

**REPORT OF THE
PUBLIC ACCOUNTS COMMITTEE
ON
REPORT NO. 70 OF THE DIRECTOR OF AUDIT
ON
THE RESULTS OF
VALUE FOR MONEY AUDITS**

July 2018

P.A.C. Report No. 70

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Introduction

The Establishment of the Committee The Public Accounts Committee is established under Rule 72 of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region, a copy of which is attached in *Appendix 1* to this Report.

2. **Membership of the Committee** The following Members are appointed by the President under Rule 72(3) of the Rules of Procedure to serve on the Committee:

Chairman : Hon Abraham SHEK Lai-him, GBS, JP

Deputy Chairman : Hon Kenneth LEUNG

Members : Hon Paul TSE Wai-chun, JP
Hon Steven HO Chun-yin, BBS
Hon LAM Cheuk-ting
Hon SHIU Ka-fai
Hon Tanya CHAN

Clerk : Anthony CHU

Legal Adviser : YICK Wing-kin

Procedure

The Committee's Procedure The practice and procedure, as determined by the Committee in accordance with Rule 72 of the Rules of Procedure, are as follows:

- (a) the public officers called before the Committee in accordance with Rule 72 of the Rules of Procedure, shall normally be the Controlling Officers of the Heads of Revenue or Expenditure to which the Director of Audit has referred in his Report except where the matter under consideration affects more than one such Head or involves a question of policy or of principle in which case the relevant Director of Bureau of the Government or other appropriate officers shall be called. Appearance before the Committee shall be a personal responsibility of the public officer called and whilst he may be accompanied by members of his staff to assist him with points of detail, the responsibility for the information or the production of records or documents required by the Committee shall rest with him alone;
- (b) where any matter referred to in the Director of Audit's Report on the accounts of the Government relates to the affairs of an organisation subvented by the Government, the person normally required to appear before the Committee shall be the Controlling Officer of the vote from which the relevant subvention has been paid, but the Committee shall not preclude the calling of a representative of the subvented body concerned where it is considered that such a representative could assist the Committee in its deliberations;
- (c) the Director of Audit and the Secretary for Financial Services and the Treasury shall be called upon to assist the Committee when Controlling Officers or other persons are providing information or explanations to the Committee;
- (d) the Committee shall take evidence from any parties outside the civil service and the subvented sector before making reference to them in a report;
- (e) the Committee shall not normally make recommendations on a case on the basis solely of the Director of Audit's presentation;
- (f) the Committee shall not allow written submissions from Controlling Officers other than as an adjunct to their personal appearance before the Committee; and

- (g) the Committee shall hold informal consultations with the Director of Audit from time to time, so that the Committee could suggest fruitful areas for value for money study by the Director of Audit.

2. **Confidentiality undertaking by members of the Committee** To enhance the integrity of the Committee and its work, members of the Public Accounts Committee have signed a confidentiality undertaking. Members agree that, in relation to the consideration of the Director of Audit's reports, they will not disclose any matter relating to the proceedings of the Committee that is classified as confidential, which shall include any evidence or documents presented to the Committee, and any information on discussions or deliberations at its meetings, other than at meetings held in public. Members also agree to take the necessary steps to prevent disclosure of such matter either before or after the Committee presents its report to the Council, unless the confidential classification has been removed by the Committee.

3. A copy of the Confidentiality Undertakings signed by members of the Committee has been uploaded onto the Legislative Council website.

4. **The Committee's Report** This Report by the Public Accounts Committee corresponds with Report No. 70 of the Director of Audit on the results of value for money audits which was tabled in the Legislative Council on 25 April 2018. Value for money audits are conducted in accordance with the guidelines and procedures set out in the Paper on Scope of Government Audit in the Hong Kong Special Administrative Region - 'Value for Money Audits' which was tabled in the Provisional Legislative Council on 11 February 1998. A copy of the Paper is attached in *Appendix 2*.

5. **The Government's Response** The Government's response to the Committee's Report is contained in the Government Minute, which comments as appropriate on the Committee's conclusions and recommendations, indicates what action the Government proposes to take to rectify any irregularities which have been brought to notice by the Committee or by the Director of Audit and, if necessary, explains why it does not intend to take action. It is the Government's stated intention that the Government Minute should be laid on the table of the Legislative Council within three months of the laying of the Report of the Committee to which it relates.

Consideration of the Director of Audit's Report tabled in the Legislative Council on 25 April 2018 As in previous years, the Committee did not consider it necessary to investigate in detail every observation contained in the Director of Audit's Report. The Committee has therefore only selected those chapters in the Director of Audit's Report No. 70 which, in its view, referred to more serious irregularities or shortcomings. The Committee has also sought and obtained information from the Administration on some of the issues raised in other chapters of the Director of Audit's Report No. 70. The Committee appreciates that, in response to the Committee's written questions, the relevant bureaux/departments have provided the Committee with lots of useful information to facilitate the Committee's better understanding of the subjects. The Administration's response has been included in this Report.

2. **Meetings** The Committee held a total of five meetings and two public hearings in respect of the subjects covered in this Report. During the public hearings, the Committee heard evidence from a total of seven witnesses, including one Director of Bureau. The names of the witnesses are listed in *Appendix 3* to this Report.

3. **Arrangement of the Report** The evidence of the witnesses who appeared before the Committee, and the Committee's specific conclusions and recommendations, based on the evidence and on its deliberations on the relevant chapter of the Director of Audit's Report, are set out in Chapter 3 of Part 4 below.

4. The video and audio record of the proceedings of the Committee's public hearings is available on the Legislative Council website.

5. **Acknowledgements** The Committee wishes to record its appreciation of the cooperative approach adopted by all the persons who were invited to give evidence. In addition, the Committee is grateful for the assistance and constructive advice given by the Secretary for Financial Services and the Treasury, the Legal Adviser and the Clerk. The Committee also wishes to thank the Director of Audit for the objective and professional manner in which he completed his Report, and for the many services which he and his staff have rendered to the Committee throughout its deliberations.

The Committee held three public hearings on 14 and 26 May and 26 June 2018 respectively to receive evidence on this subject. In view of the complexity of issues raised in the Director of Audit's Report, the Committee has decided to defer a full report on this subject in order to allow itself more time to consider the issues.

The Audit Commission ("Audit") conducted a review of the efforts made by the Customs and Excise Department ("C&ED"), the Office of the Communications Authority ("OFCA") and the Consumer Council ("CC") to protect consumer interests.

2. Hon Steven HO declared that he was a member of CC.

3. The Government has safeguarded the legitimate interests of consumers through various channels, both local residents and visitors alike. In 2016-2017, C&ED deployed 246 staff and spent \$121.2 million to enforce four consumer protection Ordinances, namely, the Trade Descriptions Ordinance (Cap. 362) ("TDO"), the Weights and Measures Ordinance (Cap. 68) ("WMO"), the Consumer Goods Safety Ordinance (Cap. 456) ("CGSO") and the Toys and Children's Products Safety Ordinance (Cap. 424) ("TCPSO"). OFCA is supporting the Communication Authority to enforce TDO in relation to the provision of licensed telecommunications or broadcasting services. As at 31 October 2017, OFCA deployed 38 staff to carry out the enforcement work among other duties. While CC is not a law enforcement agency and does not possess the power of investigation or adjudication, it handles complaints¹ by means of conciliation, organizes consumer education activities, disseminates consumer information and renders advice to consumers. In 2016-2017, CC received recurrent subventions of \$115.4 million from the Government and its establishment as at 31 March 2017 stood at 150 staff.

4. The Committee noted the following findings from the Director of Audit's Report:

- from July 2013 to December 2017, the prosecution rate for services (3% for OFCA and 6% for C&ED) were lower than that for goods (27%). While OFCA considered it more difficult to collect sufficient evidence against misconduct relating to services, C&ED advised that other factors (e.g. complainants' withdrawal of their complaints) would also affect the prosecution rates;

¹ CC only handles complaints on immovable property, goods and services purchased from traders by individual consumers for private use or consumption. Complaints involving private transactions between individuals not in the course of business or goods and services supplied by the Government fall outside CC's scope of work.

- before October 2014, C&ED would open a case file for detailed investigation from the beginning when a complaint was assessed as actionable. In October 2014, C&ED changed its filing practice and would only open a case file for detailed investigation when there was reasonable ground to suspect that an offence had been committed and to take enforcement actions. As a result, the number of detailed investigation cases decreased from 1 363 cases in the 34 months from July 2013 to April 2016 (averaging 40 cases per month) to 211 cases in the 20 months from May 2016 to December 2017 (averaging 11 cases per month);
- from September 2014 to September 2017, CC had shared 12 413 pieces of unfair trade practice information with C&ED via the computer system interface, but the interface had not been used for referral of complaint cases between C&ED and CC;
- based on C&ED's computer records of 2 960 investigations completed from July 2013 to 2 November 2017, Audit found that the Intellectual Property Investigation Bureau² of C&ED had taken more than one year to close 1 532 (52%) investigation case files, up to 3.8 years in the longest case;
- in 2016, 12 of 45 goods-related urgent complaint cases and 39 of 72 CGSO or TCPSO-related urgent complaint cases did not meet the time target for commencing investigation within 24 hours upon receipt of the complaints. According to C&ED, the above 51 cases (i.e. 12+39) had been misclassified as urgent;
- of the 4 990 completed investigation cases for complaints conducted by the Trade Descriptions Investigation Bureau³ of C&ED between July 2013 and December 2017, 1 946 (39%) cases could not meet the time standards, among which 309 cases with enforcement actions taken had exceeded their respective time standards by more than 90 days.

² The Intellectual Property Investigation Bureau is responsible for the enforcement of TDO in relation to the supply of services and specified types of goods (notably ginseng, dried seafood and mobile phones which may involve syndicate crimes) while the enforcement responsibility for other goods rests with the Trade Descriptions Investigation Bureau.

³ The Trade Descriptions Investigation Bureau will take enforcement actions on cases where there is reasonable suspicion that an offence has been committed under TDO. Case officers have to complete investigation within four months for cases not resulting in enforcement actions and six months for cases with enforcement actions taken (both counting from commencement of the investigations) or one month before the time limit for legal proceeding, whichever is the earlier.

Of 1 151 and 744 completed investigations on CGSO-and TCPSO-related cases respectively conducted by the Consumer Protection Bureau⁴ of C&ED from 2013 to September 2017, 646 (56%) and 486 (65%) cases could not meet the time standards in completing investigations, 52% and 62% respectively of those cases with enforcement actions taken were delayed for over 90 days;

- Audit analysed the results of 6 740 CGSO-related, 7 371 TCPSO-related and 8 073 WMO-related spot checks conducted from 2013 to 2017 and discovered that:
 - (a) in 5% of the CGSO-related spot checks and 29% of the TCPSO-related spot checks, the target shops were found to have been vacated/closed or not having sufficient quantity of the target products for sample testing;
 - (b) from April 2013 to September 2017, the Consumer Protection Bureau of C&ED only conducted 37 spot checks on online sales of CGSO and TCPSO-related products, averaging eight checks a year compared to some 2 800 spot checks a year on retail shops; and
 - (c) the detection rate of suspected offences under WMO-related spot checks decreased from 5.1% in 2013 to 0.5% in 2017;
- of the 25 039 complaints received in 2016-2017, CC resolved about 74% pursuable cases. According to the naming guidelines issued by CC,⁵ if one new complaint was lodged against a trader during the six-month observation period, the naming mechanism would be triggered off. However, only one of the seven traders on the observation list in 2017 was named and reprimanded. Despite new complaints had been lodged against the remaining six traders during the six-month observation periods, the naming mechanism was not triggered off. The naming guidelines did not set out any procedure to identify traders with repeated undesirable trade practices;

⁴ The Consumer Protection Bureau is responsible for enforcing CGSO and TCPSO against unsafe goods, and WMO against short weights and measures. Internal time standards are set for completing: (a) CGSO and TCPSO-related investigations within four months for cases not resulting in enforcement actions and six months for cases with enforcement actions taken; and (b) within three and four months respectively for WMO-related investigations.

⁵ The guidelines set out the considerations for naming and public reprimand, and the procedures for taking such actions.

- Audit's analysis of 2 526 complaints received by CC from January 2012 to September 2017 which were in progress as at 17 November 2017 revealed that 396 (16%) cases had been outstanding for almost three years or more;
- the sale of CHOICE magazine⁶ had dropped by 23% from an average of 27 428 copies a month in 2009-2010 to 21 033 a month in 2016-2017. The online version of the magazine also had a slow pick-up rate; and
- from November 2012 to October 2017, OFCA received a total of 2 382 applications under the Customer Complaint Settlement Scheme⁷ ("CCSS"), of which 703 cases were accepted as eligible for referral to the CCSS Agent. However, 333 (47%) of the 703 accepted cases were settled before referral to the CCSS Agent and the utilization of the CCSS Agent only represented about 18.5% of its full capacity.

5. The Committee did not hold any public hearing on this subject. Instead, it asked for written responses regarding the implementation of TDO, CCSS and the naming and public reprimand against unscrupulous traders; the enforcement work against unfair trade practices and unsafe goods, and short weights and measures; the case referral and information exchange system between OFCA and CC; and the revamp project of CHOICE magazine. The consolidated replies from **Secretary for Commerce and Economic Development, Commissioner of Customs and Excise and Director-General of Communications**, and the replies from **Chief Executive of Consumer Council** are in *Appendices 4* and *5* respectively.

6. The Committee wishes to be kept informed of the progress made in implementing the various recommendations made by Audit.

⁶ According to CC, CHOICE magazine plays a vital role in assisting consumers to make astute choices and make purchases in a safe, informed and responsible manner.

⁷ To address issues of billing disputes in the telecommunications services, OFCA has implemented CCSS, a voluntary mediation scheme, to help resolve billing disputes in deadlock between the telecommunications service providers and their customers.

A. Introduction

The Audit Commission ("Audit") conducted a review of the Education Bureau ("EDB")'s work in the implementation of integrated education.

2. Hon Abraham SHEK Lai-him declared that he was the Chairman of Board of Governors of English Schools Foundation and a council member of the St. Stephen's Girls' College.

Background

3. In accordance with the Disability Discrimination Ordinance (Cap. 487) and the Code of Practice on Education issued by the Equal Opportunities Commission, all educational establishments have the obligation to provide equal education opportunities to eligible students, including students with special educational needs ("SEN").

4. In September 1997, the Administration launched a two-year pilot project on integrated education under which participating schools were required to provide an accommodating learning environment for students with SEN. After the two-year pilot project, integrated education was extended to all public sector ordinary schools from the 1999-2000 school year (all years mentioned hereinafter refer to school years unless otherwise stated) onwards.

5. The Government adopts a dual-track mode in implementing special education. For students with more severe or multiple disabilities, EDB will, subject to the assessment and recommendations of specialists and the consent of the parents, refer them to special schools for intensive support services. Other students with SEN, who do not need to attend special schools for intensive support services, may attend ordinary schools, so that they can interact with ordinary students and benefit from mainstream education.

Students with special educational needs

6. Students with SEN refer to students who need special educational support because of learning or adjustment difficulties. EDB classified SEN into nine types, namely, specific learning difficulties ("SpLD"), attention deficit/hyperactivity

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disorder ("AD/HD"), autism spectrum disorders ("ASD"), speech and language impairment ("SLI"), intellectual disability, hearing impairment, physical disability, visual impairment and mental illness ("MI") (included as a type of SEN from 2017-2018 onwards).

7. According to the Administration, in 2016-2017, there were about 42 890 students with SEN in 844 public sector ordinary schools, representing 7.8% of total number of students in the public sector ordinary schools (551 091 students) in Hong Kong.

Support measures to schools

8. On top of the regular subventions provided to all public sector ordinary schools, EDB provides schools with additional resources (in the form of cash grant and additional teaching staff), professional support and teacher training to help them cater for students with SEN. EDB's expenditure on additional resources and professional services for integrated education increased by \$408.6 million (41%) from \$1,008.5 million in 2012-2013 to \$1,417.1 million in 2016-2017.

9. The Committee held two public hearings on 21 May and 12 June 2018 to receive evidence on the findings and observations of the Director of Audit's Report ("Audit Report").

The Committee's Report

10. The Committee's Report sets out the evidence gathered from witnesses. The Report is divided into the following parts:

- Introduction (Part A) (paragraphs 1 to 18);
- Identification and admission of students with special educational needs (Part B) (paragraphs 19 to 42);
- Additional resources provided to public sector ordinary schools (Part C) (paragraphs 43 to 64);
- Teacher training and professional support (Part D) (paragraphs 65 to 80); and

- Conclusions and recommendations (Part E) (paragraphs 81 to 83).

Speech by Director of Audit

11. **Mr David SUN Tak-kei, Director of Audit**, gave a brief account of the Audit Report at the beginning of the Committee's public hearing held on 21 May 2018. The full text of his speech is in *Appendix 6*.

Opening statement by Secretary for Education

12. **Mr Kevin YEUNG Yun-hung, Secretary for Education**, made an opening statement at the beginning of the Committee's public hearing held on 21 May 2018, the summary of which is as follows:

- EDB had implemented a number of improvement measures in recent years so as to facilitate schools in supporting students with SEN, including:
 - (a) regularizing the Enhanced Speech Therapy Grant for public sector primary schools;
 - (b) increasing the amount and ceiling of the Learning Support Grant ("LSG");
 - (c) extending the School-based Educational Psychology Service ("SBEPS") to all public sector schools;
 - (d) providing each public sector ordinary school with one additional teaching post by phases in three years to allow schools to arrange a designated teacher to serve as the Special Educational Needs Coordinator ("SENCO"); and
 - (e) including students with MI under LSG so that schools could have additional resources to enhance the care for these students; and
- EDB had been launching a series of review of the implementation of tasks on integrated education, including LSG, Intensive Remedial Teaching Programme ("IRTP") and SBEPS.

The full text of Secretary for Education's opening statement is in *Appendix 7*.

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13. At the Committee's request, **Secretary for Education** provided the direction and progress of the review on the implementation of tasks on integrated education in his reply dated 26 June 2018 (*Appendix 8*).

Types of special educational needs

14. At the Committee's request, **Secretary for Education** provided in his letter of 7 June 2018 (*Appendix 9*) background information on the inclusion of eight categories, namely, SpLD, AD/HD, ASD, SLI, intellectual disability, hearing impairment, physical disability and visual impairment, as SEN in 2003-2004 as well as the decision to add MI as a type of SEN in 2017-2018.

15. As MI was added as a type of SEN in 2017-2018, the Committee questioned about the adequacy of the supports provided for students with MI before 2017-2018, **Mr Godwin LAI Kam-tong, Principal Assistant Secretary (Special Education)**, replied at the public hearings and **Secretary for Education** explained in his letter of 7 June 2018 (*Appendix 9*) that:

- school professionals (including student guidance teachers/personnel, school social workers, and educational psychologists ("EPs")) had been providing guidance to students with MI according to their conditions and needs. If needed, multi-disciplinary case conference would be arranged by different disciplines (including EPs and psychiatrists) to discuss a support plan;
- EDB had laid down in its School Administration Guide a guideline entitled "How Schools can Help Students with Mental Health Problems" for schools' reference;
- EDB and the Hospital Authority jointly organized relevant thematic courses and seminars to enhance the knowledge and skills of guidance personnel and professional support personnel, and reviewed and discussed ways to strengthen the existing notification and support mechanism to ensure effective cross-disciplinary collaboration and communication; and
- for students with significant adjustment difficulties, including those having severe emotional and behavioural problems induced by their mental health problem, EDB would consider providing schools with a time-limited grant where appropriate for employing teaching assistants

to help the students concerned follow classroom routines and learn effectively.

16. At the Committee's request, **Secretary for Education** provided the number of cases of students suspected of committing suicide as reported by secondary and primary schools to EDB from 2012-2013 to 2017-2018 (up to May) in his reply dated 7 June 2018 (*Appendix 9*).

Students with special educational needs in Direct Subsidy Scheme schools

17. The Committee enquired about the distribution of students with SEN in Direct Subsidy Scheme ("DSS") schools and the Administration's measures to support students with SEN in these schools.

18. **Secretary for Education** explained in his letter of 7 June 2018 (*Appendix 9*) that under the current policy, the subsidies and teacher provision relating to the support for students with SEN had been included in the recurrent DSS subsidy provided for DSS schools. The DSS subsidy was calculated based on the average unit cost of an aided school place and the number of students enrolled in DSS schools. EDB did not have information on students with SEN in DSS schools. DSS schools were required to exercise their professional judgment in deploying school resources flexibly and diligently for educational and school needs in the best interest of their students (including those with SEN).

B. Identification and admission of students with special educational needs

19. The Committee noted from Table 2 of paragraph 1.6 of the Audit Report that, during the period from 2012-2013 to 2016-2017, the number of students with SEN in public sector ordinary schools increased due to the significant increase in number of students with SpLD, AD/HD, ASD and SLI. In this connection, the Committee enquired about the monitoring mechanism on the progress of these students, and whether a review mechanism was in place through which these students would be removed from the Special Education Management Information System ("SEMIS") when, for example, some of these students had made significant progress.

20. **Secretary for Education** explained in his letter of 7 June 2018 (*Appendix 9*) that currently, information of students with SEN requiring Tier-2 or

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Tier-3 support was reported to EDB by the schools via SEMIS annually. Schools were also required to have regular reviews of the support needs of students and adjust their tier-level of support as necessary. At the end of each school year, the student support team would review the progress of each student to ascertain the tier-level of support that he/she needed in the new school year. When the school updated EDB with student information in the new school year, the respective column in SEMIS would also be updated for the students whose tier-level of support had been adjusted, e.g. those who had made good progress and were no longer in need of Tier-2 or Tier-3 support. Nevertheless, the students with SEN might still require Tier-1 support despite their significant progress, as teachers had to continue supporting them with quality classroom teaching.

21. In reply to the Committee's enquiry about SEMIS of EDB, **Principal Assistant Secretary (Special Education)** replied at the public hearings and **Secretary for Education** explained in his letters of 7 and 26 June 2018 (*Appendices 9 and 8 respectively*) that:

- SEMIS was a computerized information management system of EDB for collecting and managing the information of students studying in aided special schools and students with SEN studying in public sector ordinary schools to facilitate the understanding and following-up on students with SEN by EDB and public sector schools;
- the system mainly contained information of referral and placement arrangement for special schools and information of student schooling, related information of students with SEN in ordinary schools, information on additional resources obtained by ordinary schools, information on special education training of teachers, etc., with a total of about 4 000 data items. The system had about 400 pre-set reports of various nature for compiling and accessing related information. Most of the information in SEMIS was for internal use by EDB;
- EDB also used the system in calculating and managing the related additional resources for schools. Regarding the detailed information of support for students with SEN by schools, such as the details of the services or plans and the analysis of the effectiveness, etc., it was managed and recorded by the school-based mechanism and was not recorded in SEMIS; and
- EDB would review how SEMIS could be further enhanced to respond to Audit's recommendations so that EDB and schools could process and

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analyse the data collected in SEMIS efficiently and systematically, which would help EDB and schools provide more specific support for students with SEN. EDB would work in consultation with information technology professionals about the feasibility and priorities of the functions, and then make a plan for enhancement during this summer period for implementation in 2018-2019 subject to resources availability.

22. According to paragraph 2.5 of the Audit Report, of the 6 131 students assessed by school-based EPs for the first time and diagnosed as students with SEN or academic low achievers ("ALAs") in 2016-2017, 992 (16.2%), 726 (11.8%) and 232 (3.8%) were diagnosed in Primary Three to Primary Six, Secondary One to Secondary Three and Secondary Four to Secondary Six respectively. The Committee sought the reasons for 31.8% of students with SEN being identified after Primary Two, and measures taken/to be taken to ensure that students with SEN were identified at the earliest opportunities so that timely support could be provided to them.

23. **Secretary for Education** explained at the public hearings and supplemented in his letter of 7 June 2018 (*Appendix 9*) that:

- certain SEN difficulties were usually manifested in class levels higher than Primary One or Primary Two, such as mental health issues or emotional and behavior difficulties in adolescence. Some students newly arrived at Hong Kong or their parents newly gave consent for service also accounted for their assessment at higher class levels. These students would be referred for assessment services as soon as they were identified by schools or parents; and
- in each school year, EDB arranged regular school visits by professional staff to understand the identification and support services provided for students with SEN and reminded schools to refer students for assessment service as necessary with the emphasis of the importance of early identification and intervention via various means, such as leaflets, seminars, workshops, etc.

24. At the Committee's request, **Secretary for Education** provided in his reply dated 7 June 2018 (*Appendix 9*) the criteria adopted by school-based EPs in assessing students suspected of having SpLD, AD/HD, ASD and SLI, and the average waiting

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time of students suspected to have learning or emotional, behavioural and adjustment difficulties referred to school-based EPs for assessment in 2016-2017.

25. With reference to paragraph 2.10 of the Audit Report, the Committee enquired whether the Administration had conducted any study to understand the reasons for parents of students with SEN not giving consent to transfer their children's information to secondary schools, and the measures taken/to be taken to encourage these parents to give consent for transfer of their children's information between schools.

