administration, as the employer of NCSC staff, to take the lead in abolishing this offsetting arrangement.

21. SCS advised that although there was no legal requirement under the Employment Ordinance (Cap. 57) for an employer to offer gratuities to their employees, about 70% of full-time NCSC staff had been offered end-of-contract gratuities by B/Ds. The Administration was currently in active discussion with the business sector and the labour sector to explore viable options of the offsetting of severance payment/long service payment with the accrued benefits of employers' mandatory contributions under the MPF Schemes Ordinance (Cap. 485). Once the new legal arrangement had been put in place, employing B/Ds would act in accordance with it.

22. In reply to Dr CHIANG Lai-wan's enquiry about whether the Government would provide medical benefits, such as medical insurance, for NCSC staff comparable to those of civil servants, SCS advised that

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civil service and NCSC appointments were two distinct types of employment. As the remuneration offered to NCSC staff was an all-inclusive pay package, medical benefits would not be separately provided for them. B/Ds would conduct periodic reviews on the pay of their NCSC staff to ensure that it remained competitive with the prevailing pay levels in the market.

23. Noting that the Administration had last reviewed the employment of NCSC in 2006, Dr CHIANG Lai-wan urged the Administration to conduct another review in the near future, and consider taking out medical insurance for NCSC staff with a view to improving their all-inclusive pay package.

24. Mr KWOK Wai-keung criticized the Administration for not providing adequate fringe benefits for NCSC staff, who played an important role in the provision of public service. In view of the problems faced by NCSC staff, such as lack of promotion prospects, job security and career development, he called on the Administration to improve the provision of fringe benefits to NCSC staff, in particular the provision of medical benefits, say, for those who had been employed for more than three or five years.

25. SCS acknowledged that NCSC staff played an effective role in complementing the civil service workforce in the delivery of services to the public and noted members' views on the provision of medical benefits to NCSC staff.

Conclusion

26. To conclude, the Chairman asked the Administration to take note of members' views expressed at the meeting, including replacing NCSC positions by civil service posts and improving the provision of fringe benefits to NCSC staff.

V. Use of agency workers

(LC Paper No. CB(4)455/17-18(04) -- Administration's paper
on the use of agency
workers

LC Paper No. CB(4)455/17-18(05) -- Paper on the use of
agency workers
prepared by the

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Legislative Council
Secretariat (updated
background brief)

LC Paper No. CB(4)455/17-18(06) -- Survey report on the T-contract staff engaged by the Administration provided by Hon Charles Peter MOK (Chinese version only)

27. The Chairman informed the meeting that Mr Charles Peter MOK had conducted a survey on the engagement of IT contract staff by B/Ds under a term contract (commonly known as "T-contract") centrally administered by the Office of the Government Chief Information Officer ("OGCIO"), a copy of which had been circulated to members. Separately, a letter from the Deputy Chairman dated 12 January 2018 regarding a complaint from an agency worker engaged by the Antiquities and Monuments Office ("AMO") of LCSD was tabled at the meeting.

28. At the invitation of the Chairman, SCS briefed members on the use of agency workers, details of which were set out in the Administration's paper (LC Paper No. CB(4)455/17-18(04)).

T-contract staff

Nature and number of T-contract staff

29. Mr Charles Peter MOK remarked that according to his survey findings, around 65% (2 847) of IT staff in the Government were T-contract staff as of 30 September 2017, which was three times of the agency workers (831 agency workers as of 30 September 2017) used by B/Ds. He considered the upsurge in the number of T-contract staff in the past few years undesirable as these staff were employed on a time-limited basis. Such arrangement would not be conducive to retaining expertise in the Government and would pose difficulties to the Administration in the management and development of IT projects. Given that both T-contract staff and agency workers were employed through contractors, he wondered whether, in separating these figures, the Administration intended to hide the truth on the Government's use of T-contract staff and agency workers.

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30. SCS explained that T-contract staff were engaged under a different mechanism and were different from agency workers. For T-contract staff, OGCIO had put in place a manpower management framework and internal guidelines for compliance by B/Ds on the use of T-contract staff.

