

立法會
Legislative Council

LC Paper No. CB(4)1159/17-18
(These minutes have been seen
by the Administration)

Ref : CB4/HS/1/16

Subcommittee on Children's Rights

**Minutes of the thirteenth meeting
on Saturday, 13 January 2018 at 2:30 am
in Conference Room 1 of the Legislative Council Complex**

Members present : Dr Hon Fernando CHEUNG Chiu-hung (Chairman)
Hon SHIU Ka-chun (Deputy Chairman)
Hon LEUNG Yiu-chung
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung, JP
Dr Hon Elizabeth QUAT, BBS, JP
Hon Andrew WAN Siu-kin

Members absent : Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Hon Alvin YEUNG
Hon CHU Hoi-dick
Hon HUI Chi-fung
Dr Hon CHENG Chung-tai

Public Officers attending : **Agenda Item I**

Labour and Welfare Bureau

Mr Caspar TSUI, JP
Under Secretary for Labour & Welfare

Education Bureau

Ms CHOY Yuk-lin, JP
Under Secretary for Education

Mrs CHAN SIU Suk-fan
Principal Assistant Secretary (Kindergarten Education)

Department of Health

Dr Rita HO
Principal Medical and Health Officer
(Family Health Service)

Social Welfare Department

Mr FONG Kai-leung
Assistant Director
(Rehabilitation and Medical Social Services)

Ms Florence TANG
Chief Social Work Officer (Family and Child Welfare)²

Ms Annisa MA
Chief Social Work Officer (Domestic Violence)
Social Welfare Department

Attendance by invitation : Democratic Alliance for the Betterment and Progress of Hong Kong

Ms Jacqueline CHUNG Ka-man
Chairman of Family Affairs Committee

Mr LEUNG Kwok-hung

The Federation of Hong Kong & Kowloon Labour Unions

李秀琼女士
勞聯婦女事務委員會主任

The Civic Party

Ms Sarah WONG Ka-ying
District Developer of Kowloon East

天水圍社區發展網絡

Ms CHUNG Yuen-yi
Chief Executive

The Boys' & Girls' Clubs Association of Hong Kong

Ms SHUM Lai-kuen
Supervisor

Roundtable

Mr WONG Chi-chun
Community Officer

社民連政策組

Miss TSUI Ho-yee
成員

Mr KAN Ming-yue

Hong Kong Women Workers' Association

Ms WU Mei-lin
Coordinator

Miss YUEN Pui-wan

Mr MAK Kang-ying

Mrs Sasa LEE Pui-shan

Hong Kong Christian Service Early Childhood
Education Service

Miss KONG Siu-wai
Chief Supervisor

Miss YEUNG Hoi-yin

劉海球女士

Hong Kong Federation of Women's Centres

廖佩珊女士
總幹事

0-3 Child Care Service Network

Mrs WONG Wing-shan

Mrs HO Sum-kit

Mr CHUNG Chi-ho

Mr LEE Hon-tung

Hong Kong Society for the Protection of Children

Ms Susan SO

總幹事

香港保護兒童會日託嬰兒園服務

Ms YEUNG Ka-fung

署理服務協調主任

The Hong Kong Council of Social Service

顏菁菁女士

主任(兒童及青少年服務)

楊敏敏女士

任寶珠女士

鄧婉儀女士

HO Pik-ying

張詠恩女士

譚潔瑩女士

張碧琮女士

The Hong Kong Association of Business
and Professional Women

Ms Judy TAM King-man

First Vice President

劉浩正先生

Clerk in attendance : Ms Angel WONG
Chief Council Secretary(4)4

Staff in attendance : Miss Mandy NG
Council Secretary(4)4

Ms Sandy HAU
Legislative Assistant (4)4

Action

I. Review of child care services

(LC Paper No. CB(4)379/17-18(01) -- Paper provided by the Labour and Welfare Bureau

LC Paper No. CB(4)379/17-18(02) -- Paper provided by the Education Bureau)

Written submissions from deputations/individuals not attending the meeting

(LC Paper No. CB(4)379/17-18(03) -- Submission from Hong Kong Professional Teachers' Union
(*Chinese version only*)

LC Paper No. CB(4)379/17-18(04) -- Submission from Miss LAU Hoi-sze (*Chinese version only*)

LC Paper No. CB(4)379/17-18(05) -- Submission from Miss LEUNG Sze-wan (*Chinese version only*)

LC Paper No. CB(4)475/17-18(01) -- Submission from Against Child Abuse (*Chinese version only*)

LC Paper No. CB(4)484/16-17(11) -- Submission from Liberal Party (*Chinese version only*)

The Subcommittee deliberated (index of proceedings attached at **Annex**).

