

# 立法會 *Legislative Council*

LC Paper No. CB(4)1532/17-18  
(These minutes have been seen  
by the Administration)

Ref : CB4/PL/PS

## **Panel on Public Service**

**Minutes of meeting held on  
Tuesday, 17 July 2018, at 2:30 pm  
in Conference Room 2 of the Legislative Council Complex**

**Members present** : Hon POON Siu-ping, BBS, MH (Chairman)  
Hon Charles Peter MOK, JP  
Hon KWOK Wai-keung, JP  
Dr Hon Elizabeth QUAT, BBS, JP  
Hon Martin LIAO Cheung-kong, SBS, JP  
Dr Hon CHIANG Lai-wan, SBS, JP  
Hon CHUNG Kwok-pan  
Hon CHU Hoi-dick  
Hon Jimmy NG Wing-ka, JP  
Hon LAM Cheuk-ting  
Hon SHIU Ka-fai  
Hon Tony TSE Wai-chuen, BBS

**Members absent** : Hon Jeremy TAM Man-ho (Deputy Chairman)  
Hon Mrs Regina IP LAU Suk-yee, GBS, JP  
Hon IP Kin-yuen  
Hon HO Kai-ming  
Hon YUNG Hoi-yan  
Dr Hon Pierre CHAN

**Public Officers  
attending** : **Agenda item II**  
  
Mr Joshua LAW, GBS, JP  
Secretary for the Civil Service

Mr Thomas CHOW, JP  
Permanent Secretary for the Civil Service

Miss Katharine CHOI  
Principal Assistant Secretary for the Civil  
Service (Manpower)

**Agenda item III**

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

Mr Thomas CHOW, JP  
Permanent Secretary for the Civil Service

Mrs Suzanna KONG  
Principal Assistant Secretary for the Civil  
Service (Staff Relations)

**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 Terry HON  
Clerical Assistant (4)1

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**Action**

**I. Information paper(s) issued since the last regular meeting on  
15 June 2018**

(LC Paper No. CB(4)1330/17-18(01) -- Submission from a  
member of the public  
received on 9 June 2018  
requesting information  
on the remuneration

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system of middle and upper band civil servants (Chinese version only)

LC Paper No. CB(4)1330/17-18(02) -- Administration's response to the submission dated 9 June 2018 from a member of the public requesting information on the remuneration system of middle and upper band civil servants)

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

**II. Updated overview of post-service outside work by directorate civil servants**

(LC Paper No. CB(4)1375/17-18(01) -- Administration's paper on updated overview of post-service outside work by directorate civil servants

LC Paper No. CB(4)1375/17-18(02) -- Paper on the policy on post-service outside work by directorate civil servants prepared by the Legislative Council Secretariat (updated background brief))

2. At the invitation of the Chairman, Secretary for the Civil Service ("SCS") briefed members on the updated overview of post-service outside work by directorate civil servants, as set out in the Administration's paper (LC Paper No. CB(4)1375/17-18(01)).

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### Processing of post-service outside work applications

3. Citing a media report about a retired directorate civil servant who had previously worked in a works department had contacted his former subordinates in the Administration to solicit business for the commercial organization he worked for, Mr LAM Cheuk-ting urged the Administration to pay special attention in processing post-service outside work applications from the directorate civil servants who worked in works departments before leaving the civil service to prevent recurrence of similar cases.

4. As directorate civil servants were only subject to a control period of two to three years from the date of departure from the civil service, Mr LAM Cheuk-ting also urged the Administration to promulgate clearer guidelines for frontline civil servants on managing conflict of interest, in particular on their contacts with former supervisors who left the civil service to take up work with a commercial organization which had a working relationship with them.

5. SCS assured members that each post-service outside work application from directorate civil servants would be thoroughly assessed against different considerations, such as whether the applicants' taking up of the applied-for-work would give rise to real or potential conflict of interest with their former government duties, deferred reward or other impropriety. SCS further advised that applicants were requested to provide detailed information, including their contacts/dealings with the prospective employers during their last three to six years of government service in their applications depending on the rank of the officers concerned. The bureaux/departments ("B/Ds") which the applicants had worked during the last three/six years of their government service and other relevant parties within the Government would be invited to provide assessments on the applications. The applications together with the views from relevant parties would then be submitted to the Advisory Committee on Post-service Employment of Civil Servants ("ACPE") for advice. SCS would make the final decision upon receipt of ACPE's advice.