26. **Secretary for Education** explained at the public hearings and supplemented in his letter of 7 June 2018 (*Appendix 9*) that:

- EDB had been collaborating with schools to encourage parents of students with SEN giving consent to transfer their children's information to recipient schools. Schools should abide by the Personal Data (Privacy) Ordinance (Cap. 486) in processing students' personal information, including information pertaining to SEN. Schools were required to obtain parents' prior consent for processing a student's SEN information and transferring the information to the recipient school upon the student's change of school. Premised upon the principle of respecting parents' will, EDB did not request schools to ask the parents why they refused to give consent for transfer of their children's information between schools;

Upcoming Primary One students with special educational needs

- for pre-school children admitted to Primary One of public sector ordinary schools, EDB and the Child Assessment Centres of the Department of Health and the Hospital Authority had a mechanism for the transfer of assessment information of pre-school children with special needs to primary schools with a view to facilitating schools' early arrangement of support for those children with SEN. Under the prevailing practice, the Child Assessment Centres would, upon seeking the consent of parents, send the assessment information of the upcoming Primary One students to EDB for onward transmission to the recipient public sector primary schools before the commencement of the new school year;

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- EDB had been collaborating with non-governmental organizations in running annual seminars for parents of lower kindergarten children with special needs on the support services available at public sector ordinary primary schools, the importance of home-school cooperation, and the sources for acquiring school information. EDB also encouraged parents to indicate the Special Education Code which fitted their children's developmental needs on the Primary One Admission System Application Form when they applied for a Primary One place for their children. This would facilitate the collaboration of EDB and other departments under the aforementioned mechanism to transfer the assessment information of their children to the recipient primary schools for better planning and providing early support. Seminars were also organized for kindergarten teachers to enhance their knowledge of the support for students with SEN offered by public sector ordinary primary schools and special schools respectively, so that they could provide practical advice to parents on helping their children adapt smoothly to the primary school life;

Upcoming Secondary One students with special educational needs

- primary schools were requested to transfer, upon obtaining parental consent, relevant information of these students to the secondary schools concerned. EDB issued a letter in May every year to remind the primary schools about the arrangements as detailed in a circular entitled "Transfer of Information of Students with Special Educational Needs" (EDB Circular No. 9/2013). A template form was provided for primary schools to record the statistics of information transferred to secondary schools; and
- EDB's staff would advise schools about the transfer of information for students with SEN, the types of documents to be sent and the timeframe for sending the information. EDB also collaborated with non-governmental organizations in running an annual seminar for parents of Primary Six students with SEN promoting to Secondary One to offer professional advice and encourage parents to give consent to the primary schools to transfer relevant information of their children with SEN to the secondary schools.

27. In response to the Committee's enquiry on whether consideration would be given to adopting an "opt-out arrangement" to facilitate the giving of consents by parents, **Secretary for Education** explained at the public hearings and advised in his

letter of 7 June 2018 (*Appendix 9*) that for some parents, SEN information of their children was important personal data. EDB needed to let parents understand thoroughly the purpose and function of transferring the respective information and let them make an informed choice on whether to let the recipient schools have the respective information. Therefore, EDB considered that the prevailing practice appropriate and more proper as compared with an "opt-out arrangement".

28. According to paragraph 2.13 of the Audit Report, EDB did not record in SEMIS the dates on which the post-assessment meetings were held by EPs and the assessment summaries and the assessment reports were issued. In this connection, the Committee sought the reasons for not recording such information in SEMIS, how EDB would monitor the timeliness of issuing assessment summaries and reports, and whether consideration would be given to uploading the whole or parts of the assessment summaries and assessment reports onto SEMIS.

29. **Secretary for Education** explained at the public hearings and supplemented in his letter of 7 June 2018 (*Appendix 9*) that:

- as the dates of post-assessment meetings and issuance of assessment summaries and assessment reports would not affect the support given to students, such information had not been recorded in SEMIS;
- EDB required schools to follow the principle of "Intervention before Assessment" by providing intervention to students as soon as they were identified to have difficulties without the need to wait for assessment results. Upon completion of assessment, EPs would discuss with school personnel and parents the support measures in post-assessment meetings, so that schools and parents could adjust the support in accordance with the discussion results and EPs' recommendations. Usually, assessment summaries were issued within three months upon completion of the assessment while the assessment reports would take a longer time to write up;
- according to the principle of "Intervention before Assessment", schools would continue or adjust the support for students in accordance with the discussion results at the post-assessment meetings, whilst not waiting for the issuance of assessment summaries or assessment reports before providing support to the students. The SBEPS Guide contained general guidelines on the time expected of EPs to issue assessment summaries and assessment reports. Hence, basically the

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support offered to the students would not be affected by the dates of issuance of the assessment summaries or assessment reports;

- with the input of the major assessment results and related information in SEMIS provided by EPs, it was sufficient for EDB to manage related tasks. As the assessment summaries and assessment reports were restricted documents which also contained information of the students' parents and family, EDB considered it not appropriate to file and upload such information onto SEMIS for the protection of privacy and to respect EPs' professional responsibility; and
- EDB would review and record information about the dates of post-assessment meetings held at schools, as well as issuance of assessment summaries and reports furnished by school-based EPs. The views of the school-based EPs and other stakeholders would be consulted with a view to accomplishing the task concerned within 2018-2019. New guidelines would be issued on any new arrangements.

30. At the Committee's request, **Secretary for Education** provided a sample of the assessment summary and assessment report in his reply dated 7 June 2018 (*Appendix 9*).

31. According to paragraph 2.15(a) of the Audit Report, a mechanism was agreed between EDB and the Social Welfare Department ("SWD") to ensure pre-school children with special needs under the On-site Pre-school Rehabilitation Services or SWD's other subvented rehabilitation services would be given appropriate support when they proceed to primary schooling. The Committee sought information on this new arrangement and the previous arrangements before this new mechanism was implemented.

32. **Secretary for Education** explained at the public hearings and supplemented in his letter of 7 June 2018 (*Appendix 9*) that:

- in view of the regularization of the On-site Pre-school Rehabilitation Services since 2018-2019, EDB and SWD had agreed on a collaborative mechanism. The specialists and special child care workers of the On-site Pre-school Rehabilitation Services and the other rehabilitation services under SWD would offer their professional

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advice on the progress of children with special needs they were serving by completing a report form before the children began primary schooling. With the coordination of SWD and EDB and subject to parental consent, the progress report of individual children would be sent to SWD which would pass the reports to EDB for onward transmission to the children's designated public sector primary schools before September; and

- based on the progress information provided and the assessment information, the primary schools would plan and provide appropriate support services for the respective Primary One students at the earliest time possible. The above mentioned mechanism would take effect from 2018-2019 for children promoting to Primary One.

33. The Committee noted from paragraph 2.18 of the Audit Report that, in the profiles of schools published by the Committee on Home-School Co-operation, schools disclosed only three pieces of information on support for students with SEN, including percentage of teachers with special education training, support facilities available for student with SEN in the schools (e.g. accessible lift and accessible toilet) and an account of school's approach to cater for student diversity. The Committee enquired about the measures taken/to be taken to encourage schools to release more information on support for students with SEN to facilitate parents of students with SEN in selecting schools.

34. **Mrs Ingrid YEUNG HO Poi-yan, Permanent Secretary for Education**, replied at the public hearings and **Secretary for Education** supplemented in his letter of 7 June 2018 (*Appendix 9*) that:

- EDB staff would, during school visits, continue to encourage schools to release more information about the support for students with SEN for parents' reference, for example, to set out in the school report how resources were deployed to provide support services for students with SEN and upload such information onto the school website. EDB had also provided a sample in the "Operation Guide on the Whole School Approach to Integrated Education" to facilitate schools' understanding that they should illustrate their implementation of integrated education in the school report;
- apart from requiring schools to publicize the percentage of teachers with special education training in the School Profiles, EDB had

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proposed to the Committee on Home-School Co-operation to assign a separate column in the Primary and Secondary School Profiles for schools to elaborate on the implementation of the Whole School Approach to integrated education. The arrangement had been approved by the Committee on Home-School Co-operation and the respective information would be provided in the School Profiles to be distributed in 2018; and

- EDB had also been uploading information on schools' Open Days onto the website of the Committee on Home-school Co-operation so as to enable parents (including parents of students with SEN) to pay on-site school visit(s) to acquire more school information before making school choices.

35. According to paragraph 2.22(a) and Appendix B of the Audit Report, under the School Development and Accountability Framework, schools were required to self-evaluate their practice and to give an account in the School Report which would be uploaded to school website before end of November annually for public information. In this connection, the Committee sought the guidelines on conducting self-evaluation by schools, and whether EDB would verify the information in the School Reports which were uploaded onto the school websites.

36. **Secretary for Education** explained at the public hearings and supplemented in his letter of 7 June 2018 (*Appendix 9*) that:

- in addition to the "Year-end Evaluation Form at School Level on Whole School Approach to Catering for Students with Special Educational Needs", there was another tool named "Catering for Student Differences - Indicators for Inclusion"¹ for schools to conduct self-evaluation to assist schools to set targets and define observable success criteria in the school self-evaluation and school development process; and
- under the implementation of the school-based management, schools had to devise School Development Plan, Annual School Plan, report on the progress made in the School Report, and conduct a holistic evidence-based review of their School Development Plan at the end of

¹ "Catering for Student Differences - Indicators for Inclusion" can be downloaded from the EDB website (<http://www.edb.gov.hk>).

their school development cycle (self-evaluation). The self-evaluation reports had to be discussed and endorsed by the Incorporated Management Committee/School Management Committee. Although the reports would not be verified by EDB, the Regional Education Offices of EDB would provide support and advice to schools on their daily operation and continuous development.

37. The Committee noted from paragraph 2.25 of the Audit Report that EDB issued circular memorandum in around April and May each year to invite applications from aided schools for installation of lifts in the following financial year under the major repairs ("MR") exercise. As at 28 February 2018, of 42 approved lift installation applications, the related works of one application were expected to be completed by April 2018. Another 10 were in the construction stage and the remaining 31 were either under the statutory submission, planning or detailed design stage. The Committee enquired about the processing time of lift installation applications from schools, average completion time of lift installation works after approval and any written guidelines on the consideration and approval of lift installation applications.

38. **Secretary for Education** explained at the public hearings and supplemented in his letter of 7 June 2018 (*Appendix 9*) that:

- EDB had taken up the MR works of non-estate and estate aided schools since April 2010 and April 2014 respectively. In accordance with the established mechanism, schools might apply for installation of lifts through the annual MR mechanism. Since April 2010, EDB had approved a total of 46 lift installation applications through the annual MR mechanism, with another 68 pending approval;
- since April 2010, EDB had approved at least five lift installation applications each year. The yet-to-be approved applications would be re-considered together with new applications (if any) in the subsequent funding allocation exercise. Among the 46 approved applications, over 60% (29 applications) were approved in the same year of application or within the next year, whereas the rest had a waiting time ranging from two to seven years. The average waiting time for all applications was 1.5 years; and
- lift installation works generally involved complicated work stages. From conducting preliminary technical feasibility studies, discussing

with schools over lift location, preparing drawings for submission to relevant departments for approval, coordinating with schools on works arrangements and schedule to completing the works, it normally took at least four to five years. Should the works involve more complicated technical issues (for example, limited space available for lift installation), or the schools could only make available limited time slots for the works, it would take an even longer completion time. For the four schools with lift installation works completed by the time the Audit Report was prepared, the average time required from application to works completion was around six years.

39. The Committee further sought information on the updated progress of the 42 approved lift installation works as set out in paragraph 2.25 of the Audit Report, measures to be taken to expedite the installation processes with a view to meeting the target of completing all the school lift installation works by 2026-2027 financial year, and the interim measures taken/to be taken to facilitate the access of persons with disabilities to the facilities in schools which had not installed lifts.

40. **Secretary for Education** explained at the public hearings and supplemented in his letter of 7 June 2018 (*Appendix 9*) that:

- regarding the 42 approved lift installation projects, the relevant works progress as at end-May 2018 was as follows:
 - (a) one project had been completed by end-April. It was envisaged that the relevant lift could be put to use by June 2018 pending the issuance of the Occupation Permit from the Buildings Department;
 - (b) 10 projects were at the construction stage. Based on the latest works progress, three of them were expected to be completed within 2018; and
 - (c) the remaining 31 were either under submission of plans for approval by relevant departments, planning or detailed design stage;
- to expedite the lift installation works for schools without such provision, the Financial Secretary announced in the 2018-2019 Budget that the Government would make a provision of \$2 billion and set up a

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dedicated team to handle the lift installation works for schools, including those which had submitted applications through the existing mechanism but pending approval. In order to collect the latest information on school premises and ascertain the schools' needs for lifts so as to take forward the works, EDB sent a letter to all aided and DSS schools on 1 March 2018 to explain the objective of the relevant scheme and invite applications from schools which had no lifts and had not made any installation requests through the existing mechanism;

- EDB had received around 100 replies, including schools which had already submitted applications through the MR mechanism; schools seeking to replace existing lifts; and schools that had lift installed at certain teaching blocks but seeking to have lift installed at other teaching blocks. EDB was following up with these schools on the information provided to verify the circumstances at the schools and to arrange subsequent follow-ups. EDB planned to arrange newly engaged consultants to conduct preliminary technical feasibility assessment for these schools from the first quarter of 2019 onwards; and
- pending completion of the lift installation works, schools might make use of LSG as necessary to fund supporting measures for students with physical disability. If schools still required financial assistance after utilizing its resources, they might apply to EDB for the Top-up Fund for procurement of special furniture and equipment or carrying out minor conversion works to facilitate the mobility and improve learning environment of students with physical disability within the school premises, such as constructing ramp, procuring stair-climbing machine, converting toilet or ordering tailor-made desks and chairs.

41. In reply to the Committee's enquiry about whether consideration would be given to allocating students with physical disability to certain public sector ordinary schools, so that priority could be given to installing lifts for these schools, **Secretary for Education** explained at the public hearings that the concept of integrated education was to help students with SEN to integrate into ordinary schools. The installation of lifts in all public sector schools was to create barrier-free campuses, so that students with SEN could choose to attend any public sector ordinary schools without having any access difficulties.

42. At the request of the Committee, **Secretary for Education** provided in his reply dated 7 June 2018 (*Appendix 9*) the annual expenditure for the installation of lifts in public sector ordinary schools from 2013-2014 to 2017-2018.

C. Additional resources provided to public sector ordinary schools

43. The Committee noted from paragraphs 3.4 and 3.5 of the Audit Report that unlike IRTP under which the provision depends on the number of ALAs, students with intellectual disability and students with SpLD, LSG which was launched in 2003-2004 is a recurrent cash grant calculated according to the number of students with SEN enrolled at a school and their required level of support. LSG should be used for supporting students with SEN in both primary and secondary schools. For primary schools, LSG can also be used to support students who are ALAs. In this connection, the Committee sought the reasons for using LSG in supporting students ALAs in primary schools only but not in secondary schools, and whether there was any grant for supporting ALAs in secondary schools.

44. **Secretary for Education** explained at the public hearings and supplemented in his letter of 26 June 2018 (*Appendix 8*) that:

- since 1983, Resource Class was one of the intensive remedial services for ALAs in public sector ordinary primary schools. From September 2000, Resource Class was renamed as IRTP in primary schools, under which schools were encouraged to abolish the concept of "a separate class" and support ALAs, students with intellectual disability and students with SpLD, through the Whole School Approach. In 2003-2004, EDB implemented a new funding mode to provide public sector ordinary primary schools with LSG for students with eight types of SEN as well as ALAs; and
- starting from 2006-2007, EDB had been providing public sector ordinary secondary schools with a large intake of Territory Band 3 and bottom 10% secondary students with additional teachers in Secondary One to Secondary Three, with a view to allowing schools to deploy their resources flexibly based on schools' needs in supporting ALAs. Therefore, LSG provided to secondary schools starting from 2008-2009 did not cover ALAs as it did in primary schools.

45. With reference to paragraphs 3.9 of the Audit Report regarding the rates of grant² under LSG for each school, the Committee asked about the basis for setting the rates of grant for each tier of support and the ceiling of LSG per school when LSG was launched, the changes made to the rates in subsequent reviews, and whether EDB would review the rates of grant for each tier of support as well as the ceiling of LSG per school taking into account the changes in price level and the changes in the number of students with SEN and ALAs.

46. **Secretary for Education** explained at the public hearings and supplemented in his letter of 26 June 2018 (*Appendix 8*) that:

- in setting the grant rates of LSG, EDB took into account factors like the numbers of students with SEN at schools in general and the level of support they required, other resources schools could deploy to support students with SEN and the financial position of the Government. When LSG was launched, the grant rates of \$10,000 per student requiring Tier-2 support and \$20,000 per student requiring Tier-3 support were assessed as appropriate. EDB also reminded schools to pool together and deploy flexibly various school resources according to the principle of "individual calculation and holistic deployment" to cater for the needs of students with SEN. EDB also encouraged schools to adopt the Whole School Approach to provide students with SEN different levels of support taking into account their individual needs through the 3-Tier Intervention Model;
- for the purpose of effective utilization and management of resources, EDB had set a ceiling for the provision of LSG, and had been adjusting the grant rates and the ceiling of LSG with a view to enhancing the support for schools to cater for the needs of students with SEN;
- in 2008-2009, EDB had raised the ceiling of LSG from \$0.55 million to \$1 million for each school per annum, and further raised its ceiling to \$1.5 million in 2013-2014. The grant rates had been increased by 30% in 2014-2015. Starting from 2015-2016, the grant rates and ceiling were adjusted annually according to the changes in the

² In 2016-2017, the rates of grant for each school were as follows: students requiring Tier-1 support did not affect the amount of grant; \$13,725 per annum for each student requiring Tier-2 support; a basic provision of \$164,700 per school per annum for the first one to six students requiring Tier-3 support; and \$27,450 per annum for each student requiring Tier-3 support other than the first six such students. The ceiling of LSG per school per annum was \$1,583,616.

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Composite Consumer Price Index. In 2017-2018, the ceiling of LSG for each school per annum was \$1,613,705;

- EDB was considering to re-structure the additional resources provided for all public sector schools under LSG, IRTP and the Integrated Education Programme with a view to strengthening the stability of schools' teaching force and allowing schools to deploy resources flexibly in supporting students with SEN. The re-structuring of resources should help schools reaching the ceiling of LSG and with relatively more students with SEN to alleviate the difficulties they encountered; and
- EDB would revamp the mode of basic provision for Tier-3 support under LSG and consider whether the grant rates of LSG needed to be adjusted.

47. In view of the large number of students with SEN in the 56 schools which had reached LSG ceiling in 2016-2017 as revealed in paragraph 3.13 of the Audit Report, the Committee asked whether the Administration had provided additional support for these schools. **Principal Assistant Secretary (Special Education)** explained at the public hearings and **Secretary for Education** supplemented in his letter of 26 June 2018 (*Appendix 8*) that:

- additional resources available to schools to support students with SEN included the Enhanced Speech Therapy Grant, the additional teachers and grant provided under IRTP or the Integrated Education Programme, the additional teachers provided for secondary schools in supporting ALAs, top-up fund for procurement of special furniture and equipment, intensive support grant for hardcore cases of students with SEN, etc.; and
- professional support was also provided for schools on an ongoing basis which included assessment and consultation services provided by EPs, speech therapists and audiologists. Under the School Partnership Scheme, ordinary schools which had proficient experience in implementing the Whole School Approach to integrated education were invited to serve as Resource Schools on Whole School Approach to share their good practice with other ordinary schools.

48. The Committee noted from paragraph 3.10 of the Audit Report that the tier of support a student with SEN needed was determined by the school concerned based on the student's support needs and taking into account EP's assessment, and that EDB would review the school decisions during school visits. In this connection, the Committee asked why EPs did not state in the assessment report or assessment summary the recommended tier of support for students with SEN.

49. **Dr Verena LAU Wing-yin, Principal Education Officer (Special Education) of EDB**, replied at the public hearings that the assessment report or assessment summary were compiled according to the needs of each student with SEN and to facilitate the provision of the necessary support measures by teachers. Although EPs did not explicitly state the recommended tier of support a student with SEN needed in the report/summary, the recommendations made by EPs in the report/summary had reflected the tier of support a student with SEN needed.

50. In reply to the Committee's enquiry about the frequency of regular school visits conducted by EDB, **Principal Assistant Secretary (Special Education)** explained at the public hearings and **Secretary for Education** supplemented in his letter of 26 June 2018 (*Appendix 8*) that staff of the Special Education Division of EDB would conduct at least three regular school visits in a school year to advise schools on issues like the policies and measures on integrated education, teaching strategies, resources deployment and home-school cooperation. The number of school visits would increase as appropriate to ensure schools would provide appropriate support for students with SEN. For resources deployment, during the first visit at the beginning of the school term, EDB would understand the school year plan on the deployment of resources to support students with SEN. During the mid-year second school visit, EDB would follow up on the use of resources of schools. In the final school visit at the end of the school year, EDB would discuss the effectiveness on the use of resources with school personnel.

51. According to paragraph 3.15 of the Audit Report, in 2015-2016, of the 692 schools which had received the LSG allocation, 366 had surplus fund. Of the 366 schools, 122 (33%) had surplus fund of more than 10% of the annual allocation. Surplus fund exceeding 30% was required to be returned to EDB. The Committee sought the reasons for these schools to have a surplus of more than 30% and the measures taken/to be taken to further encourage schools to fully utilize the LSG fund allocated to them in each school year.

52. **Principal Assistant Secretary (Special Education)** explained at the public hearings and **Secretary for Education** supplemented in his letter of 26 June 2018 (*Appendix 8*) that:

- as at March 2018, there were 33 schools with LSG clawed back at the end of 2015-2016 (aided and caput schools)/2015-2016 financial year (government schools), and the amount of LSG clawed back was around \$1.4 million which was less than 1% of the total LSG expenditure of the respective school year;³
- individual schools having underspending leading to claw back were generally due to some unexpected circumstances, e.g. inviting bids took time or early resignation of staff, failing to hire the desirable professional services, the actual expenditure was lower than the estimated expenditure upon the completion of the bidding process, etc.; and
- EDB adopted various measures to alleviate the claw-back situation from schools which included providing schools with guidelines on the deployment of LSG and claw-back mechanism, conducting regular school visits to advise on the deployment of resources for supporting students with SEN, organizing experience sharing activities among schools, incorporating contents related to utilization of additional resources and evaluation of effectiveness, issuing reminders to individual schools concerned for making improvement should undesirable situation be detected, etc.

53. At the request of the Committee, **Secretary for Education** provided in his reply dated 26 June 2018 (*Appendix 8*) the number of schools with the LSG clawed back, the total amount and percentage of the grant clawed back relative to total LSG expenditure from 2013-2014 to 2015-2016.

54. According to paragraph 3.20 of the Audit Report, EDB encouraged schools implementing IRTP to switch to LSG as soon as possible. In addition to switching

³ According to EDB, the above figures for 2015-2016 (aided and caput schools)/2015-2016 financial year (government schools) were different from those in Table 7 of paragraph 3.15 of the Audit Report. The reason was that the LSG claw-back information that Audit obtained from the School Audit Section of EDB during the investigation denoted the position as at December 2017 whereas the above figures reported by EDB denoted the position as at March 2018.

direct from IRTP to LSG, EDB offered the Mixed Mode starting from 2003-2004 and the Migration Mode starting from 2009-2010. However, according to paragraph 3.21, by 2016-2017, there were still 242 schools participating in IRTP. Only 35 schools had switched from IRTP to LSG. Of the 242 schools, 140 had not even joined the Mixed Mode or the Migration Mode. In this connection, the Committee sought the reasons for the low response of schools in switching from IRTP to LSG, the details of the Migration Mode and the measures taken/to be taken to speed up their switch from IRTP to LSG.

55. **Secretary for Education** explained at the public hearings and supplemented in his letter of 26 June 2018 (*Appendix 8*) that:

- according to EDB's communications with schools and analyses, the schools in general acknowledged the benefits of using LSG. However, there had also been concerns over the stability of teaching force as the employment of the contract teachers by LSG should be reviewed every school year and there was a possibility of contract termination. While for schools under IRTP, there was relatively greater stability in the teaching force as they were provided with a regular teacher in the staff establishment;
- to encourage schools switching from IRTP to the full adoption of LSG, starting from 2003-2004, EDB had introduced the Mixed Mode under which schools could have one IRTP teacher and at the same time receive LSG capped at \$0.35 million. In view of the lukewarm response from schools, the Migration Mode was introduced in the 2009-2010, where schools could have one IRTP teacher and receive LSG with a ceiling raised to \$0.6 million during a grace period of six school years to fully adopting LSG; and
- in 2016-2017, 10 primary schools beginning their adoption of the Migration Mode in different school years (i.e. 2014-2015, 2015-2016 or 2016-2017) would fully adopt LSG in 2020-2021, 2021-2022 or 2022-2023. Two of these primary schools had informed EDB of their early full adoption of LSG, where one had begun the full adoption of LSG in 2017-2018 and the other would begin in 2018-2019.

56. The Committee noted from Table 9 in paragraph 3.22 of the Audit Report that there were 3 792 students with SEN in 140 IRTP schools but they were not the target students of IRTP. The Committee enquired about the resources provided to

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the relevant schools for these students. **Secretary for Education** replied in his letter of 26 June 2018 (*Appendix 8*) that EDB had been encouraging school to implement the Whole School Approach to integrated education holistically and flexibly deploy additional resources and manpower to render appropriate support to, apart from the target students of IRTP, other students with the SEN types stipulated in Table 9 in paragraph 3.22 of the Audit Report, regardless of whether they were the target students of IRTP.

57. According to paragraph 3.25 of the Audit Report, each public sector ordinary school was required to review the student progress and collect the comments and suggestions of parents on the school support for the students with SEN. Schools might gather and compare the students' overall performance and review the effectiveness of all support measures so as to formulate the support mode for the next year. The Committee noted with concern that according to paragraph 3.26 of the Audit Report, EDB's summary on the self-evaluation results of all public sector ordinary primary and secondary schools for the three years from 2014-2015 to 2016-2017 revealed that the majority of schools had rated their progress on catering for students with SEN as "satisfactory" or "highly satisfactory", but notable number of students with SEN had been rated as showing "no improvement". The Committee asked whether EDB would review the existing mechanism for analysing the school year-end self-evaluation with a view to better understanding the challenges and achievements of the support measures, in particular the performance of students with SEN.