2. The Subcommittee received views from 33 deputations/individuals attending the meeting and five written submissions from deputations which had not attended the meeting. The major views and concerns of deputations/individuals were summarized as follows:

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Child care policy

- (a) the Administration should review critically its role in the provision of child care services, set a clear positioning for the future development of child care services and address the concerns of the child care sector;
- (b) at present, kindergarten ("KG") education for children aged from three to six was under the purview of the Education Bureau ("EDB"), while the Labour and Welfare Bureau ("LWB") oversaw the implementation of child care policy. There should be better coordination among bureaux and departments ("B/Ds"), in particular EDB and LWB, for taking forward initiatives to enhance child care services effectively;
- (c) the Commission on Children to be set up by the Administration should be empowered to provide policy steer for formulating child-related policies, including a comprehensive child care policy, to protect the interests and well-being of children;

Day child care places

- (d) due to insufficient number of child care places, many women were unable to join/re-join the labour force because they had to take care of their children at home. The Administration should strengthen child care services in terms of service quality, number of places and service hours with a view to unleashing the potential female labour force;
- (e) many women would consider working again if more child care services and after-school care services were available within affordable means. The Administration should look squarely at the long-lasting problem of insufficient child care services and allocate more resources to provide affordable, accessible and reliable day child care services;
- (f) the number of aided standalone child care centres ("CCCs") (formerly known as day crèches before harmonisation of the pre-primary services in 2005) providing child care services to infants aged zero to two had stood at 12 for almost two decades irrespective of the increasing service demand. Mothers often needed to wait for six months to three years for a place in these CCCs;

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- (g) there was no/insufficient CCCs in some districts. Children had to travel daily long distances to CCCs across districts. CCCs could consider providing pick-up services to meet the service needs of working parents;
- (h) as the service needs varied at different districts, the Administration should review the demand for child care services by districts and adjust the provision of child care places having regard to the demographic profile and actual service needs in each district;
- (i) it was difficult for the operators of the Neighbourhood Support Child Care Project ("NSCCP") to recruit home-based child carers because of the relatively low incentive payment (about \$20 per hour). The Administration should increase the incentive payment rate to attract more carers to join NSCCP;
- (j) whole-day ("WD") and long whole-day ("LWD") kindergarten ("KG") services were in acute demand because of the substantial increase in the number of families with dual working parents over the past years. The Administration had revised the planning standard for provision of WD KG places in the Hong Kong Planning Standards and Guidelines ("the Planning Standards"). However, the provision of LWD KG places were not included in the Planning Standards and the number of LWD KGs had been kept at 246 since 2005. The Administration should expeditiously review the Planning Standards and formulate timeline to significantly increase WD and LWD KG places to meet the great demand for services;
- (k) in face of the great demand for child care services, more premises should be earmarked for various kinds of child care services at the town planning stage. Relevant clauses should be laid down in the land leases of the land sale programmes requiring private developers to reserve premises for child care services in new housing developments. Vacant housing units in public housing estates at districts with high demand for child care services, such as Yuen Long, Tin Shui Wai, etc. could be leased to non-governmental organizations ("NGOs") at concessionary rate for setting up CCCs. New CCCs should be situated in locations with good accessibility to facilitate parents using the services;

Assistance to service providers and parents

- (l) as the government only subsidized 5% to 7% of the operating cost of each CCC place, parents had to bear the monthly fees of around

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\$5,000 to \$6,000 which far exceeded the affordability of many families. Meanwhile, the threshold to apply for the means-tested Kindergarten and Child Care Centre Fee Remission Scheme ("KCFRS") was extremely high. There was a dire need to increase government subvention to standalone CCCs and review the implementation of KCFRS. Consideration should be given to offer subsidies to low-income families to acquire day child care services;

- (m) free education was only provided in half-day ("HD"), but not WD/LWD KGs, under the Free Quality Kindergarten Education Scheme ("the Scheme"). The additional subsidy provided by the Government for each WD place and LWD place was set at 30% and 60% of the basic HD unit subsidy respectively, with the rest to be borne by parents. Many families were unable to afford the high fees and therefore could not go out to work. The Scheme should be extended to cover WD and LWD KG services;
- (n) although HD KGs received full subsidies under the Scheme, some HD KGs still had to charge school fees to cover the high rent for premises. More government premises should be earmarked for KGs at the town planning stage;
- (o) KG-cum-CCCs provided both pre-nursery and KG services. However, pre-nursery services for children aged from two to under three were not covered by the Scheme. As a result, school fees of pre-nursery services were much higher than that of KG services. The Administration should consider providing free education at pre-nursery level;