6. Noting that in 2017 the Civil Service Bureau ("CSB") considered a total of 74 post-service outside work applications from 51 directorate civil servants, Dr Elizabeth QUAT sought the reasons for the departure of these directorate civil servants from the civil service. SCS advised that while four of them had left the civil service upon completion of agreement, the rest of them had retired from the civil service.

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7. Both Dr Elizabeth QUAT and the Chairman enquired about the reasons for rejecting the five applications of post-service outside work from directorate civil servants in 2017. The Chairman further sought information on the rank of the applicants and the type of organizations involved. SCS replied that while he would not comment on individual cases, applications for post-service outside work were rejected primarily on the grounds of suspicion or perception of conflict of interest or deferred reward.

## Appeal mechanism

8. In reply to Dr Elizabeth QUAT's enquiry about the appeal mechanism for those applicants whose applications for post-service outside work were rejected, SCS said that any applicant whose application had been rejected could request for a review of his/her application by SCS by providing justifications and supplementary information. If the applicant remains aggrieved by SCS's decision upon review, he/she might lodge an appeal with the Chief Executive or seek a judicial review.

9. At Dr Elizabeth QUAT's request, SCS undertook to provide the number of appeal cases lodged by directorate civil servants against SCS's decisions to reject their post-service outside work applications each year over the past five years and the relevant results.

*(Post-meeting note: The Administration's written response was circulated to members vide LC Paper No. CB(4)1457/17-18(01) on 31 July 2018.)*

## Monitoring measures

10. Mr Martin LIAO noted that the Administration would require applicants for post-service outside work to seek prior approval regarding any material change to their work, and obtain regular updates from applicants who had taken up approved post-service outside work for monitoring purpose. He asked for the duration of the monitoring period and opined that the Administration should also keep the updated information provided by applicants in the Register of Approved Post-service Outside Work Taken up by Directorate Civil Servants for public inspection.

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11. SCS advised that the Administration would monitor whether there was a material change to the approved duties of the former directorate civil servants until expiry of their respective control period, which was set at two or three years from the date of departure of the directorate civil servants from the civil service depending on the rank of the officers concerned.

12. Mr Martin LIAO also asked whether the Administration had in the past five years withdrawn its approval due to a material change of the approved post-service work of a former directorate civil servant. SCS replied in the negative.

## Other issues

13. Given the important roles of directorate civil servants in the civil service, Dr Elizabeth QUAT was worried about reports that a large number of them were leaving the civil service in recent years and enquired about their resignation rate. She further called on the Administration to introduce more measures to boost their morale having regard to the immense work pressure faced by them.

14. SCS explained that while the resignation rate of directorate civil servants remained at a very low level of below 0.7%, retirement was the primary reason for their departure from the civil service in recent years. The larger number of retirees in recent years was largely due to the significant growth of the civil service in the 1980s and those recruited would approach their normal retirement age by 2020-2021.

15. SCS further stressed that he had all along been very concerned about the morale of civil servants and CSB would continue to introduce appropriate measures to boost their morale. An example of such measures was the 3.7% increase in the civil service establishment in 2018-2019 to relieve colleagues' heavy workload.

## **III. Managing work-related stress in the civil service**

(LC Paper No. CB(4)1375/17-18(03) -- Administration's paper  
on managing  
work-related stress in  
the civil service

LC Paper No. CB(4)1375/17-18(04) -- Paper on managing  
work-related stress in  
the civil service

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prepared by the  
Legislative Council  
Secretariat (background  
brief))

16. At the invitation of the Chairman, SCS briefed members on the assistance provided to civil servants for managing stress at work with details as set out in the Administration's paper (LC Paper No. CB(4)1375/17-18(03)).

