

立法會
Legislative Council

LC Paper No. CB(1)1128/11-12

(These minutes have been seen
by the Administration)

Ref : CB1/PL/PS/1

Panel on Public Service

**Minutes of meeting held on
Monday, 21 November 2011, at 10:45 am
in Conference Room 2 of the Legislative Council Complex**

Members present : Hon Mrs Regina IP LAU Suk-ye, GBS, JP (Chairman)
Dr Hon PAN Pey-chyou (Deputy Chairman)
Dr Hon Margaret NG
Hon CHEUNG Man-kwong
Hon TAM Yiu-chung, GBS, JP
Hon LI Fung-ying, SBS, JP
Hon WONG Sing-chi
Hon IP Wai-ming, MH
Hon LEUNG Kwok-hung

Member Attending : Hon WONG Kwok-hing, MH

Members absent : Hon LEE Cheuk-yan
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Dr Hon LEUNG Ka-lau

Public officers attending : **Agenda item IV**

Miss Denise YUE, GBS, JP
Secretary for the Civil Service

Mr Raymond H C WONG, JP
Permanent Secretary for the Civil Service

Ms Shirley LAM, JP
Deputy Secretary for the Civil Service 3

Agenda item V

Miss Denise YUE, GBS, JP
Secretary for the Civil Service

Mr Raymond H C WONG, JP
Permanent Secretary for the Civil Service

Mr Patrick CHAN Nim-tak, BBS, JP
Director of General Grades
Civil Service Bureau

Clerk in attendance : Ms Annette LAM
Chief Council Secretary (1)7

Staff in attendance : Miss Lilian MOK
Council Secretary (1)7

Miss Iris CHEUNG
Legislative Assistant (1)7

Miss May KWONG
Clerical Assistant (1)7

Action

I Confirmation of minutes of meeting

(LC Paper No. CB(1)195/11-12 -- Minutes of meeting on
13 October 2011)

The minutes of the meeting held on 13 October 2011 were confirmed.

II Information papers issued since last meeting

(LC Paper No. CB(1)102/11-12(01) -- Administration's response to
(Chinese version only) the submission from the Joint

Committee of Government Driver Grade Unions regarding the direct appointment of personal chauffeurs for principal officials under the accountability system

- LC Paper No. CB(1)138/11-12(01) -- Email received from a member of the public complaining about the posting arrangement for a supplies grade staff of the Government Logistics Department
(English version only)
(Restricted to members)
- LC Paper No. CB(1)139/11-12(01) -- Email sent by a member of the public to the Secretary for the Civil Service seeking clarifications of the retirement arrangements set out in the Civil Service Regulations
(English version only)
(Restricted to members)
- LC Paper No. CB(1)282/11-12(01) -- Administration's response to the submission from the Joint Committee of Government Driver Grade Unions regarding the direct appointment of personal chauffeurs for principal officials under the accountability system
(Chinese version only)
- LC Paper No. CB(1)317/11-12(01) -- The application form and assessment form under the improved control regime governing the taking up of the post-service outsider work by directorate civil servants from 1 September

2011

LC Paper No. CB(1)343/11-12(01) -- Submission received from the Hong Kong Chinese Civil Servants' Association regarding the employment of non-civil service contract staff
(Restricted to members))

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(1)321/11-12(01) -- List of outstanding items for discussion

LC Paper No. CB(1)321/11-12(02) -- List of follow-up actions)

3. At the request of the Administration, members agreed that the discussion of the item on "Conditioned hours of work of the civil service" with civil service staff unions/associations be deferred to the regular Panel meeting scheduled for 16 January 2012 at 10:45 am.

4. The Chairman advised that the next regular Panel meeting would be held on 19 December 2011 to discuss the following items as proposed by the Administration –

- (a) Provision of paternity leave to government employees; and
- (b) An overview of training and development for civil servants.

IV Update on National Studies and Basic Law training for civil servants

(LC Paper No. CB(1)321/11-12(03) -- Administration's paper on National Studies and Basic Law training for civil servants

LC Paper No. CB(1)321/11-12(04) -- Paper on National Studies and Basic Law training for civil servants prepared by the Legislative Council Secretariat (Updated background brief))

5. Secretary for the Civil Service (SCS) updated members on the provision of national studies and Basic Law training to civil servants at various ranks, details of which were set out in the Administration paper (LC Paper No. CB(1)321/11-12(03)).

