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Legislative Council

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**Bills Committee on
Education Reorganization (Miscellaneous Amendments) Bill 2002**

Background brief prepared by the Legislative Council Secretariat

**Administration's proposals to merge the
Education and Manpower Bureau with the Education Department,
and the Education Commission with the Board of Education**

Purpose

This paper gives a summary of the issues and concerns raised by members of the Panel on Education on the Administration's proposals to merge the Education and Manpower Bureau (EMB) and the Education Department (ED), and to merge the Education Commission (EC) and the Board of Education (BoE).

The Administration's proposals presented to the Panel on Education

2. The Administration has proposed to merge EMB and ED with effect from 1 January 2003 and the new organisation will still be called EMB. Under the proposed directorate structure of the new EMB, five civil service posts including the Director of Education (D of E) will be deleted, the Permanent Secretary for Education and Manpower (PSEM) will assume the existing functions of D of E, and there will be redistribution of duties and responsibilities amongst the directorate staff. The staffing proposal on these establishment changes was endorsed by the Establishment Subcommittee on 20 November 2002. An extract from the relevant minutes is in **Appendix I**. At its meeting on 6 December 2002, the Finance Committee approved the recommendation of the Establishment Subcommittee on the staffing proposal. The Finance Committee also approved the Administration's proposal to change the Controlling Officer for Head 40 - ED in the 2002-03 Estimates of Expenditure from D of E to PSEM with effect from 1 January 2003 at that meeting.

3. BoE was established in 1920 to advise D of E on educational matters. EC was set up in 1984 to advise the Government on education objectives and policies as well as to co-ordinate advice on education at all levels. In line with the objective of integrating policy making and implementation by merging EMB and ED, and following the abolition of the post of D of E, the Administration has also proposed to merge EC and BoE.

4. In line with the spirit of the accountability system, the Administration has proposed that the new EC will advise the Secretary for Education and Manpower (SEM), instead of the Chief Executive (CE). On major policy issues, SEM will continue to consult CE and the Executive Council on the recommendations of EC. If SEM takes a view different from EC's, he will highlight the differences. With the recent establishment of the Manpower Development Committee (MDC), which oversees the development of vocational and continuing education, the EC's role to advise on the planning and development of early childhood and school education and, in carrying out its tasks, to co-ordinate the work of the University Grants Committee (UGC), the Vocational Training Council and other education advisory bodies will be spelt out clearly. SEM will also be given the flexibility to refer educational issues to the new EC for advice, if necessary.

5. Following the merger of EC and BoE, the Administration has also proposed to broaden the membership of the new EC to include representatives of the main school councils and the Home-School Co-operation Committee on an ad personam basis.

Issues and concerns raised by members of the Panel on Education

Consultation with the Panel on Education

6. The Panel on Education discussed the proposed merger of EMB and ED and the proposed merger of EC and BoE at its meetings on 28 October and 18 November 2002. While Panel members were generally supportive of the proposed merger of EMB and ED, and had also raised no objection in principle to the proposal of merging EC and BoE, they had raised various concerns and queries.

Proposed merger of EMB and ED

7. Some Panel members expressed concern that the autonomy of UGC-funded tertiary institutions might be reduced as the future provision of associate and sub-degree programmes by these institutions would come under the purview of both UGC and the new MDC, whereas at present they only came under the purview of UGC.

8. Some Panel members considered that there might be room for reducing the number of posts at D1 level or below after the proposed merger of EMB and ED. Another Panel member was concerned about the morale of frontline staff in the new EMB if further structural changes would be made.

9. Some Panel members were of the view that the Administration's proposal should have elaborated more on the distribution of authority and responsibilities as well as how the accountability system would be implemented under the new structure.

Proposed merger of EC and BoE

10. Panel members were of the view that it was important to incorporate the views of frontline teachers, education professionals and the public in the policy formulation and implementation in education. Some Panel members expressed strong dissatisfaction that there would only be one, and at most two, teachers' representatives on the new EC.