Counselling services

17. In response to the enquires raised by Dr CHIANG Lai-wan and Mr Tony TSE respectively about the utilization situation of the counselling services provided by the Christian Family Service Centre ("CFSC") under the hotline counselling service scheme ("the Scheme") and the reasons for service users seeking assistance under the Scheme, SCS advised that of the 1 025 counselling sessions (664 telephone counselling sessions plus 361 face-to-face counselling interviews) provided to some 320 staff in 2017, 406 (around 40%) sessions were provided for 35 staff. About 50% of the cases involved work-related issues such as relationship problems with supervisors and colleagues, workload, job security and work changes, while the remaining cases were related to personal, financial or family issues. Noting with concern that 35 staff had each on average received more than 11 counselling sessions, Dr CHIANG Lai-wan called on the Administration to provide appropriate assistance for them to help relieve their stress.

18. Dr CHIANG Lai-wan further asked whether the Administration would consider setting up a mechanism to arrange posting inside a department or to other departments for civil servants who had encountered relationship problems at work upon the recommendation of the clinical psychologists of the Families Clinics of the Department of Health. She considered it the most direct means of assistance to the staff concerned.

19. SCS confirmed that general grades staff could apply for posting to other B/Ds, and there had been precedent cases of posting arising from relationship problems at work. For the clinical psychologists of the Families Clinics, they would assess the clinical condition of and provide professional recommendations to the civil servants who sought assistance. For civil servants who were advised by clinical psychologists to change

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work settings, they should communicate with the management of their own B/Ds which were responsible for posting within B/Ds.

20. Regarding Dr Elizabeth QUAT's concern that currently there were only three clinical psychologists providing services to civil service eligible persons ("CSEPs") at the Families Clinics, SCS stressed that apart from the clinical psychology services provided by the Families Clinics, clinical psychology appointments could be arranged for staff of some 60 B/Ds who required such services under the Scheme, and 11 departments would provide dedicated counselling services to their staff.

21. Noting that only some 320 staff had used the counselling services under the Scheme in 2017, Dr Elizabeth QUAT pointed out that some civil servants might have reservation on using the services as they were worried that such consultation records would be accessible by their own B/Ds and would adversely affect their promotion prospect. She therefore called on the Administration to implement measures to ensure best protection of the privacy of the service users.

22. SCS explained that some civil servants might be reluctant to disclose their personal issues to the others, and that might have affected the usage of the counselling services under the Scheme. He further advised that callers of the hotline counselling services were only required to provide CFSC with names of their B/Ds for statistics purpose. CFSC and the Families Clinics would also keep the information provided by service users and the content of counselling in accordance with the principle of confidentiality. He believed that counselling services provided by the 11 departments should adopt similar principle. As regards Dr Elizabeth QUAT's suggestion of clarifying with all civil servants the personal information handling practices, SCS responded that the Administration had informed its staff through existing channels that they could feel at ease in using the counselling services.

23. Dr Elizabeth QUAT quoted some cases where public officers and their family members suffered from tremendous pressure arising from cyber-profiling, and she asked whether counselling and clinical psychological services would also cover family members of civil servants.

24. SCS advised that family members of civil servants who were CSEPs were entitled to receiving clinical psychological services provided by the Families Clinics, but the counselling services provided by individual departments or under the Scheme were aimed at helping civil



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servants, Non-Civil Service Contract staff and Post-Retirement Service Contract staff cope with stress at work. For staff who were worried that their family members might be in need of counselling or clinical psychological services, they might consider soliciting assistance from non-governmental organizations which provided such services, or asking their B/Ds for information on any assistance that would be available to them.

25. Dr Elizabeth QUAT considered the counselling support services provided to CSEPs insufficient and called on the Administration to expand the service scope in this regard.

### Legislation to protect public officers from being arbitrarily insulted

26. Dr Elizabeth QUAT expressed grave concern that in recent years, there had been frequent incidents in which members of the public insulted or provoked public officers who were on duty, but only few individuals had been prosecuted for obstructing public officers to perform duties. Given that the Administration had promised in the Panel meeting a year before that it would continue to listen to the public's views about introducing legislation to prohibit acts of insulting public officers, Dr QUAT and Dr CHIANG Lai-wan enquired about the latest progress and the timeline for introducing the legislation. Noting that there were voices that if legislation was enacted against the offence of insulting public officers, legislation should also be enacted against public officers who insulted other persons, Dr QUAT said that consideration could be given to a general offence of "insult" similar to that adopted in Macau.

