

ITEM FOR ESTABLISHMENT SUBCOMMITTEE OF FINANCE COMMITTEE

HEAD 170 - SOCIAL WELFARE DEPARTMENT Subhead 000 Operational expenses

Members are invited to recommend to Finance Committee the creation of the following supernumerary post in the Social Welfare Department upon approval of Finance Committee up to 31 March 2021 –

1 Assistant Director of Social Welfare
(D2) (\$161,450 - \$176,550)

PROBLEM

The Social Welfare Department (SWD) needs dedicated directorate support to head a Licensing and Regulation (LR) Branch, which will be tasked to regulate residential care homes and centres licensed or registered by SWD, with a view to strengthening the monitoring of residential care homes for the elderly (RCHes) and residential care homes for persons with disabilities (RCHDs) as well as enhancing their service quality.

PROPOSAL

2. SWD proposes to create one supernumerary post of Assistant Director of Social Welfare (ADSW) (D2), to be designated as Assistant Director (Licensing and Regulation) (AD(LR)), upon approval of the Finance Committee (FC) up to 31 March 2021.

/JUSTIFICATION

JUSTIFICATION

Background

3. As at end-September 2016, there were 732 RCHEs regulated under the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) and 310 RCHDs regulated under the Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613) offering around 72 000 and 17 000 residential care places for the elderly and persons with disabilities respectively. SWD currently regulates and monitors RCHEs and RCHDs respectively through two separate offices, namely the Licensing Office of Residential Care Homes for the Elderly (LORCHE) and the Licensing Office of Residential Care Homes for Persons with Disabilities (LORCHD). The current arrangements for monitoring residential care homes are outlined at Enclosure 1.

Encl. 1

4. The Government attaches great importance to the quality of residential care services, and has been striving to enhance the service standards of residential care homes through a multi-pronged approach. Initiatives which have been put in place in recent years include the Enhanced Bought Place Scheme for private RCHEs, the Bought Place Scheme for private RCHDs, the Dementia Supplement, the Infirmary Care Supplement, the Navigation Scheme for Young Persons in Care Services, as well as the provision of training for home staff, etc. Further information on the above measures is set out at Enclosure 2.

Encl. 2

Strengthening Monitoring and Enhancing Service Quality

5. Addressing the public's concern over the service standards and quality of RCHEs and RCHDs, the Chief Executive announced, in the 2016 Policy Address, that the Government would comprehensively strengthen the monitoring of RCHEs and RCHDs, with measures including enhancing inspection and supervision, improving the regulatory mechanism and promoting staff training, etc. In this regard, SWD plans to implement improvement measures in the following six main areas –

(a) *Strengthening inspection strategy and inspection back-up*

- (i) a dedicated multi-disciplinary inspectorate team will be set up to formulate strategies and action plans for monitoring RCHEs and RCHDs with serious irregularities or poor track records. On top of the normal inspection mechanism, the dedicated team will, having regard to the nature and items of non-compliance of individual RCHEs and RCHDs, formulate

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individualised, concrete and targeted strategies and action plans to enhance the effectiveness of surprise inspections. The dedicated team will strategically conduct surprise inspections through a small team approach or by a multi-disciplinary inspectorate team. With reference to the irregularities of individual RCHEs and RCHDs identified, the dedicated team will conduct surprise inspections flexibly at different times during office and non-office hours to closely monitor whether the homes have continuously complied with existing regulations and taken timely remedial measures. Where circumstances warrant, the dedicated team will also take sanctions and prosecution actions against non-compliant RCHEs and RCHDs;

- (ii) RCHEs and RCHDs will be required to submit at regular intervals relief staff records with clear information on the staffing situation and duty roster to facilitate inspection and checking by SWD;
- (iii) SWD will engage, in contract terms, retired disciplined service officers with rich investigation experience and skills to assist the inspection teams in carrying out inspections at RCHEs and RCHDs and strictly enforcing the law;
- (iv) subject to the relevant guidelines issued by the Office of the Privacy Commissioner for Personal Data being observed, SWD will require RCHEs and RCHDs to install closed-circuit television (CCTV) at public areas of the homes to strengthen the monitoring of service provision. Inspectors will check the CCTV records as and when required while conducting investigations, following up on complaints and collecting evidence. SWD will discuss the concrete arrangements with the sector;

(b) *Dedicated handling and follow-up of complaints*

- (i) a designated team will be set up to handle complaints against RCHEs and RCHDs. Apart from conducting independent investigations, the team will follow up on substantiated complaint cases, including the imposition of appropriate sanctions on the RCHEs and RCHDs concerned according to the nature and severity of the irregularities involved, etc.;

/(c)

(c) *Reviewing the legislation and Codes of Practice and formulating care-related guidelines*

- (i) the RCHE and RCHD legislation will be reviewed in 2017. Before then and in the meantime, the Codes of Practice for RCHEs and RCHDs will be thoroughly reviewed and improvement areas will be identified with a view to enhancing the home staff's awareness of work ethics as well as improving the service quality and code of practice on care-related matters;
- (ii) having regard to service needs, guidelines on care-related subjects will be formulated from time to time to facilitate the provision of proper care by RCHEs and RCHDs for residents. Improvement measures and good practices gathered from inspections or complaint investigations will be disseminated to RCHEs and RCHDs for continuous enhancement of service quality;

(d) *Enhancing monitoring and quality/skills of home operators/managers/staff*

- (i) introduction of professional qualification requirements for newly recruited home managers is being examined. The home managers will also be required to complete a dedicated training programme on the management of homes. For existing home managers who have experience in managing homes but without professional qualification, SWD is exploring with the Qualifications Framework (QF) Secretariat to design a QF Level 4¹ course for upgrading their management ability and skills;
- (ii) to safeguard the well-being of residents, consideration is being given to requiring RCHE and RCHD operators to conduct background checks in respect of their home managers and staff (e.g. sexual offence conviction records);
- (iii) to ensure that an applicant for home licence is a fit and proper person to operate or take part in the management of an RCHE/RCHD, SWD, when deciding whether to issue a

/licence

¹ The Government launched QF in 2008 to provide a platform to encourage and facilitate lifelong learning, with a view to enhancing the capability and competitiveness of the workforce in Hong Kong. QF is a seven-level hierarchy covering qualifications in the academic, vocational and continuing education sectors.

licence, will consider whether the applicant has a record of his/her licence or certificate of exemption (CoE) being revoked or his/her application for renewal of licence or CoE in respect of another RCHE or RCHD turned down due to serious non-compliance or poor track record of performance. SWD is seeking legal advice on such an arrangement;

- (iv) tailor-made training programmes for the sector will be devised to enhance the capability of RCHE and RCHD staff. SWD will formulate a modified set of Service Quality Standards (SQSs)² as appropriate for private RCHEs and RCHDs so as to help their home managers get familiarised with the requirements inherent in SQSs through training. A 15-month project, funded by the Lotteries Fund (LF), was launched in July 2016 to, inter alia, enhance the management skills of operators or managers and promote better management practices in RCHDs. As for RCHEs, a two-year Quality Improvement Project funded by LF has been rolled out since November 2016, whereby the Hong Kong Association of Gerontology has been selected to provide training programmes, including classroom learning and on-site coaching sessions, to home operators, managers and staff with a view to facilitating day-to-day home operation and enhancing management quality;