31. Deputy Government Chief Information Officer (Infrastructure and Operations) ("DGCIO") supplemented that T-contract staff were IT professionals and their remuneration package would be much more favourable than the statutory requirements. Besides, T-contractors were well established local and multinational firms or human resources consultants.

32. DGCIO further pointed out that engaging IT staff through a term contract to implement and support IT systems was a common practice in the private sector, and the use of T-contract services in the Government dated back to the 1980s. Through the T-contract arrangement, the T-contract staff engaged could complement the services provided by IT grade civil servants, enabling B/Ds to better meet their fluctuating IT manpower demand. The arrangement also proved effective to tap the market's latest expertise and pool of professionals for developing and supporting IT systems and programmes, as well as to foster technology exchange between IT specialists in the civil service and the private sector. As the Administration was fostering IT development and enhancing e-Government services, more than 1 000 new IT projects were implemented in the past five years with an overall expenditure exceeding \$10 billion. In addition, CE announced in her Policy Address on 11 October 2017 that \$700 million would be invested to push ahead with three key infrastructure projects for smart city development. To implement the above projects, around 250 civil service posts were created in the past three financial years. Since the system development work was generally of time-limited nature, there was a similar increase in the number of T-contract staff in the past few years. DGCIO clarified that if the Computer Operator Grade staff were included, around 55% of IT staff in the Government were T-contract staff.

Converting T-contract posts to civil service posts

33. Noting that some T-contract staff had been providing services to the Government for many years through repeated renewal of contracts, and that, in the case of agency workers, approval from CSB had to be sought for any contract of an aggregate duration exceeding 15 months, Mr Charles Peter MOK queried whether B/Ds had been rotating T-contract staff to different divisions or positions to bypass

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Administration's monitoring and approval. He further said that some T-contract staff had complained to him that with a view to reducing the number of T-contract staff, the Administration had planned to replace some T-contract posts by newly created civil service posts and these new posts would be filled by internal promotion of existing civil servants. As a result, some T-contract staff would lose their job. In view of the above, he asked whether the Government would, instead of conducting open recruitment exercise, consider converting T-contract staff to civil servants, in particular for those who had been providing services to the Government for long time.

34. SCS and DGCIO stressed that it had all along been the Government's policy to fill civil service vacancies by an open, fair and competitive process, civil service openings were usually filled by open recruitment in accordance with the established mechanisms and procedures. DGCIO explained that B/Ds would review their IT manpower requirements annually. For posts with long-term service needs, B/Ds could apply for additional resources in the annual Resource Allocation Exercise for the creation of civil service posts. OGCIO would assist in coordinating the relevant applications. Though existing T-contract staff could not be directly converted to civil servants, they might apply for civil service posts if they were interested. As mentioned before, to cope with the upsurge in workload arising from the implementation of over 1 000 time-limited IT projects, the number of T-contract staff remained on the rising trend in the recent years. For those T-contract staff who wished to, upon expiry of their current employment contracts, take up other T-contract positions in the Administration, the T-contractors would offer assistance to them accordingly.

35. Mr Charles Peter MOK said that IT was developing at a fast pace. Yet, neither the Administration nor the private sector should use this as an excuse for employing IT staff on a short-term basis, or there would be no career prospects for the employees in the trade. The Administration should take the lead to engage T-contract staff as permanent workforce.

Review on the T-contract system

36. In response to Mr Charles Peter MOK's question on when the Administration would review the T-contract system, DGCIO advised that the Administration had all along construed T-contract staff as part of the government team to implement and support IT systems and programmes and would seek to improve the administrative arrangements and contract

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provisions for the next T-contract to ensure the quality of T-contract services and facilitate teamwork. He further elaborated that:

- (a) the Administration had not set any minimum remuneration package and fringe benefits for T-contract staff in the existing T-contract. It would review the situation, as well as the tender assessment criteria and contract provisions when preparing the tender documents for the next T-contract which would commence in February 2019;
- (b) the Administration would stipulate in the next T-contract that the pay adjustment rates for T-contract staff must not be lower than the adjustment rate for the service fees paid by the Government to the T-contractors determined with reference to the change in the relevant Consumer Price Index;
- (c) notwithstanding that the Administration did not have information on the wages paid by T-contractors to individual T-contract staff, it would consider revealing a range of service fees payable by the Government for engagement of T-contract staff for reference; and
- (d) the Administration would explore the relevant arrangement for allowing T-contract staff to apply for other T-contract positions under different T-contractors prior to the expiry of their service period.