11. Panel members expressed concern that the power and status of the new EC would be decreased. A Panel member also queried the rationale for maintaining the non-statutory status of EC after the merger.

12. Members may wish to refer to the extracts from the minutes of meeting of the Panel on Education held on 28 October and the draft minutes of meeting of the Panel on Education held on 18 November 2002 in **Appendices II and III** respectively for details of the discussion.

Council Business Division 2
Legislative Council Secretariat
12 December 2002

**Extract from the minutes of meeting of the Establishment Subcommittee
held on 20 November 2002**

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EC(2002-03)6 Proposed merger of the Education and Manpower Bureau and the Education Department into a new Education and Manpower Bureau with effect from 1 January 2003 to strengthen the link between the formulation and implementation of education policies following the implementation of the accountability system

12. Members noted that the item was discussed by the Panel on Education on 28 October 2002 and that the Education Reorganization (Miscellaneous Amendments) Bill 2002 would be introduced into the Legislative Council on 20 November 2002.

13. Mr HUI Cheung-ching considered the present proposal a move in the right direction and enquired whether there would be further downsizing arising from the merging of the Education and Manpower Bureau (EMB) and the Education Department (ED). In response, the Permanent Secretary for Education and Manpower (PSEM) pointed out that the merging had already brought about a net reduction of five directorate positions. She also anticipated a further reduction of six to seven non-directorate posts (e.g. supporting secretarial staff) consequential to the aforesaid downsizing of the directorate structure. In this connection, PSEM added that one supernumerary Senior Principal Executive Officer (D2) post would be created under delegated authority for six months up to 30 June 2003 to assist in implementing a number of measures relating to the merger and to initiate a process re-engineering exercise to improve efficiency and effectiveness. It was hoped that further scope for streamlining the staffing structure could be identified.

14. Ms Emily LAU expressed disappointment at the small extent of downsizing out of an apparently huge bureaucratic structure. She was particularly concerned about the need to trim down the non-directorate establishment and to achieve a more flattened EMB/ED hierarchy for the sake of administrative efficiency. Ms LAU urged that the number of staff required to serve at the subordinate level must be critically examined and kept to the absolute minimum. The hierarchical structure should be streamlined to facilitate the exercise of official authority and avoid excessive layers of administrative control.

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15. Noting Ms LAU's concerns, PSEM reiterated that the five civil service directorate posts earmarked for deletion as a result of the merging already included the high ranking post of Director of Education at D7 level. The deletion of directorate posts in this exercise would inevitably lead to the consequential deletion of supporting non-directorate posts. In parallel, further savings in staff cost could be anticipated as a result of office automation, use of information technology and the Enhanced Productivity Programme. In reply to Mr James TIEN's enquiry on whether the Administration had any target of downsizing non-directorate posts, PSEM explained that every department had to enhance productivity and achieve savings to meet the Financial Secretary's budgetary targets. Active efforts were made to re-prioritize tasks, re-engineer the work process and re-organize the departmental structure with a view to achieving savings and enhancing efficiency. PSEM pointed that the Administration would be in a better position to ascertain the scope for further streamlining in six months' time.

16. With regard to the progress in achieving a more flattened hierarchy, PSEM advised that in the past, policy papers cleared by top management in the department would require scrutiny by the subject officer in the bureau, normally at Principal Assistant Secretary level. This often resulted in some duplication of effort. Under the new structure, PSEM would be assisted by six deputy secretaries. The span of control of each deputy secretary would be narrower but his involvement in policy formulation and implementation would be deeper to reduce double handling of work.

17. Responding to Ms Emily LAU's concern about the need for further downsizing and that the Administration should not seek to justify the continued need of certain posts by creating unnecessary work, PSEM pointed out that the proposed merger of EMB/ED had already resulted in the net reduction of five directorate positions, representing some 14% cut in the directorate establishment of EMB/ED. At the same time, there had been an upsurge of workload since 2000 as a result of a series of education reform initiatives, the setting up of the Manpower Development Committee and the administration of the Continuing Education Fund etc. PSEM reiterated the undertaking to review the directorate structure in two years in the light of operational experience and to identify scope for further savings in staff cost at the non-directorate level and in other operating costs in the new EMB.