(e) *Stepping up law enforcement and increasing transparency*

- (i) the criteria and arrangements for issuing warnings to RCHEs and RCHDs will be revamped with a view to making the entire monitoring mechanism open and binding. The proposals include making public the warning records of non-compliant RCHEs and RCHDs where practicable to enhance the transparency of the monitoring system and the deterrence against non-compliant homes. The implementation details of these proposals will be drawn up after legal advice has been sought;
- (ii) SWD will explore setting up a cross-disciplinary committee involving participation of stakeholders and legal representatives to make recommendations to the Director of Social Welfare on the necessary follow-up actions to be taken against non-compliant RCHEs and RCHDs;

/(iii)

² SWD has developed the SQSs to define the level of standards, in terms of management and service provision, that service units are expected to attain. There are 16 SQSs, each of which is elaborated by a set of criteria and assessment indicators. They are generic descriptions of the basic requirements so as to enable service operators to devise appropriate methods tailor-made for a certain service type or a particular service unit in meeting the SQS requirements.

- (iii) a dedicated website on long-term care services for the elderly will be developed to offer one-stop service information on over 700 RCHEs in the whole territory for better transparency. The website will provide functions to search and to compare different RCHEs. The website will also provide information on RCHEs in respect of services, fees, licensing, staffing, facilities, service performance (including records of non-compliance and prosecutions), accreditation and participation in the Service Quality Group Scheme³, etc. The new website is expected to be launched by February 2017. After the launch of this website, a similar dedicated website for RCHDs will be developed at the next stage to facilitate the public's access to information on individual RCHDs;
 - (iv) starting from April 2016, the Service Quality Group Scheme has been extended to the whole territory with all types of RCHEs and all licensed RCHDs covered, enabling wider participation of community stakeholders in the Scheme. Preparation is underway to further extend the Scheme to cover all RCHDs issued with CoEs in early 2017; and
- (f) *Enhancing support for rectification works in respect of RCHDs*
- (i) various facilitating measures will be implemented to encourage and assist RCHDs operating with CoEs⁴ to expedite the implementation of necessary rectification works. Examples of such measures include providing these RCHDs with subsidy under LF to carry out improvement works, streamlining the workflow of engaging authorised persons for the provision of technical support, preparing document templates to expedite the application process, implementing a special project to provide additional technical support for RCHDs having difficulties in taking forward rectification works, etc., so that all RCHDs will meet the licensing requirements within the coming three years.

/Setting

³ Members of the Service Quality Group, comprising healthcare personnel, service users/relatives/friends, local leaders, etc., will conduct unannounced visits to the RCHEs and RCHDs participating in the Service Quality Group Scheme to assess their facilities and service provision, receive and collect views from residents, their relatives and/or home staff, and provide feedback for the home operators on their service delivery. As at end-September 2016, a total of 223 RCHEs (including 191 private RCHEs) and 26 RCHDs joined the Scheme voluntarily.

⁴ As at end-September 2016, of a total of 310 RCHDs, 59 were licensed while the rest were operating with CoEs.

Setting Up a New Licensing and Regulation Branch

6. SWD proposes to improve the existing organisation structure for the purpose of effective implementation of the above work. Administratively, LORCHE and LORCHD are at present respectively subsumed under the Elderly Branch headed by Assistant Director (Elderly) (AD(E)) and the Rehabilitation and Medical Social Services (RMSS) Branch headed by Assistant Director (Rehabilitation and Medical Social Services) (AD(RM)). LORCHE and LORCHD are similar in their function and nature of work, particularly in terms of the staffing complement, licensing and regulatory responsibilities, work approach and strategies, as well as day-to-day management and practice. SWD proposes putting LORCHE and LORCHD under the management of the LR Branch soon to be established to unleash synergy, facilitate the transfer of knowledge and management, as well as ensure consistency in the handling of licensing, inspection and monitoring matters and the imposition of sanction measures. This will also facilitate the formulation of law enforcement strategies for effective regulatory control measures in respect of residential care homes licensed by SWD.

7. SWD is in the course of creating 39 time-limited non-directorate posts⁵. These posts are to be filled by staff of the Social Work Officer grade, Social Work Assistant grade, Registered Nurse grade, professional and technical grades seconded from the Buildings Department and the Fire Services Department as well as clerical and supporting general grades who would be responsible for implementing the various improvement measures as set out in paragraph 5 above. Together with the existing manpower of the Licensing Office⁶ under the Elderly Branch and LORCHD (a total of 81 posts), and the new supernumerary ADSW post proposed in paragraph 8 below, the new LR Branch will have a total of 121 posts.

Creation of a New Supernumerary ADSW Post

8. As the newly established LR Branch will need to implement various enhancement strategies and measures as set out in paragraph 5 above, SWD needs to create a supernumerary ADSW post (AD(LR)) to head and steer the work of five of the sections under the new branch that are relevant to the quality of RCHes and RCHDs, namely LORCHE, LORCHD, Quality Service Section,

/Target

⁵ The 39 non-directorate posts are time-limited up to 31 March 2021.

⁶ Currently, the Licensing Office under the Elderly Branch assumes a central role in coordinating the work of LORCHE, the Licensing Office of Drug Dependents Treatment Centres and the Child Care Centres Advisory Inspectorate. The Licensing Office is responsible for enforcing the licensing or registration, control and inspection of RCHes, drug treatment and rehabilitation centres as well as child care centres.

Target Monitoring and Prosecution Section, and Risk Management and Complaints Section. Having regard to similarities in the nature of work, the branch will also steer the work of the Licensing Office of Drug Dependents Treatment Centres and Child Care Centres Advisory Inspectorate⁷. Under the new organisation structure, the proposed AD(LR) will provide dedicated supervision over the planning, development and operation of matters relating to the licensing or registration systems under the purview of SWD. The work involves regulating more than 1 100 homes or centres under the respective ordinances, and requires AD(LR) to provide comprehensive guidance and lead a large multi-disciplinary team to achieve synergy and carry out the duties effectively. The duties include handling matters relating to licensing and inspection; leading a dedicated team to handle complaints against RCHEs and RCHDs independently; formulating strategies and action plans for monitoring RCHEs and RCHDs with serious irregularities or poor track records in a targeted manner; stepping up sanctions and prosecution actions against RCHEs and RCHDs that contravene the licensing requirements; and formulating strategies and implementing measures to strengthen the management of homes and enhance their service quality. In carrying out the various measures as referred to above, the proposed AD(LR) will have to formulate relevant strategies to pursue the participation and collaboration of stakeholders.