37. Mr Charles Peter MOK appreciated the Administration's efforts to review and improve the contract provisions for the next T-contract. In this connection, he urged the Administration to gauge views from both the staff side and T-contractors as some T-contract staff were worried about their jobs if the Administration replaced all T-contract positions by civil service posts, while some T-contractors had views on the contract deposit requirements. He also suggested that the Administration should give careful consideration to the following factors when conducting the review, including the employment conditions of T-contract staff, the conversion arrangement for existing T-contract staff to civil servants, the long-term planning on the IT manpower resources in the Government etc. The Administration should also keep reviewing the growth in the number of T-contract staff as against IT grade civil servants to avoid losing the fine balance between the two and causing management issues in the long-run. In view of the complexity of the above issues, he considered that extensive consultation and discussion might be needed with the

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participation of both CSB and Innovation and Technology Bureau as appropriate.

38. DGCIO noted Mr Charles Peter MOK's suggestions and would take them into consideration in the review for the next T-contract. SCS also assured members that CSB would provide support as needed to facilitate OCGIO's review of T-contract system.

Agency workers used by B/Ds

Antiquities and Monuments Office

39. The Deputy Chairman informed the meeting that an agency worker complained to him against an employment agency engaged by AMO. According to the complainant, AMO's agency workers were paid at a lower rate than that as stipulated in the contract between the agency and the Administration, and the agency made profit from the wage difference. The Deputy Chairman was concerned about the suspected exploitation of the worker by the agency and sought details of the relevant contract. Noting that employment agencies must comply with requirements of the Minimum Wage Ordinance (Cap. 608) and the Administration would specify in the service contracts with employment agencies some basic wage requirements, e.g. the wage level of the agency workers must not be lower than the stated wages in the bids for the whole contract period, he enquired how the Administration would monitor compliance of the employment agencies.

40. SCS advised that employment agencies were requested to state the wage amounts which they would pay to their workers and the working hours of these workers in the service contracts signed with the procuring B/Ds. Sanctions would be imposed in the case of non-compliance. As regards the case mentioned by the Deputy Chairman, SCS would ask LCSD to look into the case and clarify the matter, including whether the terms of the contract could be disclosed, and reply the Panel direct after the meeting.

(Post-meeting note: The letter from the Deputy Chairman and the Administration's response (Chinese and English versions) were issued to members vide LC Paper Nos. CB(4)492/17-18(01), CB(4)647/17-18(01) and CB(4)665/17-18(01) on 15 January, 23 February and 28 February 2018 respectively.)

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41. The Deputy Chairman suggested that, to prevent exploitation of agency workers by employment agencies, the Administration should implement measures to enhance the transparency of the procurement of the service of employment agencies and the relevant contract terms, for example, by uploading relevant information onto the Internet for public monitoring.

The Education Bureau

42. Mr IP Kin-yuen noted that while the number of agency workers engaged by B/Ds had generally decreased by 65% from 2 398 in 2009 to 831 in 2017, EDB had recorded an increase in both 2016 and 2017 and become the largest user of agency workers with 117 workers as at 30 September 2017. Although it was explained in the Administration's paper that EDB had engaged agency workers to meet urgent/unforeseen service needs or unexpected surge in service demands in relation to the Pre-Secondary One Hong Kong Attainment Test ("Pre-S1 HKAT") 2017 and the applications for the Registration Certificate for Kindergarten Admission ("the Admission") for the 2018-2019 school year under the Free Quality Kindergarten Education Scheme ("the KG Scheme"), Mr IP considered such explanation unacceptable. As Pre-S1 HKAT was conducted in alternate year and the Admission had become a routine procedure upon the replacement of the Pre-primary Education Voucher Scheme by the KG Scheme, the Administration should be able to better forecast the service needs. He further pointed out that apart from two directorate posts and 59 non-directorate posts created in EDB for the implementation of the KG Scheme, staff who used to administer the Pre-primary Education Voucher Scheme could be redeployed to process the applications for the Admission. He therefore queried the reasons for EDB using agency workers and the number of agency workers who were responsible for handling the applications under the Admission for the 2018-2019 school year.