58. **Principal Assistant Secretary (Special Education)** explained at the public hearings and **Secretary for Education** supplemented in his letter of 26 June 2018 (*Appendix 8*) that:

- the year-end self-evaluation form at school level was for schools' self-evaluation on integrated education. The first part was about schools' self-evaluation of their inclusive culture, inclusive policies and inclusive practices. In the second part, schools assessed the overall performance of students with SEN premised upon the data collected from the year-end evaluation forms for individual students in social adjustment, learning performance and learning attitude/motivation. This perception was often based on the school personnel's comparison between the progress of students with SEN and that of typically developing students, or between the performance of students with SEN and the progress indicators the school personnel had in mind;

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- students with SEN had different starting points in various learning domains. The pace of their progress would also vary according to their SEN and degree of difficulty. Even if individual students had made relatively good progress in comparison with themselves, their performance was not up to the level of the average students. Therefore, it might be hard to reflect the progress of individual students through a global evaluation of their performance;
- when a school implemented different support plans for students with SEN, the objectives would usually be more concrete and specific, and the evaluation items would also be more differentiated and focused so as to measure student performance and progress more accurately. Instead of solely relying on the year-end evaluation form on individual students to assess their performance and progress, schools would also refer to students' internal academic results, and pre-test and post-test data of school-based support programmes to obtain a more detailed understanding of the learning progress of students with SEN;
- EDB would review the existing mechanism for analysing the school year-end self-evaluation results to better understand the effectiveness of the support measures. EDB would also explore the possibility of enhancing the functions of SEMIS so as to systematically analyse the data provided by schools which would in turn provide useful references for professional staff of EDB to render focused advice and support to schools; and
- EDB would also review and update the "Operation Guide on the Whole School Approach to Integration Education" to provide more specific guidelines to help school personnel and relevant professionals (such as EPs) work out the required tier of support for students and record students' progress. EDB would continue to conduct sharing sessions and on-site consultation meetings to emphasize that schools should systematically collect students' specific performance or data before and after additional group training in order to objectively evaluate the effectiveness of Tier-2 support. Schools should also set the success criteria of different support domains for the individual education plans of students receiving Tier-3 support and examine the effectiveness of the plan regularly.

59. The Committee noted from paragraph 3.32 of the Audit Report that, in phases over a three-year period (2017-2018 to 2019-2020), EDB would provide each public sector ordinary primary school and secondary school with an additional teaching post to facilitate school's assignment of a designated teacher to take up the roles of SENCO to support integrated education. However, according to paragraph 3.37, as at January 2018, 56 (23%) of 244 SENCOs were still attending the required Basic, Advanced and Thematic ("BAT") Courses⁴ on supporting students with SEN. In this connection, the Committee enquired about the reasons for allowing these teachers to take up the SENCO posts before completing the required training and the measures to be taken to increase the number of teachers having completed the BAT Courses to stand ready to serve as SENCOs.

60. **Secretary for Education** explained at the public hearings and supplemented in his letter of 26 June 2018 (*Appendix 8*) that:

- the provision of SENCO in each public sector ordinary primary and secondary school the soonest possible was the demand and consensus of the education sector for years. As such, while allowing SENCOs to carry out their work to support integrated education at school, EDB requested them to complete the remaining courses within the first year of service, which was a flexible practice that could meet the sector's expectation;
- to help SENCOs discharge their roles effectively, EDB provided them with a two-year professional training course (the training course under the pilot project lasted for three years, but the contents and training hours were similar), focusing on leadership, planning and management, support strategies based on student-centred approach, etc. EDB also organized professional development activities for SENCOs to promote professional exchanges in order to enhance their professional competence; and
- EDB would continue to encourage schools to plan for the SEN-related training for SENCOs as appropriate.

⁴ In 2007-2008, EDB launched a teacher professional development framework on integrated education. Under the framework, BAT Courses are conducted for serving teachers and training targets are set for schools with a view to enhancing the capacity of their teachers in catering for students with SEN.

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61. At the Committee's request, **Secretary for Education** provided the responsibilities and duties of SENCO in his reply dated 26 June 2018 (*Appendix 8*).

62. According to paragraph 3.35 of the Audit Report, the number of students with SEN among schools varied. In 2016-2017, 469 (55.6%) of 844 schools each had fewer than 50 Tier-2 and Tier-3 students with SEN while 45 (5.3%) schools each had 100 or more such students. The Committee sought the measures taken/to be taken to address the large disparity in the ratio of SENCO to students with SEN among different schools.

63. **Secretary for Education** explained at the public hearings and supplemented in his letter of 26 June 2018 (*Appendix 8*) that:

- all stakeholders (including school staff, parents and students) should clearly understand that the support for students with SEN was not to be taken up solely by SENCO and all school staff were responsible for supporting students with SEN under the leadership of SENCO. EDB also requested the school principals to encourage all school staff to actively cooperate with SENCO and the student support team that he/she led in supporting students with SEN. In this regard, the number of students with SEN in school should not be used to reckon the workload of SENCO; and
- regarding the effectiveness of SENCO in schools with a great disparity in the number of students with SEN, EDB would examine the consultative evaluation report on the pilot project on SENCOs to be released at the end of 2018 to consider the arrangement of SENCO provision for implementing Whole School Approach to integrated education in schools with different number of students with SEN. EDB would continue to explore the possibility of adjusting the teaching load of SENCO and consult the views of the education sector.

64. In reply to the Committee's enquiry about the measures taken/to be taken to strengthen the training and knowledge of SENCOs on the needs of students with MI, **Principal Assistant Secretary (Special Education)** explained at the public hearings and **Secretary for Education** supplemented in his letter of 26 June 2018 (*Appendix 8*) that:

- supporting students' social, emotional and mental health was an important topic embedded in the training activities for SENCOs organized by EDB. Some related foundation theories, various tools with person-centred approach, reference materials and assignment designed for SENCO to practise what they learnt, were included in the training content for enhancing their understanding and skills in supporting students with MI;
- EDB had also arranged network activities "How to Support Students with Mental Illness in Schools" for exchange of professional views by invitation of professionals, schools and SENCOs with successful experience to explore the way to support students with MI through Whole School Approach;
- from 2017-2018 onwards, EDB conducted the "Professional Development Programme for Mental Health" for primary and secondary school teachers to raise their awareness of mental health and enhance their professional knowledge and capacity to identify and support students with mental health needs. The programme included elementary course for teachers at large and in-depth course for designated teachers; and
- in each school year, EDB also organized seminars, workshops, experience sharing sessions, etc., on supporting students with mental health needs for teachers and SENCOs to equip them with the knowledge and capacity to support students with mental health needs.

D. Teacher training and professional support

65. The Committee noted from paragraph 4.3 of the Audit Report that the contents of the BAT Courses on supporting students with SEN did not specifically cover the needs of students with MI, and EDB had separately conducted a professional development programme for mental health "Elementary and In-depth Courses on Mental Health Promotion at Schools and Support Students with Mental Health Needs" from 2017-2018⁵ to raise teachers' concerns on mental health. In this connection, the Committee asked whether consideration would be given to including the mental health programme in the Basic or Advanced Courses on catering for diverse learning needs with a view to strengthening serving teachers' knowledge on the needs of students with MI.

⁵ MI was added as a type of SEN in 2017-2018.

66. **Principal Assistant Secretary (Special Education)** explained at the public hearings and **Secretary for Education** supplemented in his letter of 26 June 2018 (*Appendix 8*) that some modules of the BAT Courses covered MI. The teachers who studied these courses could have more understanding of supporting students with mental health needs. The "Professional Development Programme for Mental Health" was mainly designed for the teachers who were tasked with the related responsibilities, such as teachers of Guidance Team, to enhance their professional knowledge and capacity to identify and support students with mental health needs. The BAT Courses and "Professional Development Programme for Mental Health" could create synergies so that schools could arrange their teachers to attend suitable training courses according to the needs of teacher development.

67. According to paragraph 4.5 of the Audit Report, based on the training position of schools as at end of 2016-2017, of the 844 public sector ordinary schools, 37 (4%), 83 (10%) and 47 (6%) did not meet the training targets of the Basic Course, the Advanced Course and the Thematic Courses respectively applicable for the second cycle from 2012-2013 to 2014-2015. Moreover, 219 (26%), 572 (68%) and 326 (39%) schools did not meet the training targets of the Basic Course, the Advanced Course and the Thematic Courses respectively set for the third cycle from 2015-2016 to 2019-2020. In this connection, the Committee sought the reasons for the schools not meeting the training targets of the BAT Courses and the measures to be taken to encourage schools to meet the BAT Courses training targets.

68. **Secretary for Education** explained at the public hearings and supplemented in his letter of 26 June 2018 (*Appendix 8*) that:

- schools were in general supportive for their teachers to receive continuous professional development on catering for students with SEN. However, some schools might not be able to meet the training targets due to reasons such as teachers in general engaging in teaching and other duties, and schools had difficulty in arranging teachers to attend full-time special education training courses, especially for the courses with longer duration;
- EDB hoped that each school would aggregate a critical mass of teachers with relevant training to guide their counterparts in school to implement integrated education through the Whole School Approach; and

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- EDB would inform public sector ordinary schools of their teacher training situation on an annual basis to facilitate their school-based planning and review through a notification letter. When necessary, EDB would render appropriate support and intervention measures, including scrutinizing the school-based teacher professional development plan with schools so as to help them make timely improvement and follow up.

69. The Chief Executive announced in the 2016 Policy Address that the Government would further enhance SBEPS by progressively improving the ratio of EP to school to 1:4 for public sector primary and secondary schools with a large number of students with SEN. However, according to paragraph 4.10(c) of the Audit Report, the limited supply of EPs posed difficulties in catering for the increase of schools to be served by the enhanced SBEPS. In this connection, the Committee enquired about:

- the number of EPs required if the enhanced SBEPS was extended to all public sector ordinary schools, i.e. the ratio of EP to schools was 1:4;
- the measures taken/to be taken to address the manpower shortage problem of EPs in order to achieve the ratio; and
- whether EDB had a timetable for extending the enhanced SBEPS to cover more schools.

70. **Secretary for Education** explained at the public hearings and supplemented in his letter of 26 June 2018 (*Appendix 8*) that:

- for full implementation of the enhanced SBEPS to all public sector primary and secondary schools at the EP to school ratio of 1:4, a total of 211 EPs were needed as projected from the number of schools in 2017-2018, i.e. 454 public sector primary schools and 389 public sector secondary schools. However, this figure had not included the manpower necessary for the monitoring of service quality, coordination and development of SBEPS and professional development of EPs, as well as the development of effective models and resources for supporting students with various SEN types. The actual number of EPs required would vary according to various factors, including the number of schools and the service model;

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- currently, The University of Hong Kong and The Hong Kong Polytechnic University each provided a two-year Master degree in educational psychology (professional practice) training course. EDB was liaising with the other local institutions to encourage them to offer degree programmes in educational psychology with a view to increasing the supply of EPs in Hong Kong;
- EDB had communicated with the University Grants Committee the expectation to increase the number of EP training places in the 2019-2020 to 2021-2022 triennium;
- EPs trained in overseas might also be qualified as local EPs subject to satisfying certain conditions; and
- expansion of the enhanced SBEPS would not only hinge on the supply of EPs but also to a large extent be affected by the great increase of demand for EPs by other service providers in implementing various programmes (such as the Pilot Scheme on On-site Pre-school Rehabilitation Services in kindergartens). In 2017-2018, the enhanced SBEPS had covered 80 primary and secondary schools as scheduled. EDB had planned to expand the enhanced SBEPS to about 120 primary and secondary schools in 2018-2019. A detailed timetable regarding the pace of expansion of the enhanced SBEPS in the years beyond 2018-2019 was not available. EDB would make consideration on the number according to the supply of EPs and the demand from other service organizations of EPs.

71. At the Committee's request, **Secretary for Education** provided in his reply dated 26 June 2018 (*Appendix 8*) the number of training places of the two local educational psychology (professional practice) training courses from 2013-2015 to 2018-2020 (two-year training programme).

72. The Committee further enquired about the factors in considering applications for the enhanced SBEPS.

73. **Secretary for Education** explained at the public hearings and supplemented in his letter of 26 June 2018 (*Appendix 8*) that:

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- in assessing schools' needs for the enhanced SBEPS, EDB would make reference to the number of students with SEN and the unique needs of schools, such as the ratio of students with SEN to the student population as well as the overall development needs of the schools; and
- since schools faced greater challenges in meeting the needs of students requiring Tier-3 support, EDB had paid extra attention to this factor when selecting the schools. Students with SEN requiring Tier-1 or Tier-2 support had been considered as a whole.

74. At the request of the Committee, **Secretary for Education** provided in his reply dated 26 June 2018 (*Appendix 8*) the distribution of the number of students with SEN and the number of students requiring Tier-3 support in the 80 schools which had successfully obtained the enhanced SBEPS at the time of selection.

75. According to paragraph 4.12 of the Audit Report, for schools receiving the regular SBEPS provided by EDB's EPs, in general, each school would have visit days from EPs ranging from 18 to 22 days per school year. For schools receiving the regular SBEPS provided by EPs of school sponsoring bodies ("SSBs"), each school would normally have not less than 14 visit days from EPs per school year. The Committee sought the reasons for the discrepancy and the actions to be taken to rationalize the service level of SBEPS provided by EDB and that by SSBs.

76. **Principal Assistant Secretary (Special Education)** explained at the public hearings and **Secretary for Education** supplemented in his letter of 26 June 2018 (*Appendix 8*) that SBEPS provided by EDB and SSBs were basically the same. The EP to school ratio was also calculated on the same basis. In 2016-2017, the number of EPs employed by SSBs ranged from 3 to 12. In comparison to SBEPS provided by EDB, SBEPS provided by SSBs was more easily affected by the temporary shortage of manpower. Since the effectiveness of the service rested with the collaboration between school personnel and EP, and as the development of the service was continuous, in order to ensure the stability of the service to individual schools and to avoid frequent change of service providers, SBEPS provided by SSBs had been set at a minimum of 14 days per school year for flexibility in arrangement of manpower where necessary. EDB would keep in view the service needs of schools as a whole and the supply of EPs, as well as the recommendations in the Audit Report, in reviewing and rationalizing the school visit day arrangements for SBEPS provided by EDB and SSBs. Revisions in the SBEPS Guide would be made as appropriate.

77. At the request of the Committee, **Secretary for Education** provided a breakdown of the expenditure on EPs from EDB and those from SSBs in 2016-2017 in his reply dated 26 June 2018 (*Appendix 8*).

78. With reference to paragraph 4.14 of the Audit Report, the Committee enquired about the reasons for schools not receiving the required number of visit days by EPs, and the monitoring measures taken/to be taken by EDB to follow up such cases.

79. **Secretary for Education** explained at the public hearings and supplemented in his letter of 26 June 2018 (*Appendix 8*) that:

- EPs took maternity leave or took leave due to sickness were the reasons for 25 schools which had received less than the required number of visit days by EPs;
- as one SSB was unable to fill the newly awarded EP posts, EDB provided service to some schools on an interim basis. The number of school visit days for nine schools met the general requirement for service provided by SSBs; and
- EDB would review the existing mechanism in monitoring EPs' school visit days. If the reduction of school visit days was unavoidable due to EPs taking leave of sickness or taking maternity/paternity leave, EDB would require the EPs to set the priority of work with the affected schools.

80. In reply to the Committee's enquiry about the criteria used by EDB for evaluating the service provided by EPs for schools under SBEPS, **Secretary for Education** explained in his reply dated 26 June 2018 (*Appendix 8*) that:

- since the effective implementation of SBEPS depended upon the collaboration and coordination between school personnel and EPs, the implementation of the service was different in different schools. It was not appropriate or feasible to use one set of criteria to evaluate the service effectiveness; and
- at present, EDB conducted an annual review through a questionnaire survey to schools and EPs at the end of each school year to gauge

feedback from different stakeholders. The content of the survey was mainly on the implementation and effectiveness of service at the three support levels, i.e. school system level, teacher support level and student support level. EDB also collected from EPs annual progress reports, in order to review the contents of work of EPs at different schools and the ratio of different nature of work. EDB also held meetings with SSBs each year to review service planning and coordination.

E. Conclusions and recommendations

Overall comments

81. The Committee:

- notes that:

- (a) there was a 37% increase in the number of students with special educational needs ("SEN")⁶ from 2012-2013 school year (hereinafter all years are school years unless otherwise stated) to 2016-2017 and there were about 42 890 students with SEN studying in 844 public sector ordinary schools in Hong Kong in 2016-2017, representing 7.8% of total number of students in the public sector ordinary schools;
- (b) the Administration is only providing dedicated support for students with SEN in public sector ordinary schools but not for those in non-public sector schools;⁷

⁶ Students with SEN refer to students who need special educational support because of learning or adjustment difficulties categorized as: (a) Specific Learning Difficulties; (b) Attention Deficit/Hyperactivity Disorder; (c) Autism Spectrum Disorders; (d) Speech and Language Impairment; (e) Intellectual Disability; (f) Hearing Impairment; (g) Physical Disability; (h) Visual Impairment; and (i) Mental Illness ("MI") (included as a type of SEN from 2017-2018 onwards). For students with more severe or multiple disabilities, EDB will, subject to the assessment and recommendations of specialists and the consent of the parents, refer them to special schools for intensive support services.

⁷ Some examples of non-public sector schools are private schools and Direct Subsidy Scheme schools.

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- (c) the Education Bureau ("EDB")'s expenditure on resources and professional services for integrated education increased by \$408.6 million (41%) from \$1,008.5 million in 2012-2013 to \$1,417.1 million in 2016-2017;
 - (d) EDB is reviewing the implementation of various measures under integrated education, including the Learning Support Grant ("LSG"),⁸ the Intensive Remedial Teaching Programme ("IRTP")⁹ and the School-based Educational Psychology Service ("SBEPS"), with a view to improving these measures when necessary and practicable; and
 - (e) mental illness ("MI") was not classified by EDB as a type of SEN until 2017-2018;
- emphasizes that:
- (a) appropriate assistance should be given at schools for children to suit their different abilities and educational needs so that they have equal learning opportunities to develop their potential to the full;¹⁰
 - (b) integrated education which has been adopted in Hong Kong for all public sector ordinary schools since 1999-2000 plays an important part in the development of children with SEN;
 - (c) EDB, as the government department responsible for implementing integrated education, assumes a vital role to support and facilitate

⁸ LSG was launched in 2003-2004. It is a recurrent cash grant calculated according to the number of students with SEN enrolled at a school and their required level of support.

⁹ Since 1983, educational provision for children of low academic achievement has been provided through a range of intensive remedial services, including Resource Class in primary schools which was renamed as IRTP in 2000. Under IRTP, primary schools are provided with additional teachers in the establishment and a class grant for each additional teacher. The target students counted for provision are Academic Low Achievers, students with intellectual disability and students with specific learning difficulties.

¹⁰ In accordance with the Disability Discrimination Ordinance (Cap. 487) and the Code of Practice on Education issued by the Equal Opportunities Commission, all educational establishments have the obligation to provide equal education opportunities to eligible students, including students with SEN, and it would be unlawful for any educational establishment to discriminate against a student with a disability (e.g. student with physical disability or SEN) by denying or limiting that student's access to any benefit, service or facility provided by the educational establishment or by subjecting that student to any other detriment.

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schools in the provision of an accommodating learning environment for students with SEN; and

- (d) whilst schools should be given some flexibility to use the resources provided for them to cater for students with SEN, EDB should also ensure that schools are using the resources in a systematic and effective manner for the benefits of students with SEN;
- expresses concern that the inadequacies identified by the Audit Commission ("Audit") in the Director of Audit's Report ("Audit Report"), such as lift installation in schools, the implementation of LSG and the provision of SBEPS, have reflected that more resources are required for the effective implementation of integrated education;
- urges the Administration to:
 - (a) allocate more resources to enable EDB to improve and expand the coverage of existing measures under integrated education, including LSG and SBEPS, at a faster pace, given the significant increase in the number of students with SEN in the past few years;
 - (b) enhance the identification mechanism for students with SEN to differentiate the needs of different types of SEN and ensure that resources are channeled to those students with SEN as needed;
 - (c) further enhance the support to students who are diagnosed with MI with reference to the fact that there were more suspected cases of students committing suicide in recent years; and
 - (d) consider allocating dedicated resources to non-public sector schools to cater for students with SEN;
- cautions that EDB should be mindful of and minimize any possible adverse labeling effect associated with students with SEN;

Processing of lift installation applications from aided schools

- expresses concern about the long time taken by EDB in processing the lift installation applications from aided schools. While EDB aims to install lifts in public sector schools to create a barrier-free physical

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environment for students with disabilities, as at 28 February 2018, 68 lift installation applications received under the annual major repairs exercise had not yet been approved and 30 (44%) of them were received before 2012-2013 financial year;

- notes the Administration's announcement in February 2018 that it would make an additional provision of \$2 billion to expedite installation of lifts for public sector schools as needed to build barrier-free campuses;
- urges EDB to:
 - (a) take measures to expedite the installation of lifts for public sector schools and monitor closely the progress with a view to meeting the target of completing all the school lift installation works by 2026-2027 financial year as envisaged by EDB; and
 - (b) liaise with schools to ensure the proper maintenance and safety of lifts installed in their premises;

Implementation of the Learning Support Grant and performance management

- expresses serious concern about the inadequacies in the implementation of LSG and performance management as evidenced by the following:
 - (a) the revisions of LSG ceiling since 2015-2016 based on the change in the Composite Consumer Price Index had not catered for the significant increase in the number of students with SEN and Academic Low Achievers ("ALAs")¹¹ for some schools and 56 schools had reached LSG ceiling in 2016-2017;
 - (b) in 2015-2016, of the 692 schools which had received LSG allocation, 366 did not fully utilize the fund;
 - (c) EDB encourages schools under IRTP to switch to LSG but the response was far from satisfactory. In 2009-2010, there were 277 schools participating in IRTP. By 2016-2017, there were

¹¹ ALAs in primary schools refer to those students who are backward by two or more years in academic attainment in at least two of the three key learning areas (i.e. Chinese, English and Mathematics) as assessed by teachers using the measurement kit developed by EDB.

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still 242 schools participating in IRTP. Only 35 schools (out of 277 schools) had switched from IRTP to LSG; and

- (d) according to EDB's summary on the self-evaluation results of all public sector ordinary primary and secondary schools for three years from 2014-2015 to 2016-2017, while the majority of schools had rated their progress on catering for students with SEN as "satisfactory" or "highly satisfactory", notable number of students with SEN had been rated by their schools as showing "no improvement";
- urges EDB to:
 - (a) review the rates of grant for each tier of support as well as the ceiling for LSG periodically taking into account the changes in the number of students with SEN and ALAs and also consider the necessity and justifications for retaining a ceiling for LSG;
 - (b) take measures to further encourage schools to fully utilize LSG allocated to them in every school year;
 - (c) identify the underlying reasons for the 242 schools which have not switched from IRTP to LSG and consider, in consultation with the schools and other relevant stakeholders, whether a new scheme which combines the strengths of both LSG and IRTP should be introduced. Since according to the Administration, schools operating IRTP showed concern about the stability of the teaching force in school, consideration could also be given to designating part of LSG for the employment of one additional teacher for supporting students with SEN if these schools have a certain number of, say, over 50, students with SEN;
 - (d) review the existing mechanism for analysing the school year-end self-evaluation with a view to better understanding the challenges and achievement of the support measures and the performance of students with SEN; and
 - (e) consider developing education programmes/guidelines or curriculums with more realistic and achievable targets of improvement to suit individual students with SEN so as to capture accurately the progress made by these students during the school year;

Provision of the School-based Educational Psychology Service

- expresses serious concern about the inadequacies in the provision of SBEPS as evidenced by the following:
 - (a) in 2016-2017, of the 844 public sector ordinary schools, 42 (5%) received fewer Educational Psychologist ("EP") visit days than required; and
 - (b) in 2016-2017, only 80 (21%) of the 381 schools applied for the enhanced SBEPS¹² succeeded in their applications. The remaining 764 (91%) of the 844 schools were not provided with the enhanced SBEPS. Among these 764 schools, 74 (about 10%) schools each had more than 80 students with SEN;
- notes that:
 - (a) the limited supply of EPs in Hong Kong poses difficulties in catering for the increase of schools to be served by the enhanced SBEPS;
 - (b) EPs trained in overseas may also be qualified as local EPs subject to satisfying certain conditions; and
 - (c) EDB has liaised with the local tertiary institutions to increase the EP training places in order to increase the supply; and
- urges EDB to:
 - (a) step up measures to ensure that schools receive the required number of visit days by EPs;
 - (b) expedite the liaison with the local tertiary institutions to increase the supply of EPs to cater for the long-term manpower needs and formulate a plan to extend the enhanced SBEPS to all schools as soon as practicable; and

¹² The Chief Executive announced in the 2016 Policy Address that the Government would further enhance SBEPS by progressively improving the ratio of EP to school to 1:4 for schools with a large number of students with SEN. From 2016-2017 onwards, EDB had provided the enhanced SBEPS to schools with a large number of students with SEN by phases.

- (c) strengthen the communication and collaboration among EPs, teachers, parents of students with SEN and, when appropriate, school social workers with a view to enhancing their joint efforts in providing the best support for students with SEN.