Proposed Organisation Structure

- Encl. 3 9. The job description of the proposed AD(LR) post is at Enclosure 3.
- Encls. 4 & 5 The organisation charts of the proposed LR Branch and SWD upon the creation of the proposed AD(LR) post are at Enclosures 4 and 5 respectively. Upon the establishment of LR Branch, the existing Licensing Office⁸ and LORCHD will be transferred from the Elderly Branch and RMSS Branch respectively to the new LR Branch. The proposed organisation chart of the Elderly Branch and RMSS Branch upon the establishment of the new LR Branch is at Enclosure 6.
- Encl. 6

10. The new organisation structure will be put into operation for a period of time for SWD to consolidate the experience and review the effectiveness in due course, with a view to ascertaining its suitability as a long-term arrangement. Having considered the relevant factors, SWD proposes that the

/ADSW

⁷ The Licensing Office of Drug Dependents Treatment Centres formulates strategies on registration, monitoring, regulatory control and law enforcement in respect of drug treatment and rehabilitation centres (DTRCs), as well as enforces relevant legislation and inspects DTRCs. Child Care Centres Advisory Inspectorate formulates strategies on registration, monitoring, regulatory control and law enforcement in respect of child care centres, as well as enforces relevant legislation and inspects child care centres. At present, the two sections are subsumed under the Licensing Office of the Elderly Branch.

⁸ The Licensing Office consists of LORCHE, the Licensing Office of Drug Dependents Treatment Centres and the Child Care Centres Advisory Inspectorate.

ADSW post should be created on a supernumerary basis upon FC's approval up to 31 March 2021. Before the expiration of the posts, SWD will review the long-term manpower requirements having regard to the progress of work of the newly established LR Branch.

ALTERNATIVES CONSIDERED

Encl. 7 11. The major responsibilities of the existing ADs of SWD are at Enclosure 7. SWD has critically examined the feasibility of arranging an existing Assistant Director (AD) within SWD to take up the duties of the proposed AD(LR) post. It is noted that AD(E) and AD(RM), who are currently overseeing the Licensing Office and LORCHD respectively, have been persistently over-stretched with the increasing workload involving a wide spectrum of residential and community care services for the elderly and persons with disabilities, as well as various new initiatives coming on stream. Neither AD(E) nor AD(RM) would have any spare capacity to take up the extra duties arising from the implementation of the enhancement measures as set out in paragraph 5 above. The setting up of the AD(LR) post in the new Branch would relieve AD(E) and AD(RM) of their licensing related activities (which account for a relatively small portion of their work), thus enabling them to better tackle the various challenges in elderly and rehabilitation services.

12. Facing with a rapidly ageing population, apart from substantially increasing the supply of services, AD(E) has to implement a number of pilot schemes on long-term care services for the elderly (including the Pilot Scheme on Community Care Service Voucher for the Elderly, a pilot scheme based on a medical-social collaboration model to provide support services for elderly persons with dementia, and the Pilot Residential Care Services Scheme in Guangdong, etc.); enhance the support for carers of elderly persons (including the Pilot Scheme on Living Allowance for Carers of the Elderly Persons from Low Income Families); promote various initiatives of active ageing (including the Opportunities for the Elderly Project, and the Senior Citizen Card Scheme, etc.); provide on-going training for healthcare staff (including the Navigation Scheme for Young Persons in Care Services, training programmes for enrolled nurses and health workers, etc.); review and enhance the infrastructure of long-term care and the Standardised Care Need Assessment Mechanism for Elderly Services; and take forward implementation measures as recommended under the future Elderly Services Programme Plan, etc.

13. The challenges faced by AD(RM) are many. AD(RM) is responsible for implementing and reviewing on-site pre-school rehabilitation service, preparing for its regularisation and conducting overall planning for

/pre-school

pre-school rehabilitation services; formulating strategies and concrete measures to address the ageing of users of rehabilitation services; undertaking planning for rehabilitation services and taking measures on various fronts to increase the provision of service places so as to alleviate the demand and shorten the waiting time; implementing various pilot schemes for pre-school children with special needs, ex-mentally ill persons, persons with autism, carers of persons with disabilities, etc.; and closely monitoring the supply and demand of manpower in rehabilitation services and devising appropriate plans and measures.

14. Given the rapid expansion in different areas of social welfare, all other existing ADs are also fully engaged in their respective schedules of responsibilities. It is operationally not feasible for anyone of them to take up the duties of AD(LR) without adversely affecting the discharge of their current duties.

FINANCIAL IMPLICATIONS

15. The additional notional annual salary cost at mid-point of the proposed supernumerary ADSW (D2) post is \$2,056,200, and the full annual average staff cost required, including salaries and staff on-cost, is about \$2,679,000. As for the 39 time-limited non-directorate posts, the additional notional annual salary cost at mid-point is \$24,550,170 and the full annual average staff cost required is about \$37,915,000. Sufficient provision will be included in the relevant Estimates to meet the cost of this proposal.

PUBLIC CONSULTATION

16. We consulted the Legislative Council (LegCo) Panel on Welfare Services (the Panel) at its meeting on 12 December 2016 on the above proposal. The Panel supported in principle the creation of the supernumerary AD(LR) post. At that meeting, the Panel passed a motion that the Panel agreed that SWD should enhance its inspection and adopt, in tandem with the creation of the ADSW post, the following measures to –

- (a) immediately set up a committee to reform the relevant legislation and codes, which comprises users, family members, professionals and Members of LegCo, so as to consider and implement the legislative amendments as well as enhance the service quality within three years;
- (b) open up the monitoring system for care homes and support the setting up of inspection teams in the community, so that stakeholders such as family members, users and professionals can assist in the monitoring work;

/(c)

- (c) SWD should take over the management of a care home if the services of the latter are of poor quality; if the takeover is not possible, SWD should immediately strengthen its support to the care home concerned, so as to ensure the service quality; arrangements of care homes should be made for the well-being of their residents rather than for the purpose of administrative convenience; and
- (d) submit an interim review report to LegCo after the creation of the ADSW post for two years, and a final report after the creation of the post for four years.

17. In response to the above motion passed by the Panel, SWD will take action as follows –

- (a) in order to consult widely and listen to the views of stakeholders on the relevant legislation and Codes of Practice as well as the enhancement of service quality of residential care homes, SWD plans to establish a platform engaging different stakeholders, to review the legislation and Codes of Practice concerned and put forth suggestions on the amendments to be made;
- (b) the current ‘Service Quality Group Scheme for RCHEs’ and ‘Service Quality Group Scheme for RCHDs’ have been implemented in all districts across Hong Kong since April 2016. Comprising different stakeholders in the community, group members have already been conducting visits to residential care homes. For those interested in joining the visits, arrangements may be made by SWD at the district level for them to participate in the work of the Service Quality Groups;
- (c) should there be any potential risk or crisis in the operation of a home (e.g. serious irregularities or persistent failure to improve), a series of arrangements will be made by SWD to safeguard the well-being of residents who may be affected. These would include each resident being followed up by a social worker; setting up a help desk at the home; and establishing a designated support group and an enquiry hotline. In addition, Social Work Officers will visit all residents who may be affected, contact their family members, and make arrangements for them to visit other residential care homes so as to assist them in drawing up appropriate residential care plans. LORCHE and LORCHD will also carry out frequent inspections at the home concerned to ensure that the residents are receiving proper care; and

/(d)

- (d) SWD will submit an interim review and a final report to LegCo in two years' and four years' time respectively following the creation of the supernumerary post of ADSW.