43. SCS advised that as of 30 September 2017, 32 out of the 117 agency workers used by EDB were responsible for processing the applications under the Admission for the 2018-2019 school year. He clarified that while civil service posts had been created for the Admission, EDB had to use agency workers to cope with the manpower needs for handling applications received. As regards the agency workers used for Pre-S1 HKAT, they were responsible for providing clerical support, and EDB had been creating permanent posts in clerical grade in the past few years to gradually take up the duties of these agency workers where appropriate.

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44. In response to Mr IP Kin-yuen's question whether EDB could stop using agency workers for the Admission when all newly created civil service posts were filled, SCS said that it would depend on actual operational needs and service demands.

The Housing Department

45. Dr CHIANG Lai-wan expressed grave concern on a recent labour dispute between a cleansing service contractor of the Housing Department and its employees. In gist, the concerned contractor asked its workers to sign the voluntary resignation notes after it had failed to renew its contract with the Housing Department, so that it needed not pay any termination compensation e.g. severance and long service payments, to the workers. Dr CHIANG was disappointed that given that the Administration was the biggest employer in Hong Kong with over 50 000 outsourced cleansing workers, the Administration and the existing labour law still could not protect the interests of those workers. Worrying that this might not be an isolated incident and had set a bad precedent for the private sector, she asked which B/Ds would be responsible for following up the issue.

46. SCS replied that as outsourcing of government services was not under CSB's purview, he would convey Dr CHIANG Lai-wan's concern to the Labour and Welfare Bureau. As CE stated in the Question and Answer Session on 11 January 2018, the Labour and Welfare Bureau would set up an inter-departmental working group to review the arrangements relating to outsourcing of government services, and the Administration would brief the Panel on Manpower on the issue at a future meeting.

The Constitutional and Mainland Affairs Bureau and the Hong Kong Police Force

47. Noting that some professional B/Ds, e.g. the Constitutional and Mainland Affairs Bureau and the Hong Kong Police Force, used only one agency worker, Mr CHUNG Kwok-pan enquired about the job duties of these workers and whether their duties could be absorbed through internal re-deployment of staff.

48. SCS replied that the agency worker under the Constitutional and Mainland Affairs Bureau was responsible for providing research support in work related to discrimination on grounds of sexual orientation and gender identity, while the Hong Kong Police Force used the agency worker to fill short-term clerical manpower gap.

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Protection for agency workers

49. Mr CHUNG Kwok-pan agreed that the use of agency workers had given B/Ds, in particular those with IT needs, the flexibility to maintain a versatile IT workforce on a temporary basis to respond to the rapid advancement in IT. However, he identified that some agency workers had been providing services to B/Ds for a long time, and he asked whether any mechanism was in place to convert their positions to civil service posts with a view to meeting the long-term service needs.

50. SCS advised that most of the agency workers were responsible for providing clerical support work which did not require any special skills or expertise. Besides, there were control measures to guard against prolonged use of agency workers and the use of agency workers should normally last for no more than nine months. B/Ds had to seek approval from and provide justifications to CSB if an existing contract was to be renewed or re-let and the aggregate period of contract service was expected to exceed 15 months. He added that although there was no mechanism to directly convert agency workers to civil servants, the Administration had been creating civil service posts to gradually take up the tasks performed by some of these agency workers.

VI. Any other business

51. There being no other business, the meeting ended at 12:40 pm.

Council Business Division 4
Legislative Council Secretariat
12 March 2018