Ancillary services

- (p) to meet parents' need for longer hours of child care services arising from contingencies, the services of CCCs and KG-cum-CCCs, Occasional Child Care Service and after-school care services for primary students should be strengthened, including extending the service hours during weekdays, weekends and school holidays, providing homework guidance and meals;

Staffing and operational requirements

- (q) the staff to children ratios for children aged 0 to under 2 and children aged 2 to under 3 were 1:8 and 1:14 respectively. The staffing ratios should be improved to give children more individual attention;

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- (r) each CCC should have a nurse and each KG should be provided with a social worker to cater for children's diverse learning needs;
- (s) the financing mode, schedule of accommodation and floor space requirement of standalone CCCs were made decades ago. It was necessary to have an overhaul of the governing legislations, financial control, and administrative support of CCCs. The Administration should also formulate reprovisioning policy for those CCCs with outdated facilities;

Training and publicity

- (t) some parents were worried about the quality of home-based carers. Professional training, such as infant care skills, home safety, etc. should be provided to these carers to ensure the quality of home-based child care service. As the number of children with special needs had increased over the years, appropriate training on care skills for these children should also be provided. A central registration system should be set up for these carers to facilitate their service delivery;
- (u) professional training for frontline staff should be enhanced to early identify children affected by domestic violence;
- (v) publicity for child care services was insufficient. A 24-hour hotline should be set up to facilitate parents to access relevant child care services information;

Other related concerns

- (w) to qualify for the Low-income Working Family Allowance Scheme, families had to meet certain income and asset limits as well as working hour requirements. Many families found it difficult to meet the working hour requirements or to provide documentary proof on working hours;
- (x) for the sake of child protection, disclosure of sex offence record should be mandatory for all child carers;
- (y) the Administration should consider legislating standard working hours, increasing the number of days of paternity and maternity leaves, increasing the child allowance under the salaries tax, giving direct child care subsidies as in the case of overseas countries, providing more recreation facilities for children, and offering

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incentives, such as tax deduction, to encourage enterprises to provide child care services for their employees; and

- (z) the Administration should encourage employers to implement family-friendly employment practices, such as flexible working hours, no-pay leave for breast-feeding mothers after maternity leave which were crucial to help employees balance their roles and responsibilities in work and family.

3. Sharing deputations' views, members expressed grave concerns about the serious inadequate provision of day child care services and urged the Administration to step up its efforts in enhancing such services. The Chairman echoed deputations' view that the Administration might have neglected children in the light of the inadequate provision of child care places. To fully address the problem, he called on the Administration to convey the concerns raised by members and deputations at the meeting to the consulting team of the Consultancy Study on the Long-term Development of Child Care Services ("the Study").

4. On the views and concerns raised by members and deputations at the meeting, the Administration made the following responses:

Child care policy

- (a) the Study would conduct in-depth analyses on different aspects of child care services in Hong Kong (such as objectives, contents, targets, financing modes, service models, demand and supply situation, facility planning, manpower planning and training), and make recommendations on the long-term development of relevant services. Upon completion of the Study in mid-2018, the Administration would take into account the recommendations and map out the direction for the long-term development of child care services to meet the child care needs of families in the contemporary context. In the meantime, the Administration would relay members and deputations' views to the consulting team of the Study;
- (b) the Commission on Children to be established in mid-2018 would be a high-level advisory body that would bring together relevant bureaux/departments and child concern groups and focus on addressing children's issues as they grow;

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Day child care places

- (c) the Administration had carried out measures to increase the provision of day child care services. At present, there were about 30 700 CCCs places, including about 7 000 aided places. Of these, seven aided standalone CCCs had undergone in-situ expansion and the number of places was increased from 690 to 738. Starting from 2018-2019, a total of about 300 additional aided standalone CCC places would be provided in North District, Kwun Tong, Kwai Tsing and Sha Tin;
- (d) the Administration would continue its efforts to enhance day child care services. Suitable sites had been earmarked in new development areas to set up more CCCs. NGOs were encouraged to set up CCCs under the Special Scheme on Privately Owned Sites for Welfare Uses;
- (e) when setting up new CCCs, the Administration should observe the statutory requirements and take into account a basket of factors in districts, namely the estimated demand, district characteristics, socio-economic factors and provision of other child care support for the area, etc.;
- (f) the relevant part of the Hong Kong Planning Standards and Guidelines was being revised. It was proposed to revise the provision of KG places from 730 HD and 250 WD places to 500 HD and 500 WD places respectively for every 1 000 children in the age group of three to under six. As for LWD KG, they were former aided child care centres before harmonisation of pre-primary services in 2005;