ESTABLISHMENT CHANGES

18. The establishment changes in SWD for the past two years are as follows –

Establishment (Note)	Number of Posts			
	Existing (as at 1 December 2016)	As at 1 April 2016	As at 1 April 2015	As at 1 April 2014
A*	25 [#]	25	25	25
B	713	700	692	677
C	5 122	5 071	5 020	4 913
Total	5 860	5 796	5 737	5 615

Note:

- A - ranks in the directorate pay scale or equivalent
- B - non-directorate ranks, the maximum pay point of which is above MPS Point 33 or equivalent
- C - non-directorate ranks, the maximum pay point of which is at or below MPS Point 33 or equivalent
- * - excluding supernumerary posts created under delegated authority
- # - as at 1 December 2016, there was no unfilled directorate post in SWD

CIVIL SERVICE BUREAU COMMENTS

19. The Civil Service Bureau supports the creation of the proposed supernumerary ADSW post. The grading and ranking of the proposed post are considered appropriate having regard to the level and scope of responsibilities required.

ADVICE OF THE STANDING COMMITTEE ON DIRECTORATE SALARIES AND CONDITIONS OF SERVICE

20. The post is proposed on a supernumerary basis. Its creation, if approved, will be reported to the Standing Committee on Directorate Salaries and Conditions of Service in accordance with the agreed procedures.

Labour and Welfare Bureau
Social Welfare Department
January 2017

**Existing Arrangements for the Monitoring of
Residential Care Homes for the Elderly (RCHEs) and
Residential Care Homes for Persons with Disabilities (RCHDs)**

The Licensing Office of Residential Care Homes for the Elderly

The Licensing Office of Residential Care Homes for the Elderly (LORCHE) of the Social Welfare Department (SWD) is responsible for regulating RCHEs by enforcing the various requirements stipulated in the Residential Care Homes (Elderly Persons) Ordinance (the RCHE Ordinance) (Cap. 459), its subsidiary legislation and the Code of Practice for RCHEs^{Note}. LORCHE comprises four professional inspectorate teams, including those from the Social Work Officer grade, Social Work Assistant grade, Registered Nurse grade, and professional and technical grades seconded from the Buildings Department (BD) and the Fire Services Department (FSD). According to section 18 of the RCHE Ordinance, they conduct surprise inspections at RCHEs to ensure RCHEs' compliance with the licensing requirements. The scope of inspections covers building safety, fire safety, home management, drug management, personal care services, infection control, handling of accidents, environmental hygiene, meals and staffing, etc. to monitor whether the homes concerned have complied with the statutory requirements for management, staffing, space and layout, building structure, precautionary measures and quality of care, etc. To ensure the quality of inspections, Social Work Officers conduct audit checks through surprise inspections at RCHEs randomly selected by the computer system from those which have been inspected by the inspectors.

2. LORCHE adopts a risk-based approach in conducting inspections and accords priority to handling of complaints. It also adjusts the number of inspections at individual RCHEs having regard to the number and nature of irregularities identified during inspections to ensure timely rectification of such irregularities. If the inspectors of LORCHE detect irregularities during the inspections, depending on the severity of the irregularities, advisory or warning letters will be issued to the non-compliant RCHEs requiring them to make improvements within a specified period. In addition, under the RCHE Ordinance, SWD may issue directions to RCHEs for remedial measures. If the RCHE concerned fails to comply with the requirements specified in a direction, SWD may take prosecution actions.

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^{Note} The Code of Practice for RCHEs and the Code of Practice for RCHDs set out the principles, procedures, guidelines and standards for the operation, keeping, management or other control of RCHEs and RCHDs respectively. They also set out detailed requirements in respect of the licence, building and accommodation, safety and fire precautions, floor space, furniture and equipment, management, staffing, health and care services, infection control, nutrition and meals, cleanliness and sanitation, social care, etc. The latest versions of these two Codes of Practice have been uploaded to SWD's website for public reference.

The Licensing Office of Residential Care Homes for Persons with Disabilities

3. The Licensing Office of Residential Care Homes for Persons with Disabilities (LORCHD) is responsible for regulating RCHDs by enforcing the various requirements under the Residential Care Homes (Persons with Disabilities) Ordinance (the RCHD Ordinance) (Cap. 613), its subsidiary legislation and the Code of Practice for RCHDs^{Note}. LORCHD comprises four professional inspectorate teams, including those from the Social Work Officer grade, Registered Nurse grade, and professional and technical grades seconded from BD and FSD. According to section 16 of the RCHD Ordinance, the inspectorate teams conduct surprise inspections at RCHDs covering the same aspects as those for inspections at RCHEs. To ensure the quality of inspections, Social Work Officers conduct audit checks through surprise inspections at RCHDs randomly selected by the computer system from those which have been inspected by the inspectors.

4. Same as LORCHE, LORCHD adopts a risk-based approach in conducting inspections and accords priority to handling of complaints. If the inspectors of LORCHD find that an RCHD is not in full compliance with the licensing requirements, depending on the severity of the irregularities, an advisory or warning letter will be issued to the RCHD concerned requiring it to make improvements within a specified period. Inspectors will also follow up on the case and review the situation. In addition, under the RCHD Ordinance, SWD may issue directions to RCHDs for remedial measures. If the RCHD concerned fails to comply with the requirements specified in a direction, SWD may take prosecution actions.

**Measures to Enhance the Service Quality of Residential Care Homes
in Recent Years**

The Government attaches great importance to the quality of residential care services (RCS). New and on-going initiatives on this front implemented in recent years are summarised in the ensuing paragraphs.

Enhancing the Level of Care of Subsidised RCS Places for the Elderly

2. Since 2005-06, the Social Welfare Department (SWD) has been implementing a conversion programme to convert, in phases, self-care hostel and home for the aged places without a long-term care element into care-and-attention (C&A) places providing a continuum of care (COC). In 2013-14, additional resources were allocated to increase the subvention for about 7 000 C&A places with COC under the conversion programme and upgrade some 7 850 ordinary C&A places in subvented residential care homes for the elderly (RCHEs) to places providing COC. These RCHEs may make use of the additional allocation to enhance their manpower for meeting the care needs of the elderly residents whose health has deteriorated. Starting from 2014-15, the COC concept has been extended to a total of 1 574 subsidised nursing home (NH) places in six subvented NHs in Hong Kong to provide enhanced care services for frail elderly persons. Since 2014-15, additional funding has been allocated to raise the unit subsidy of all the bought places under the Enhanced Bought Place Scheme (EBPS) and the Nursing Home Place Purchase Scheme with a view to strengthening the care and support of these homes for the elderly residents.

EBPS

3. In 1998, SWD launched EBPS with a view to upgrading the service standards of private RCHEs by enhancing the staffing ratio and per capita space standards. The scheme also helps increase the supply of subsidised places, thereby reducing elderly persons' waiting time for subsidised C&A places.