Specific comments

82. The Committee:

Identification and admission of students with special educational needs

- expresses serious concern that:
 - (a) of the 6 131 students assessed by school-based EPs for the first time and diagnosed as students with SEN or ALAs in 2016-2017, 992 (16.2%), 726 (11.8%) and 232 (3.8%) were only diagnosed in Primary Three to Primary Six, Secondary One to Secondary Three and Secondary Four to Secondary Six respectively. More efforts need to be made to ensure that students with SEN are identified at the earliest opportunities so that timely support could be provided to them;
 - (b) although the number and percentage of parents of SEN students who refused to give consent to the primary schools for transferring their children's information to the recipient secondary schools had decreased from 925 (25%) in 2013-2014 to 775 (17%) in 2017-2018, there were still a notable number of parents (e.g. 775 cases representing 17% of the total number of Primary Six students with SEN in 2017-2018) who declined to give consent;
 - (c) while EDB recorded in the Special Education Management Information System ("SEMIS") the dates of referrals of cases from schools to school-based EPs for assessments and the dates of assessments, the system did not record the dates on which post-assessment meetings were held and the assessment summaries and the assessment reports were issued. Hence, SEMIS was not able to facilitate EDB's monitoring of the timeliness of issuing assessment summaries and reports; and

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- (d) while the profiles of primary schools and secondary schools published by the Committee on Home-School Co-operation each year are important sources of information about the schools, schools only disclosed limited information on support for students with SEN in the profiles. There is a need for schools to release more school information on support for students with SEN to facilitate their parents in selecting schools;
- urges EDB to:
 - (a) explore the feasibility of adopting an "opt-out mechanism" to facilitate the giving of consents by parents for transfer of the information of their children with SEN between primary schools and secondary schools and during transfer of schools; and
 - (b) make enhancements to SEMIS to facilitate the monitoring and follow-up on the students with SEN by EDB, schools and EPs by inputting additional information, such as the dates on which the post-assessment meetings were held and the assessment summaries and the assessment reports prepared by EPs were issued as well as uploading the relevant medical and assessment summaries/reports onto SEMIS;
- notes that Secretary for Education has agreed with Audit's recommendations in paragraphs 2.14 and 2.21 of the Audit Report;

Additional resources provided to public sector ordinary schools

- expresses serious concern that:
 - (a) the amount of LSG per year provided to each school is calculated annually based on the number of ALAs (applicable to primary schools only) and students with SEN enrolled at the school and the tier of support the students require. The tier of support a student with SEN needed was determined by the school concerned based on the student's support needs and taking into account EP's assessment. EDB did not spell out clearly in its Operation Guide on the Whole School Approach to Integrated Education the criteria that schools could make reference to when determining the tier of support of students with SEN;

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- (b) in the four-year period from 2013-2014 to 2016-2017, the number of Tier-2 and Tier-3 students with SEN (i.e. those in need of more learning support) and ALAs had increased by 29% from 37 188 in 2013-2014 to 47 937 in 2016-2017. The number of schools reaching LSG ceiling had increased by 13-fold from four in 2013-2014 to 56 in 2016-2017. However, the revisions since 2015-2016 of the ceiling had only catered for change in price level but not the significant increase in the number of students with SEN and ALAs;
- (c) while it was stipulated by EDB that schools should fully utilize LSG fund allocated in every school year, in 2015-2016, of the 692 schools which had received LSG allocation, 366 had surplus fund. Of the 366 schools, 122 (33%) had surplus fund of more than 10% of the annual LSG allocation;
- (d) under IRTP, the number of additional teacher posts granted to schools is based on the number of ALAs, students with intellectual disability and students with specific learning difficulties. An analysis of the profiles of students with SEN of the 140 IRTP schools in 2016-2017 revealed that these schools had a total number of 3 792 Tier-2 and Tier-3 students with SEN other than intellectual disability and specific learning difficulties. These students were not the target students of IRTP. Resources provided to IRTP schools might not be adequate if they had many such students;
- (e) in 2016-2017, 469 (55.6%) of the 844 public sector ordinary schools each had fewer than 50 Tier-2 and Tier-3 students with SEN while 45 (5.3%) each had 100 or more such students. As the number of students with SEN is not evenly distributed among schools, Special Educational Needs Coordinators ("SENCOs") at different schools would have very different workloads. There is a need to take measures to address the large disparity in the ratio of SENCO to students with SEN among different schools; and
- (f) as at January 2018, 56 (23%) of the 244 SENCOs had not completed the required Basic, Advanced and Thematic ("BAT")

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Courses¹³ on supporting students with SEN. In 2019-2020, all public sector ordinary primary schools and secondary schools will each have a SENCO. There is a need to take measures to increase the number of teachers having completed BAT Courses to stand ready to serve as SENCOs;

- urges EDB to:
 - (a) consider requiring EPs to provide recommendations on the required tier of support for students with SEN in their assessment reports to facilitate schools' determination of the tier of support their students with SEN require. Should the above recommendation be implemented, the schools concerned should also be required to provide explanation if they do not adopt the support levels recommended by the EPs concerned; and
 - (b) consider allocating more resources to improve the provision of SENCO for schools with a relatively higher number of students with SEN;
- notes that Secretary for Education has agreed with Audit's recommendations in paragraphs 3.16 and 3.41 of the Audit Report;

Teacher training and professional support

- expresses concern that:
 - (a) based on the training position of schools as at end of 2016-2017, of the 844 public sector ordinary schools, 37 (4%), 83 (10%) and 47 (6%) did not meet the training targets of the Basic Course, the Advanced Course and the Thematic Courses respectively applicable for the second cycle from 2012-2013 to 2014-2015. Moreover, 219 (26%), 572 (68%) and 326 (39%) schools did not meet the training targets of the Basic Course, the Advanced Course and the Thematic Courses respectively set for the third cycle from 2015-2016 to 2019-2020;

¹³ In 2007-2008, EDB launched a teacher professional development framework on integrated education. Under the framework, BAT Courses are conducted for serving teachers and training targets are set for schools with a view to enhancing the capacity of their teachers in catering for students with SEN.

- (b) based on the training position of schools as at end of 2016-2017, of the 844 public sector ordinary schools, 11 schools did not meet any of the training targets for BAT Courses applicable for the second and the third cycles;
 - (c) the contents of the BAT Courses on supporting students with SEN did not specifically cover the needs of students with MI. EDB had separately conducted a professional development programme for mental health "Elementary and In-depth Courses on Mental Health Promotion at Schools and Support Students with Mental Health Needs" from 2017-2018¹⁴ to raise teachers' concerns on mental health;
 - (d) while each school receiving the regular SBEPS provided by EDB's EPs in general will have visit days from EPs ranging from 18 to 22 days per school year, each school receiving the regular SBEPS provided by EPs of the school sponsoring bodies will normally have not less than 14 visit days from EPs per school year. There is a need to rationalize the service level of SBEPS provided by EDB and school sponsoring bodies; and
 - (e) school sponsoring bodies or their base schools were not required to submit supporting documents to validate the qualifications of EP supervisors. In addition, EDB had not set up a robust mechanism to monitor the service provided by EP supervisors;
- urges EDB to:
- (a) understand the difficulties faced by those schools which could not meet the BAT Courses training targets and implement measures to assist schools to address such difficulties; and
 - (b) consider including the "Elementary and In-depth Courses on Mental Health Promotion at Schools and Support Students with Mental Health Needs" in the Basic or Advanced Courses on catering for diverse learning needs with a view to strengthening serving teachers' knowledge on the needs of students with MI; and
- notes that Secretary for Education has agreed with Audit's recommendations in paragraphs 4.6 and 4.18 of the Audit Report.

¹⁴ MI was added as a type of SEN in 2017-2018.

Follow-up action

83. The Committee wishes to be kept informed of the progress made in implementing the various recommendations made by the Committee and Audit and the results of the reviews undertaken by EDB on integrated education.

Government's efforts in managing excavation works on public roads

The Audit Commission ("Audit") conducted a review of the Government's efforts in managing excavation works on public roads.

2. According to the Transport Advisory Committee's Report of December 2014, road works were a major cause of road traffic congestion. Under the policy directives of the Development Bureau, the Highways Department ("HyD") coordinates and controls road openings through the issue of excavation permits ("XPs") to the works proponents. HyD issued a total of 21 822 XPs in 2016 and collected XP fees of \$180 million in 2016-2017. In December 2017, HyD deployed 113 staff on controlling road excavation works which formed part of its district and maintenance works programme involving 1 011 staff and expenditure of \$1,433.4 million in 2016-2017.

3. The Committee noted the following findings from the Director of Audit's Report:

- the number of XPs with extension increased by 78% from 727 in 2010 to 1 293 in 2016, and the average extension period also increased by 90% from 48 days to 91 days during the period. Of the 1 061 XPs issued in 2016 which were granted extensions, 517 XPs (49%) were related to government departments. Of the three cases with the longest extension, the Water Supplies Department and the Housing Department were involved in these projects with extension ranged from 446 days to 502 days;
- according to Environment, Transport and Works Bureau Technical Circular (Works) No. 17/2004 entitled "Impossibility/Unforeseen Ground Conditions/Utility Interference", project officers should arrange to carry out all necessary site investigations and satisfied themselves that sufficient ground information had been made available prior to commencement and during the detailed design. However, obstruction by existing underground utilities and difficult underground conditions were common grounds for the extension of XP period;
- while HyD required XP applicants to draw up coordinated works plans with other excavation works promoters so as to reduce repeated openings on the same road section, it had not compiled statistics to evaluate the effectiveness of such measures;

Government's efforts in managing excavation works on public roads

- for excavation works at the same location which had not been grouped together, HyD did not require justifications from applicants which had included a time break of three months or more in their works schedules instead of adopting a common trench approach. In these cases, the concerned excavation works were only deferred and there was no reduction in the number of road openings;
- Audit's examination of XPs issued in 2016 revealed that the overall coverage of the Audit Inspection Team of HyD on active permit sites¹ up to December 2017 only reached 43%;
- Audit examined the records of the Excavation Permit Management System² and discovered that:
 - (a) as of November 2017, 4 093 (46%) of 8 909 proposed works plans requiring case coordination plans had remained uncoordinated for over two years;
 - (b) the number of Completion Notices³ ("CNs") rejected by HyD increased from 5 294 in 2011 to 6 191 in 2017;
 - (c) as at December 2017, 2 581 (38%) of the 6 779 rejected CNs pending rectification of the reinstatement works had remained outstanding for over two years;
 - (d) of the 2 019 CN cases under processing as at the end of December 2017, CN inspections and acceptance in respect of 1 297 (64%) cases were overdue by one month on average (five months for the longest overdue case); and

¹ An Audit Inspection Team was established under HyD to inspect XP sites for monitoring compliance with XP conditions.

² HyD implemented a web-based Excavation Permit Management System in 2009 to administer and control road excavation works electronically, and the two Regional Offices (i.e. Urban and New Territories) of HyD are responsible for processing and issuing XPs by the System.

³ When an XP expires or upon receipt of a CN, a CN inspection will be arranged within seven working days to confirm works completion and acceptance of road reinstatement. If the reinstatement does not comply with the relevant requirements/specifications, HyD will reject the permanent reinstatement and request the permittee to rectify the problem.

- (e) as of December 2017, 3 618 site photographs and 2 441 test reports⁴ had not been submitted to HyD, of which 483 (13%) photographs and 771 (32%) test reports had been outstanding for over three years. Of 15 626 site photographs and 7 486 test reports submitted, 4 842 (31%) photographs and 2 523 (34%) test reports had not been reviewed by the Regional Offices of HyD for over three years;
- the number of serious and repeated non-compliance cases being referred to the Enforcement Team ("ET") of HyD increased from 902 in 2013 to 1 446 in 2017;
 - Audit sample checked 10 cases that the Audit Inspection Team referred to ET from 2015 to November 2017, among which five cases were referred through advisory letters three to six days after the inspections conducted by the Audit Inspection Team, and there was a time gap of six to eight days between the inspections of two teams. In this regard, ET could not obtain sufficient evidence of the suspected breaches of section 10T of the Land (Miscellaneous Provisions) Ordinance (Cap. 28) for taking prosecution actions;
 - as of December 2017, there were 18 major utility undertakings ("UUs") installing their utility services beneath public roads. With the continual development and installation of the underground utility facilities, the underground space would be increasingly occupied and utilized, resulting in congestion of underground facilities beneath public roads in some districts. However, there was no standard mechanism to manage space occupation by UUs underneath public roads;
 - according to the land licence condition, for utility installation, detailed alignment and disposition of the system in, on, over, along, across and under any public road or within any future road reserve shall be to the satisfaction of Director of Highways. Audit discovered that:

⁴ Permittees are required to submit site photographs and test reports for HyD to determine whether the standard of their reinstatement works is up to its satisfaction.

Government's efforts in managing excavation works on public roads

- (a) UUs were not required to obtain HyD's consent for their underground utility installations;
 - (b) there was no documented standard on checking of the detailed alignment and disposition of the system;
 - (c) HyD did not require XP applicants to ascertain and confirm whether the related alignment and disposition of the proposed installations would be in conflict with other existing/proposed installations; and
 - (d) the Administration did not maintain as-built records on utility installations beneath public roads/unleased government land;
- while HyD's consultancy study of 2002 confirmed the technical viability of using common utility enclosures ("CUEs")⁵ in new town developments and recommended some pilot schemes in the Kai Tak Development, only two trial CUEs in Yau Ma Tei and Chung Hom Kok were implemented in 2006, and HyD had not consulted the relevant UUs on the selection of locations before constructing the trial CUEs. Up to January 2018, the utilization of the trial CUEs was low and there was no evaluation of the trial results;
 - HyD kept the planning of the proposed trial in the Kai Tak Development in abeyance until August 2009 when the Civil Engineering and Development Department sought HyD's view of putting some pilot CUE facilities to trial in the Kai Tak Development. Subsequently, HyD decided in 2011 not to construct trial CUEs in the Kai Tak Development because of limited benefit; and
 - the possible use of CUEs was revived in August 2017 to support the smart city planning and development in Hong Kong and HyD planned to conduct another consultancy study in 2018 on adopting CUEs in new development areas.

⁵ The different ways of housing underground utility services within single structures are collectively referred to as CUEs. HyD appointed a consultant in March 2002 to conduct a study on the feasibility of implementing CUEs in Hong Kong with an objective of reducing road openings by UUs.

4. The Committee did not hold any public hearing on this subject. Instead, it asked for written responses regarding the measures to improve the management and monitoring of road excavation works; measures to enhance the control of underground utility installation and space occupation; and the implementation of CUEs. The consolidated replies from **Secretary for Development, Director of Highways** and **Director of Lands** are in *Appendix 10*.

5. The Committee wishes to be kept informed of the progress made in implementing the various recommendations made by Audit.

The Audit Commission ("Audit") conducted a review of the Department of Health ("DH")'s smoking control efforts.

2. With a view to implementing the Government's smoking control efforts, the Tobacco Control Office ("TCO") was set up by DH in 2001 to (a) act as a principal enforcement agency under the Smoking (Public Health) Ordinance (Cap. 371) ("SPHO"); (b) assist venue managers of statutory no smoking areas ("NSAs")¹ to ensure public compliance with SPHO; (c) promote a smoke-free culture and enhance public compliance with SPHO through publicity and health education; (d) coordinate smoking cessation services of DH; and (e) assist the Food and Health Bureau in reviewing smoking control legislation. DH also provides funding to the Hong Kong Council on Smoking and Health ("COSH") which conducts publicity campaigns to encourage smokers to quit smoking, and garners public support for establishing a smoke-free Hong Kong. DH also subvents six non-governmental organizations and a university to deliver smoking cessation services and smoking prevention programmes.

3. In 2016-2017, TCO's expenditure on smoking control amounted to \$101.3 million while DH's subventions to COSH, the six non-governmental organizations and the university amounted to \$83.2 million.

4. The Committee noted the following findings from the Director of Audit's Report:

- of the 18 354 complaint cases received by TCO in 2017, the interim reply dates of 7 003 (38%) cases, the first inspection dates of 7 542 (41%) cases, the inspection results of 8 334 (45%) cases, and the final reply dates of 6 401 (35%) cases had not been recorded in the Master Case Log;²
- the number of inspections conducted by Tobacco Control Inspectors ("TCIs") on complaints and at locations requiring enhanced inspections ("LREIs")³ was left to the individual judgment of TCIs and thus varied

¹ Statutory NSAs include indoor workplaces and public places (e.g. restaurants and bars), some outdoor public places (e.g. public transport facilities) and public transport carriers.

² The Master Case Log is a computerized record system to record details of complaint cases, including interim reply dates, inspection dates, inspection results and final reply dates.

³ TCO maintains a list of venues that have been subjects of frequent smoking complaints and therefore would require more inspections (i.e. LREIs).

considerably. For example, of the 353 LREIs inspected by TCIs in August 2017, one inspection had been conducted at each of the 109 LREIs while five inspections had been conducted at each of the 26 LREIs;

- of the 8 066 inspections conducted by TCO in August to October 2017, "overnight" inspections had the highest percentage (30%) of detecting smoking offences but accounted for only 1.6% of all the inspections conducted;
- as at 31 December 2017, for the fixed penalty notices ("FPNs")⁴ issued in 2013 to 2017, the unsettlement rate of FPNs of non-local offenders visiting Hong Kong (21.5%) was much higher than that of local offenders (1.3%), and the unsettlement rate of FPNs of local offenders rose from 0.4% in 2013 to 3.2% in 2017;
- in 20 (39%) of the 51 supervisory checks⁵ conducted from November 2016 to October 2017, the enforcement teams could not be found at the inspection venues. No supervisory checks were conducted before 9:30 am or after 7:30 pm while the enforcement teams were required to conduct inspections round the clock;
- Audit randomly checked the display of no-smoking signs at enclosed public places, outdoor escalators, public pleasure grounds and public transport facilities in the Eastern District, the Sham Shui Po District and the Kwai Tsing District and discovered that at some NSAs, no-smoking signs were either not displayed or displayed without showing the fixed penalty for violation and the complaint hotlines of TCO or the relevant department, the Leisure and Cultural Services Department ("LCSD") in these cases;
- Audit analysed FPNs issued by the Food and Environmental Hygiene Department ("FEHD"), LCSD and the Housing Department in 2013 to 2017 and found that the number of FPNs issued by FEHD and LCSD

⁴ Under the Fixed Penalty (Smoking Offences) Ordinance (Cap. 600), when witnessing a person smoking or carrying a lighted cigarette, cigar or pipe at a statutory NSA, a TCI can issue an FPN to the offender, demanding a fixed penalty of \$1,500.

⁵ Executive Officers of TCO would conduct supervisory checks to discover any inconsistencies and irregularities of the enforcement teams.

was significantly lower than that of TCO and the Housing Department.⁶ In 2017, FEHD issued 52 FPNs at statutory NSAs under its management, LCSD issued 54 FPNs at statutory NSAs under its management, while TCO issued 517 FPNs and 495 FPNs at statutory NSAs under the management of FEHD and LCSD respectively;

- the number of referrals by the Smoking Cessation Hotline to the primary care out-patient clinic located in Ngau Tau Kok⁷ had decreased by 98% from 619 in 2009 to 13 in 2017, and the number of new cases of the primary care out-patient clinic in Ngau Tau Kok had decreased by 98% from 354 in 2009 to 6 in 2017;
- in 2013-2014 to 2017-2018 (up to January 2018), the overall attendance rates of some meetings of the Community Liaison Committee, the Education and Publicity Committee, the Information and Research Committee and the Legislation Committee of COSH were below 70%. The attendance rates of some committee members were below 50%, one member even did not attend any meetings in 2016-2017; and
- notwithstanding that Director of Administration had issued a Circular Memorandum in March 2003 to promulgate a set of guidelines for the control and monitoring of remuneration practices in subvented bodies by the Government, COSH did not publish the number, rank and remuneration packages of its staff at the top three tiers on its website.

5. The Committee did not hold any public hearing on this subject. Instead, it asked for written responses regarding the measures to improve the performance of TCO; the enforcement work of TCO, FEHD and LCSD; and the operation of COSH. The replies from **Secretary for Food and Health, Director of Health, Director of Leisure and Cultural Services and Executive Director, Hong Kong Council on Smoking and Health** are in *Appendices 11 to 14* respectively.

⁶ Under the Fixed Penalty (Smoking Offences) Ordinance, in addition to TCIs, authorized officers of FEHD, LCSD, the Housing Department as well as police officers are also empowered to issue FPNs at statutory NSAs under these government departments' management.

⁷ DH operates the Smoking Cessation Hotline to provide professional counselling and information on smoking cessation. Members of the public calling the Hotline might be referred to the primary care out-patient clinic in Ngau Tau Kok for smoking cessation services where appropriate.

6. The Committee wishes to be kept informed of the progress made in implementing the various recommendations made by Audit.

OGCIO's programmes and projects in promoting the wider use of IT in the community

The Audit Commission ("Audit") conducted a review of the programmes and projects of the Office of the Government Chief Information Officer ("OGCIO") in promoting the wider use of information technology ("IT") in the community.

2. OGCIO's work in promoting the wider use of IT in the community contributes to building a digitally inclusive society. Digital inclusion enables all members of the community to have an equal opportunity to benefit from information and communications technology ("ICT") developments. In 2016-2017, the total expenditure for the initiatives of OGCIO to promote the wider use of IT in the community was \$117.6 million, comprising \$98.7 million for the programme area "IT in the Community" and \$18.9 million for the provision of free public Wi-Fi services funded by the Capital Works Reserve Fund.

3. The Committee noted the following findings from the Director of Audit's Report:

- the annual take-up rate (i.e. the percentage of eligible families served) of the Internet Learning Support Programme ("ILSP")¹ for the school years from 2011-2012 to 2016-2017 ranged only from 4% to 14%. The take-up rate of the ILSP services for the six-year period was 18%;
- up to December 2017, 17 mobile applications ("mobile apps") with a total funding of \$6 million had been developed and launched under the Funding Scheme for Digital Inclusion Mobile Apps.² Eight of the 12 digital inclusion mobile apps funded in the first and second rounds failed to achieve the download targets within the first 12 months after the launch of the mobile apps;
- all government mobile apps developed on or after 1 December 2014 should be made accessible for all users and conform to all the baseline accessibility criteria, e.g. providing text resize function and sufficient colour contrast. As at October 2017, one (4%) of the 23 mobile apps

¹ In May 2010, the Finance Committee of the Legislative Council approved a funding of \$220 million for the implementation of ILSP. ILSP is aimed at helping students from low-income families acquire computer equipment and Internet access services at affordable prices, and providing them and their parents with user and social support to enable their effective use of the subsidy and proper use of the associated educational opportunity.

² Since 2012, OGCIO had launched three rounds of Funding Scheme for Digital Inclusion Mobile Apps to provide funding support for non-profit-making social service organizations to develop mobile apps that cater for the needs of underprivileged groups for free use.

OGCIO's programmes and projects in promoting the wider use of IT in the community

developed on or after 1 December 2014 and 58 (65%) of the 89 mobile apps developed before 1 December 2014 did not conform to the baseline accessibility criteria;

- in 2017, of the 3 087 Government Wi-Fi ("GovWiFi") hotspots³ checked by OGCIO, the download speed of 1 171 (38%) hotspots was lower than the pledged speed of three Megabits per second, and no Wi-Fi connection could be established at 10 (0.3%) hotspots. For 196 (32%) of the 616 GovWiFi venues, the average daily number of users from 2014 to 2017 was less than 15;
- according to the results of the sample service checks conducted by OGCIO, the percentage of Wi-Fi.HK⁴ venues where Wi-Fi connections could not be established increased from 5% (9 of 165 venues checked) in 2015 to 13% (37 of 284 venues checked) in 2017. The Government pledged to expand the number of Wi-Fi.HK hotspots from 17 000 to 34 000 by 2019, yet the number of Wi-Fi.HK hotspots had only increased by 3 339 (from 17 000 to 20 339) as at 31 December 2017. Up to 28 February 2018, only 19 private organizations had joined the Wi-Fi.HK brand since May 2016;
- under the public-private collaboration pilot project,⁵ free Wi-Fi services had been launched at only 12 (6%) of the 185 venues by the deadline (i.e. 19 December 2017). Three of the four service providers had not commenced the Wi-Fi services at some or all of the allocated venues;
- in 2012, the disposal of three dedicated sites at Tseung Kwan O Town for high-tier data centres⁶ was approved. However, up to January 2018, two of the sites were not yet available for sale. Separately,

³ The Finance Committee of the Legislative Council approved \$217.6 million in 2007 and a supplementary provision of \$68 million in 2011 for the provision of GovWiFi services from December 2007 to December 2017. Under the GovWiFi services, free public Wi-Fi services were provided in selected government premises.

⁴ Wi-Fi.HK is launched in August 2014 through collaboration of the Government with a number of public and private organizations for providing free Wi-Fi services in Hong Kong.

⁵ On 20 December 2016, the Government entered into licence agreements with four service providers to provide Wi-Fi services for a service period of five years at 185 government venues across 18 districts in Hong Kong with high patronage.

⁶ A data centre is a facility for housing computer systems and associated components. Data centres are classified into four tiers according to serviceability levels and building requirements. Tier 3 and Tier 4 data centres are also known as high-tier data centres.

OGCIO's programmes and projects in promoting the wider use of IT in the community

from 25 June 2012 to 31 December 2017, the Lands Department only received four applications for lease modification of industrial lots to be used for high-tier data centres;

- up to 31 December 2017, only 47 (66%) of the 71 government bureaux/departments and eight public and private organizations released their data to the Public Sector Information ("PSI") portal;⁷ and
- an assessor and a member of the judging panel of an award category of the Hong Kong ICT Awards⁸ from 2013 to 2017 were members of the project team of the organization for providing the secretariat service. Audit also discovered that an award winner of the Hong Kong ICT Awards 2016 did not meet the entry requirement and was eventually disqualified by OGCIO.

4. The Committee did not hold any public hearing on this subject. Instead, it asked for written responses regarding the implementation of ILSP, the Funding Scheme for Digital Inclusion Mobile Apps, PSI portal and the Hong Kong ICT Awards; the promotion of accessible design in websites and mobile apps; the progress of the provision of free public Wi-Fi services; and the development of data centres and the strategies and work programmes on promoting the wider use of IT in the community. The consolidated replies from **Secretary for Innovation and Technology** and **Government Chief Information Officer** are in *Appendix 15*.

5. The Committee wishes to be kept informed of the progress made in implementing the various recommendations made by Audit.

⁷ PSI refers to the variety of information collected, produced and possessed by the Government and public bodies as part of their day-to-day operations. OGCIO launched the government PSI portal in 2011 and revamped the portal in March 2015 to make available PSI in digital format for commercial or non-commercial use free of charge.

⁸ The Hong Kong ICT Awards Programme is steered by OGCIO and organized by ICT industry associations and professional bodies to (a) recognize and promote outstanding ICT inventions and applications; and (b) build a locally espoused and internationally acclaimed brand of ICT awards.

Home Affairs Bureau's funding schemes and programmes for youth exchange and internship

The Audit Commission ("Audit") conducted a review to examine the provision of youth exchange and internship activities by the Home Affairs Bureau ("HAB").

2. Hon Steven HO Chun-yin declared that he was Deputy Chairman of the Federation of New Territories Youth, and the Federation might have applied for sponsorship under the youth exchange and internship programmes run by HAB. Hon SHIU Ka-fai declared that he was a member of the Liberal Party and the Liberal Party Youth Committee had applied for sponsorship under the Funding Scheme for Youth Exchange in the Mainland ("YEFS").

3. HAB runs four funding schemes for youth exchange and internship ((a) YEFS; (b) Funding Scheme for Youth Internship in the Mainland ("YIFS"); (c) Funding Scheme for Exchange in Belt and Road Countries; and (d) Funding Scheme for International Youth Exchange ("IYEFS")) and three programmes of youth exchange ((a) International Youth Exchange Programme ("IYEP"); (b) Summer Exchange Programme ("SEP"); and (c) Guangdong-Hongkong-Macao Youth Cultural Exchange Programme ("CEP")). To implement the above funding schemes and programmes, HAB works closely with two non-statutory bodies established under its purview, namely the Commission on Youth ("CoY") and the Committee on the Promotion of Civic Education ("CPCE"). From 2012-2013 to 2016-2017, the number of projects, the number of participants, and the expenditure of exchange and internship activities had increased by 162% (from 137 in 2012-2013 to 359 in 2016-2017), 161% (from 8 774 in 2012-2013 to 22 893 in 2016-2017) and 384% (from \$26.4 million in 2012-2013 to \$127.7 million in 2016-2017) respectively.