Evaluation of training programmes

6. Ms LI Fung-ying noted that around 6 000 civil servants were expected to have attended different national studies training programmes by the end of 2011, representing a 100% increase over the average attendance figures in previous years. To ensure efficient use of public funds, she asked whether the Administration had drawn up any measures or indicators to evaluate the effectiveness of the various training programmes in enhancing civil servants' understanding of the latest political, economic and social developments in the Mainland.

7. SCS said that post-course questionnaire surveys were conducted to collect systematically course participants' evaluation of the course content, the effectiveness of the training programmes they attended, and the quality of the trainers. The Civil Service Training and Development Institute (CSTDI) under the Civil Service Bureau (CSB) also held regular meetings with training service providers and Mainland institutions conducting the training programmes to review and fine-tune the programmes so as to better meet the training needs of civil servants of different levels. In respect of the Basic Law, diversified promotional activities such as quizzes and competitions were organized on a regular basis to assess civil servants' understanding of the Basic Law.

8. The Chairman asked whether any mechanism was in place to ascertain the impact of national studies training programmes on middle to senior level civil servants in the formulation of public policies.

9. Noting that the civil service exchange programme with Mainland had been organized for some time, Dr Margaret NG enquired whether the Administration had invited the Central Policy Unit or any other academic institutions to analyze and assess the impact of the exchange programme on

public administration and political system as well as the core values and work culture of the civil service in Hong Kong. She opined that civil servants participating in the exchange programme, who were normally at the senior level, might introduce the Mainland's practices to other staff members working under them.

10. SCS replied that an objective assessment mechanism had yet to be put in place to evaluate the impact of the exchange programmes. Neither had the Administration commissioned any organization to conduct a comprehensive study in this regard. She however observed that national studies programmes had generally enhanced communication and networking between course participants and their Mainland counterparts, and had also deepened participants' understanding of the current policies and the latest developments in the Mainland. On the policy front, she said that the Administration had been making reference to different jurisdictions' practices, including but not limited to those of the Mainland, in formulating public policies. As only about 100 civil servants out of some 160 000 civil servants had participated in the exchange programme so far, the impact of the exchange programme on the civil service would not be very substantial. SCS agreed to consider methods to study the impact of the various national studies programmes and related activities on the civil service and on the formulation of public policies.

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Participation arrangements of training programmes

11. Ms LI Fung-ying asked whether participation in national studies training programmes was through nomination and enquired about the leave arrangements for civil servants attending various training programmes.

12. SCS replied that civil servants could apply to join the national studies training programmes. Departmental management would also nominate their staff members to participate in the programmes with a view to grooming promising officers as part of succession planning. The e-learning portal on national studies in the CSB "Cyber Learning Centre Plus" website which contained a wide spectrum of online resources on the Basic Law, also provided a convenient platform for civil servants to pursue self-learning at their own pace and in their own time. Civil servants would normally be released from duties during office hours to participate in programmes organized by CSB/CSTDI, such as study-cum-visit programmes on the Mainland, local programmes, and thematic seminars, etc.

Provision of customized training programmes for civil servants of specific grades

13. Referring to the Education Bureau (EDB)'s plan to implement a new compulsory subject entitled "Moral and National Education (MNE)" for primary and secondary school students, the Chairman asked whether customized training programmes would be organized to assist curriculum officers of EDB to develop teaching and learning materials for the new subject. In response, SCS explained that while the Administration's paper was mainly focused on the national studies and Basic Law training programmes provided by CSB/CSTDI, she understood that individual bureaux/departments (B/Ds) had planned and organized training activities according to the work nature of their staff members to address their specific departmental training needs.

14. Permanent Secretary for the Civil Service (PSCS) supplemented that CSB would constantly review the various training programmes to strengthen the course content where appropriate on the basis of feedback from participants. For example, to keep civil servants abreast of the latest development of the Mainland, updated information on topical issues such as "The 12th Five-year Plan" was included in the training programmes. CSTDI had also been working closely with B/Ds to design appropriate training programmes and activities to meet departmental training needs. He recalled that EDB had organized national studies programmes for its staff which involved visits to the Mainland last year.