27. SCS said that with a view to minimizing acts of insulting public officers, the Security Bureau was studying the issue including carrying out research on practices in overseas jurisdictions. Besides, CSB had issued a set of guidelines to B/Ds in March 2018 on helping frontline civil servants understand and respond to verbal violence at work. B/Ds could devise their own guidelines based on their specific operational needs. For example, the Hong Kong Police Force had a set of guidelines to advise police officers on how to handle abusive behaviour directed at them by members of the public.

28. In response to the enquiries raised by Dr Elizabeth QUAT and Dr CHIANG Lai-wan about the strategies in coping with verbal violence as stipulated in the CSB's guidelines, SCS advised that the guidelines served to remind frontline civil servants to remain calm and patient in the face of provocation, defuse the tension where possible, and to seek

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further assistance as necessary from the Police in a situation which posed or might pose danger.

29. Dr Elizabeth QUAT was worried that the coping strategies in the CSB's guidelines might further encourage abusive behaviour of members of the public if frontline civil servants were only told to stay calm under such circumstances without having any concrete solution to deal with the situations. Dr CHIANG Lai-wan commented that as frontline police officers were sometimes insulted or provoked when they carried out their duties to the extent that they faced tremendous pressure, the Administration should come up with measures to provide due protection to police officers at work.

30. SCS stressed that civil servants had to exercise their professional judgement when responding to members of the public. With a view to enhancing civil servants' capability in overcoming challenges at work and their resilience when facing stress, the Administration was proactively organizing relevant programmes and activities for them. He said that police officers were well-trained to deliver professional service to the public in different circumstances, and they could respond appropriately even in the face of insults and provocation. To assist frontline police officers to handle these situations, the Hong Kong Police Force had appointed a dedicated team to review and update related guidelines for them.

31. At the request of Dr CHIANG Lai-wan, SCS undertook to provide information on overseas jurisdiction(s), if any, which had enacted legislation to prohibit acts of insulting public officers on duty.

*(Post-meeting note: The Administration's written response was circulated to members vide LC Paper No. CB(4)1457/17-18(01) on 31 July 2018.)*

32. Dr Elizabeth QUAT took the opportunity to reiterate her request for independent grade structure reviews of individual disciplinary services and chase the Administration for an implementation timeline. SCS replied that CSB would endeavor to come up with a decision by end 2018.

## Re-engineering the work process of the Planning Department

33. Mr Tony TSE pointed out that as reflected to him by some Town Planners of the Planning Department ("PlanD"), they had been liaising with the management to explore the feasibility of streamlining their work

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processes with a view to eliminating unnecessary workload and reducing stress at work, as well as to enhancing effectiveness and efficiency but to no avail. Referring to the Secretary for Development's remark made at the special Finance Committee meeting on 19 April 2018 about expediting the process of development approval, Mr TSE considered it necessary for PlanD to allocate more manpower resources and proactively gauge views from the staff side so as to relieve their stress at work and improve PlanD's work processes for greater efficiency.

34. SCS said that he would convey Mr Tony TSE's concerns to PlanD's management. He pointed out that not many PlanD staff had used the services provided under the Scheme, and the establishment of PlanD was expected to expand by 50 posts in 2018-2019, with a year-on-year increase higher than the average 3.7%.

### Training for civil servants

35. Dr CHIANG Lai-wan suggested that the Administration should, upon the commissioning of the new civil service college, organize more retreat programmes for civil servants to help them manage work-related stress. In this connection, she also proposed that the new college should be located on outlying islands so as to provide a relaxing learning environment for civil servants.

36. SCS noted Dr CHIANG's suggestion on the site for the new civil service college. Besides, he stressed that with a view to building up stress management skills and promoting balanced and healthy lifestyle and healthy work environment for civil servants, the Administration had organized 169 relevant seminars and training programmes attended by about 6 500 civil servants in 2017.

## **IV. Any other business**

37. The Chairman said that this meeting would be the last Panel meeting of the current legislative session. He expressed gratitude to members for their support and the Administration for attending the meetings of the Panel and answering members' questions.

38. There being no other business, the meeting ended at 3:45 pm.