4. The Committee noted the following findings from the Director of Audit's Report:

- of the 60 projects (for the period April 2012 to December 2017) examined by Audit, Audit found that:
 - (a) no assessment interviews had been conducted for YEFS and IYEFS projects. In one case in 2016-2017, YEFS sponsorship was granted to an organization whose tours had many places not taken up in 2014-2015 (i.e. 158 (35%) of 450 places) and 2015-2016 (i.e. 337 (75%) of 450 places) and which had delayed

the submission of financial reports and activity reports of the projects¹ in 2015-2016;

- (b) complementary activities² expenses varied widely, accounting for 0% to 61% of the total sponsorship for a project. In 2017-2018, HAB imposed a sponsorship limit on the overall complementary activities of YIFS projects (i.e. 25% of the total sponsorship for a project or \$200,000, whichever was lower), while no limit had been set for projects under YEFS, Funding Scheme for Exchange in Belt and Road Countries and IYEFS;
 - (c) the guidelines laid down by HAB on application for and use of sponsorships (hereinafter collectively known as "funding guidelines") did not specify the circumstances for granting half-day sponsorship to cover transportation, hence causing inconsistency in the application of the daily sponsorship rate in two of the 60 projects; and
 - (d) in 2015-2016, a YIFS project was approved a sponsorship of \$1.4 million, which exceeded the sponsorship limit for a single project (i.e. \$700,000 in 2015-2016) in accordance with the funding guidelines;
- the funding guidelines had not set a requirement on the minimum actual number of participants for YEFS projects before 2018-2019. In 2015-2016, there was a YEFS project with only one participant against an intended number of 28;
 - in 22 (40%) of the 55 completed projects examined by Audit, there was delay in submission of activity reports/financial reports ranging from 10 days to 36 months, averaging 8.9 months;
 - Audit examined 30 projects cancelled in 2012-2013 to 2016-2017 and found that the main reasons for cancellation were low enrolment rate

¹ HAB has laid down guidelines on application for and use of sponsorship funding guidelines. According to these guidelines, organizations are required to submit activity reports and financial reports to HAB within three months after the completion of projects.

² These activities take place outside the destinations of exchange/internship and include those such as pre-trip team building and training activities, post-trip debriefing and learning reflection sessions, publicity, and the conduct of audit on the financial report of the project. Expenses for such activities are reimbursed on an actual basis, subject to the sponsorship limits of individual expenditure items/activities stipulated in the funding guidelines.

and inability to organize the tour within the approved time frame. In 12 (40%) of the 30 projects, the organizations informed HAB of the cancellation of projects after the scheduled tour departure dates;

- in 2012-2013 to 2016-2017, of the three exchange programmes, IYEP and SEP were 243% and 124% oversubscribed respectively. However, 7% (23 places) of the programme capacity of IYEP and 12% (22 places) of that of SEP had not been utilized. For projects under CEP, the number of nominations received and recruited had decreased by 43% from 42 in 2012-2013 to 24 in 2016-2017. In 2016-2017, 42% of the budgeted number of CEP places had not been utilized;
- for the 35 exchange projects organized under the programmes of youth exchange in 2012-2013 to 2016-2017, manpower support of projects ranged widely from 1:3 (i.e. one official delegate attending to three youth delegates) to 1:25 (i.e. one official delegate attending to 25 youth delegates);
- for the IYEP projects conducted in 2012-2013 to 2016-2017, only 103 (33.4%) of the 308 youth delegates reported that they had honoured their post-trip voluntary service commitment;³
- from 2012-2013 to 2016-2017, HAB conducted 29 procurement exercises for outsourcing the logistic services which were required for the implementation of IYEP, SEP and CEP, but the overall response rate was only 9.4%. During the same period, 14 (87.5%) of the 16 quotations received for IYEP were submitted by a non-governmental organization, and this non-governmental organization was the sole contractor providing services for IYEP over the five-year period. The proportion of service charges in contractor fees for IYEP projects had increased from 24.7% in 2012-2013 to 38.7% in 2016-2017;
- from 2014-2015 to 2016-2017, some members of CoY, CPCE and the working groups/sub-committees under these two organizations to administer the funding schemes did not attend any meetings, and the proportion of members who did not attend any meetings was as high as 17% for CoY's Working Group on Youth Exchange and Internship in the Mainland in 2014-2015;

³ Before 2017-2018, delegates of IYEP projects were required to perform at least 50 hours of post-trip voluntary services within one year upon returning from the overseas visit.

Home Affairs Bureau's funding schemes and programmes for youth exchange and internship

- one CoY member had submitted an incomplete first-tier declaration⁴ form, and two CPCE members had not submitted the first-tier declaration forms in 2017-2018. Audit also examined the second-tier declaration forms submitted by 20 members of CoY/CPCE for the years 2014-2015 to 2017-2018 and discovered that in 21 cases (involving three members), the decisions on members' declared interests had not been documented in the minutes of meetings; and
- HAB's provision of youth exchange and internship activities had been mainly focused on projects in the Mainland. From 2012-2013 and 2015-2016, only 24 (3.3%) of the 726 projects of youth exchange and internship projects were conducted in other countries. In 2012-2013 to 2016-2017, there were no projects which provided international internship places.

5. The Committee did not hold any public hearing on this subject. Instead, it asked for written responses regarding the management of funding schemes for youth exchange and internship; and the measures to improve the implementation of youth exchange programmes as well as the governance of CoY and CPCE. The replies from **Secretary for Home Affairs** are in *Appendix 16*.

6. The Committee wishes to be kept informed of the progress made in implementing the various recommendations made by Audit.

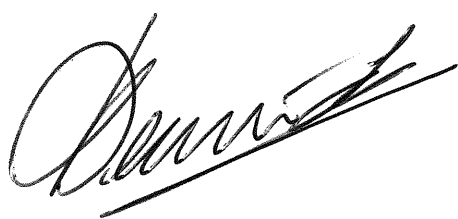
⁴ CoY and CPCE have adopted a two-tier system for their members to declare personal interests.

The Committee held two public hearings on 29 May and 11 June 2018 respectively to receive evidence on this subject. In view of the complexity of issues raised in the Director of Audit's Report, the Committee has decided to hold another hearing in July 2018 and defer a full report on this subject in order to allow itself more time to collect evidences and consider the issues.

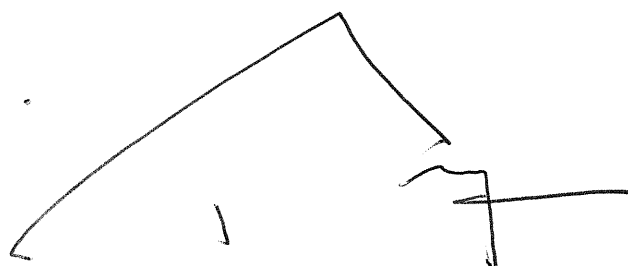
**SIGNATURES OF THE CHAIRMAN,
DEPUTY CHAIRMAN AND MEMBERS OF THE COMMITTEE**



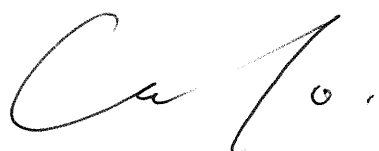
Abraham SHEK Lai-him
(Chairman)



Kenneth LEUNG
(Deputy Chairman)



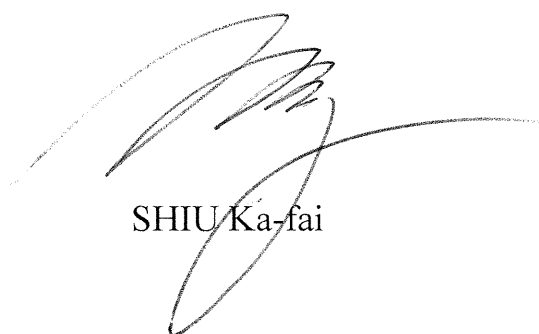
Paul TSE Wai-chun



Steven HO Chun-yin



LAM Cheuk-ting



SHIU Ka-fai



Tanya CHAN

22 June 2018

**CHAPTERS IN THE DIRECTOR OF AUDIT'S REPORT NO. 70
DEALT WITH IN THE PUBLIC ACCOUNTS COMMITTEE'S REPORT**

**Director of
Audit's Report
No. 70**

**P.A.C.
Report No. 70**

<u>Chapter</u>	<u>Subject</u>	<u>Chapter</u>
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**RULES OF PROCEDURE OF
THE LEGISLATIVE COUNCIL OF
THE HONG KONG SPECIAL ADMINISTRATIVE REGION**

72. Public Accounts Committee

(1) There shall be a standing committee, to be called the Public Accounts Committee, to consider reports of the Director of Audit –

- (a) on the accounts of the Government;
- (b) on such other accounts required to be laid before the Council as the committee may think fit; and
- (c) on any matter incidental to the performance of his duties or the exercise of his powers as the committee may think fit.

(2) The committee shall also consider any report of the Director of Audit laid on the Table of the Council which deals with examinations (value for money audit) carried out by the Director relating to the economy, efficiency and effectiveness of any Government department or public body or any organization to which his functions as Director of Audit extend by virtue of any Ordinance or which receives public moneys by way of subvention.

(3) The committee shall consist of a chairman, deputy chairman and 5 members who shall be Members appointed by the President in accordance with an election procedure determined by the House Committee. *(L.N. 214 of 2005)*

(3A) The chairman and 2 other members shall constitute a quorum of the committee. *(L.N. 214 of 2005)*

(3B) In the event of the temporary absence of the chairman and deputy chairman, the committee may elect a chairman to act during such absence. *(L.N. 214 of 2005)*

(3C) All matters before the committee shall be decided by a majority of the members voting. Neither the chairman nor any other member presiding shall vote, unless the votes of the other members are equally divided, in which case he shall give a casting vote. *(L.N. 214 of 2005)*

(4) A report mentioned in subrules (1) and (2) shall be deemed to have been referred by the Council to the committee when it is laid on the Table of the Council.

(5) Unless the chairman otherwise orders, members of the press and of the public shall be admitted as spectators at meetings of the committee attended by any person invited by the committee under subrule (8).

(6) The committee shall meet at the time and the place determined by the chairman. Written notice of every meeting shall be given to the members and to any person invited to attend a meeting at least 5 clear days before the day of the meeting but shorter notice may be given in any case where the chairman so directs.

(7) *(Repealed L.N. 214 of 2005)*

(8) The chairman or the committee may invite any public officer, or, in the case of a report on the accounts of or relating to a non-government body or organization, any member or employee of that body or organization, to give information or any explanation or to produce any records or documents which the committee may require in the performance of its duties; and the committee may also invite any other person to assist the committee in relation to any such information, explanation, records or documents.

(9) The committee shall make their report upon the report of the Director of Audit on the accounts of the Government within 3 months (or such longer period as may be determined under section 12 of the Audit Ordinance (Cap. 122)) of the date on which the Director's report is laid on the Table of the Council.

(10) The committee shall make their report upon the report of the Director of Audit mentioned in subrule (2) within 3 months (or such longer period as may be determined by the Council) of the date on which the Director's report is laid on the Table of the Council.

(11) Subject to these Rules of Procedure, the practice and procedure of the committee shall be determined by the committee.

**Paper presented to the Provisional Legislative Council
by the Chairman of the Public Accounts Committee
at the meeting on 11 February 1998 on
Scope of Government Audit in the
Hong Kong Special Administrative Region -
'Value for Money Audits'**

SCOPE OF WORK

1. The Director of Audit may carry out examinations into the economy, efficiency and effectiveness with which any bureau, department, agency, other public body, public office, or audited organisation has discharged its functions.
2. The term "audited organisation" shall include -
 - (i) any person, body corporate or other body whose accounts the Director of Audit is empowered under any Ordinance to audit;
 - (ii) any organisation which receives more than half its income from public moneys (this should not preclude the Director from carrying out similar examinations in any organisation which receives less than half its income from public moneys by virtue of an agreement made as a condition of subvention); and
 - (iii) any organisation the accounts and records of which the Director is authorised in writing by the Chief Executive to audit in the public interest under section 15 of the Audit Ordinance (Cap. 122).
3. This definition of scope of work shall not be construed as entitling the Director of Audit to question the merits of the policy objectives of any bureau, department, agency, other public body, public office, or audited organisation in respect of which an examination is being carried out or, subject to the following Guidelines, the methods by which such policy objectives have been sought, but he may question the economy, efficiency and effectiveness of the means used to achieve them.

GUIDELINES

4. The Director of Audit should have great freedom in presenting his reports to the Legislative Council. He may draw attention to any circumstance which comes to his knowledge in the course of audit, and point out its financial implications. Subject to these Guidelines, he will not comment on policy decisions of the Executive Council and the Legislative Council, save from the point of view of their effect on the public purse.

5. In the event that the Director of Audit, during the course of carrying out an examination into the implementation of policy objectives, reasonably believes that at the time policy objectives were set and decisions made there may have been a lack of sufficient, relevant and reliable financial and other data available upon which to set such policy objectives or to make such decisions, and that critical underlying assumptions may not have been made explicit, he may carry out an investigation as to whether that belief is well founded. If it appears to be so, he should bring the matter to the attention of the Legislative Council with a view to further inquiry by the Public Accounts Committee. As such an investigation may involve consideration of the methods by which policy objectives have been sought, the Director should, in his report to the Legislative Council on the matter in question, not make any judgement on the issue, but rather present facts upon which the Public Accounts Committee may make inquiry.

6. The Director of Audit may also -

- (i) consider as to whether policy objectives have been determined, and policy decisions taken, with appropriate authority;
- (ii) consider whether there are satisfactory arrangements for considering alternative options in the implementation of policy, including the identification, selection and evaluation of such options;
- (iii) consider as to whether established policy aims and objectives have been clearly set out; whether subsequent decisions on the implementation of policy are consistent with the approved aims and objectives, and have been taken with proper authority at the appropriate level; and whether the resultant instructions to staff accord with the approved policy aims and decisions and are clearly understood by those concerned;

- (iv) consider as to whether there is conflict or potential conflict between different policy aims or objectives, or between the means chosen to implement them;
- (v) consider how far, and how effectively, policy aims and objectives have been translated into operational targets and measures of performance and whether the costs of alternative levels of service and other relevant factors have been considered, and are reviewed as costs change; and
- (vi) be entitled to exercise the powers given to him under section 9 of the Audit Ordinance (Cap. 122).

PROCEDURES

7. The Director of Audit shall report his findings on value for money audits in the Legislative Council twice each year. The first report shall be submitted to the President of the Legislative Council within seven months of the end of the financial year, or such longer period as the Chief Executive may determine. Within one month, or such longer period as the President may determine, copies shall be laid before the Legislative Council. The second report shall be submitted to the President of the Legislative Council by the 7th of April each year, or such date as the Chief Executive may determine. By the 30th April, or such date as the President may determine, copies shall be laid before the Legislative Council.

8. The Director's report shall be referred to the Public Accounts Committee for consideration when it is laid on the table of the Legislative Council. The Public Accounts Committee shall follow the rules governing the procedures of the Legislative Council in considering the Director's reports.

9. A Government minute commenting on the action Government proposes to take in respect of the Public Accounts Committee's report shall be laid on the table of the Legislative Council within three months of the laying of the report of the Committee to which it relates.

10. In this paper, reference to the Legislative Council shall, during the existence of the Provisional Legislative Council, be construed as the Provisional Legislative Council.

**Witnesses who appeared before the Committee
(in order of appearance)**

Mr Kevin YEUNG Yun-hung	Secretary for Education
Mrs Ingrid YEUNG HO Poi-yan	Permanent Secretary for Education
Mrs Michelle WONG YAU Wai-ching	Deputy Secretary for Education (3)
Mr Godwin LAI Kam-tong	Principal Assistant Secretary (Special Education) Education Bureau
Dr Verena LAU Wing-yin	Principal Education Officer (Special Education) Education Bureau
Miss Louise HUI Wu-on	Senior Specialist (Speech Therapy) Education Bureau
Mr Martin MUI Kin-bong	Senior Specialist (Special Education Support 4) Education Bureau

香港特別行政區政府
商務及經濟發展局
工商及旅遊科

香港添馬添美道二號
政府總部西翼二十三樓



COMMERCE, INDUSTRY AND TOURISM BRANCH
**COMMERCE AND ECONOMIC
DEVELOPMENT BUREAU**
GOVERNMENT OF THE HONG KONG
SPECIAL ADMINISTRATIVE REGION

23/F, WEST WING
CENTRAL GOVERNMENT OFFICES
2 TIM MEI AVENUE
TAMAR, HONG KONG

本函檔號 Our Ref: CITB CR 05/43/2/1
來函檔號 Your Ref: CB4/PAC/R70

電話號碼 Tel: 2810 2969
傳真號碼 Fax: 2869 4420

6 June 2018

Mr Anthony CHU
Clerk, Public Accounts Committee
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Mr CHU,

Public Accounts Committee
Consideration of Chapter 2 of the Director of Audit's Report No. 70
Consumer protection against unfair trade practices, unsafe goods,
and short weights and measures

Thank you for your letters dated 21 May to the Secretary for Commerce and Economic Development, the Commissioner of Customs and Excise, and the Director-General of Communications on the captioned subject.

The Administration's replies to the questions attached to your letters are at the **Annex**. The Consumer Council will provide its replies to you direct.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Jacko Tsang".
(Jacko Tsang)

for Secretary for Commerce and Economic Development

Encl

c.c. Commissioner of Customs and Excise (Attn: Ms Teresa FU)
Director-General of Communications (Attn: Ms Elaine HUI)
Chief Executive, Consumer Council (Attn: Mr Simon CHUI)

**The Administration's Replies to
Letter from the LegCo Secretariat on 21 May 2018 regarding
Chapter 2 of the Audit Report No. 70
Consumer protection against unfair trade practices, unsafe goods,
and short weights and measures**

Part 2: Enforcement Work Against Unfair Trade Practices

Question 1 and Question 10

It is stated in paragraph 2.4(c) that the Office of the Communications Authority ("OFCA") would review its enforcement strategies and practices with a view to further enhancing the enforcement of the Trade Descriptions Ordinance (Cap. 362) ("TDO"). In this regard, please advise on the progress and results of the review. Does the Administration consider it necessary to introduce further amendments to TDO with a view to effectively combating misconduct relating to the trading of services and goods?

The Administration's Reply

Paragraphs 2.6 and 2.7 of the Audit Report state that, in relation to the Office of the Communications Authority ("OFCA")'s enforcement of the amended Trade Descriptions Ordinance ("TDO"), the prosecution rate for services is low. The Audit Commission ("Audit") considers that there is a need to ascertain the major contributing factors of the low prosecution rate for services in order to enhance the effectiveness of the TDO. Paragraph 2.15 of the Audit Report recommends that the Commissioner of Customs and Excise and the Director-General of Communications ("DG Com") should, in consultation with the Secretary for Commerce and Economic Development, conduct a comprehensive review on the enforcement issues of the amended TDO, taking into account the findings of the Audit Report.

As mentioned in paragraph 2.4 of the Audit Report, OFCA has already conducted reviews of the enforcement of the amended TDO in 2015 and 2016, and found that as compared with offences relating to goods, it was more difficult to collect sufficient evidence against misconduct and prove an offence relating to services under the criminal regime of the TDO. That said, as stated in paragraph 2.4(c) of the Audit Report, OFCA would continue its enforcement

efforts and review its enforcement strategies and practices with a view to further enhancing the enforcement of the TDO. To this end, OFCA has commenced a review. The objective is to identify ways to further enhance the effectiveness of TDO enforcement work with the benefit of the findings in the reviews conducted in 2015 and 2016 and the enforcement experience gained in the past two years. OFCA expects that the review will be completed in the fourth quarter of this year. In addition, taking into consideration the need to obtain complainants' full co-operation in criminal investigation under the TDO, OFCA is exploring various means and channels to strengthen consumer education, in order to improve consumers' understanding of the scope of the TDO and the importance of their assistance to OFCA after lodging a complaint.

Question 4

According to paragraph 2.7(a), the Customs and Excise Department ("C&ED") said that "there were a number of factors affecting the prosecution rate other than insufficient evidence, such as complainants' withdrawal of their complaints or refusal to assist in investigations". Please provide:

- (a) factors other than complainants' withdrawal of their complaints or refusal to assist in investigations which affect the prosecution rate;**
- (b) types of reasons for complainants' withdrawal of their complaints or refusal to assist in investigations and the number of such cases concerned (e.g. the number of cases in which complainants withdrew their complaints as a result of the settlement reached between complainants and traders); and**
- (c) information on whether there are any specific patterns regarding the reasons for complainants' withdrawal of their complaints or refusal to assist in investigations (e.g. whether the time taken for investigation or the amount of money involved in a complaint will affect a complainant's decision to withdraw his/her complaint).**

The Administration's Reply

Compared with complaints on sale of goods, the investigations into and evidence-gathering concerning complaints on sale of services are more complex due to the absence of physical goods. Nevertheless, the Customs and Excise

Department (“C&ED”) has been proactive in handling complaints and taking appropriate enforcement actions in the light of the facts and evidence of individual cases.

(a) In considering whether a prosecution will be instituted against a trader by the C&ED, the main factor is whether there is sufficient evidence to prove that the trade practices of the trader concerned have contravened the TDO.

As revealed from details of investigations, the major factors affecting the prosecution rate include (1) complainants’ withdrawal of their complaints or refusal to assist in investigations; (2) insufficient evidence to establish the contravention of the TDO upon investigations or after seeking legal advice. In a few cases, the factors involved are as follows:

(i) The complaints fall outside the purview of the TDO. In case of breaches of other laws, the C&ED would refer the cases to the relevant law enforcement agencies or departments for follow-up.

(ii) The incidents involved in the complaints had taken place before the Trade Descriptions (Unfair Trade Practices) (Amendment) Ordinance 2012 came into effect on 19 July 2013.

(b) For the 2 960 completed investigations on sale of services, the following cases involved withdrawal of complaints upon settlement between complainants and traders, or complainants’ refusal to assist in investigations:

Category	Number of completed investigations (as a percentage of the 2960 completed investigations)
(1) Complainants withdrew the complaints	
(a) Settlement reached between complainants and traders (including refund or compensation measures by traders, e.g. extension of contracts)	818 (28%)
(b) Complainants did not reveal the reason of withdrawal	821 (28%)

Sub-total	1 639	(56%)
(2) Complainants refused to assist in investigations (e.g. unwilling to give statement, attend identification parade or testify in court)	577	(19%)

(c) According to the C&ED's observations, the major reasons for complainants' withdrawal of complaints are:

- (i) Receipt of refunds or other forms of compensation; and
- (ii) Unwillingness to give statement, attend identification parade or testify in court.

There is no direct correlation between complainants' withdrawal of complaints and the time of investigation or the amount of money involved.

Question 5

According to paragraph 2.7, C&ED's change in its filing practice in 2014 resulted in a decrease in the number of detailed investigation cases from May 2016 to December 2017. Assuming that the filing practice has remained unchanged, what will be the enforcement situation of TDO by C&ED (including the number of complaints received, the number of case files opened and the prosecution rate, etc.)? What mechanism is put in place upon the implementation of the new filing practice to ensure that frontline officers will open case files according to guidelines so as to avoid some legitimate complaints not being handled?

The Administration's Reply

The C&ED's change in filing practice in 2014 focused on the criteria for opening "detailed investigation cases" so as to standardise the arrangements for case opening and classification among different formations. According to the new practice, the C&ED will open an "investigation file" and commence investigation for a "pursuable complaint". During the course of investigation, if there is reasonable suspicion that a trader has committed an offence under the TDO, enforcement actions such as arrests and seizures of exhibits will be taken, while a separate "case file" (i.e. the "detailed investigation cases" mentioned by Audit)

will be opened timely under departmental guidelines for the continued collection of evidence and prosecution¹. This practice enables the C&ED to have a more accurate picture on the number of complaints reasonably suspected to involve contravention of the TDO that require enforcement actions to be taken, and follow-up actions such as prosecutions to be instituted.

The above-mentioned practice aims at providing a clearer classification of the filing of complaints. It does not affect the C&ED's handling of complaint cases and its enforcement work, and will not result in reasonable complaints being left unhandled.

Upon implementing the new filing practice, the C&ED has been actively handling each complaint case as before, and conducting follow-up investigations based on the facts and evidence of each case. Meanwhile, investigation officers handle the cases and monitor the investigation progress according to established mechanisms and guidelines, thus ensuring that reasonable complaints are properly handled.

Question 6

According to paragraph 2.23(b), while the investigations into the particular complaints had been completed, the Intellectual Property Investigation Bureau ("IPIB") of C&ED continued to conduct decoy operations or surveillance to keep monitoring the subject traders. As a result, the files were not closed immediately. Please advise on:

- (a) the number of cases during the period of audit review in which decoy operations or other surveillance were conducted continuously, and the criteria for conducting such operations; and**
- (b) apart from investigations involving copyright and trademarks, whether there are similar arrangements for conducting investigations of cases involving other areas; if so, of the details; if not, the reasons for the inconsistency in the handling of investigations of cases involving other areas and those involving copyright and trademarks.**

¹ Prior to the change of filing practice, the Trade Descriptions Investigation Bureau opened a "case file" when a complaint was assessed as pursuable.

The Administration's Reply

(a) During the period of audit review, Audit conducted a sample check on 50 investigation files which were closed after the prescribed timeline. The C&ED's information showed that the C&ED did not close the investigation files right after the investigation into the particular complaints had been completed as it continued to conduct decoy or other surveillance operations in 45 cases. The main reason was that the investigators had reasons to suspect that the traders concerned might be involved in unfair trade practices in the light of the facts and evidence of individual cases. Even though the complainants had withdrawn their complaints, refused to assist in investigations, or were not reachable by investigators, the C&ED continued their surveillance or decoy operations proactively to ascertain if the traders concerned were involved in unfair trade practices. When there was sufficient evidence, the C&ED would take appropriate enforcement actions to protect consumers' rights.