Admin 15. At the request of the Chairman, the Administration agreed to provide information on whether EDB had arranged dedicated national studies training for its curriculum officers to enhance their professionalism in designing and developing the curriculum of MNE for primary and secondary school students.

Statistics on training programmes

16. Expressing support for the national studies and Basic Law training programmes organized by CSB/CSTDI, Mr TAM Yiu-chung asked whether the Administration had compiled any statistics on the number of civil servants who had visited the Mainland prior to participation in the national studies programmes. SCS replied that such information was not available. However, given the close ties between Hong Kong and the Mainland, increasingly more Hong Kong residents including civil servants visited the Mainland for business and leisure. She observed that many of the directorate officers who participated in the national studies programme had visited the Mainland as part of the national studies programme and/or thematic study programmes organized for middle-ranking civil servants.

17. In response to Mr TAM Yiu-chung's enquiry about the Civil Service Exchange Programme with the Mainland, SCS advised that so far about 50 Hong Kong government departments/ public organizations and about 130 Mainland departments/agencies had participated in the exchange programme. About 100 civil servants at senior professional level had been sent to the Mainland while about 190 Mainland officials had been sent to Hong Kong. As for other training programmes jointly organized by Mainland departments/agencies and individual B/Ds in respect of a specific policy area or topical issue, the concerned B/Ds were not required to provide related information to CSB.

18. Mr TAM Yiu-chung further enquired whether any restriction was imposed on the number of training programmes that a civil servant could attend during a certain period of time. SCS said that following the Chief Executive (CE)'s 2010-2011 Policy Address which had called for the enhancement of national studies training for civil servants, senior directorate officers were required to attend national studies training on a regular basis to keep themselves abreast of the latest developments of the Mainland. As regards non-directorate civil servants, while priority would be given to those who had not attended any national studies programmes before, officers would not be refused attendance simply on the ground of previous attendance. For local national studies programmes, such as thematic seminars and lectures which could accommodate an audience of about 150 to 200 on each occasion, civil servants were welcome to enroll if they were interested. Well-attended programmes and activities would be re-organized within a short period of time to enable more civil servants to participate.

Participation of non-civil service contract staff in training programmes

19. The Deputy Chairman asked whether and to what extent non-civil service contract (NCSC) staff were allowed to take part in national studies training programmes. Referring to the various television programmes on national education produced by the Radio Television Hong Kong (RTHK), he enquired about the participation rate of RTHK staff, amongst whom the ratio of NCSC staff was high, in national studies training in comparison with other B/Ds in the past few years.

20. SCS advised that while the national studies programmes organized on the Mainland were offered to civil servants, local training activities held in Hong Kong were open to NCSC staff. They might also take part in departmental training programmes organized by individual B/Ds. She added that apart from formal classroom training, NCSC staff in certain B/Ds, such as RTHK and Invest Hong Kong, could also gain first-hand knowledge about

developments in the Mainland and build up local networks during duty visits to the Mainland.

Admin 21. In consideration that formal programmes were different from on-the-job training in acquiring understanding of the Mainland's systems and developments, the Deputy Chairman requested the Administration to consider opening national studies and Basic Law training programmes organized in the Mainland to NCSC staff.

Participation in training programmes organized by external organizations

22. In response to the Chairman's enquiry on whether CSB would encourage civil servants to participate in the training programmes organized by external organizations, SCS advised that civil servants attending work-related external courses during non-office hours would be provided with course subsidy under the financial sponsorship scheme. Although CSTDI would not promote specific external training programmes to civil servants, renowned scholars, academics and experts would be invited to speak on their expert areas in thematic seminars to enhance civil servants' knowledge in specific areas. Mr LEUNG Kwok-hung suggested a number of scholars whom he considered the Administration should invite as speakers.