Assistance to parents

- (g) needy families or low-income families were provided with fee waiving or fee reduction of varying degree for child care services;

Ancillary services

- (h) to meet the service needs of working parents, an additional 3 800 Extended Hours Service places would be provided in phases subject to the service utilization;

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Staffing and operational requirements

- (i) reprovisioning of existing CCCs would be considered on a need basis which was also subject to the availability of suitable premises. The Administration would maintain dialogues with the operating agencies of CCCs to understand their needs;
- (j) with the implementation of the Scheme, the Administration's recurrent expenditure on KG education had increased from \$4 billion to \$6.7 billion. KGs could deploy additional resources to enhance their services, for instance, acquiring social work services. Given the Scheme had just been rolled out since this school year, EDB would review its implementation in due course and relevant issues, including the subsidy levels for WD/LWD KGs and provision of social workers for KGs, would be carefully studied;

Training

- (k) the Vocational Training Council and the Employees Retraining Board had been providing training programmes to child carers, such as post-natal care and healthcare for infants;
- (l) Social Welfare Department ("SWD") and EDB would provide more training in child protection to support frontline teachers to identify students in need;

Other related measures

- (m) to protect children suspected or found to be abused, SWD had coordinated input from all the relevant stakeholders working with children to draw up the Procedural Guide for Handling Child Abuse Cases (revised 2015) for reference by different professionals;
- (n) the Pilot Scheme on On-site Pre-school Rehabilitation Services was launched in 2015 to provide pre-school rehabilitation services for children with special needs as early as possible. The Pilot Scheme would be regularized from the 2018-2019 school year onwards. The Administration had earmarked \$460 million a year in its recurrent expenditure for the programme and would increase the service places from about 3 000 to 7 000 in two years from the 2018-2019 school year;
- (o) EDB would strengthen parent education and promote home-school operation;

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- (p) the Chief Executive had announced that the recurrent education expenditure would be substantially increased by \$5 billion a year, of which the \$3.6 billion first-phase measures had been rolled out. The Administration would continue to discuss with the education sector as to how the remaining funding should be put to good use;
- (q) the Family Council provided various practical information for parents-to-be and parents of young children; and
- (r) the Administration was mindful to promote family-friendly policy. It would work on the enhancement of maternity and paternity leave for the working community as a whole. On the other hand, it would take the lead to provide child care services for staff members in the proposed Government Complex in Tseung Kwan O. The Administration would also explore ways to encourage enterprises to provide child care services to their employees.

5. The Chairman requested the Administration to provide the following information:

- (a) the interim report of the Study; and
- (b) a consolidated written response to the views and concerns raised by the deputations and members at the meeting.

(Post-meeting note: The Administration's written information was issued to members vide LC Paper No. CB(4)791/17-18 (01) on 21 March 2018.)

II. Any other business

6. There being no other business, the meeting ended at 5:31 pm.

Subcommittee on Children's Rights

Proceedings of the thirteenth meeting on Saturday, 13 January 2018 at 2:30 pm in Conference Room 1 of the Legislative Council Complex

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda Item I – Review of child care services</i>			
000846-001707	Chairman	Opening remarks One-minute silence to pay obituary tribute to a five-year old girl who was abused to death	
001708-002028	Chairman Democratic Alliance for the Betterment and Progress of Hong Kong	Presentation of views	
002029-002354	Chairman Mr LEUNG Kwok-hung	Presentation of views	
002355-002723	Chairman The Federation of Hong Kong & Kowloon Labour Unions	Presentation of views [LC Paper No. CB(4)513/17-18(01)]	
002724-003055	Chairman The Civic Party	Presentation of views [LC Paper No. CB(4)513/17-18(02)]	
003056-003447	Chairman 天水圍社區發展網絡	Presentation of views [LC Paper No. CB(4)484/17-18(01)]	
003448-003850	Chairman The Boys' & Girls' Clubs Association of Hong Kong	Presentation of views [LC Paper No. CB(4)379/17-18(06)]	
003851-004157	Chairman Roundtable	Presentation of views [LC Paper No. CB(4)379/17-18(07)]	
004158-004555	Chairman 社民連政策組	Presentation of views	
004556-004927	Chairman Mr KAN Ming-yue	Presentation of views	
004928-005309	Chairman Hong Kong Women Workers' Association	Presentation of views [LC Paper No. CB(4)484/17-18(02)]	
005310-005745	Chairman Miss YUEN Pui-wan	Presentation of views [LC Paper No. CB(4)484/17-18(03)]	