(b) Apart from investigations of unfair trade practices conducted by the Intellectual Property Investigation Bureau, the C&ED also conducts decoy or other surveillance operations in the investigations in other areas when necessary including after the completion of some investigation work. For instance, the C&ED carries out decoy operations in the enforcement of the Consumer Goods Safety Ordinance, the Toys and Children's Products Safety Ordinance and the Weights and Measures Ordinance to investigate contraventions against the relevant legislation.

Question 7

According to paragraph 2.37(a), C&ED said that it would "step up supervisory checks of investigation progress and fieldwork subject to the availability of manpower resources". What are the respective numbers of investigators and supervisors in IPIB and their ratios out of the total number of officers in IPIB over the past three years? How will IPIB implement and address the Audit Commission ("Audit")'s recommendation in paragraph 2.36(a) in the event of unavailability of manpower resources?

The Administration's Reply

The C&ED attaches great importance to the monitoring of investigation progress and fieldwork. Supervisors concerned check the investigation progress from

time to time and record the information in “Daily Report” and “Records of Outdoor Work”. The numbers of investigators and supervisors in the Unfair Trade Practice Investigation Group of the Intellectual Property Investigation Bureau and their ratios out of the total number of officers in the Group for the past three years (2015 to 2017) are as follows:

Unfair Trade Practice Investigation Group of the Intellectual Property Investigation Bureau						
	2015		2016		2017	
	Number	Ratio	Number	Ratio	Number	Ratio
Investigators (Rank and File)	44	80%	62	83%	62	83%
Supervisors (Inspectorate and above)	11	20%	13	17%	13	17%
Total Number	55	100%	75	100%	75	100%

The C&ED agrees to Audit’s recommendations, and the Intellectual Property Investigation Bureau will step up supervisory check on the investigation progress and fieldwork through flexible deployment of internal resources based on actual circumstances. At the same time, in accordance with Audit’s recommendation, the C&ED will conduct a comprehensive review of the enforcement of the TDO, which includes the review of manpower and resources, so as to ensure effective implementation of Audit’s recommendation in paragraph 2.36(a).

Question 11

According to paragraph 2.14, Audit analysis of 12 413 pieces of unfair trade practice information shared by CC with C&ED via the computer system interface revealed that around 10% of the cases might be under the jurisdiction of the Communications Authority. Will OFCA establish a mechanism/platform for periodic sharing of cases and information with CC? If yes, what is the estimated earliest time of completion? If no, what are the reasons for not doing so?

The Administration’s Reply

Paragraph 2.14 of the Audit Report states that at present, OFCA has not participated in the electronic platform established between the Consumer Council (“CC”) and the C&ED for information exchange and case referral. Paragraph

2.17 of the Audit Report recommends the CC and DG Com to review the need for (a) periodic sharing of unfair trade practice information relating to telecommunications and broadcasting services; and (b) computer system enhancements to facilitate case referral and information exchange.

With regard to Audit's recommendations, OFCA has touched base with the CC and preliminarily agreed to set up a mechanism for periodic sharing of unfair trade practice information relating to telecommunications and broadcasting services, and will discuss further on the implementation details later. For referral of complaints to OFCA by the CC, there is already an established mechanism in place to refer cases in writing. In view of Audit's recommendation, OFCA and the CC will review whether there is any room to improve the existing case referral mechanism. OFCA will meet with the CC in June to discuss the above matters in detail.

Part 3: Enforcement Work Against Unsafe Goods, and Short Weights and Measures

Question 8

Based on the situation mentioned in paragraph 3.10, does C&ED recognize the need to gather up-to-date intelligence about companies/products to enhance the efficiency of spot checks on shops conducted under the Consumer Goods Safety Ordinance (Cap. 456) and the Toys and Children's Products Safety Ordinance (Cap. 424)? If yes, what measures will be undertaken by C&ED and when will such measures be implemented to improve the situation? If no, what are the reasons for that?

The Administration's Reply

The C&ED agrees to Audit's recommendation and has formulated new guidelines to enhance the efficiency of spot checks on shops. According to the new guidelines, frontline officers have to update the information on the Company/Product List within three working days if target shops are found to be closed or vacated during spot checks. In addition, the C&ED has also formulated guidelines on spot checks in the quarterly work plans, giving clear instructions to frontline officers that if they fail to test buy the target goods because they are sold out or there are insufficient stock at a specified shop, they can test buy other goods of the same category at that shop or test buy the target goods at nearby shops instead, so as to enhance the efficiency of spot checks.

Question 9

According to paragraph 3.11, the number of spot checks on online sales was much lower than that of spot checks on retail shops. Please advise whether C&ED will set a yearly quota or percentage of spot checks for online sales, having regard to the growing popularity of online sale transactions.

The Administration's Reply

The types of toys, children's products and consumer goods on the market change rapidly and so do their modes of sale. The C&ED agrees with Audit's relevant recommendation and will proactively increase the number of spot checks on online sale by adopting a risk-based management approach, so as to address the growing popularity of online sale transactions. As the modes of sale on the market continue to evolve, in order to ensure the effective use of resources and maintain flexibility, the C&ED considers it not suitable to set a fixed quota or percentage of spot checks for individual mode of sale. The C&ED will closely monitor and study different behaviours and modes of sale, shopping habits of the public and trends of goods, and will adopt the most effective approach of spot checks to enhance the detection of unsafe products supplied in various ways.

Part 4: Other Consumer Protection Measures

Question 2 and Question 12

According to paragraph 4.28, OFCA said that the availability of various measures to address issues of billing disputes had resulted in a decrease in the number of the complaints received by OFCA and the cases eligible for referral to the Customer Complaint Settlement Scheme ("CCSC"). Apart from exploring ways to promote the usage of CCSC and reviewing the target level of the two performance indicators, as stated in the response in paragraph 4.31, will the Administration consider reviewing and adjusting the current funding provision for CCSC in order to optimize the use of public money?

The Administration's Reply

The Customer Complaint Settlement Scheme ("CCSS") helps resolve billing disputes in deadlock between customers and their telecommunications operators by means of mediation. The CCSS was set up by the Communications Association of Hong Kong to provide the service. All major telecommunications service providers in Hong Kong have participated in the CCSS. OFCA supports the CCSS by contributing the necessary funding, screening applications against the acceptance criteria, and monitoring the performance and governance of the scheme.

OFCA has been exploring measures with the industry to increase the usage of the CCSS and the target level of the performance indicators. Depending on the effectiveness of the measures to increase the usage of the CCSS, there may be implication on the funding required for the scheme. After implementation of the relevant measures, OFCA will consider factors such as the effectiveness of the measures and review the funding for the CCSS.

Question 3

According to paragraph 4.39, the Consumer Council ("CC") had applied for and obtained from the Commerce and Economic Development Bureau ("CEDB") the necessary funding for taking forward the revamp project of CHOICE magazine. What is the total amount of funding granted? What are the respective amounts of funding to be used in different areas (e.g. marketing, making CHOICE magazine available in digital devices, etc.)? What mechanism has been put in place by the Government to monitor the use of the funding?

The Administration's Reply

In view of the CC's proposed measures to improve the online version of CHOICE Magazine, the Government approved a time-limited allocation of \$9.318 million for three years (\$2.614 million for 2018-19, \$3.209 million for 2019-20 and \$3.495 million for 2020-21) for the setting-up of an online subscription portal, production of multi-media content, search engine optimization, and preparation for the development of a mobile-friendly version, etc.

In addition, three applications were submitted by the CC in 2017 for information technology projects, one of which was the Application Systems for the Project of

Sustainable Development of CHOICE Magazine. The three projects were granted a total funding of \$3.593 million, and \$1.5 million of which will be used for the development of an in-house subscription portal for “CHOICE” Magazine and the development of a mobile-friendly interface for the existing “Online Price Watch” website.

The Government will monitor the use of the government funding in accordance with established mechanism, for example by requesting the CC to report progress of project implementation at regular meetings, and examining the relevant project expenditures during the vetting of the annual budget of the CC.



消費者委員會 CONSUMER COUNCIL
香港 • HONG KONG

APPENDIX 5

國際消費者聯會
執委會及理事會成員
EXECUTIVE AND
COUNCIL MEMBER OF
CONSUMERS
INTERNATIONAL

來函檔號 YOUR REF.

CB4/PAC/R70

本函檔號 OUR REF.

6 June 2018

By fax: 2543 9197

Mr. Anthony CHU
Clerk, Public Accounts Committee
Legislative Council
Legislative Council Complex
1 Legislative Council Road, Central
Hong Kong

Dear Mr. Chu,

Public Accounts Committee

Consideration of Chapter 2 of the Director of Audit's Report No. 70

**Consumer protection against unfair trade practices, unsafe goods,
and short weights and measures**

Thank you for your letter dated 21 May 2018 addressed to Ms Gilly Wong, Chief Executive of the Consumer Council with questions from the Public Accounts Committee regarding the captioned Director of Audit's Report.

Please find attached the response from the Consumer Council in English for consideration of the Public Accounts Committee.

Please feel free to contact the undersigned at 2856 8544 should you have any questions on the issue.

Yours sincerely,

Simon CHUI

Deputy Chief Executive
Consumer Council

Encl.

**The Consumer Council's Replies to
Letter from the LegCo Secretariat on 21 May 2018 regarding
Chapter 2 of the Audit Report No. 70
Consumer protection against unfair trade practices, unsafe goods,
and short weights and measures**

Part 2: Enforcement Work Against Unfair Trade Practices

- 13) According to paragraph 2.14, Audit analysis of 12 413 pieces of unfair trade practice information shared by CC with C&ED via the computer system interface revealed that around 10% of the cases might be under the jurisdiction of the Communications Authority. Will OFCA establish a mechanism/platform for periodic sharing of cases and information with CC? If yes, what is the estimated earliest time of completion? If no, what are the reasons for not doing so?

The Consumer Council's Reply to Question 13

Paragraph 2.17 of the Audit Report recommends the Consumer Council ("CC") and the Director-General of the Communications ("DG Com") to review the need for (a) periodic sharing of unfair trade practice information relating to telecommunications and broadcasting services; and (b) computer system enhancements to facilitate case referral and information exchange.

With regard to the Audit Commission ("Audit")'s recommendations, the Office of the Communications Authority ("OFCA") has touched base with the CC and preliminarily agreed to set up a mechanism for periodic sharing of unfair trade practice information relating to telecommunications and broadcasting services, and will discuss further on the implementation details later. For referral of complaints to OFCA by the CC, there is already an established mechanism in place to refer cases in writing. In view of Audit's recommendation, OFCA and the CC will review whether there is any room to improve the existing case referral mechanism. OFCA will meet with the CC in June to discuss the above matters in detail.

Part 4: Other Consumer Protection Measures

- 14) According to paragraph 4.17, CC has established guidelines setting out that once any of the prescribed complaint features has been observed from a series of complaints against a trader found having undesirable trade practices, the trader will then be put under close observation for a six-month period, and that if one new complaint is lodged against the trader during such period, the naming mechanism will be triggered off. However, it is mentioned in paragraph 4.21 that of the seven traders on the observation list in 2017, only one was named and reprimanded. Despite that new complaints had been lodged against the remaining six traders during the six-month observation periods, the naming mechanism was not triggered off. CC subsequently explained that the six traders under close observation in 2017 were for the purpose of monitoring their progress of improvement instead of instituting naming actions. Please advise on the reasons for not spelling out the monitoring mechanism concerned in the guidelines? Will CC introduce changes to the relevant guidelines? If yes, what are the details and timetable? If no, what are the reasons for that?

The Consumer Council's Reply to Question 14

As explained by the CC in Paragraph 4.22 of the Audit Report, it was the usual practice of the Complaints and Advice Division (“C&AD”) of the CC to invite traders with substantial problems on matters affecting consumers’ interests (e.g. unfair trade practices, unsatisfactory quality of service or goods and late delivery) to meetings for discussion on how to improve their services and resolve complaints against them. Such traders would then be put under close observation for the purpose of monitoring their progress of improvement, rather than for initiating naming and public reprimand. Since the original purpose of the “Guidelines for Naming and Public Reprimand of Trader Adopting Undesirable Trade Practices” (“the Naming Guidelines”) was to lay down principles and procedures for naming and publicly reprimanding traders who deploy undesirable trade practices, the Naming Guidelines do not set out the procedures for monitoring traders due to other reasons (e.g. unsatisfactory quality of service or goods and late delivery).

The CC agrees with Audit’s opinion that putting the traders being monitored for improvement in quality of service and goods and the traders being monitored pursuant to “the Naming Guidelines” in the same list could cause confusion. As such, following Audit’s recommendation, apart from the

Naming Guidelines, the CC has formulated a new set of guidelines on monitoring traders for improvement in providing goods and services, and put the traders under monitoring for the two different purposes in separate lists. This new set of guidelines was endorsed by the CC's Trade Practices and Complaints Review Committee on 10 April 2018 and became effective on the same date.

- 15) According to paragraph 4.25, in response to Audit's recommendation on naming and public reprimand against unscrupulous traders, CC said that it would "seek to enhance [the Complaints Case Management System ("CCMS")] and [had] started preparing a set of guidelines on monitoring traders for service improvement". As it is stated in paragraph 4.18 that there was no laid-down procedure to identify traders with repeated undesirable trade practices, how will CCMS be enhanced and CC prepare guidelines to establish procedures for identifying such traders, and what criteria will be used for defining a trader as a trader with repeated undesirable trade practices?

The Consumer Council's Reply to Question 15

Paragraph 4.18 of the Audit Report states that "there was found to be a lack of laid-down procedure to identify traders with repeated undesirable trade practices". The CC explained that trade malpractices could be identified at different stages during the complaint handling process, which includes case processing, case assignment and review, case registration and complaint reports. In determining whether a trader often adopts undesirable trade practices, the CC would consider all relevant factors, such as the number, frequency and content of complaints against it, etc., instead of reaching a conclusion based on any one single indicator.

If a trader has been determined as repeatedly adopting undesirable trade practices, the C&AD staff would conduct further analysis in light of the factors set out in the "Naming Guidelines" for consideration of initiating naming and public reprimand procedures. As mentioned in Paragraph 4.19 of the Audit Report, the scope of analysis could cover the alleged sales malpractices, trends of complaints, case resolution rate and impact on consumer interests.

At present, the complaint reports generated by the Complaint Case Management System ("CCMS") of the CC could not provide sufficient details (for example whether unfair trade practices were involved in

complaints against traders) to facilitate the C&AD staff in identifying serious cases of undesirable trade practices more easily. Moreover, the lack of data mining capability makes it difficult to extract other useful information such as dispute resolution rates of traders from the CCMS database for analysis. Therefore, pursuant to Audit's recommendation, the CC is planning to enhance the capabilities of the CCMS in respect of analysis and data mining mentioned above so as to strengthen the system's effectiveness in assisting staff identify traders who adopt undesirable trade practices repeatedly.

- 16) According to paragraph 4.39, CC had applied for and obtained from CEDB the necessary funding for taking forward the revamp project of CHOICE magazine. What is the total amount of funding granted? What are the respective amounts of funding to be used in different areas (e.g. marketing, making CHOICE magazine available in digital devices, etc.)? What mechanism has been put in place by the Government to monitor the use of the funding?

The Consumer Council's Reply to Question 16

In view of the CC's proposed measures to improve the online version of CHOICE Magazine, the Government approved a time-limited allocation of \$9.318 million for three years (\$2.614 million for 2018-19, \$3.209 million for 2019-20 and \$3.495 million for 2020-21) for the setting-up of an online subscription portal, production of multi-media content, search engine optimization, and preparation for the development of a mobile-friendly version etc.

In addition, three applications were submitted by the CC in 2017 for information technology projects, one of which was the Application Systems for the Project of Sustainable Development of CHOICE Magazine. The three projects were granted a total funding of \$3.593 million, and \$1.5 million of which will be used for the development of an in-house subscription portal for "CHOICE" Magazine and the development of a mobile-friendly interface for the existing "Online Price Watch" website.

The Government will monitor the use of the government funding in accordance with established mechanism, for example by requesting the CC to report progress of project implementation at regular meetings, and examining the relevant project expenditures during the vetting of the annual budget of the CC.

**A brief account of Chapter 3 of Report No. 70
“Integrated education”
by the Director of Audit
at the Public Hearing of the Public Accounts Committee
of the Legislative Council on Monday, 21 May 2018**

Mr. Chairman,

Thank you for inviting me here to give a brief account of Chapter 3 of Report No. 70 of the Director of Audit, entitled “Integrated education”.

This Audit Report comprises four PARTs.

PART 1 of the Report, namely “Introduction”, describes the background of the audit.

In accordance with the Disability Discrimination Ordinance and the Code of Practice on Education issued by the Equal Opportunities Commission, all educational establishments have the obligation to provide equal education opportunities to eligible students, including students with Special Educational Needs (SEN), in other words, those who need special educational support because of learning or adjustment difficulties. In the past five school years, the number of students with SEN in public sector ordinary schools had a significant increase of 37%. The SEN types that had a significant increase in the number of students were Specific Learning Difficulties, Attention Deficit/Hyperactivity Disorder, Autism Spectrum Disorders, and Speech and Language Impairment.

In the 2016/17 school year, there were 844 public sector ordinary schools (comprising 454 primary schools and 390 secondary schools). About 43,000 students with SEN studied in these schools, amounting to 7.8% of the total student population. The Education Bureau (EDB) provides schools with additional resources, in the form of cash grant and additional teaching staff, as well as professional support and teacher training to help schools cater for students with SEN. The expenditure on these measures increased by 40% from \$1,000 million in the 2012/13 school year to \$1,400 million in the 2016/17 school year.

PART 2 of the Report examines the EDB’s work on identification and admission of students with SEN.

In as early as the 1980s, the EDB put in place at all public sector ordinary primary schools the Early Identification and Intervention Programme for Primary One Students with Learning Difficulties. Through observation and identification by teachers, and the assessment by school-based Educational Psychologists (EPs), follow-up and support measures

are provided to students with SEN. The Audit Commission (Audit)'s examination revealed that in the 2016/17 school year, 6,131 students were diagnosed as students with SEN or Academic Low Achievers (ALAs) when they were assessed by school-based EPs for the first time. Of them, 4,181 (68%) were diagnosed in Primary One and Primary Two, and the remaining 1,950 (32%) were diagnosed at higher class levels. Early identification of possible learning difficulties, as well as provision of more school information on support for students with SEN to parents would enable teachers and parents to provide support to the students as soon as possible. In this connection, Audit has recommended that the EDB should further encourage parents to give consents to schools to refer their children for assessment at an early stage, enhance the training of teachers on the identification of students with SEN, and urge schools to release more school information on support for students with SEN.

PART 3 of the Report examines the administration of support measures provided to public sector ordinary schools for integrated education.

Since 1983, support for children of low academic achievement has been provided through a range of intensive remedial services, including the Intensive Remedial Teaching Programme (IRTP), under which a school will be provided with one to three additional teachers, subject to the number of target students in the school. To provide enhanced support for integrated education, the EDB has introduced the Learning Support Grant (LSG) since the 2003/04 school year, with a view to enabling schools to deploy the grant flexibly and strategically to support ALAs and students with SEN. However, the amount of the LSG provided to each school per annum is subject to a ceiling, which was about \$1.58 million in the 2016/17 school year. Audit examination revealed that while the amount of the LSG provided to a school was calculated annually based on the number of students concerned, this is not the case for the ceiling. Consequently, the amount of LSG could not be adjusted in response to the significant increase in the number of these students. In fact, the number of schools reaching the LSG ceiling increased considerably from 4 in the 2013/14 school year to 56 in the 2016/17 school year. Audit examination also revealed that in the 2015/16 school year, 366 recipient schools had surplus fund and among them, 122 had surplus fund of more than 10% of the annual allocation.

Since the introduction of the LSG, the EDB has been encouraging schools under the IRTP to switch to the LSG, with a view to enabling these schools to pool resources together and deploy them more flexibly. For example, recipient schools of LSG may employ teaching and non-teaching staff, and hire various professional services, to cater for year-on-year change in the profile of SEN students and their respective support needs. However, Audit noted that at the end of the 2016/17 school year, of the 454 public sector ordinary primary schools receiving additional resources from the Government, 140 have yet to switch to the LSG.

In phases from the 2017/18 to 2019/20 school years, the EDB will provide each public sector ordinary primary school and secondary school with one additional teaching post to facilitate school's assignment of a designated teacher to take up the roles of Special Educational Needs Coordinator (SENCO). The EDB stipulated that a SENCO should have completed the Basic, Advanced and Thematic (BAT) Courses on catering for students with SEN. However, as at January 2018, 56 (23%) of the 244 SENCOs have yet to do so.

Audit has recommended that the EDB should follow up these issues and enhance the effectiveness of the support measures for integrated education provided to public sector ordinary schools.

PART 4 of the Report examines the management of teacher training and professional support provided by the EDB.

The EDB introduced the BAT Courses under the teacher professional development framework on integrated education in the 2007/08 school year. Since then, three cycles of BAT Courses have been launched, with training targets set for each school to attain in each cycle. Audit examined the attainment of training targets by all the 844 public sector ordinary schools in the second and the third cycles, based on the training position of schools in the end of the 2016/17 school year. We found that many schools did not meet the training targets, and 11 of them did not meet any of the training targets for the BAT Courses applicable for the second cycle and the third cycle.

The School-based Educational Psychology Service (SBEPS) is an integrated educational psychology service provided to public sector ordinary primary schools and secondary schools. The objectives of SBEPS comprise supporting schools in developing school policies and mechanism to meet the diverse educational needs of students, supporting teachers in early identification and intervention of at-risk students, and supporting students with SEN. Audit examined the number of EP visit days of the 844 schools in the 2016/17 school year and found that the number of visit days received by 42 schools (5%) were less than required.

Audit has recommended that the EDB should encourage schools to meet the BAT Courses training targets, and step up measures to ensure that schools receive the required number of visit days by EPs.

Our views and recommendations were agreed by the EDB. I would like to take this opportunity to acknowledge with gratitude the full cooperation, assistance and positive response of its staff during the course of the audit review.

Thank you Mr. Chairman.

Public Accounts Committee

**Director of Audit's Report No. 70, Chapter 3 – Integrated
Education**

**21 May 2018
Public Hearing**

Opening Remarks by Secretary for Education

- ✧ The Education Bureau (EDB) is grateful for the Director of Audit's Report No. 70 for the review and recommendations on integrated education (IE) implemented by the EDB. We accept the recommendations in the Report and will gradually implement related items so as to further enhance the support for students with special educational needs (SEN) and provide them with appropriate education.
- ✧ The EDB has implemented a number of improvement measures in recent years so as to facilitate schools in supporting students with SEN, including (i) to regularise the Enhanced Speech Therapy Grant for public sector primary schools; (ii) to increase the amount and ceiling of the Learning Support Grant (LSG); (iii) to extend the School-based Educational Psychology Service (SBEPS) to all public sector schools in Hong Kong; (iv) to provide each public sector ordinary school with one additional teaching post by phases in three years to allow schools to arrange a designated teacher to serve as the Special Educational Needs Coordinator (SENCO); and (v) to include students with mental illness under LSG so that schools can have additional resources to enhance the care for these students.
- ✧ The EDB has been launching a series of review of the implementation of tasks on IE to explore the feasibility of enhancing the IE measures in the following directions. The directions of our work are in line with the recommendations in the Audit Report, including:

- (a) To consider re-structuring the additional resources provided for the public sector schools under LSG, Intensive Remedial Teaching Programme and IE Programme in order to strengthen the stability of the teaching force of schools and allow schools to have flexibility in utilizing the resources to support the students with SEN;
- (b) To revamp the mode of basic provision for tier-3 support under the LSG to ensure that schools with more students identified with more challenging problems can receive appropriate support; and
- (c) To further enhance the SBEPS.

We have introduced the directions of our review and enhancement to the Panel on Education in March this year.

- ☐ In sum, the EDB will actively follow up on the recommendations in the Audit Report, listen to different opinions, and work with relevant policy bureaux, government departments and different stakeholders to further refine the IE policy and measures, so as to facilitate schools in supporting students with SEN more effectively.
- ☐ We will now answer in details questions raised by the Public Accounts Committee. Thank you Chairman.

Education Bureau
May 2018



中華人民共和國香港特別行政區政府總部教育局
Education Bureau
Government Secretariat, The Government of the Hong Kong Special Administrative Region
The People's Republic of China

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26 June 2018

Clerk to Public Accounts Committee,
Legislative Council Complex,
1 Legislative Council Road,
Central, Hong Kong
(Attn.: Anthony CHU)

Dear Mr CHU,

Public Accounts Committee

**Consideration of Chapter 3 of the Director of Audit's Report No. 70
Integrated education**

Your letters to the Secretary of Education dated 13 and 14 June 2018 regarding the captioned were well received. Please find the requested information on items (a) to (y) and items (a) to (b) in Appendices 1 and 2 respectively.

For inquiries, please contact the undersigned (Tel.: 2892 6501) or Mr Martin MUI, Senior Specialist (Special Education Support 4) (Tel.: 2307 0459).

Yours sincerely,

(Godwin LAI)
for Secretary for Education

c.c. Secretary for Financial Services and the Treasury (Fax no.: 2147 5239)
Director of Audit (Fax no.: 2583 9063)

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Public Accounts Committee

**Inquiries dated 13 June 2018 regarding Chapter 3 of
the Director of Audit's Report No. 70
(Integrated education)**

Responses by Education Bureau

- (a) The Education Bureau (EDB) attaches great importance to Integrated Education (IE) to ensure that students with special educational needs (SEN) could receive appropriate education. To help public sector ordinary schools cater for the individual differences of students with SEN, on top of regular subvention, the EDB has all along been providing schools with additional resources, professional support and teacher training. We have reviewed the implementation of IE and listened to the views of different stakeholders on an on-going basis so as to enhance the implementation of various measures and to make improvement where necessary and feasible.