National studies and Basic Law training for staff in subvented organizations and public bodies

23. The Deputy Chairman enquired about the provision of national studies and Basic Law training for staff in subvented organizations and public bodies. SCS responded that as the matter was outside the purview of CSB, detailed information in this regard was unavailable. However, during her earlier visit to the Chinese Academy of Governance (CAG), she was given to understand that CAG had been organizing national studies training for some companies in the business sector and subvented organizations in Hong Kong.

Suggestions on the civil service exchange programme with the Mainland

24. Referring to the civil service exchange programme with the Mainland, Mr CHEUNG Man-kwong opined that apart from the current emphasis on enhancing Hong Kong civil servants' understanding of the systems and the latest developments in the Mainland, it was equally important for Mainland officials to learn from Hong Kong's achievements and strengths. In his view, to strengthen two-way exchange between Hong Kong and Mainland officials, the exchange programme should also cover topics such as Hong

Kong's legal, auditing, and complaint redress systems as well as anti-corruption practices.

25. SCS responded that the aim of the exchange programme was to foster mutual exchange and networking between Hong Kong and Mainland officials. The current scope of the exchange programme, which was agreed to by both sides, covered a wide range of areas, including infrastructure development, city planning, environmental protection, public housing, civil service management, etc. During training attachment, participants from each side would learn about the relevant legislation, rules, regulations, general work practices, and codes of conduct of the host organizations. Mainland participants would be provided with a briefing on the structure and system of the HKSAR Government, and an overview of the political and social environment of Hong Kong prior to the commencement of each exchange to enhance their general understanding of Hong Kong. She said that in addition to the exchange programme, individual Mainland departments/agencies, with the approval of the Hong Kong and Macao Affairs Office, would liaise directly with B/Ds to arrange familiarization visits to Hong Kong to observe the work practices of their Hong Kong counterparts. For example, CSB had received requests from Mainland departments/agencies to visit Hong Kong to learn about the civil service system of the HKSAR Government. Citing as an example the attendance by the Secretary for Transport and Housing at a symposium in Beijing in October 2011 to share the development and management of Hong Kong public rental housing with senior Mainland officials, SCS said that from time to time, senior officers at the directorate level would be invited by the Mainland Government to share Hong Kong's experience in selected policy areas. Mainland officials could also acquire understanding of the Hong Kong systems through participation in the study programmes organized by some local tertiary institutions.

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26. PSCS supplemented that thematic programmes on selected policy areas or themes were also organized for senior Mainland officials. For example, a sharing on Hong Kong's anti-corruption initiatives was arranged for representatives of the Supreme People's Procuratorate during their visit to the Independent Commission Against Corruption. The Administration agreed to consider extending the scope of exchange programme to cover the auditing, legal, complaint redress systems, as well as the anti-corruption practices of the HKSAR Government.

27. The Chairman shared her observation that the Mainland's approach in public administration was more theory-based while the HKSAR Government's approach was more practice-based. She remarked that Hong

Kong and Mainland officials could complement the strengths of each other through mutual learning and exchange.

V Employment situation of non-civil service contract staff

(LC Paper No. CB(1)321/11-12(05) -- Administration's paper on employment situation of non-civil service contract staff

LC Paper No. CB(1)321/11-12(06) -- Paper on employment situation of non-civil service contract staff prepared by the Legislative Council Secretariat (Updated background brief))

28. SCS briefed members on the Administration paper providing an update on the employment situation of non-civil service contract (NCSC) staff in government bureaux and departments (B/Ds).

Employment situation of NCSC staff in different Bureaux/Departments

Leisure and Cultural Services Department

29. The Deputy Chairman noted that about 36% of the some 2 000 full-time NCSC staff in the Leisure and Cultural Services Department (LCSD) were deployed to provide public museum and public library services. He queried whether the said services undertaken by NCSC staff were time-limited or seasonal in nature. He called for the conversion of the relevant NCSC positions to civil service posts if there was a long-term need for the services concerned.

30. SCS advised that after consultation with staff, LCSD decided in early 2011 to adopt a mixed mode of service delivery at all public libraries whereby core frontline and support services would be delivered by civil servants, while NCSC staff or employees of contractors/service providers to the Government would be engaged at peak hours to meet seasonal service needs. In this connection, LCSD would be gradually phasing out relevant NCSC positions upon the recruitment of the replacement civil servants and the expiry of the employment contracts of the concerned NCSC staff over the next few years. As for public museums, the Administration had decided in February 2010 that public museum services would continue to be provided by LCSD.