18. While welcoming the proposed merger, Mr LEUNG Fu-wah referred to Enclosure 3 to the paper and asked whether there was room to merge the 'Quality Assurance Division' and the 'Quality Education Division' so as to achieve further savings. In response, PSEM pointed out it was inadvisable to merge the two Divisions in the near future as curriculum review and development work including the implementation of the eight Key Learning Areas were in full swing. Nevertheless, the Administration would review in two years' time the staffing need when the curriculum review was completed.

Action

19. While concurring with the need to downsize an otherwise bloated hierarchy, Mr. TAM Yiu-chung cautioned that the Administration should provide adequate staff resources to take forward initiatives such as work relating to manpower development. PSEM took note of Mr TAM's concern and said that the Administration would carefully re-prioritize current services.

20. The item was voted on and endorsed.

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Council Business Division 1
Legislative Council Secretariat
4 December 2002

**Extract from the minutes of meeting of the
Panel on Education held on 28 October 2002**

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IV. Merger of the Education and Manpower Bureau with the Education Department

6. At the Chairman's invitation, PSEM briefed members on the Administration's paper on the subject [LC Paper No. CB(2)132/02-03(01)]. She added that along with the proposed merger, the Administration was working on a proposal to merge the Education Commission (EC) and the Board of Education (BoE).

The role of the University Grants Committee and institutional autonomy

7. Mr CHEUNG Man-kwong noted that under the proposed structure of the new Education and Manpower Bureau (EMB), the University Grants Committee (UGC) would be placed under the Manpower and Post-secondary Education Branch. He also noted that the Higher Education Division which was responsible for higher and post-secondary education, as well as the Manpower Infrastructure Division which was responsible for servicing the Manpower Development Committee (MDC) and overseeing the provision of self-financing associate and sub-degree programmes in adult education and continuing education would be placed under that Branch. Mr CHEUNG pointed out that while MDC programmes would be operated on a self-financing basis, existing associate and sub-degree programmes offered by UGC-funded institutions were subsidised by public funds. Mr CHEUNG asked whether the role and functions of UGC would change under the proposed structure and whether the proposed structure would ultimately mean the transfer of all subvented associate and sub-degree programmes from UGC-funded institutions to MDC. Since associate and sub-degree programmes would be provided by both MDC and UGC-funded institutions under the proposed structure, Mr CHEUNG also sought clarifications about the authority of UGC and EMB in the supervision of and approving funding allocations for associate and sub-degree programmes offered by UGC-funded institutions.

8. In response, PSEM said that the role and functions of UGC in higher education should remain unchanged until the outcome of the UGC's review on Higher Education in Hong Kong (the Review) was available. She said that the outcome of the Review would determine the future development of associate degree and sub-degree programmes. PSEM pointed out that the report on Higher Education in Hong Kong prepared by Lord Sutherland had proposed the

Action

establishment of a Further Education Council to oversee the provision of programmes at associate degree and comparable levels by both public and private providers. However, at the last meeting of MDC, it was considered that the establishment of different advisory bodies in different aspects of education might create co-ordination problems. The preliminary view of MDC was that when the outcome of the Review was available, the development of non-degree programmes should be taken up by MDC. Currently, UGC was collaborating with UGC-funded institutions to identify which associate and sub-degree programmes should continue to be publicly funded. The community as a whole in the future would have to determine the best way to co-ordinate efforts for the development of associate and sub-degree programmes in the long run.

9. Mr CHEUNG Man-kwong pointed out that UGC-funded tertiary institutions currently enjoyed a high level of autonomy in the provision and quality assurance of their associate and sub-degree programmes. However, their autonomy in this aspect might be affected when the authority to consider and approve funding applications for these courses was transferred from UGC to MDC. He added that UGC-funded institutions had not been consulted on the proposal and might have different views on the transfer of the authority to MDC.

