

Legislative Council Panel on Public Service

Review of Acting Appointment System

Purpose

This paper briefs Members on the Administration's proposal to rationalise the acting appointments system by simplifying and modifying the rules for making acting appointments and granting acting allowance.

Review

2. Financial Secretary announced in his Budget Speech on 3 March 1999 that the Administration would review the rules governing the payment of acting allowances and critically re-examine the justifications for such against present day circumstances.

3. We have now completed a review on the arrangements for making acting appointments and the rules on payment of acting allowances. We consider that there is a need to retain the acting appointment system as a useful management tool that helps departmental and grade management to meet their management needs and operational requirements. It allows the management to appoint officers to take up the duties of vacant posts for the purpose of covering prolonged vacancies or to try out officers' performance at a higher rank.

4. However, we see a need to rationalise the existing system to ensure that acting appointments are made strictly on the basis of genuine management and operational needs, and that acting allowance is granted only when necessary and justified, say where an officer has shouldered substantial additional duties and responsibilities by acting for a prolonged period. We have thus proposed various modifications to the existing rules for making acting appointments and granting acting allowances.

Proposed Changes

5. Major proposed changes to the acting appointments system are -

- (a) We shall provide clear guidelines to departments that acting appointments should be made only when necessary and justified to meet management or operational needs, irrespective of whether an acting allowance is payable or not. As a matter of principle, acting appointments should be made only when it is necessary for the management to appoint officers to take up the duties of vacant posts or to try out officers' performance at a higher rank.
- (b) As a rule acting allowance will only be granted if an officer has shouldered substantial additional duties and responsibilities by acting for at least 30 days as a minimum qualifying period for acting allowance, in all posts including those at bureau secretary and head of department level (comparison with existing rules at *Annex*). This will ensure a more vigilant approach in making short-term acting appointments and granting acting allowance. Acting appointments of a shorter duration can be made but no acting allowance should be payable.
- (c) Acting allowance should not be granted for doubling-down acting appointment (i.e. a senior officer taking on the job of a junior officer in addition to his own). This is because it should be the responsibility of officers at the supervisory level to ensure that the work is shared out or proper staffing arrangements could be made to cover the duties.
- (d) To enable departmental and grade management to cater for exceptional operational circumstances, Heads of Department/Grade (HoDs/HoGs) may, after consultation with the Civil Service Bureau (CSB), grant acting allowances for a period shorter than 30 days if they are **personally** satisfied that such variation is essential to meet their management requirements. Such exception should be made only in very exceptional circumstances where strictly necessary and justified and guidelines will be provided to HoDs/HoGs in this regard.

Consultation with Departmental Management and the Staff Sides

6. We have consulted the Staff Sides of the Central Staff Consultative Councils and departmental management on the proposed changes to the acting appointments system as set out above. On the basis of the views and comments received, we reaffirm that there is a need to continue with the acting appointments system. There is general support that acting appointments should be made strictly on genuine operational

or management grounds, though concerns have been expressed on potential management or operational problems arising from the revised qualifying period. The Staff Sides also object to the proposal to prolong the qualifying period for acting allowance.

Way Forward

7. Having considered the views from the Staff Sides and departmental management, we remain of the firm view that there is a need to implement the proposed changes to the acting appointments system to ensure that acting appointments are made and acting allowances are granted only where necessary and justified. We shall promulgate the revised rules for application to acting appointments which commence on a specific date in January 2000. CSB shall monitor closely the implementation of the revised rules. The implementation of the proposed changes will address and respond to the concerns and recommendations of the Director of Audit in his report issued on 17 November 1999 regarding the acting appointments system.

Civil Service Bureau
16 December 1999

Qualifying Periods for Acting Allowance

Type of Acting Appointment	Rank of Acting Post	Existing Qualifying Period	New Qualifying Period
(i) Acting-up	Bureau secretary and head of department and equivalent	Nil	30 days
	Directorate	14 days	
	Non-directorate		
(ii) Doubling-up	Bureau secretary and head of department and equivalent	Nil	
	Directorate	7 days	
	Non-directorate	14 days	
(iii) Doubling-sideways	Bureau secretary and head of department and equivalent	N.A.	
	Directorate	14 days	
	Non-directorate		
(iv) Doubling-down	Bureau secretary and head of department and equivalent	14 days	Acting allowance not payable
	Directorate		
	Non-directorate		