Accordingly, the relevant positions occupied by NCSC staff would be gradually replaced by civil service posts.

31. The Deputy Chairman was unconvinced. He strongly urged the Administration to assess the percentage of NCSC staff performing duties in public libraries and public museums that had a long-term service need, and to take speedy action to convert the relevant NCSC posts to civil service posts as early as practicable.

Hongkong Post

32. Referring to the some 2 000 full-time NCSC staff employed by HongKong Post (PO), the Deputy Chairman asked whether the positions occupied by NCSC staff undertaking daily operational work could be converted to civil service posts. SCS said that in general, core services in the PO were provided by civil servants while NCSC staff were employed to perform duties that were short-term or seasonal in nature or subject to fluctuations in market demand. She explained that about 48% of the NCSC staff in the PO who undertook sorting and loading/unloading of mails worked less than the conditioned hours required of civil servants. The remaining 52% were mainly engaged in operational, marketing, sales and over-the-counter work, the volume of which fluctuated from time to time as business climate changed.

Education Bureau

33. The Deputy Chairman noted with concern that around 72% of full-time NCSC staff employed by the Education Bureau (EDB) as teaching assistants in government schools were usually appointed on a fixed-term contract of less than 12 months. He pointed out that even if these teaching assistants on a contract of say 10 to 11 months were re-employed by the same government school, their fixed-term contracts would not be renewed immediately upon the expiry of the current one. He considered this arrangement unfair to the teaching assistants as they were not employed continuously under consecutive contracts and hence would not become qualified for long-service payment. He held the view that support services, e.g. preparing course materials and organizing academic activities, provided by the teaching assistants were long-term in nature. As such, the teaching assistants should be offered continuous employment contracts similar to those of government school teachers so that they too could be eligible for long-service payment.

34. Sharing a similar view, Mr IP Wai-ming said that it was unfair and unreasonable not to engage the teaching assistants on continuous employment contracts. He criticized the EDB for acting like unscrupulous employers in breaking up the duration of teaching assistants' contract, thereby depriving them of their entitlement to long-service payment. He queried the justifications of such arrangement and urged CSB to look into the matter to ascertain whether such arrangements complied with government policies.

35. SCS took note of the suggestion and said that the Administration would regularly update the Panel on the progress in replacing NCSC positions by civil service posts. She highlighted that NCSC staff were not civil servants and their terms of employment and conditions of service were separate and different from those of civil servants. It was therefore inappropriate to directly compare the conditions of service of NCSC staff and those of civil servants. She further explained that under the NCSC Staff Scheme, B/Ds might consider recruiting NCSC staff to meet changing operational and services needs which might be time-limited, seasonal, or subject to market fluctuations; or which required staff to work less than conditioned hours; or where the mode of service delivery was under review or likely to be changed.

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36. On the length of contract of a teaching assistant, SCS explained that according to her understanding, teaching assistants would normally be employed on an academic year basis as a general practice. She said that there were practical constraints for CSB to look into every case of NCSC staff and review their terms of employment. In engaging NCSC staff to meet temporary and time-limited service needs, B/Ds were required to observe the guiding principles in respect of the NCSC Staff Scheme. She undertook to follow-up with EDB on the justifications of the length of contract of the teaching assistants. The Administration was also requested to review the length of contract, the terms of employment and conditions of service of the teaching assistants and provide the number of teaching assistants who had been re-employed in the same position under consecutive contracts.

Disciplined services

37. Ms LI Fung-ying referred to the breakdown of the employment situation of NCSC staff by B/Ds in Annex A of the Administration paper, and expressed concern about the relatively high ratio of NCSC staff in certain B/Ds such as the Fire Services Department and Government Flying Service.

38. SCS responded that there were not many NCSC staff in the disciplined services. These NCSC staff were mainly engaged to provide

Admin support services and other necessary back-office work and would not perform any law enforcement duty. Upon Ms LI Fung-ying's request, SCS agreed to provide a breakdown by job nature of the number of NCSC staff in the disciplined services.