10. PSEM responded that the supervision and monitoring of the quality of associate and sub-degree programmes offered by UGC-funded institutions was an important issue because building a credible quality assurance and qualification framework was essential to the development of lifelong learning. All these issues should be thoroughly discussed when the outcome of the Review was available and heads of UGC-funded institutions would be consulted on the proposed qualifications framework and the future quality assurance and accreditation mechanism. She invited members to focus the discussion on the redistribution of responsibilities among the directorate posts as a result of the proposed merger of EMB and ED, which aimed at facilitating integration of policy formulation and implementation, and rationalisation of the distribution of responsibilities among the divisions.

11. Mr CHEUNG Man-kwong said that he had no objection to discussing these issues at a later stage. However, as the proposed structure of the new EMB had implications on institutional autonomy, the Administration must give an assurance that the scope of autonomy currently enjoyed by UGC-funded institutions would not be reduced as a result of the proposed merger. He stressed that the issue of institutional autonomy must be carefully considered with the participation of the institutions concerned, when a decision was to be made on the outcome of the Review in the future.

12. PSEM stressed that the status quo in respect of provision of associate and sub-degree programmes in the higher education sector would remain the same until the Administration had studied the outcome of the Review and

Action

formulated a new policy on it. She added that the presentation of the structure of the new EMB in Enclosure 3 to the Administration's paper aimed at presenting an overall picture of the proposed redistribution of responsibilities. PSEM also stressed that the proposed structure in no way implied that there was any change in the role of UGC in higher education. In practice, the Higher Education Division under the Manpower and Post-secondary Education Branch would work in close partnership with UGC for the future development of the higher education sector.

13. The Chairman shared the concern of Mr CHEUNG Man-kwong. He said that future provision of associate and sub-degree programmes would be put under the purview of UGC and MDC separately, which would unavoidably have implications on institutional autonomy. Members should therefore follow up the issue at an appropriate time in the future.

Deletion of directorate posts and budget savings

14. Ms Emily LAU considered that the Administration's paper had failed to present a clear picture of the actual number of directorate posts to be deleted under the proposed structure. Given that there were 36 civil service directorate posts in EMB and ED and 33 of these posts would be retained after the proposed merger, Ms LAU asked why the Administration had indicated in its paper that six directorate posts would be deleted under the proposed structure. She requested the Administration to clearly explain the actual deletion in directorate posts including those at D1 level and the corresponding net savings as a result of the proposed merger.

15. In response, PSEM explained that there were 36 civil service and two non-civil service directorate posts in EMB and ED in total. The Administration's paper had proposed a deletion of six directorate posts (five civil service and one non-civil service posts), offset by the creation of one directorate post through upgrading. Hence the final headcount was 33 directorate posts in the new EMB (32 civil service posts + one non-civil service post). PSEM said that an Administrative Officer Staff Grade C (D2) post had also been temporarily redeployed to provide administrative support to SEM since August 2002. The redeployment would be formalised upon the merger of EMB and ED. The net saving in full annual average staff costs for civil service posts, including salaries and staff on-cost was \$12,194,000. In addition, there would be a saving of about \$2 million in departmental expenses for the non-civil service post. PSEM added that in line with the Administration's undertaking when seeking Members' support for the creation of principal official positions under the accountability system, the complement of staff working in SEM's private office, including one directorate post of Administrative Assistant to SEM, was funded by internal redeployment of resources within EMB and ED. As regards the position of SEM, the net savings in full annual average staff costs arising from the proposed merger

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would more than offset the additional cost for the total remuneration package of the SEM post.

16. Ms Emily LAU said that the Administration had only proposed to delete directorate posts at D2 level but there might be room for reducing the number of posts at D1 level as well as that of non-directorate posts at Master Pay Scale points 33 to 49 after the proposed merger. At her request, PSEM undertook to provide information on the amount of net savings as a percentage of the total directorate cost as a result of the merger. She pointed out that the Administration envisaged that there was scope for further savings in staff cost at non-directorate level and in other operating costs in the new EMB through process re-engineering and refocusing of priorities.