The EDB has launched various enhancements in recent years to help schools support students with SEN, including:

- (i) regularising Enhanced Speech Therapy Grant (ESTG) provided for public sector ordinary primary schools;
- (ii) raising the grant rates and ceiling of Learning Support Grant (LSG);
- (iii) extending the school-based educational psychology service (SBEPS) to cover all public sector schools in the territory;
- (iv) starting from the 2017/18 school year, the EDB will, by phases in three years, provide each public sector school with an additional post in the teaching staff establishment to facilitate the assignment of a designated teacher in schools to take up the role of Special Educational Needs Coordinator (SENCO) to support IE; and
- (v) covering students with mental illness under LSG so that schools are provided with additional resources to cater for these needs.

In this school year, the EDB has launched a series of review on the implementation of IE and explored the feasibility of enhancing the support measures for IE along the following direction:

- (i) we would consider re-structuring the additional resources provided for all public sector schools under LSG, Intensive

Remedial Teaching Programme (IRTP) and IE Programme with a view to strengthening the stability of schools' teaching force and allow schools to deploy the resources flexibly in supporting students with SEN;

- (ii) we would revamp the mode of basic provision for tier-3 support under LSG to ensure that schools having more students identified to be with more challenging problems can receive the corresponding and appropriate support they need; and
- (iii) we would further enhance the provision of SBEPS.

From October last year to June this year, we have been soliciting views from school sponsoring bodies, schools councils, school heads associations, Task Force on Integrated Education in Mainstream Schools, public sector primary and secondary schools and SENCOs regarding the above issues. In April this year, we also met different parent groups to listen to their views on special education and IE. On the 2nd of March this year, we introduced the above review on the implementation of IE and the direction of proposed enhancement of the support measures, as well as the views of the stakeholders concerned to Legislative Council Panel on Education. We are currently compiling and analysing the views gathered and reviewing the feasibility of various proposals. As regards the implementation schedule, it would hinge on the proposals to be adopted finally and the arrangement of respective resources and complementary measures.

- (b) For students with SEN who are unable to adjust to learning in ordinary schools and in need of transferring to special schools, the EDB will, with consent from parents, place them in appropriate special schools according to the assessment results and recommendations of medical specialists / professionals. Likewise, special schools may, subject to parental consent, refer students who are being able to adjust to the environment and requirements in ordinary schools and found to have likelihood of better development to the educational psychologists (EP) for review. EPs will recommend suitable students to transfer to ordinary schools after the review, if appropriate. The numbers of students transferred from ordinary schools to special schools or from special schools to ordinary schools in the past 3 school years are tabulated below:

School Year	Number of students transferred from ordinary schools to special schools Note1	Number of students transferred from special schools to ordinary schools Note2
2014/15	136	20

School Year	Number of students transferred from ordinary schools to special schools Note1	Number of students transferred from special schools to ordinary schools Note2
2015/16	134	18
2016/17	137	26

Notes:

1. Students transferred from ordinary schools to schools for social development (SSD) or hospital schools (HS) are excluded.
2. Students returned from SSD or HS to ordinary schools are excluded.

For students in ordinary schools, they may change schools due to different reasons, such as moving house, for the ease of picking-up and dropping off at schools and individual family reasons, etc. At present, every ordinary school will provide support for students with SEN. Generally speaking, there should be no direct relationship between whether a student has SEN and the change of schools. Therefore, we have not compiled the figures of students with SEN in ordinary schools switching between ordinary schools.

Additional resources provided to public sector ordinary schools

- (c) Regarding the support for students of low academic achievement, since 1983, the former Education Department provided students of low academic achievement with a range of intensive remedial services, including Resource Class (RC) operated in public sector ordinary primary schools. From September 2000, RC was renamed as IRTP in Primary School, under which schools are encouraged to abolish the concept of “a separate class” and support students with SEN through the Whole School Approach. Target students of IRTP are still students of low academic achievement, including students with specific learning difficulties and students with intellectual disability. In the 2003/04 school year, the EDB implemented the “New Funding Mode” to provide public sector ordinary primary schools with LSG, continuing to include students of low academic achievement as targets, together with students with 8 other types of SEN.

As regards the secondary schools, starting from the 2006/07 school year, we have been providing public sector ordinary secondary schools with a large intake of Territory Band 3 and bottom 10% secondary students with additional teachers in Secondary 1 to Secondary 3, with a view to allowing schools to deploy their resources flexibly based on schools’ needs in supporting students of low academic achievement. Therefore, LSG provided to secondary schools starting from the

2008/09 school year does not cover students of low academic achievement as it does in primary schools. It is worth noting that a number of students of low academic achievement may also have SEN. If these students require tier-2 or tier-3 support, schools will as well be provided with LSG. Schools could holistically and flexibly deploy the above-mentioned additional teachers, LSG and other resources to render support to students of low academic achievement and students with SEN through the Whole School Approach.

- (d) (i) Since the 2003/04 school year, LSG has been provided for public sector ordinary primary schools to cater for the needs of students with SEN and students of low academic achievement. Specifically, when we set the grant rates of LSG, basically we took into account factors like the numbers of students with SEN at schools in general and the level of support they require, other resources schools can deploy to support students with SEN and the financial position of the Government. At that time, the LSG grant rates of \$10,000 per student requiring tier-2 support and \$20,000 per student requiring tier-3 support were assessed as appropriate. We also reminded schools to pool together and deploy flexibly various school resources according to the principle of ‘individual calculation and holistic deployment’ to cater for the needs of students with SEN. At the same time, the EDB encourages schools to adopt the Whole School Approach to provide students with SEN different levels of support taking into account their individual needs through the 3-Tier Intervention Model. For students with transient and mild learning or adjustment difficulties, teachers can provide them with tier-1 support through quality teaching in regular classrooms. For students with persistent learning or adjustment difficulties, schools should deploy additional resources to provide them with tier-2 support through small group learning or after class remedial support. Tier-3 support should be provided for students with severe and persistent learning or adjustment difficulties through individualized support. For the purpose of effective utilization and management of resources, the EDB has set a ceiling for the provision of LSG, and has been adjusting the grant rates and the ceiling of LSG according to actual needs with a view of enhancing the support for schools to cater for the needs of students with SEN. In the 2008/09 school year, the EDB has raised the ceiling of LSG from \$0.55 million to \$1 million for each school per annum, and further raised its ceiling to \$1.5 million in the 2013/14 school year. The grant rates have been increased by 30% in the 2014/15 school year. Starting from the 2015/16 school year, the grant rates and ceiling are adjusted

annually according to the changes in the Composite Consumer Price Index. In the 2017/18 school year, the ceiling of LSG for each school per annum is \$1,613,705.

- (ii) As mentioned in paragraph (a), the EDB is launching a series of review on the implementation of IE and exploring the feasibility of enhancing the support for IE, including considering to re-structure the additional resources provided for all public sector schools under LSG, IRTP and IE Programme, with a view to strengthening the stability of schools' teaching force and allowing schools to deploy resources flexibly in supporting students with SEN. The re-structuring of resources should help schools reaching the ceiling of LSG and with relatively more students with SEN to alleviate the difficulties they encounter. Furthermore, we will also consider whether the grant rates of LSG need to be adjusted.
- (e) To help public ordinary schools cater for the students with SEN, on top of the regular subventions, the EDB has been providing schools with additional resources with LSG being a major one. However, schools would not be limited to only using LSG to support students with SEN. On the contrary, schools will be provided with other additional resources to support students with SEN based on their situations. Other additional resources include ESTG, the additional teachers and grant provided under IRTP or IE Programme, the additional teachers provided for secondary schools in supporting academically low achievers, top-up fund for procurement of special furniture and equipment, intensive support grant for hardcore cases of students with SEN, etc. Schools are required to pool together and deploy flexibly various school resources to render appropriate support to students with SEN according to their needs. In addition, professional support is also provided for schools on an ongoing basis which include assessment and consultation services provided by EPs, speech therapists and audiologists; and under the School Partnership Scheme, ordinary schools which have proficient experience in implementing the Whole School Approach to IE are invited to serve as Resource Schools on Whole School Approach to share their good practice with other ordinary schools. We have also been promoting different teaching strategies to support students with SEN and publishing teaching resources for use by teachers. Starting from the 2016/17 school year, SBEPS has been further enhanced by progressively improving the ratio of EP to school to 1:4 for public sector schools with a large number of students with SEN. Furthermore, starting from the 2017/18 school year, the EDB will, by phases in 3 years, provide each public sector ordinary primary and secondary school with an additional graduate teacher post so that schools could assign a designated teacher as

SENCO to support IE. Basically, schools with comparatively more students with SEN would have SENCO provision in an earlier stage.

In sum, schools reaching the ceiling of LSG having comparatively more students with SEN would receive more and be given priority in respect of the above-mentioned additional resources and professional support. In addition, the EDB has been providing structured special education teacher training and developing teaching resources for teachers and parents, to help them cater for the students with SEN.

- (f) Generally speaking, staff of the Special Education Division of EDB will conduct at least 3 regular school visits in a school year to advise schools on issues like the policies and measures on IE, teaching strategies, resources deployment and home-school cooperation. The number of school visits will increase as appropriate to ensure schools to provide appropriate support for students with SEN. For resources deployment, during the first visit at the beginning of the school term, we would understand the school year plan on the deployment of resources to support students with SEN. During the mid-year second school visit, we would follow up on the use of resources of schools. In the final school visit at the end of the school year, we would discuss the effectiveness on the use of resources with school personnel, including to understand the reasons why the LSG has not been fully utilised, and give advice for improvement.
- (g) The EDB encourages public sector ordinary schools to fully utilise, in the respective school year, the LSG provided every school year to cater for the needs of their students with SEN. For schools which have accumulated a surplus in excess of 30% of the 12 months' provision of LSG at the end of the respective school year (applicable to aided and caput schools) or financial year (applicable to government schools), the excess surplus will be clawed back. This arrangement was first implemented in government schools in the 2011-12 financial year. It came into effect in aided primary schools and aided/caput secondary schools starting from the 2011/12 and 2012/13 school years respectively. The number of schools with the LSG clawed back, and the total amount and percentage of the grant clawed back in the past 3 school years is as follows:

	2013/14 school year (aided and caput schools)/ 2013-14 financial year (government schools)	2014/15 school year (aided and caput schools)/ 2014-15 financial year (government schools)	2015/16 school year (aided and caput schools)/ 2015-16 financial year (government schools)
No. of schools with the LSG clawed back	99	86	33
Total amount of the LSG clawed back (\$ million)	3.5	3.9	1.4
Expenditure on LSG (\$ million)	330.9	450.1	500.1
Percentage clawed back relative to the total expenditure on LSG	1.06%	0.87%	0.28%

Based on the audited information as at March 2018, there were 33 schools with LSG clawed back at the end of the 2015/16 school year (aided and caput schools)/2015-16 financial year (government schools), and the amount of LSG clawed back was around \$1.4 million which was less than 1% of the total LSG expenditure of the respective school year. As the amount to be clawed back from aided and caput schools for the 2016/17 school year will be confirmed only after the schools' submission of audited accounts by end of February 2018 and verification by the EDB, we are unable to provide information on claw-back for the 2016/17 school year and beyond.

The above figures for the 2015/16 school year (aided and caput schools)/2015-16 financial year (government schools) differ from those in Table 7 of paragraph 3.15 of the audit report. The reason is that the LSG claw-back information that the Audit Commission obtained from the School Audit Section of the EDB during the investigation denoted the position as at December 2017 whereas the figures reported to the Finance Committee by the EDB denoted the position as of March 2018. To our understanding, individual schools having underspending leading to claw back at the end of a specific year were generally due to some unexpected circumstances, e.g. inviting bids took time or early resignation of staff, failing to hire the desirable professional services, the actual expenditure lowered than the estimated expenditure upon the completion of the bidding process, etc. The EDB adopts various

measures to alleviate the claw-back situation from schools which include providing schools with guidelines on the deployment of LSG and claw-back mechanism, conducting regular school visits to advise on the deployment of resources for supporting students with SEN, organising experience sharing activities among schools, incorporating contents related to utilisation of additional resources and evaluation of effectiveness, issuing reminders to individual schools concerned for making improvement should undesirable situation be detected, etc. With our claw-back mechanism and stepped-up efforts to monitor the utilisation of LSG by schools, the surplus situation of LSG in schools has been improved in recent years.

- (h) (i) According to our communications with schools and analyses, the schools in general acknowledge the benefits of using LSG. These benefits include the provision of respective resources according to the number of students with SEN and the level of support they need, and the flexibility for schools to deploy this grant for employing contract teachers and / or teaching assistants and hiring professional services to render appropriate support services for students with SEN. However, there have also been concerns over the stability of teaching force as the employment of the contract teachers by LSG should be reviewed every school year and there is a possibility of contract termination. Continuation of support services for individual students with SEN and the skills and experiences transfer among teachers in the schools may also be affected. While for schools under IRTP, there is relatively greater stability in the teaching force as they are provided with a regular teacher in the staff establishment. Hence, despite the fact that these schools would be provided with more resources under LSG, they value more about the stability of teaching force and would not opt to change to the LSG mode.
- (ii) To encourage schools switching from IRTP to the full adoption of LSG, starting from the 2003/04 school year, we have introduced the Mixed Mode under which schools can have one IRTP and at the same time receive LSG capped at \$0.35 million. In view of the lukewarm response from schools, the Migration Mode was introduced in the 2009/10 school year, where schools could have one IRTP and receive LSG with a ceiling raised to \$0.6 million during a grace period of 6 school years to fully adopting LSG. Due to different school situations, apart from encouraging IRTP schools, through the issuance of respective circulars, to fully adopt LSG which enables them to enjoy greater flexibility in deploying resources to render appropriate support to students with all SEN types and students of low academic achievement, EDB staff,

through regular school visits every year, have all along been understanding and analysing individual school situations and giving advice to schools on the full adoption of LSG.

- (iii) Starting from the 2009/10 school year, schools requiring time for transition to the full adoption of LSG could apply to the EDB for changing to the Migration Mode based on their schools' situation. In the 2016/17 school year, 10 primary schools beginning their adoption of the Migration Mode in different school years (i.e. the 2014/15, 2015/16 or 2016/17 school year) will fully adopt LSG in the 2020/21, 2021/22 or 2022/23 school year. Two of these primary schools have informed the EDB of their early full adoption of LSG, where one has begun the full adoption of LSG in the 2017/18 school year and the other will begin in the 2018/19 school year.
- (i) Target students of IRTP are students of low academic achievement, including students with specific learning difficulties and students with intellectual disability. IRTP schools are provided with additional teachers in the establishment and a class grant. The EDB has been encouraging school to implement the Whole School Approach to IE, holistically and flexibly deploy additional resources and manpower to render appropriate support to, apart from the target students of IRTP, other students with the SEN types stipulated in Table 9 of the Audit Report, regardless of whether they are the target students of IRTP. As mentioned in paragraph (e) above, to help public sector ordinary schools cater for the students with SEN, on top of the regular subventions, the EDB provides schools with additional resources, professional support and teacher training. Schools operating IRTP should pool together and deploy flexibly various school resources to render appropriate support to students according to their SEN.
- (j) The year-end self-evaluation form at school level is for schools' self-evaluation on IE. The first part is about schools' self-evaluation of their inclusive culture, inclusive policies and inclusive practices. As regards the second part, schools assess the overall performance of students with SEN premised upon the data collected from the year-end evaluation form for individual student in social adjustment, learning performance and learning attitude / motivation. This perception is often based on the school personnel's comparison between the progress of students with SEN and that of typically developing students, or between the performance of students with SEN and the progress indicators they have in mind. Students with SEN have different starting points in various learning domains. The pace of their progress will also vary according to their SEN and degree of difficulty. Even if

individual students have made relatively good progress in comparison with themselves, their performance is not up to the level of the average students. Therefore, it may be hard to reflect the progress of individual students through a global evaluation of their performance.

Apart from the above-mentioned broadly general system level self-evaluation, when a school implements different support plans for students with SEN (such as the JC A-Connect: Jockey Club Autism Support Network for students with Autism Spectrum Disorders), the objectives will usually be more concrete and specific, and the evaluation items will also be more differentiated and focused so as to measure student performance and progress more accurately. Actually, schools will not rely solely on the year-end evaluation form on individual student to assess his performance and progress. Schools will also refer to students' internal academic results, and pre-test and post-test data of school-based support programmes to obtain a more detailed understanding of the learning progress of students with SEN.

Based on the audit recommendations, the EDB will review the existing mechanism for analysing the school year-end self-evaluation results to better understand the effectiveness of the support measures. We shall also explore the possibility of enhancing the functions of SEMIS so as to systematically analyse the data provided by schools (e.g., comparison of the performance of individual schools over the past few years, the support needs of schools in different districts, etc.), which will in turn provide useful references for professional staff of the EDB to render focused advice and support to schools.

In addition, the EDB staff will discuss the results of self-evaluation on the support measures for students with SEN with schools and give their advice when necessary during school visits. We will also enrich the relevant chapters of the "Operation Guide on the Whole School Approach to IE" and continue to conduct sharing sessions and on-site consultation meetings to emphasize that schools should systematically collect students' specific performance or data before and after additional group training in order to objectively evaluate the effectiveness of tier-2 support. Schools should also set the success criteria of different support domains for the individual education plan (IEP) of students receiving tier-3 support and examine the effectiveness of the plan regularly so that support strategies and methods can be revised in a timely manner to ensure that the plan can effectively enhance students' performance.

- (k) (i) Regarding supporting the Whole School Approach to IE, the responsibilities of SENCO include: coordinating school matters relating to the support of students with SEN; assisting the school management (i.e. the principal and the vice-principal(s)) in planning the development

of the Whole School Approach to IE; leading the student support team in the promotion of the Whole School Approach to IE and the cultivation of inclusive school culture; and implementing promotional and developmental tasks and other work at a system level such as teacher training. SENCO is required to lead the student support team in performing the following duties:

- according to the five basic principles of the promotion of IE, strategically plan, implement, monitor, review and evaluate various support measures for students with SEN and the resource deployment which would include the appropriate use of LSG and the flexible deployment of the school's manpower resources, etc.;
- promote early identification and early intervention for students with SEN through a multi-disciplinary team approach;
- collaborate with other teachers / functional teams in the school through the Whole School Approach to devise support programmes, curriculum and teaching adaptations, and special examination and assessment arrangements for students with SEN;
- guide fellow teachers in the school to make use of effective support strategies to enhance the learning effectiveness of students with SEN through arrangements such as collaborative lesson planning and co-teaching;
- collaborate with the guidance team in the school to cater for the learning needs of students with mental illness by giving input from the perspectives of teaching and learning as well as resource deployment, and to strengthen mental health education;
- enhance home-school co-operation and work with parents to support students with SEN;
- review the special education training needs and profiles of teachers in the school, arrange teachers to receive relevant training in a systematic manner, and plan and organise school-based professional development activities to enhance the capacity of the teaching team; and
- strengthen external liaison with parties such as professionals, community resources providers and parents to better coordinate various parties and resources for supporting students with SEN in the school.

Apart from the above duties, SENCO should take up a certain amount of teaching duties to help himself / herself continue to enrich his / her experience in supporting students with SEN in class and putting various support measures into practice.

(ii), (iii) and (iv)

The EDB requires the teacher assuming the SENCO role to have at

least three years of experience in teaching and in promoting IE. He/she should have received training in special education, such as having completed the Basic, Advanced and Thematic (BAT) Courses on supporting students with SEN commissioned by the EDB and offered by tertiary institutions, or holding equivalent qualifications. At present, teachers assuming the SENCO role have at least three years of experience in teaching and in promoting IE. They have been serving as the coordinator or a member of the student support team in school and have good knowledge and experience about SEN-related work. SENCOs who have not yet completed the BAT Courses are required to complete the remaining courses within the first year of assuming the SENCO role.

To help SENCOs discharge their roles effectively, the EDB provides them a two-year professional training course (the training course under the pilot project lasted for three years, but the contents and training hours were similar), focusing on leadership, planning and management, support strategies based on student-centered approach, etc. The EDB also organises professional development activities for SENCOs to promote professional exchanges in order to enhance their professional competence. It is apparent that the training of SENCOs requires long period of immersion and cannot be accomplished overnight. The provision of SENCO in each public sector ordinary primary and secondary school the soonest possible is the demand and consensus of the education sector for years. As such, while allowing SENCOs to carry out their work to support IE at school, we request them to complete the remaining courses within the first year of service, which is a flexible practice that could meet the sector's expectation.

To enhance teachers' professional competence in catering students with SEN, the EDB has been monitoring the progress of teachers in receiving SEN-related training. The EDB will continue to send letters to the public sector ordinary schools annually to inform them of the latest training position of the school to facilitate their strategic planning on teacher professional development. The EDB staff also pay regular visits to schools to jointly review their progress of arranging teachers to receive SEN-related training; and encourage schools to plan for the SEN-related training for the SENCOs as appropriate, and take immediate follow-up actions on SENCOs yet to complete the SEN-related training.

- (1) The SENCO provision is an IE enhancement measure. With due consideration of a basket of factors (such as the number of students with SEN and their support needs, teachers' professional training in special education of schools, further enhancement that may be made by schools in promoting the Whole School Approach to IE, etc.), the EDB

subsequently arranges for schools, by phases in three years, to assign an appropriate teacher to take up the role of SENCO. Schools should uphold the principle of Whole School Approach to IE irrespective of the year they are provided with the SENCO. All stakeholders (including school staff, parents and students) should clearly understand that the support for students with SEN is not to be taken up solely by the SENCO and all school staff are responsible for supporting students with SEN under the leadership of the SENCO. The EDB also requests the school principals to encourage all school staff to actively cooperate with the SENCO and the student support team that he / she leads in supporting students with SEN. In this regard, the number of students with SEN in school should not be used to reckon the workload of the SENCO.

Regarding the effectiveness of SENCO in schools with a great disparity in the number of students with SEN, the EDB will examine the consultative evaluation report on the pilot project on SENCOs to be released at the end of 2018 to consider the arrangement of SENCO provision for implementing Whole School Approach to IE in schools with different number of students with SEN. The EDB will continue to explore the possibility of adjusting the teaching load of SENCO and consult the views of the education sector.

- (m) At present, supporting students' social, emotional and mental health is an important topic embedded in the training activities for SENCOs organized by the EDB. Some related foundation theories, various tools with person-centered approach, reference materials and assignment designed for SENCO to practice what they learnt, are included in the training content for enhancing their understanding and skills in supporting students with mental illness. In addition, the EDB has also arranged network activities "How to Support Students with Mental Illness in Schools" for exchange of professional views by invitation of professionals, schools and SENCOs with successful experience to explore the way to support students with mental illness through whole school approach. From the 2017/18 school year onwards, the EDB conducts the "Professional Development Programme for Mental Health" for primary and secondary school teachers to raise their awareness of mental health and enhance their professional knowledge and capacity to identify and support students with mental health needs. The programme includes Elementary course for teachers at large and In-depth course for designated teachers. Moreover, in each school year, the EDB also organises seminars, workshops, experience sharing sessions, etc., on supporting students with mental health needs for teachers and SENCOs to equip them with the knowledge and capacity to support students with mental health needs.

The EDB will continue to strengthen the elements of supporting students with mental illness in the training courses and network activities for SENCOs.

Teacher training and professional support

- (n) Starting from the 2007/08 school year, the EDB has been providing serving teachers with structured training courses on supporting students with SEN pitched at Basic, Advanced and Thematic levels (BAT Courses). Some modules of the BAT Courses cover mental illness. The teachers who studied these courses could have more understanding of supporting students with mental health needs. The “Professional Development Programme for Mental Health” is mainly designed for the teachers who are tasked with the related responsibilities, such as teachers of Guidance Team, to enhance their professional knowledge and capacity to identify and support students with mental health needs. The BAT Courses and “Professional Development Programme for Mental Health” can create synergies so that schools could arrange their teachers to attend suitable training courses according to the needs of teacher development.
- (o) For schools arranging teachers to attend the BAT Courses, the EDB understands that schools are different in terms of their needs and development; as well as their work and training priority. Hence, the pace of special education teacher training amongst schools is also different. However, with the growing public awareness of equal opportunity and stakeholders’ more knowledge about students with SEN, the public uphold high expectation on schools to provide quality education for the students with SEN, and attach great importance to enhance teachers’ professional capacity in catering for these students. Hence, we actively encourage schools to put high priority on teacher professional development in catering for students with SEN and make a plan to arrange their teachers to receive suitable training. Based on our understanding, schools are in general supportive for their teachers to receive continuous professional development on catering for students with SEN. However, some schools may not be able to meet the training targets because of the following reasons:
- Teachers in general are engaging in teaching and other duties, schools have more difficulty in arranging teachers to attend full-time special education training courses, especially for the courses with longer duration.
 - The teachers responsible for teaching students of senior forms to prepare students for promotion to secondary level and for coping

with public examination. They may have more difficulty to attend training course.

- Schools experience difficulty to employ suitable supply teachers for substitution of subject-trained teachers or subject teachers of senior secondary level.
- Apart from special education training, schools also need to arrange teachers to attend other training.
- There is wastage of special education trained teachers, such as retirement, changing profession or school.

We set the training targets of special education for ordinary schools with a view to facilitating schools in arranging their teachers to receive suitable training in systematic manner. It is hoped that each school will aggregate a critical mass of teachers with relevant training to guide their counterparts in school to implement integrated education through the Whole School Approach to IE. In this connection, the EDB will inform public sector ordinary schools of their teacher training situation on an annual basis to facilitate their school-based planning and review through a notification letter. EDB's staff conduct regular visits to schools to understand their progress in target attainment of special education training and provide advice. When necessary, we will render appropriate support and intervention measures, including scrutinizing the school-based teacher professional development plan with schools so as to help them make timely improvement and follow up.

- (p) The expenditure of the School-based Educational Psychology Service (SBEPS) includes the remuneration for EPs and the recurrent grant for base schools for operation of the service (the SBEPS Grant). \$146.4 million was the then estimated expenditure in the 2016/17 school year, with breakdown as below:

Item	Expenditure (\$ million)
Remuneration for EPs in the EDB	64.7
Remuneration for EPs in school sponsoring bodies (SSBs)	74.4
SBEPS Grant	7.3
	146.4

- (q) For full implementation of the Enhanced SBEPS to all public sector primary and secondary schools at the EP to school ratio of 1:4, there needs to be a total of 211 EPs as projected from the number of schools in the 2017/18 school year, i.e. 454 public sector primary schools and 389 public sector secondary schools. However, the number of EPs has not included the manpower necessary for the monitoring of service

quality, coordination and development of the SBEPS and professional development of EPs themselves, as well as the development of effective models and resources for supporting students with various SEN. As the number of EPs required will vary according to various factors including the number of schools and the service model, the above figure could only be used as a reference.