4. A major characteristic of EBPS is that once a private RCHE has participated in the scheme, the same enhanced standards (e.g. staffing and bed spacing requirements) will apply to the entire home (including non-subsidised places), hence making the scheme an effective means of encouraging private RCHEs to enhance their service quality. As at end-October 2016, there were 142 private RCHEs in Hong Kong participating in the scheme, providing a total of 8 063 subsidised places. Of these, 4 685 were EA1 places and 3 378 EA2 places.

5. Starting from 2016-17, the Government will progressively convert 1 200 existing EA2 places under EBPS to EA1 places so as to increase the supply of higher quality subsidised places and improve the overall quality of private RCHEs. The number of higher quality EA1 places is expected to increase from about 4 600 at present to about 5 800 after the upgrading exercise.

6. In order to encourage RCHEs to participate in accreditation or assessment schemes, SWD will award additional scores to those RCHEs which have passed accreditation or assessment when purchasing places under EBPS.

Bought Place Scheme (BPS) for Residential Care Homes for Persons with Disabilities (RCHDs)

7. In October 2010, SWD launched a four-year Pilot BPS for Private RCHDs to encourage private RCHDs to upgrade their service quality by enhancing the staffing ratio and per capita space standards. The Government regularised the scheme in 2014-15, with the number of subsidised places in each participating private RCHD raised from 55% to 70% of its total recognised capacity. As at end-October 2016, there were nine private RCHDs participating in BPS, providing a total of 450 bought places. The Government will provide 150 additional bought places in 2016-17.

Dementia Supplement (DS)

8. DS is provided as additional support for elderly persons with dementia in subvented RCHEs and RCHDs as well as private RCHEs participating in EBPS. With the DS allocation, RCHEs and RCHDs may employ additional professional staff, including occupational therapists, nurses and social workers, etc., or purchase relevant professional services. In 2016-17, DS amounting to \$235.5 million, including about \$228.9 million for RCHEs and about \$6.6 million for RCHDs, will be provided for 262 eligible RCHEs and 21 eligible RCHDs respectively, with about 5 900 beneficiaries.

Infirmity Care Supplement (ICS)

9. ICS is an additional resource to support frail elderly persons living in subvented RCHEs and RCHDs as well as private RCHEs participating in EBPS who have been medically assessed to be in need of infirmity care. The eligibility of elderly persons for ICS is confirmed by the Community Geriatric Assessment Teams of the Hospital Authority (HA). ICS is to be used as an

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allowance for existing staff (including physiotherapists, occupational therapists, nurses, health workers, care workers and workmen) or for the employment of qualified staff, including the purchase of professional services. In 2016-17, ICS amounting to \$119 million, including about \$108.6 million for RCHEs and about \$10.4 million for RCHDs, will be provided for 130 eligible RCHEs and nine eligible RCHDs respectively, with about 1 700 beneficiaries.

Enrolled Nurse (EN) Training Programme

10. To alleviate the shortage of nurses in the welfare sector, SWD has been collaborating with HA since 2006 to organise a two-year EN (General)/EN (Psychiatric) Training Programme for the welfare sector. A total of 14 training classes have been organised so far, providing about 1 800 training places. Another 920 training places will be provided in the coming years. The Training Programme is fully subsidised by SWD. The trainees are required to sign an undertaking to work in the welfare sector continuously for two years upon graduation. Among the graduates of the first 11 training classes, over 90% have joined the welfare sector after graduation.

Navigation Scheme for Young Persons in Care Services (Navigation Scheme)

11. To encourage young people to join the elderly long-term care sector, the Government launched a 'first-hire-then-train' pilot project (the Pilot Project) in 2013 with an allocation from the Lotteries Fund. Young people were recruited to take up care work in RCHEs. Apart from receiving on-the-job training, these young employees were provided with subsidies from the Government to pursue a two-year part-time diploma course. The Pilot Project was implemented in two phases, providing a total of 200 training places. Given the response to the Pilot Project, the Government has earmarked about \$147 million to implement the Navigation Scheme, providing a total of 1 000 training places in several years starting from 2015-16 to encourage young people to join the elderly and rehabilitation care services. SWD has selected five non-governmental organisations to implement the Navigation Scheme. Three of the organisations started recruiting trainees in July 2015, while the other two started recruiting trainees in April 2016. As at end-December 2016, the five organisations have recruited 555 trainees.

Providing Training for Staff of Residential Care Homes

12. To enhance the knowledge and skills of RCHE staff in taking care of elderly persons, SWD has been collaborating with the Department of Health (DH) since 2008 to provide training programmes for RCHE staff.

/Topics

Topics include drug safety, infection control, fall prevention, dementia care, prevention of elder abuse, handling of accidents, management of work stress, etc. From 2008 to end-March 2016, about 13 600 RCHE staff attended the training workshops.

13. To enhance the management skills of operators and home managers of RCHEs and to promote good corporate governance, SWD, in collaboration with the Qualifications Framework Secretariat and the Hong Kong Association of Gerontology, organised a seminar on RCHE management in October 2015 with around 260 participants from the elderly residential care sector. SWD organised another management training workshop in February 2016, covering topics on crisis management and work ethics. Around 300 RCHE operators and management staff attended the workshop. On the other hand, the Employees Retraining Board has launched, in 2016-17, a new course titled 'Certificate in Operation Management for Residential Care Home for the Elderly (Part-time)' under its 'Skills Upgrading Scheme Plus' for current RCHE management staff to enhance their knowledge and skills on the operation and management of RCHEs.

14. With support from the Lotteries Fund, SWD has commissioned the Hong Kong Association of Gerontology for implementing a two-year Quality Improvement Project for RCHEs. The Project aims at developing the capacity of RCHE operators and home managers and assisting RCHEs to build up an effective management system and guide on clinical care through tailor-made on-site coaching. The project was started in November 2016. All private RCHEs, self-financing RCHEs and contract homes will be arranged to participate in the Project by phases.

15. For RCHDs, SWD, in collaboration with DH and relevant professionals, has been organising training programmes for RCHD staff. Topics include infection control, management of psychotropic drugs and understanding the social, recreational and developmental needs of persons with disabilities, etc. Infection control officers and relevant staff of RCHDs have been briefed on infection control, principles in handling psychotropic drugs, hygiene and health care issues. About 800 RCHD staff participated in these training programmes each year. In addition, SWD launched in July 2016 a 15-month project funded by the Lotteries Fund to, inter alia, enhance the management skills of operators or managers and promote better management practices in RCHDs.

16. To tie in with the implementation of the licensing system for RCHEs and RCHDs and to enhance the caring skills of home staff, SWD invites training institutes to organise a series of health worker training courses applicable to RCHEs and RCHDs in accordance with relevant requirements. Currently, 38 training institutes have obtained SWD's approval for organising 71 training courses applicable to RCHEs, whereas 23 training institutes have obtained SWD's approval for organising 73 training courses applicable to RCHDs.