[Post-meeting note : The Administration subsequently confirmed that a net saving of 16% of the total directorate cost would be achieved as a result of the merger.]

17. Mr Tommy CHEUNG said that the Liberal Party supported the proposed merger to enable better integration of efforts and avoid double-handling of work in EMB and ED. However, the Administration should also explain how the lower-level structure would be streamlined correspondingly after the proposed merger.

18. PSEM responded that upon the deletion of a directorate post, the corresponding posts of secretary and driver would be deleted automatically. She added that to facilitate smooth implementation of the merger, one of the two Senior Principal Executive Officer posts to be deleted would be retained for six months up to 30 June 2003 so that the officer could assist in implementing a number of measures relating to the merger and to initiate a process re-engineering exercise to improve efficiency and effectiveness.

Staff morale and organisational stability

19. Mr YEUNG Yiu-chung pointed out that there had been a series of changes in ED in the past few years, causing considerable staff concerns and a sense of instability within the department. He asked whether the proposed merger would be a one-off exercise. Mr YEUNG suggested that the Administration should keep the Panel abreast of future structural changes at non-directorate level in the new EMB. Mr CHEUNG Man-kwong expressed support for Mr YEUNG's suggestion. He pointed out that paragraph 37 of the Administration's paper had referred to re-engineering of work processes and refocusing of priorities in the new EMB, but no major proposals and implementation details had been given. Mr CHEUNG anticipated that the new EMB would keep the Panel informed of progress in this regard.

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20. PSEM responded that the proposed merger would be a one-off exercise effective on 1 January 2003. The Administration would review the directorate structure in two years in the light of operational experience. While process re-engineering and refocusing of priorities would be carried out in the new EMB, the work of frontline staff would mostly remain unaffected. If there were any changes, the objectives would be to simplify line of reporting and improve cost-effectiveness. In any event, the Administration would consult affected staff members for any proposals on reorganisation of their work. PSEM believed that the Panel would not oppose to any reorganisation if affected staff members, who should be more familiar with the pros and cons of a proposed reorganisation, were receptive to the changes. She considered it inappropriate for the LegCo Panel to probe into the non-directorate establishment.

21. The Chairman remarked that members were only concerned that further structural changes would affect frontline staff in the new EMB and they would not seek to discuss minor details of any structural changes. However, it would put members' mind at ease if the Panel was kept abreast of these changes.

Schedule of authority and accountability as a result of the proposed merger

22. Ms Cyd HO expressed dissatisfaction that the Administration's paper had only presented the proposed merger from a narrow perspective of staffing establishment. She considered that the Administration should have elaborated in the paper how the new accountability system could be implemented in the new EMB, how the division of work could be made more efficient, and how authority would be redistributed upon the merger. Ms HO asked the Administration to explain the significance of the proposed merger in terms of policy formulation and implementation.

23. PSEM responded that the main purpose of the proposed merger was to flatten the hierarchy of the new EMB to enable better integration of efforts and avoid double-handling of work. She explained that under the existing two-tier structure for formulation of an education policy, a proposal would normally be initiated by ED at the operational level and would need to be considered at different levels within ED and EMB. Referring to her previous experience working in ED and EMB, PSEM said that repeated discussions at various levels sometimes would slow down the decision-making process and lead to excessive duplication of efforts. She considered that the proposed one-tier structure would ensure better synergy between policy formulation and implementation and enhance efficiency.

24. PSEM further said that given the wide scope of responsibilities and the complexity of the issues in education, PSEM would be assisted by six deputy secretaries under the new structure. Each of the deputies would be responsible for two to three major divisions, each of which was headed by a directorate officer. Compared to a deputy secretary in existing EMB, the span of control

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of a deputy secretary under the new structure would be narrower, but his involvement in policy formulation and implementation would be deeper. Upon the merger, each deputy secretary would be fully responsible for consulting frontline staff to explore the feasibility of specific policy proposals within his portfolio, examining their reasonableness, explaining the policies in public and eventually implementing the policies. PSEM stressed that such a rationalisation of authority and responsibilities was in line with the spirit of the accountability system. Giving directorate officers full responsibility for formulating and implementing policies within their respective remit would ensure greater consistency and a better chance of success. Staff were also more likely to enjoy a greater sense of satisfaction.