Conversion of NCSC positions to civil service posts

39. Ms LI Fung-ying referred to the Administration's pledge in 2006 to replace some 4 000 NCSC positions by civil service posts in three years' time. She pointed out that although around 3 660 NCSC positions had been phased out upon expiry of employment contract and replaced by civil service posts, there were still 14 818 NCSC staff as at 30 June 2011. She expressed disappointment that the drop in the total number of NCSC staff, from 16 488 NCSC staff in 2006 to 14 818 in 2011, had been quite insignificant, and criticized the Administration for playing a number game. Noting that as many as 4 562 NCSC staff had been on continuous service for five years or more, she considered that there was a justified long-term need for the services concerned. She strongly urged the Administration to replace NCSC positions with civil service posts as early as possible.

40. SCS said that the conversion of NCSC positions to civil service posts was not a number game. She assured members that the Administration had been progressively converting NCSC position, where appropriate, into civil service posts. Over 90% of the some 4 000 NCSC positions identified to be replaced by civil service posts in the 2006 review (i.e. about 3 660 NCSC staff) had been phased out or converted to civil service posts over the past few years. She further explained that the number of NCSC staff employed by B/Ds would vary from time to time due to changing service and operational requirements. Subsequent to the 2006 review, individual B/Ds had engaged NCSC staff to complement the civil service workforce to meet seasonal or time-limited service needs.

41. In respect of the length of service of NCSC staff, SCS explained that the number of NCSC staff with continuous service of five years or more had included staff serving in the same NCSC position as well as those in different NCSC positions of the same B/D but without a break in service. The number had also included NCSC staff engaged in time-limited programmes such as the 10-year removal of unauthorized building works programme which was launched in the 90's under the Buildings Department.

Admin 42. At the request of Ms LI Fung-ying and Mr IP Wing-ming, SCS agreed to provide a breakdown by B/D of the number of NCSC staff with

continuous service of five years or more, showing the number of NCSC staff serving in different NCSC positions in the same B/D and the number of those employed for time-limited programmes.

43. Noting that most of the remaining NCSC positions would only be phased out in the coming two financial years, Mr WONG Kwok-hing expressed concern at the slow progress in replacing NCSC positions by civil service posts and urged the Administration to expedite the conversion. He also requested the Administration to consider conducting another comprehensive review on the employment situation of NCSC staff within the current term of the Government to identify some more NCSC positions for replacement by civil service posts. On the recruitment of civil service posts, he urged the Administration to consider according priority to employing NCSC staff with relevant working experience, and granting incremental credits to NCSC staff in recognition of their years of service in the Government.

44. SCS affirmed that the Administration would continue its endeavours to replace NCSC positions with civil service posts where appropriate, and the remaining NCSC positions identified in the 2006 review and not yet replaced by civil service posts would be so replaced upon expiry of the employment contracts of the NCSC staff concerned and recruitment of replacement civil service posts. She said that while B/Ds could give notice to terminate the employment contract of serving NCSC staff, it would not be in the interest of the NSCS staff for their employment contracts to be shortened or curtailed just for the sake of hastening the pace of replacement. Moreover, it would take time for the Administration to identify the appropriate civil service grade(s) to undertake the duties of some of the NCSC positions.

45. As regards the suggestion of conducting another review on the employment situation of NCSC staff, SCS advised that since the 2006 review, B/Ds had kept their employment of NCSC staff under review from time to time to determine whether there were any other NCSC positions that should be replaced by civil service posts. Another 1 110 NCSC positions involving work that should more appropriately be carried out by civil servants had since been identified for conversion into civil service posts.

Ratio of NCSC staff to civil servants in B/Ds

46. Noting the relatively high ratio of NCSC staff in certain B/Ds, Ms LI Fung-ying was concerned that heavy reliance on NCSC staff would in turn chip away at the civil service establishment. She suggested imposing a fixed

ratio of NCSC staff to civil servants to ensure that the employment of civil servants would not be reduced in the long run.