**Job Description for
Assistant Director (Licensing and Regulation)**

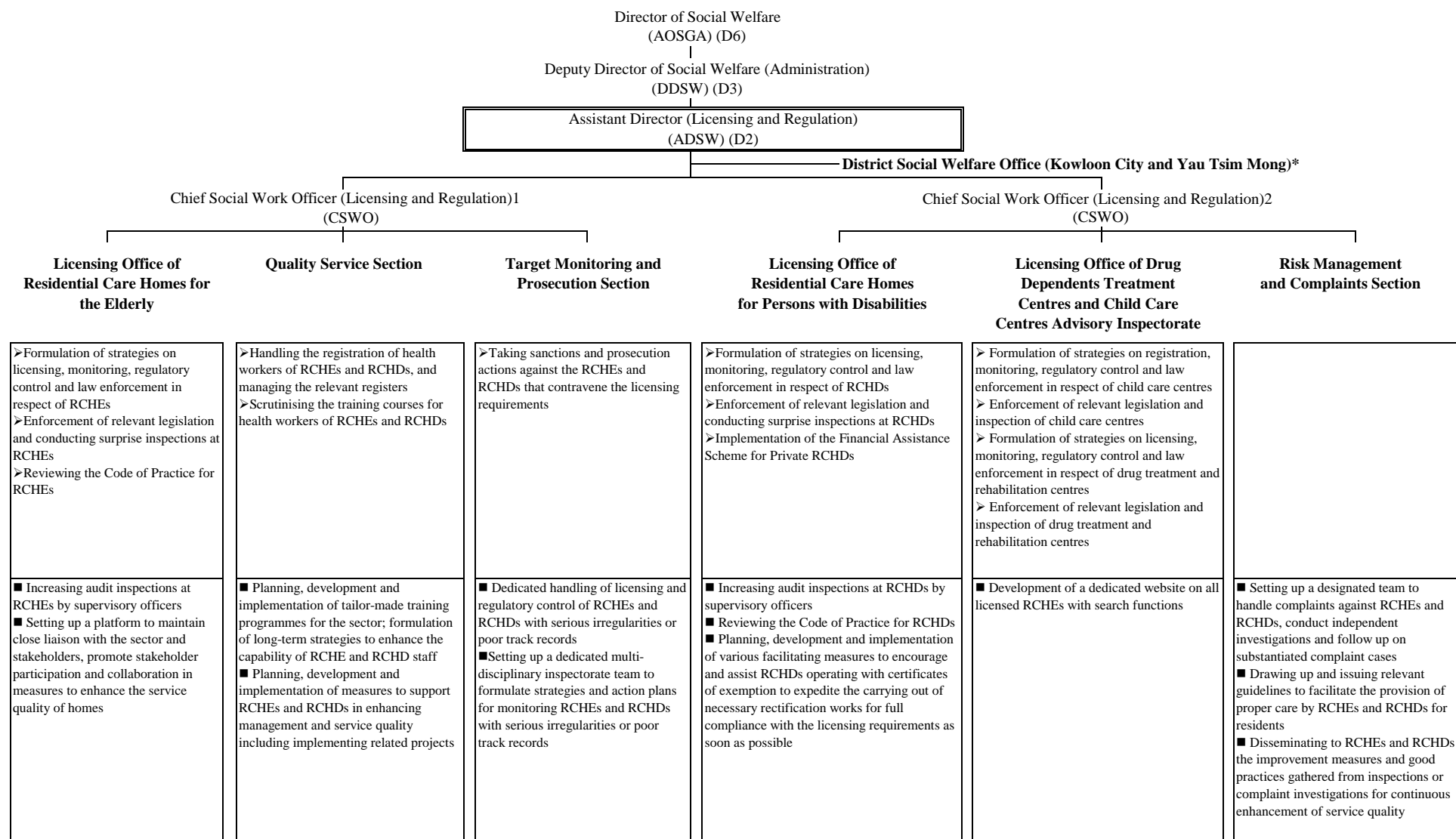
Rank : Assistant Director of Social Welfare (D2)

Responsible to : Deputy Director of Social Welfare (D3)

Main Duties and Responsibilities –

1. To assist in the formulation of strategies and objectives on licensing, registration and regulatory control in respect of residential care homes for the elderly (RCHEs), residential care homes for persons with disabilities (RCHDs), residential drug treatment and rehabilitation centres and child care centres;
2. To provide comprehensive guidance and direction for the formulation, implementation and review of operational procedures, monitoring systems, law enforcement strategies and management practices, etc. on matters relating to licensing and regulatory control;
3. To formulate strategies and to plan, develop, implement and review measures for enhancing the management and service quality of RCHEs and RCHDs;
4. To oversee the collection, collation and analysis of data for continuous review of operation, and to provide input to the review of the legislation and Codes of Practice relating to RCHEs and RCHDs;
5. To administer and deploy the manpower of and other resources allocated to the Licensing and Regulation Branch and oversee the manpower planning and staff training for the Branch to meet the changing operational requirements; and
6. To provide coaching and guidance for the management and supervisory staff of the Licensing and Regulation Branch.

Proposed Organisation Chart of the Licensing and Regulation Branch under the Social Welfare Department



The new Licensing and Regulation Branch will have 6 different sections. Each section will take up part of the functions of the Licensing Office and the Licensing Office of Residential Care Homes for Persons with Disabilities which are at present respectively subsumed under the Elderly Branch and the Rehabilitation and Medical Social Services Branch, as well as implement a number of improvement measures.

Legend:

AOSGA - Administrative Officer Staff Grade A
ADSW - Assistant Director of Social Welfare

DDSW - Deputy Director of Social Welfare
CSWO - Chief Social Work Officer

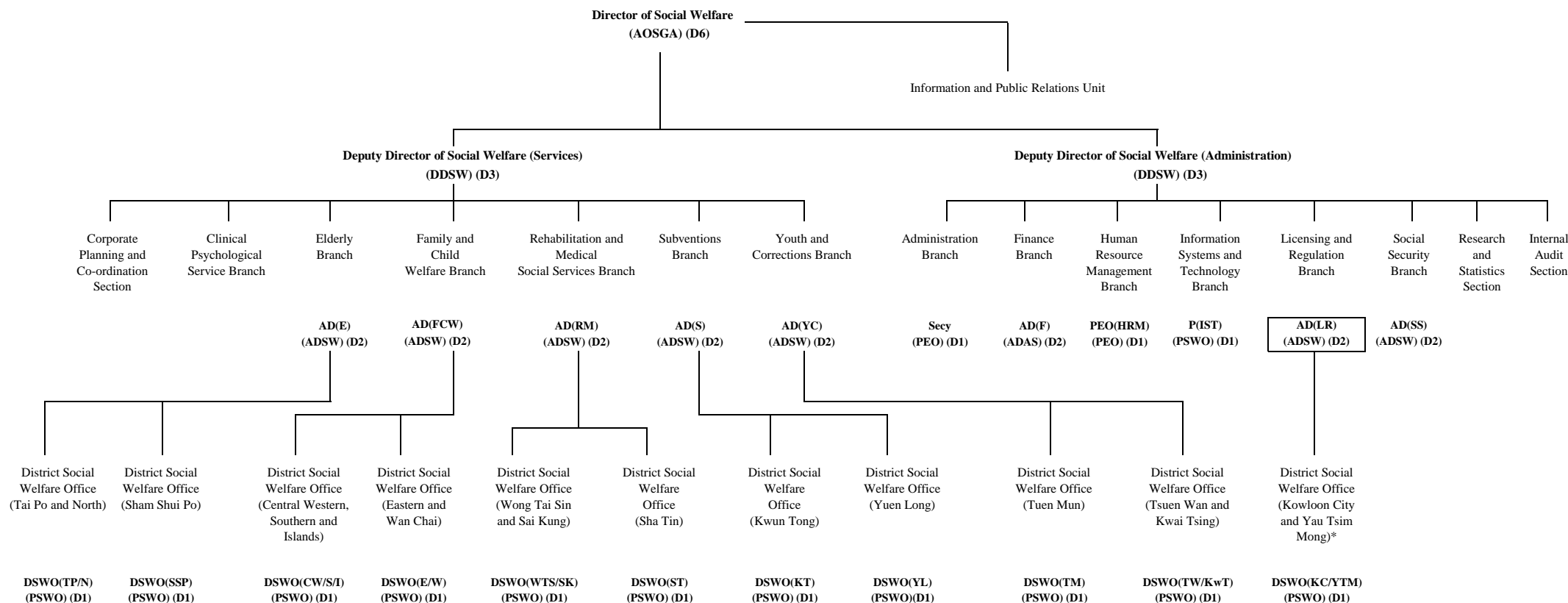
RCHE - Residential Care Home for the Elderly
RCHD - Residential Care Home for Persons with Disabilities