25. Ms Emily LAU said that she shared the view of Ms Cyd HO that the Administration's paper should have elaborated on the distribution of authority and responsibilities upon the merger. She further said that the Administration had indicated in its paper that the proposed structure of the new EMB would provide strong professional leadership and expertise required for the delivery of support services to the education sector which was of paramount importance at this critical stage of the education reform. She requested the Administration to elaborate how a strong professional leadership and expertise would be achieved under the proposed structure. Ms LAU also asked whether principals, teachers and parents would have to face another round of changes in education reform as a result of the merger.

26. PSEM responded that the proposed merger involved changes in the administrative structure and should not affect existing policies nor the work of principals, teachers and parents. The merger should facilitate smooth implementation of the education reform, as well as ensure consistency in values and practices. This should be welcomed by school principals, teachers and parents.

27. As regards stronger professional leadership and expertise in the delivery of support services under the new structure, PSEM explained that three of the deputy secretary posts were designated as professional posts as the responsibilities involved would require extensive expertise and experience in the education field. Apart from SEM and PSEM, these deputy secretaries should make the final decisions in policy formulation and exercise professional leadership in their respective policy portfolios. Referring to the four core values of EMB, i.e., "being proactive, customer-focused, result-oriented and professional", PSEM stressed that professionalism was very important in the work of the new EMB.

28. To facilitate Members' understanding of the objectives of the proposed merger, Ms Emily LAU suggested that the Administration should elaborate on its ideas regarding the distribution of authority and responsibilities and how the objectives of the proposed merger would be achieved in its paper to be

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submitted to the Establishment Subcommittee. PSEM suggested that in order to save staff effort in preparing extra paper work, the minutes of the meeting prepared by the Secretariat could serve the purpose. Ms LAU said that she had no objection to the suggestion if the Administration had difficulty in providing a paper. She requested that the Secretariat should prepare the minutes of the meeting for the Administration to comment as soon as possible so that the minutes could be attached to the paper to be submitted by the Administration to the Establishment Subcommittee. Ms Cyd HO remarked that she also had no objection to the suggestion but would like to stress that the Administration should elaborate the work, authority and accountability of directorate posts before and after a merger in their future proposals on merger of other bureaux and departments.

Advisory mechanism and education research

29. Mr SZETO Wah noted that EC was placed under the Planning and Research Branch of the proposed new EMB. He asked about the role of EC after the merger of EMB and ED.

30. PSEM explained that the inclusion of EC in Enclosure 3 to the Administration's paper was to indicate that a team of staff would continue to provide secretarial services to EC. In line with the spirit of implementing the accountability system, it was anticipated that EC would in future submit its recommendations on educational issues to SEM for consideration. SEM would refer major policy recommendations to the Executive Council for consideration, where appropriate.

31. Referring to the Administration's proposal of merging EC and BoE, Mr SZETO Wah asked whether members of EC would be appointed by the Chief Executive or SEM after the merger. PSEM replied that it had not yet been decided. She explained that the Administration intended to broaden the membership of EC to include representatives of educational bodies, as was the case with the BoE. In the circumstances, the question of appointing authority would not be an issue. Ms Emily LAU said that she supported the appointment of representatives of educational bodies to the EC so that the representation of EC would be improved and its composition would not be subject to the sole discretion of the Chief Executive. She, however, stressed that a person should not serve on too many advisory bodies in order to ensure that he could involve more in the work of these bodies.