47. In response, SCS reiterated that the objective of the NCSC Staff Scheme was to provide B/Ds with a flexible means to employ staff on fixed-term contracts outside the civil service establishment to meet seasonal and temporary public service needs. She pointed out that the percentage of NCSC staff in the civil service had dropped from 10% in 2006 to 9% in 2011. Individual B/Ds could also propose to create civil service posts to replace NCSC posts according to its operational need. It was expected that the ratio of NCSC staff in some B/Ds would go down when more civil servants were recruited in the near future. SCS added that to ensure that the employment of NCSC staff by B/Ds fully complied with the ambit of the scheme, improvement measures for the engagement and management of NCSC staff had been introduced. These included setting a ceiling of the number of NCSC staff for each B/D having regard to their specific operational needs in the beginning of every year and requiring B/Ds to seek approval from the CSB for employing NCSC staff over and above the prescribed ceiling. It was therefore considered not necessary to impose any prescribed ratio of NCSC staff to civil servants across different B/Ds.

48. Ms LI Fung-ying disagreed. She held the view that heavy reliance on NCSC staff would inevitably have adverse impact on the civil service, affecting the quality of the public services and undermining the succession plan of the civil service.

Terms of employment and conditions of service of NCSC staff

49. Mr LEUNG Kwok-hung referred to the media coverage on the misconduct of civil servants of certain departments, and alluded that the Administration had tipped off the media to report the incidents. He expressed regret that the Administration was oblivious to the plight of NCSC staff and had exploited and treated NCSC staff unfairly. He also criticized the Administration for employing more and more NCSC staff in order to contain the size of the civil service establishment and reduce the overall civil service salary costs at the expense of the NCSC staff.

50. SCS dismissed the allegation that the Administration had been tipping off the media about misconduct in the civil service. She clarified that the civil service pay reduction was an exceptional measure introduced by the Chief Executive in Council in the form of the Public Officers Pay Adjustment Ordinance approved by the Legislative Council. To ensure the prudent use of public funds, offer of appointment to the civil service were made to the

successful applicants at the entry pay of the concerned ranks. Referring to Annex D of the Administration paper, she pointed out that the majority of NCSC staff (about 65%) were receiving a monthly pay above \$8,000.

51. On recruitment to fill the replacement civil service posts, Mr WONG Kwok-hing urged the Administration to consider according priority to employing NCSC staff with relevant working experience, and granting incremental credits to NCSC staff in recognition of their years of service in the Government. Sharing a similar view, the Deputy Chairman remarked that while upholding the principle of fairness and openness in the recruitment process, preference should be given to employing NCSC staff with relevant working experience. He opined that the Administration should strike a balance between ensuring prudent use of public funds and fair treatment of NCSC, providing them with incremental credits and opportunities for promotion in recognition of their contributions and services to the Government.

52. SCS responded that the Government's recruitment policy was to select the most suitable persons for the specified civil service vacancies through an open, fair and competitive process. Since relevant working experience was one of the factors to be taken into account in the recruitment, NCSC staff who met the basic entry requirements of specific civil service ranks should generally enjoy a competitive edge over other applicants. She reiterated that NCSC staff were different from civil servants, and their terms of employment and conditions of service should not be compared with those of civil servants. Heads of departments might determine the employment package of their NCSC staff having regard to the work involved, the labour market and other relevant considerations, provided the terms offered were in general no less favourable than those provided for under the Employment Ordinance (EO) and no more favourable than those applicable to civil servants in comparable civil service ranks or with comparable levels of responsibilities. Guidelines on employment of NCSC staff had been issued to B/Ds for compliance. Moreover, NCSC staff would be informed clearly of the employment terms when appointment offers were made to them.

53. The Deputy Chairman criticized the arrangements under the NCSC Staff Scheme as too rigid, saying that even private companies in business sector did give increments to their employees. SCS replied that different companies had different practices. As far as she understood, many government employees appreciated the transparency and fairness of the employment system adopted by the Government. Nevertheless, the Administration would continue to make reference to good employment practices.

VI Any other business

54. There being no other business, the meeting ended at 12:56 pm.

Council Business Division 1
Legislative Council Secretariat
22 February 2012