 - Supernumerary post proposed to be created under the current proposal

* - District Social Welfare Office (Kowloon City and Yau Tsim Mong), currently under the supervision of Assistant Director (Subvention), will be put under the supervision of Assistant Director (Licensing and Regulation)

■ - Proposed new functions

Proposed Organisation Chart of the Social Welfare Department

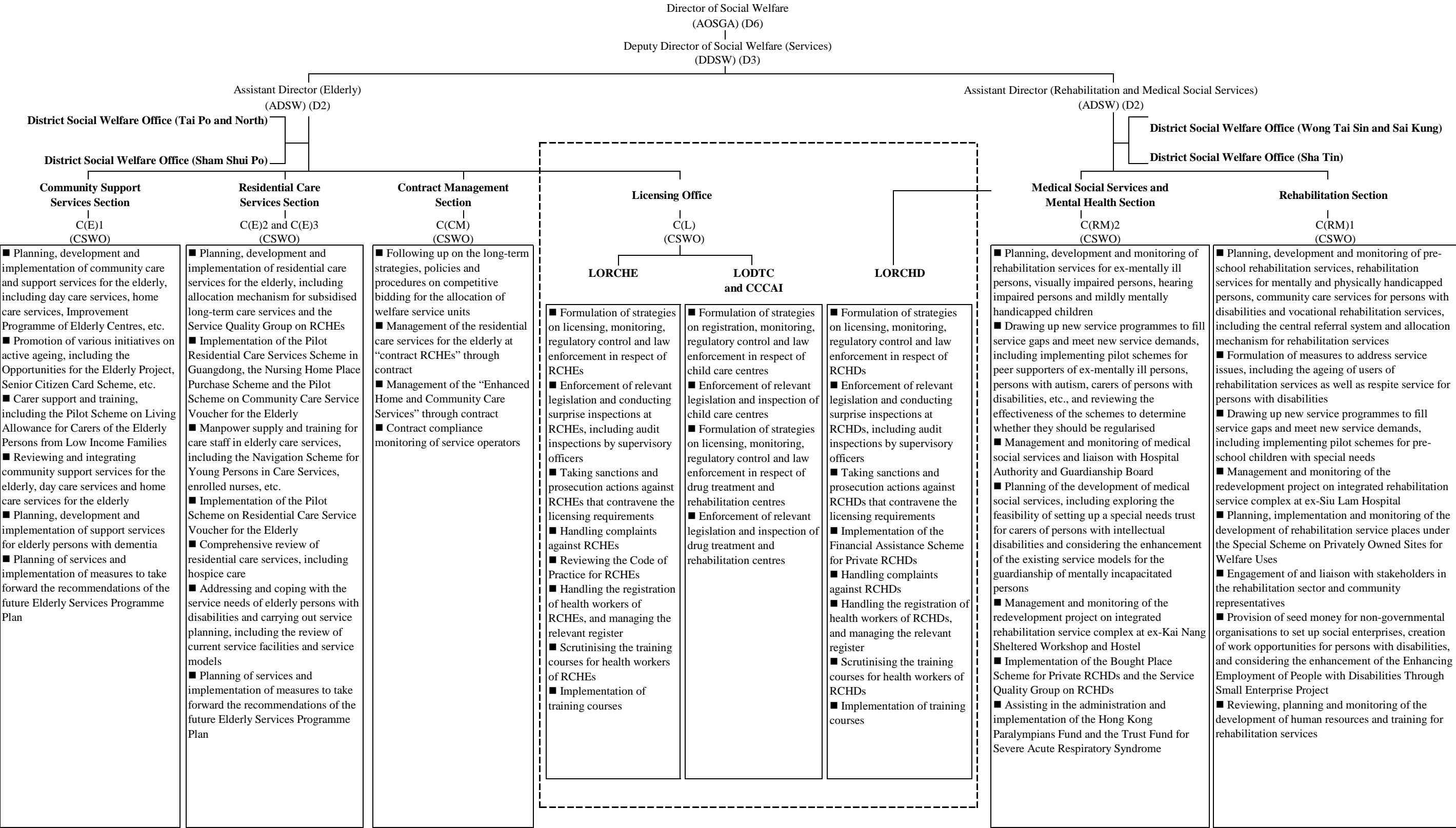


Legend:

- | | |
|--|---|
| AOSGA - Administrative Officer Staff Grade A | DDSW - Deputy Director of Social Welfare |
| ADAS - Assistant Director of Accounting Services | ADSW - Assistant Director of Social Welfare |
| PSWO - Principal Social Work Officer | DSWO - District Social Welfare Officer |
| PEO - Principal Executive Officer | Secy - Departmental Secretary |

- Supernumerary post proposed to be created under current proposal
 * - District Social Welfare Office (Kowloon City and Yau Tsim Mong), currently under the supervision of AD(S), will be put under the supervision of AD(LR)

Proposed Organisation Chart of the Elderly Branch and the Rehabilitation and Medical Social Services Branch under the Social Welfare Department



Legend:

AOSGA	-	Administrative Officer Staff Grade A	DDSW	-	Deputy Director of Social Welfare	RCHE	-	Residential Care Home for the Elderly
ADSW	-	Assistant Director of Social Welfare	CSWO	-	Chief Social Work Officer	RCHD	-	Residential Care Home for Persons with Disabilities
LORCHE	-	Licensing Office of Residential Care Homes for the Elderly						
LODTC and CCCAI	-	Licensing Office of Drug Dependents Treatment Centres and Child Care Centres Advisory Inspectorate						
LORCHD	-	Licensing Office of Residential Care Homes for Persons with Disabilities						
<div></div>	-	The Licensing Office and LORCHD will be transferred to the new Licensing and Regulation Branch from the Elderly Branch and the Rehabilitation and Medical Social Services Branch respectively. The duties shown in the box are the existing duties of the two licensing offices.						