32. PSEM further informed the Panel that implementation of the proposed merger of EC and BoE would need an amendment to the Education Ordinance as the latter was a statutory body. The Administration would prepare a paper on the transfer of the functions of the Director of Education and ED to effect the implementation of the proposed merger of EMB and ED and the paper would cover the proposed merger of EC and BoE as well. In response to Ms Emily

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LAU's enquiry, PSEM confirmed that EC would maintain its non-statutory status after merging with BoE. She pointed out that maintaining the non-statutory status of EC would provide flexibility and would not affect EC in discharging its functions. Ms LAU requested that the Administration should explain in the paper to be submitted to the Panel the background for the statutory status of BoE and the rationale for maintaining the non-statutory status of EC after the merging of these two advisory bodies.

33. Ms Cyd HO was of the view that continuous education researches were essential for ensuring continuity in policy formulation in education. Noting that a Planning and Research Branch would be established to co-ordinate research efforts in the new EMB to support policy deliberations in a holistic manner, she asked how professional expertise and inputs from the society would be incorporated into the new structure through the advisory mechanism in education. She also asked why the Branch would also be responsible for monitoring of and providing support services for educational researches.

34. PSEM said that although the new EMB would like to place more emphasis on education research, it was unlikely that EMB would have sufficient in-house resources and the professional expertise to cover the wide range of research subjects in education. She pointed out that overall the Planning and Research Branch would co-ordinate resources for research studies, determine their priorities and monitor the quality of research output. Individually, the other five Branches would conduct their own researches on a need basis. For instance, the Curriculum and Quality Branch would conduct researches for curriculum reform and quality assurance issues. Since the Planning and Research Branch would be responsible for setting out the policies in support of the work of EC, it was considered appropriate for the Branch to have overall responsibility for monitoring the quality of and providing research support for policy-making.

35. Ms Cyd HO considered that public consultation on education policies must be conducted in depth so that new thoughts and ideas could be absorbed into the new structure. She was concerned that technocrats who had been in a position for too long might be resistant to changes. She suggested that the new advisory mechanism in education should incorporate professionals with a wide variety of expertise and vision to provide new ideas and insights for the long-term development of education.

36. PSEM responded that being an accountable government, even in the absence of a specific advisory mechanism for a particular policy in education, the Administration would consult the parties concerned through appropriate channels, e.g. special working group or consultation meetings. She stressed that the proposed merger of EC and BoE would not reduce the need and the channels for consultation. She pointed out that the resources used to support

Action

the work of advisory bodies could be redeployed as a result of the merger to conduct more in-depth consultation on specific issues, where necessary.

37. The Chairman said that members were concerned as to how the scope of public participation could be expanded after the merging of EC and BoE. He suggested that the issues relating to feeding professional expertise and opinion from the society into the process of policy formulation should better be considered when the paper on the merging of EC and BoE to be provided by the Administration was available.

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Council Business Division 2
Legislative Council Secretariat
13 November 2002

**Extract from the draft minutes of meeting of the
Panel on Education on 18 November 2002**

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V. Merger of the Education Commission and the Board of Education

38. Members noted the Administration's paper on the subject [LC Paper No. CB(2)296/02-03(01)].

39. Mr CHEUNG Man-kwong declared interest as a current member of the Education Commission (EC). Mr CHEUNG considered that after the merger, the authority and functions of the new EC would be degraded and similar to the existing Board of Education (BoE). It would advise SEM, instead of the Chief Executive, mainly on the overall education objectives and policies, and the planning and development of early childhood and school education.

40. Mr CHEUNG Man-kwong also expressed grave concern about the representation of the proposed membership structure of the new EC as detailed in Annex D to the Administration's paper. He pointed out that apart from the Chairman and seven ex-officio members, it appeared that only one of the 12 members appointed on an ad personam basis would be a front line teacher, while some five of them would be principals. Mr CHEUNG considered that the proportion of principals to teacher in the membership of the new EC was unreasonable and would unlikely be accepted by teachers.

41. In response, SEM said that in line with the accountability system, the new EC should report to SEM. He stressed that members of EC should be appointed on the basis of their expertise and potential contributions to EC, regardless of whether they were principals or teachers.