Time marker	Speaker(s)	Subject(s)	Action required
005746-010108	Chairman Mr MAK Kang-ying	Presentation of views [LC Paper No. CB(4)484/17-18(04)]	
010109-010448	Chairman Mrs Sasa LEE Pui-shan	Presentation of views	
010449-010726	Chairman Hong Kong Christian Service Early Childhood Education Service	Presentation of views	
010727-011041	Chairman Miss YEUNG Hoi-yin	Presentation of views	
011042-011326	Chairman 劉海球女士	Presentation of views	
011327-011704	Chairman Hong Kong Federation of Women's Centres	Presentation of views	
011705-012036	Chairman 0-3 Child Care Service Network	Presentation of views [LC Paper No. CB(4)484/17-18(05)]	
012037-012349	Chairman Mrs HO Sum-kit	Presentation of views [LC Paper No. CB(4)484/17-18(06)]	
012350-012724	Chairman Mr CHUNG Chi-ho	Presentation of views [LC Paper No. CB(4)379/17-18(08)]	
012725-013006	Chairman Mr LEE Hon-tung	Presentation of views	
013007-013344	Chairman Hong Kong Society for the Protection of Children	Presentation of views [LC Paper No. CB(4)484/17-18(07)]	
013345-013643	Chairman 香港保護兒童會日託嬰兒園 服務	Presentation of views [LC Paper No. CB(4)484/17-18(08)]	
013644-014022	Chairman The Hong Kong Council of Social Service	Presentation of views [LC Paper No. CB(4)484/17-18(09)]	
014023-014416	Chairman 楊敏敏女士	Presentation of views	
014417-014842	Chairman 任寶珠女士	Presentation of views	
014843-015253	Chairman 鄧婉儀女士	Presentation of views	

Time marker	Speaker(s)	Subject(s)	Action required
015254-015611	Chairman HO Pik-ying	Presentation of views	
015612-015937	Chairman 張詠恩女士	Presentation of views	
015938-020239	Chairman 譚潔瑩女士	Presentation of views	
020240-020544	Chairman 張碧琮	Presentation of views [LC Paper No. CB(4)484/17-18 (10)]	
020545-020846	Chairman The Hong Kong Association of Business and Professional Women	Presentation of views [LC Paper No. CB(4)379/17-18(09)]	
020847-021249	Chairman 劉浩正先生	Presentation of views	
021250-023440	Chairman Labour and Welfare Bureau ("LWB") Education Bureau ("EDB") Social Welfare Department ("SWD")	The Chairman's remarks and the Administration's response to the views expressed by the deputations	
023441-024038	Chairman Mr LEUNG Yiu-chung LWB	Mr LEUNG's calling for the Administration to overhaul the child care policy and pool more resources to enhance day child care services	Paragraph 5 of the minutes refers
024039-024644	Chairman Deputy Chairman	The Deputy Chairman's concerns about the progress of the Consultancy Study on the Long-term Development of Child Care Services	
024645-024754	Chairman Hong Kong Society for the Protection of Children	Presentation of views	
024755-024848	Chairman Mr KAN Ming-yue	Presentation of views	
024849-024942	Chairman Hong Kong Christian Service Early Childhood Education Service	Presentation of views	
024943-025052	Chairman 天水圍社區發展網絡	Presentation of views	
025053-025148	Chairman 楊敏敏女士	Presentation of views	

Time marker	Speaker(s)	Subject(s)	Action required
025149-025332	Chairman The Hong Kong Council of Social Service	Presentation of views	
025333-030346	Chairman LWB EDB SWD	The Chairman's remarks and the Administration's response to the views further expressed by the deputations	Paragraph 5 of the minutes refer
030347-030530	Chairman Mr LEUNG Yiu-chung LWB	Mr LEUNG's concerns about the serious inadequate provision of places in aided standalone child care centres	Paragraph 5 of the minutes refers
<i>Agenda Item II – Any other business</i>			
030530-030550	Chairman	Closing remarks	