**Major Responsibilities of Existing Assistant Directors
in the Social Welfare Department (SWD)**

Post/Rank	Major Responsibilities
Assistant Director (Elderly)/ Assistant Director of Social Welfare (ADSW)	<ul style="list-style-type: none"> • Planning, development and implementation of residential care services for the elderly, including allocation mechanism for subsidised long-term care services, supervision of the work of the Licensing Office^{Note} and implementation of the Service Quality Group on residential care homes for the elderly (RCHEs) • Planning, development and implementation of community care and support services for the elderly, including day care services, home care services, the Pilot Scheme on Community Care Service Voucher for the Elderly, Improvement Programme of Elderly Centres, Pilot Project on Community Support Service for Elderly Persons with Dementia under a medical-social collaboration model, etc. • Hire of service and contract management in respect of community care services and residential care services for the elderly, including the Pilot Residential Care Services Scheme in Guangdong • Carer support and training, including the Pilot Scheme on Living Allowance for Carers of the Elderly Persons from Low Income Families • Manpower supply and training for care staff in elderly care services, including the Navigation Scheme for Young Persons in Care Services, Training Programme for Enrolled Nurses and Health Workers, etc. • Providing advice, steer and support for the Opportunities for the Elderly Project, Elder Academy and Senior Citizen Card Scheme, etc.

^{Note} Currently, the Licensing Office under the Elderly Branch assumes a central role in co-ordinating the work of the Licensing Office of RCHEs, the Licensing Office of Drug Dependents Treatment Centres and the Child Care Centres Advisory Inspectorate. The Licensing Office is responsible for enforcing the licensing or registration, control and inspection of RCHEs, drug treatment and rehabilitation centres as well as child care centres.

Post/Rank	Major Responsibilities
Assistant Director (Family and Child Welfare)/ADSW	<ul style="list-style-type: none"> • Planning, development and implementation of family welfare and family support services, including monitoring the implementation of integrated family service centres, family life education, departmental hotline service and services for street sleepers • Planning, development and implementation of child welfare and child care services, including the central referral system for residential child care services and monitoring the implementation of various day child care services, foster care and adoption service • Planning, development and implementation of services to combat domestic violence and support victims of sexual violence, including provision of support for the Child Fatality Review Panel • Planning and monitoring of the provision of humanitarian assistance services for non-refoulement claimants and the short-term food assistance service projects • Overseeing the implementation and review of the Community Care Fund assistance programmes under the purview of SWD
Assistant Director (Finance)/ Assistant Director of Accounting Services	<ul style="list-style-type: none"> • Managing the accounting and financial management operations of SWD and trust funds under the Director of Social Welfare Incorporated (DSWI) • Co-ordinating the Resource Allocation Exercise, preparing and monitoring SWD's budget • Providing advice on financial matters • Managing the investments of trust funds under DSWI • Monitoring technical issues of the Internal Audit Section

Post/Rank	Major Responsibilities
Assistant Director (Rehabilitation and Medical Social Services)/ ADSW	<ul style="list-style-type: none"> • Planning, development and monitoring of social rehabilitation services for persons with disabilities, including the central referral system and allocation mechanism for rehabilitation services, licensing and monitoring of residential care homes for persons with disabilities (RCHDs) and implementation of the Service Quality Group of RCHDs • Handling service issues, including the ageing of service users in rehabilitation facilities as well as respite service for persons with disabilities, and formulation of measures • Drawing up new service programmes to fill service gaps and meet new service demands, including the implementation of pilot schemes for pre-school children with special needs, ex-mentally ill persons, persons with autism, carers of persons with disabilities, etc. and developing parameters for evaluation of these projects • Engagement of and liaison with stakeholders in the rehabilitation sector and community representatives • Management and monitoring of medical social services and liaison with Hospital Authority and Guardianship Board • Management and monitoring of the redevelopment projects on integrated rehabilitation service complexes at ex-Siu Lam Hospital and ex-Kai Nang Sheltered Workshop cum Hostel
Assistant Director (Social Security)/ ADSW	<ul style="list-style-type: none"> • Planning, developing and managing the social security system including – <ul style="list-style-type: none"> • the Comprehensive Social Security Assistance Scheme; and • the Social Security Allowance Scheme – <ul style="list-style-type: none"> - Old Age Allowance (including the Guangdong Scheme), - Old Age Living Allowance, - Disability Allowance

Post/Rank	Major Responsibilities
	<ul style="list-style-type: none"> • Overseeing the administration and operation of the Traffic Accident Victims Assistance Scheme, the Criminal and Law Enforcement Injuries Compensation Scheme, and the Social Security Appeal Board • Overseeing the administration and operation of emergency relief service
Assistant Director (Subventions)/ ADSW	<ul style="list-style-type: none"> • Executing, reviewing and interpreting social welfare subvention policies, rules and procedures, including the Lump Sum Grant (LSG) arrangements • Administering the LSG subvention system, formulating and evaluating the policies and procedures in relation to service performance monitoring of service providers, including non-governmental organisations (NGOs) • Establishing close liaison with NGOs, evaluating the effectiveness of the LSG subvention system in the provision of one-stop services to NGOs • Administering the Lotteries Fund • Reviewing the policy and monitoring of charitable fund-raising activities in public places authorised by the Director of Social Welfare under section 4(17)(i) of the Summary Offences Ordinance (Cap. 228), including general charitable fund-raising and flag day activities • Reviewing the principles and procedures on allocations from the Lotteries Fund, and overseeing the processing of applications for grants and loans to funding bodies • Planning and co-ordinating capital projects of welfare premises funded by the Lotteries Fund and Capital Works Reserve Fund Block Allocations, including planning, conducting technical feasibility studies, determining physical design standards and criteria for making funding applications • Implementing the above-mentioned capital projects and overseeing their progress

Post/Rank	Major Responsibilities
Assistant Director (Youth and Corrections) /ADSW	<ul style="list-style-type: none"><li data-bbox="539 320 1394 633">• Planning, development and implementation of youth and corrections services, including probation and community service order services, integrated children and youth services centres, school social work, services for ex-offenders and discharged prisoners, outreaching social work services, and residential services for children and juveniles with behavioural problems, drug treatment and rehabilitation centres, etc.<li data-bbox="539 678 1394 835">• Overseeing the operation of the Tuen Mun Children and Juvenile Home as a place of refuge, a remand home, a reformatory school and a detention centre for juveniles and children under the respective Ordinances<li data-bbox="539 880 1394 947">• Overseeing the operation of the Central Office for Volunteer Service<li data-bbox="539 992 1394 1149">• Overseeing and monitoring the Partnership Fund for the Disadvantaged to promote the tripartite partnership among the welfare/education sector, the business community and the Government<li data-bbox="539 1193 1394 1261">• Monitoring projects under Child Development Fund to assist children from a disadvantaged background