42. Mr CHEUNG Man-kwong considered that the intention of the Administration was reflected by the proposed membership of the new EC, which gave more weight to principals than teachers. He pointed out that this was not in line with the claim of SEM that he valued the opinions of teachers. Mr CHEUNG also pointed out that the new membership comprised three principals from the three specified school councils, namely, the Subsidized Secondary Schools Council, the Subsidized Primary Schools Council and the Special Schools Council. He questioned why three unions of school principals but not a single union of teachers were included in the membership structure. Mr CHEUNG stressed that as key stakeholders in school education, principals and teachers should be fairly represented in the new EC. In this connection, the Chairman asked whether the membership structure of the new EC had been finalised.

Action

43. SEM responded that the membership structure had been finalised. He stressed that principals and teachers were key stakeholders in education and should both contribute to the work of the new EC and the education sector. He considered it inappropriate to distinguish principals and teachers so long as they made significant contributions to education. PSEM added that teachers often had difficulty attending meetings due to their teaching duties. The Administration would consult teacher organisations separately on major issues affecting teachers as was the case with the Advisory Committee on Teacher Education and Qualifications and the Standing Committee on Language Education and Research. There was no need to insist on a fixed proportion of principal and teachers in the membership of the new EC.

44. Mr CHEUNG Man-kwong expressed strong dissatisfaction with the SEM's response. He pointed out that there was no point for the Panel to discuss the issue if the Administration had already made up its mind.

45. PSEM stressed that the membership structure of the new EC was an improvement when compared with the existing membership of EC and BoE, as the new membership had been broadened and chairmen of the relevant bodies under the purview of the new EC would be appointed as ex-officio members. She pointed out that representatives from the school councils were not necessarily principals. Even if these three councils had appointed principals as their representatives, the Administration could consider appointing teachers to fill the seats intended to represent principals and teachers if the number of teacher members in the new EC was considered too small. PSEM added that the new EC was not the only advisory channel and the Administration would extensively consult teachers on matters affecting their interests and would proactively consider the appointment of individuals who had a background in or a close connection with the teaching profession.

46. The Chairman expressed disappointment that the membership structure of the new EC had been finalised before the Panel was being consulted. PSEM explained that the Administration had taken the initiative to inform the Panel of the proposed merger of EC and BoE at the meeting held on 28 October 2002 and undertook to provide the present paper on merger of EC and BoE for members' further consideration.

47. Mr SZETO Wah said that as the membership structure of the new EC had been finalised, he did not have much to say. However, he would like to advise SEM that his responsibility would be increased after the merger and he would be held ultimately responsible for the outcome of educational policies. He suggested that given the membership structure of the new EC, the Administration should establish other links with frontline teachers to ensure incorporation of their views in the policy formulation and implementation in education. Ms Emily LAU echoed Mr SZETO's view. She added that SEM should improve the transparency of the operation of the new EC by conducting

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its meetings in public. Ms LAU also considered that the Administration should consult the Panel before making any final decision on policy matters.

48. Mr LEUNG Yiu-chung considered that front line educators and local communities were not adequately represented in the new EC and queried the representativeness of the proposed membership. He also expressed dissatisfaction that the Administration had finalised its decision before consulting the Panel. PSEM reiterated that the Administration had informed the Panel the proposed merger of EC and BoE at the meeting held on 28 October 2002. Members also discussed a representative system of membership. The Administration had no intention to bypass the Panel before introducing the legislative proposal to effect the merger.

49. To conclude the discussion, the Chairman said that he was taken by surprise when SEM told the Panel that the membership structure of the new EC had been finalised as the details of which were discussed for the first time by the Panel. He cautioned that as the Panel Chairman, he might not accede to the Administration's request for putting an item on the agenda if the Administration had already decided on the policy matter. The Chairman stressed that any policy initiative in education required the support of frontline educators. He advised that SEM should seriously consider the strong views expressed by members about the membership structure of the new EC and make adjustment as appropriate.

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Council Business Division 2
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