In relation to paragraph 4.19 of the Audit Report on EDB's liaison with the local tertiary institutions to increase the EP training places in order to increase the supply of EPs, the EDB has communicated with the University Grants Committee the expectation to increase the number of EP training places in the 2019/20 to 2021/22 triennium.

Expansion of Enhanced SBEPS would not only hinge on the supply of EPs (including increasing the training places), but also to a large extent be affected by the great increase of demand for EPs by other service providers in implementing various programmes (such as the Pilot Scheme on On-site Pre-school Rehabilitation Services in kindergartens). In the 2017/18 school year, Enhanced SBEPS has covered 80 primary and secondary schools as scheduled. The EDB has planned to expand Enhanced SBEPS to about 120 primary and secondary schools in the 2018/19 school year. For the time being, the EDB does not have a detailed timetable regarding the pace of expansion of Enhanced SBEPS in the years beyond the 2018/19 school year.

- (r) The SBEPS adopts a comprehensive and integrated service model that aims at enhancing schools' professional capacity to cater for students' diverse educational needs. In accordance with the needs of the schools and their students, EPs provide support at the school system, teacher and student levels, including remedial, preventive and developmental work. Therefore, in assessing schools' needs for the Enhanced SBEPS, the EDB would make reference to the number of students with SEN and the unique needs of schools, such as the ratio of students with SEN and the student population as well as the overall development needs of the schools. Since schools face greater challenges in meeting the needs of students requiring Tier-3 support, we have paid extra attention to this factor when selecting the schools. On the other hand, students with SEN requiring tier-1 or tier-2 support have been considered as a whole. In selecting the schools for Enhanced SBEPS in the 2016/17 and 2017/18 school years, we have made reference to the number of students with SEN in the 2015/16 school year and other factors as stated above. The distribution of the number of students with SEN, and the number of students requiring Tier-3

support in the 80 schools at the time of selection are listed in the tables below:

Number of students with SEN	Number of schools
40 or less	2
41 to 80	24
81 to 120	33
121 to 160	15
161 to 200	3
201 or more	3

Number of students requiring Tier-3 support	Number of schools
0 to 5	56
6 to 10	14
11 to 15	3
16 to 20	2
21 or more	5

- (s) As stated in paragraph (r), the EDB has considered various factors in selecting schools for the Enhanced SBEPS, including the number of students with SEN, the ratio of these students to the student population, the number of students requiring individual support, as well as the individual conditions of schools. The EDB has planned to extend the service to about 120 primary and secondary schools in the 2018/19 school year. As for the 2019/20 school year and beyond, as stated in paragraph (q), we will make consideration according to the supply of EPs and the demand from other service organisations of EPs.
- (t) The SBEPS provided by the EDB and SSBs is basically the same. The EP to school ratio is also calculated on the same basis. In the 2016/17 school year, the number of EPs employed by the SSBs ranged from 3 to 12. Therefore, in comparison to the EDB, the SBEPS provided by SSBs is more easily affected by the temporary shortage of manpower. Since the effectiveness of the service rests with the collaboration between school personnel and EP, and as the development of the service is continuous, in order to ensure the stability of the service to individual schools and to avoid frequent change of service providers, the SBEPS provided by SSBs has been set at a minimum of 14 days per school year for flexibility in arrangement of manpower where necessary. The EDB will keep in view the service needs of schools as a whole and the supply of EPs, as well as the recommendations in the Audit Report, in reviewing and rationalizing the school visit day arrangements for the SBEPS provided by the EDB

and SSBs. Revisions in the SBEPS Guide will be made as appropriate.

- (u) In the 2016/17 school year, the number of school visit days by EP in 42 schools was less than the general requirements as stipulated in the SBEPS Guides. The reasons are listed below:

Number of schools	Reasons for school visit days being less than the general requirements stipulated in the Guide
14	EPs took maternity leave
11	EPs took leave due to sickness
9	Upon one SSB being unable to fill the newly awarded EP posts, the EDB provided service to some schools on an interim basis. The number of school visit days for these 9 schools met the general requirement for service provided by SSBs
3	Schools requested for specific number of school visit days and scope of service, EPs explained the service to the schools and appropriate service was provided to the schools according to their requests
2	Schools requested to re-schedule visit days, but the EP was not able to re-schedule due to clash with other duties
1	EP took paternity leave
1	EP's other duties clashed with visit days to the school, EP was unable to re-schedule the visits with the school
1	Reasons as in (v)

The EDB will review the existing mechanism in monitoring EPs' school visit days. If the reduction of school visit days is unavoidable due to EPs taking leave of sickness or taking maternity / paternity leave, EDB will require the EPs to set the priority of work with the affected schools.

- (v) In Table 15 of paragraph 4.14 of the Audit Report, one school received a total of 4 days' visit by the EP in the 2016/17 school year. The reason was that the school was in transition to a Direct Subsidy School. Since the SBEPS covers only public sector ordinary schools, EP's service was focused on the students in one class level of the school who were in need of support during that school year.
- (w) As stated in paragraph (a) above, the EDB has started a series of work to review the implementation of IE, in order to explore the feasibility of enhancing the IE practices, including enhancing the SBEPS. In

relation to the recommendations in paragraph 4.18(d) and the responses given by the EDB in paragraph 4.19 of the Audit Report, we will also review the mode of supervision of the SBEPS, discuss with the relevant stakeholders, require SSBs to submit the qualifications of EP supervisors and the effectiveness data of the supervision service, as well as review the employment terms and requirements of part-time EPs.

- (x) The SBEPS adopts a comprehensive and integrated service model that aims at enhancing schools' professional capacity to cater for students' diverse educational needs. EPs provide support at the school system, teacher and student levels. We have all along listed out the indicators of service effectiveness in the SBEPS Guide for reference by schools and EPs. Since the effective implementation of the SBEPS depends upon the collaboration and coordination between school personnel and EPs, the implementation of the service is different in different schools, it is not appropriate or feasible to use one set of criteria to evaluate the service effectiveness. Therefore currently the EDB reviews the service effectiveness through various ways.

At present, the EDB conducts an annual review through a questionnaire survey to schools and EPs at the end of each school year to gauge feedback from different stakeholders. The content of the survey is mainly on the implementation and effectiveness of service at the three support levels. The EDB also collects from EPs annual progress reports, in order to review the contents of work of EPs at different schools and the ratio of different nature of work. The EDB conducts visits to some of the schools each year to hold meetings with school personnel and EPs to discuss and review the implementation and effectiveness of the service. In addition, the EDB holds meetings with SSBs each year to review service planning and coordination. The above practices have facilitated the EDB to review the effectiveness of service provided by school-based EPs.

- (y) The Special Education Management Information System (SEMIS) operating for more than a decade ago, was originally designed to have a main function to collect and manage information of students in aided special schools and students with SEN in public sector ordinary schools. In the aspect of IE, the information in SEMIS could help the EDB and public sector ordinary schools understand the profile of students with SEN, and also facilitate the EDB to plan the provision of additional resources for the public sector ordinary schools to provide support for the students with SEN. We will review how SEMIS can be further enhanced to respond to the suggestions in the Audit Report so that the EDB and schools can process and analyze the data collected in SEMIS efficiently and systematically, which will in turn provide

information for the EDB and schools to provide more specified support for students with SEN. We will work in consultation with information technology professionals about the feasibility and priorities of the functions, and then make a plan for enhancement during this summer period. We are going to implement the enhancement of SEMIS in the 2018/19 school year subject to the availability of resources.

Education Bureau
26 June 2018

Public Accounts Committee

**Inquiries dated 14 June 2018 regarding Chapter 3 of
the Director of Audit's Report No. 70
(Integrated education)**

Responses by Education Bureau

- (a) Under the School Development and Accountability Framework, schools are required to assess the effectiveness of their school policies, measures and deployment of resources (including the support for students with special educational needs (SEN)) through self-evaluation every year which is validated through the External School Review by the Education Bureau (EDB). To further enhance transparency, schools are required to set out the inclusive policy, support measures and how resources are deployed to provide support services for students with SEN in their annual school reports. In addition, schools must complete the Year-end Evaluation Form at School Level on Whole School Approach to catering for students with SEN and the Year-end Evaluation Form for Individual Student on the basis of their support to students with SEN, and return the former to the EDB before the end of each school year so that the EDB can have a general understanding of the effectiveness of schools' work. EDB's professional staff will discuss the result of schools' self-evaluation of the support measures provided to students with SEN and offer opinions whenever necessary in school visits so that the schools could adjust the support measures to better cater for students with SEN.

In response to the recommendations of the Audit Report, we will review and update the "Operation Guide on the Whole School Approach to Integration Education" to provide more specific guidelines to help school personnel and relevant professionals (such as educational psychologists) work out the required tier of support for students and record students' progress. We will also review the current mechanism for analysing school data of self-evaluation, including exploring how to enhance the Special Education Management Information System (SEMIS) so that the EDB and schools can grasp the implementation of integrated education aptly and take appropriate follow-up action. Furthermore, we will continue to organise sharing sessions and consultation sessions for

schools to help them understand how to collect specific data on student performance more systematically in order to assess the effectiveness of support services objectively, and how to formulate, adjust and review students' performance criteria in different domains in order to ensure that the support services provided by the school can effectively help students' learning.

- (b) Currently, the University of Hong Kong (HKU) and the Hong Kong Polytechnic University (PolyU) each provides a two-year Master's degree in educational psychology (professional practice) training course. The EDB does not have the accurate information of the number of applications for each course of the two universities. The number of training places of the two courses in the recent six years is listed below:

Year	2013-15	2014-16	2015-17	2016-18	2017-19	2018-20
Tertiary institution	PolyU	HKU	PolyU	HKU	PolyU	HKU
Training places	15	25	15	25	15	25

Education Bureau
26 June 2018



中華人民共和國香港特別行政區政府總部教育局
Education Bureau

Government Secretariat, The Government of the Hong Kong Special Administrative Region
The People's Republic of China

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7 June 2018

Clerk to Public Account Committee,
Legislative Council Complex,
1 Legislative Council Road,
Central, Hong Kong
(Attn.: Anthony CHU)

Dear Mr CHU,

Public Accounts Committee

**Consideration of Chapter 3 of the Director of Audit's Report No. 70
Integrated education**

Your letter to the Secretary of Education dated 23 May 2018 regarding the captioned was well received. Please find the requested information item (a) to (v) (both Chinese and English) in the Appendix. Please note that Annexes 2 and 6 to the Appendix are restricted for Public Accounts Committee's internal reference only.

For inquiries, please contact the undersigned (Tel.: 2892 6501) or Ms Louise HUI, Senior Specialist (Speech Therapy) (Tel.: 3698 3788).

Yours sincerely,

(Godwin LAI)
for Secretary for Education

c.c. Secretary for Financial Services and the Treasury (Fax no.: 2147 5239)
Director of Audit (Fax no.: 2583 9063)

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Public Accounts Committee

**Inquiries regarding Chapter 3 of the Director of Audit's
Report No. 70
(Integrated education)**

Responses by Education Bureau

Introduction

- (a) The White Paper on Rehabilitation – “Equal Opportunities and Full Participation: A Better Tomorrow for All” published by the former Welfare and Health Bureau, in 1995 listed 9 categories of disability including autism, hearing impairment, mental handicap, mental illness, physical handicap, speech impairment, maladjustment, visceral disability and visual impairment. The Rehabilitation Group of the former Welfare and Health Bureau published the Rehabilitation Programme Plan in 1999 and deleted the maladjustment from the classification of disability in that White Paper and retained the remaining 8 categories of disability. The former Education Department published the “Support Services for students with Special Educational Needs in Mainstream Schools (Parent Guide)” in 2002. There were 11 types of special educational needs (SEN), namely visual impairment, hearing impairment, speech and language impairment, physical handicap/delicate health, mental handicap, autism, hyperactivity, gifted, emotional and behavioural problems, learning difficulty/specific learning difficulty and psychiatric problems. In the 2003/04 school year, the Education Bureau (EDB) implemented the “New Funding Mode” to provide public ordinary primary schools with the Learning Support Grant (LSG) based on the number of students with 8 SEN types and academic low achievers and the tier of support the students require. These 8 types of SEN include specific learning difficulties, intellectual disability, autism spectrum disorders, attention deficit/hyperactivity disorder, physical disability, visual impairment, hearing impairment and speech and language impairment. The fundamental principle we adopt is that the aforesaid students with SEN generally need long-term, continuous and targeted support in their learning. For the students of the other 3 types of SEN, although they are not the targets of the LSG, they would also be provided with appropriate support. As for

students with mental handicap or emotional and behavioral problems, at that time we considered that their difficulties are mostly transient, and they can overcome the problems after receiving appropriate support and counselling service. The EDB and schools provide support for the students displaying the aforesaid problems under different mechanisms and counseling service, such as One School Social Worker for Each School, Comprehensive Student Guidance Service, School-based Educational Psychology Service, etc. For the category of giftedness, the EDB has been following the Three-tier Implementation Model for Gifted Education to cater for the educational needs of gifted students and provide them with appropriate educational opportunities so that they can fully develop their individual potential under flexible teaching methods and environment.

- (b) In the 2013/14 school year, the Subcommittee on Integrated Education under the Panel of Education of the Legislative Council recommended to include mental illness (MI) as one of the SEN types and provide schools with additional resources to support students with MI. As such, the EDB reviewed and discussed ways to strengthen the notification and cross-disciplinary support mechanism with the Hospital Authority, and enhanced the collaboration with various organizations including tertiary institutes to develop mental health promotion programmes for students and organise courses and seminars, etc., for teachers (please see details in the next paragraph). In November 2016, the Committee on Prevention of Student Suicides submitted the Final Report and recommended to provide schools with additional resources for mental health and well-being promotion, as well as providing follow-up support to students with high risk in schools, so as to ensure the strengthened support to schools to be effective. Most people with MI can have their conditions stabilized, recover gradually and resume normal lives by noticing early symptoms and receiving timely medications as well as psychotherapy. However, the pace of recovery varies and some symptoms will subside within a short period of time. Some symptoms may persist for a period of time and repeated episodes may be experienced, leading to a prolonged treatment and recovery period. For these students, their learning life will be affected. Besides, the Expert Group on Child and Adolescent Mental Health Services under the Review Committee of Mental Health set up by the Food and Health Bureau (FHB) has recommended the Government to provide additional resources to schools to support students with mental health problems. In view of the above development, starting from the

2017/18 school year, the EDB includes the students with MI to be covered by the LSG so that schools, under the collaboration of the guidance team and student support team, will have additional resources to cater for the learning, social, emotional, and behavioural needs of these students.

Students with MI need treatment by healthcare professionals. With the appropriate treatment and rehabilitation services, the students can overcome the difficulties they are facing, which are transient in nature. Thus, schools play a complementary role in coping with the advice on treatment and rehabilitation given by the healthcare professionals and help them adapt to school life. Although MI was not included in the SEN types that could have the LSG before the 2017/2018 school year, schools could adopt various measures to provide support services to students with MI. Specifically speaking, school professionals (including student guidance teachers/personnel, school social worker, and educational psychologists) have been providing guidance to the students according to their conditions and needs. If needed, multi-disciplinary case conference would be arranged by different disciplines (including educational psychologists and psychiatrists) to discuss about a support plan. The EDB has also laid down in its School Administration Guide a guideline entitled “How Schools can Help Students with Mental Health Problems” for schools’ reference. Besides, the EDB and the Hospital Authority jointly organized relevant thematic courses and seminars to enhance the knowledge and skills of guidance personnel and professional support personnel, and reviewed and discussed ways to strengthen the existing notification and support mechanism to ensure effective cross-disciplinary collaboration and communication. For students with significant adjustment difficulties, including those having severe emotional and behavioural problems induced by their mental health problem, the EDB will consider providing schools with a time-limited grant where appropriate for employing teaching assistants to help the students concerned follow classroom routines and learn effectively.

- (c) Since 1983, the former Education Department provided students of low academic achievement with a range of intensive remedial services, including Resource Class (RC) operated in public sector ordinary primary schools. From September 2000, RC was renamed as Intensive Remedial Teaching Programme (IRTP) in Primary School, under which schools are encouraged to abolish the concept of “a separate class” and to further enhance the support services through

the Whole School Approach. School is provided with an additional teaching post (at Certificated Master/Mistress rank) in the teaching staff establishment and a class grant per IRTP. Target students of IRTP are still students of low academic achievement, including students with specific learning difficulties and students with intellectual disability. The number of target students of IRTP is only for calculation of additional manpower that the school should be provided with. In actual operation, irrespective of the funding mode adopted, schools should deploy additional resources and manpower to render appropriate support to students in need under the Whole School Approach to integrated education. In other words, students with SEN, including those with MI, regardless of whether they are the target students of IRTP, would all receive support from schools. If the academic performance of the students with MI is significantly behind, they would also be the target for IRTP after being assessed by professionals as being suitable for IRTP.

- (d) According to the approval exercise of LSG for the public sector secondary and primary schools in the 2017/18 school year (as at January 2018), the number of students with MI as the major SEN type are 410 and 67 respectively.
- (e) The nature and number of the fatal suicide cases will be confirmed after the legal proceedings of the Coroner's Court. The EDB has not captured the information from the Court. Hence, we are unable to provide officially verified figures on student suicides. All along, the EDB will provide appropriate professional support to those schools with cases of suspected student suicide. Starting from the 2012/13 school year, the EDB has been systematically collecting and compiling data on suspected student suicide. The number of cases of students suspected of committing suicide as reported by secondary and primary schools to the EDB in the recent 5 school years and the 2017/18 school year is tabulated as follows for reference:

School Year	No. of Cases
2012/13	14
2013/14	10
2014/15	9
2015/16	19
2016/17	19
2017/18 (up to May)	14

- (f) The EDB has been providing public sector ordinary schools with additional resources, professional support and teacher training to help the schools to cater for students with SEN. The subsidies and teacher provision relating to the support for students with SEN have been included in the recurrent Direct Subsidy Scheme (DSS) subsidy provided for DSS schools. The DSS subsidy is calculated based on the average unit cost of an aided school place and the number of students enrolled in the DSS. The EDB does not have information on students with SEN in DSS schools. Under the current policy, DSS schools are required to exercise their professional judgement in deploying school resources flexibly and diligently for educational and school needs in the best interest of their students (including those with SEN).

Identification and Admission of Students with SEN

- (g) Regarding para. 2.3 (b) of the Audit Report, please find the Observation Checklist for Teachers in **Annex 1**.
- (h) The average waiting time of students suspected to have learning or emotional, behavioural and adjustment difficulties referred to school-based educational psychologists (SBEPs) for assessment in the 2016/17 school year, with breakdown of class level as below:

Assessment waiting time	Class level of students			
	Primary 1 to 2	Primary 3 to 6	Secondary 1 to 3	Secondary 4 to 6
Number of cases	4 181	992	726	232
Within 2 months	3 981 (95.2%)	917 (92.4%)	659 (90.8%)	211 (90.9%)
Within 2-3 months	108 (2.7%)	25 (2.6%)	28 (3.8%)	5 (2.2%)
Within 3-4 months	35 (0.8%)	11 (1.1%)	15 (2.1%)	6 (2.6%)
Within 4-6 months	31 (0.7%)	22 (2.2%)	14 (1.9%)	6 (2.6%)
After 6 months	26 (0.6%)	17 (1.7%)	10 (1.4%)	4 (1.7%)

(i) Regarding para. 2.4 of the Audit Report:

- i) Autism spectrum disorders (ASD) and attention deficit / hyperactivity disorder (AD/HD) are diagnosed by psychiatrists whereas speech and language impairment (SLI) is diagnosed by speech therapists. Generally speaking, the symptoms of ASD and SLI are apparent when the children are in early childhood. Thus, many of these children are diagnosed during preschool years. In accordance with the existing mechanism of the EDB and the Child Assessment Centres (CACs) under the Department of Health (DH) and the Hospital Authority (HA), subject to the consent of parents, CACs will send the assessment information of the upcoming Primary One (P1) children with disabilities, such as those with ASD or SLI to the EDB for onward transmission to their recipient government or aided primary schools before the commencement of the new school year, so that the schools can have an early understanding of the conditions of students and arrange support for their smooth transition to primary school.

The difficulties of children with attention deficit / hyperactivity disorder (AD/HD) are more noticeable after they started primary school. Given the consent of the parents, student guidance personnel of school or teachers will refer the students from all grades identified with adjustment difficulties, including students suspected with AD/HD or students suspected with ASD who are not identified in preschool for initial assessment by SBEPs. Norm-reference rating scales specifically for the identification of children with ASD or AD/HD are often administered first as part and parcel of the EP assessment, which will be considered together with other information collected through other means such as class observation, interview with parents and teachers, psychoeducational assessment on the students, as well as response to intervention as arranged by the schools or parents, to assess whether there is convincing evidence to suspect them to have ASD or AD/HD, as well as to formulate support strategies. SBEPs will refer the students to the psychiatrists for further assessment and diagnosis, where appropriate.

Regarding students suspected of learning difficulties (including specific learning difficulties in reading and writing (SpLD)), the EDB has been implementing the 'Early Identification and Intervention Programme for Primary One Students with

Learning Difficulties' (EII) in all public sector primary schools to ensure that P1 students with learning difficulties can be promptly identified and supported at an early stage. Under the EII, all students identified to have marked learning difficulties will be referred to the SBEPs for assessment. "Intervention before assessment" is the basic principle of the EII. Schools will first provide support to these students. The EPs will review the students' "response to intervention" in P1 and early P2 to inform the formulation of appropriate support measures, as well as to minimize measurement errors resulting from assessment conducted too early from a professional perspective. Therefore, assessment of most students with marked learning difficulties will be arranged when they are in P2, whereas individual P1 students who show severe learning or adjustment difficulties might be arranged with assessment in P1. Assessment for the P1 and P2 students will be arranged throughout the academic year based on the work schedules and professional judgement of the SBEPs.

For students in other grades suspected with SpLD, teachers usually fill out a norm-referenced behavior checklist of SpLD after initial consultation with the SBEP. Based on the total score of the checklist, class observation, and samples of daily assignment, etc., referrals will be made to the SBEPs, where appropriate.

- ii) As SBEPs will not make medical diagnosis, they will refer students assessed by them and found to have convincing evidence to be suspected with ASD or AD/HD to the psychiatrists of the Hospital Authority for further diagnosis, given parental consents for the referrals have been obtained. Parents may also choose to seek psychiatrists' assessment for their children on their own accord.
- iii) Currently, information of students with SEN requiring tier 2 or tier 3 support is reported to the EDB by the schools via the Special Education Management Information System (SEMIS) annually. Schools are also required by the EDB to have regular review of the support needs of students and adjust their tier-level of support as necessary. At the end of each school year, the student support team will review the progress of each student to ascertain the tier-level of support that he/she needs in the new school year. When the school updates EDB with student information in the new school year, the respective

column in SEMIS will also be updated for the students whose tier-level of support has been adjusted, e.g. those who have made good progress and are no longer in need of tier 2 or tier 3 support. Nevertheless, the students with SEN may still require tier 1 support despite their significant progress, as teachers have to continue supporting them with quality classroom teaching.

- (j) The SEMIS is a computerized information management system of the EDB for collecting and managing the information of students studying in aided special schools and students with SEN studying in public sector ordinary schools. The scope is very broad. It mainly contains (a) Information of referral and placement arrangement for special schools and information of student schooling; (b) Related information of students with SEN in ordinary schools; (c) Information on additional resources obtained by ordinary schools; and (d) Information on special education training of teachers, etc., with a total about 4 000 data items. The system has about 400 pre-set reports of various natures for compiling and accessing related information. Most of the information in SEMIS are for internal use by the EDB.

For the above-mentioned scope (b), the information of students with SEN in ordinary schools is essential for supporting students. The core information it contains is as follow (Please read **Annex 2**):

- i. Basic information of students, such as name, school level, gender and date of birth, etc.
- ii. SEN type(s) of students
- iii. Information of support received by students
- iv. Consent of parents for information transfer
- v. Information of learning progress of primary school students (such as internal assessment results and data of Learning Achievement Measurement Kit)
- vi. Exit path of secondary school students

Other than facilitating the understanding and following-up on students with SEN by the EDB and public sector schools, the EDB will also use the information in calculating and managing the related additional resources for schools. Regarding the detail information of support for students with SEN by the schools, such as the details

***Note by Clerk, PAC:** *Annex 2 not attached.*

of the services or plans and the analysis of the effectiveness, etc., are managed and recorded by the school-based mechanism and are not recorded in the SEMIS.

- (k) Regarding the figures in para. 2.5. of the Audit Report, about 70% of students were assessed for the first time when they were in P1 or P2, showing that the learning or behaviour problems of majority of the students were attended to in the junior forms. The subsequent decline in the number of newly assessed students by class levels also showed that our prevailing mechanism of referring students to the SBEPs for assessment by the student guidance personnel, school social workers and teachers-in-charge of the student support team has been effective.

Not all students are assessed in P1 or P2 for confirmation of SEN. This is because certain SEN difficulties are usually manifested in higher class levels, such as mental health issues or emotional and behavior difficulties in adolescence. In addition, some students newly arrived at Hong Kong or their parents newly gave consent for service also accounted for their assessment at higher class levels. No matter how, these students would be referred for assessment services as soon as they are identified by schools or parents.

In each school year, the EDB arranges regular school visits by professional staff to understand the identification and support services provided for students with SEN and remind schools to refer students for assessment service as necessary. Meanwhile, we will continue to emphasise the importance of early identification and intervention to schools via various means, such as leaflets, seminars, workshops, etc..

- (l) The EDB has all along been collaborating with schools to encourage parents of students with SEN giving consent to transfer their children's information to recipient schools. Schools should abide by the Personal Data (Privacy) Ordinance in processing students' personal information, including information pertaining to SEN. In this connection, schools are required to obtain parents' prior consent for processing a student's SEN information, including registering and updating the information at the SEMIS according to established procedures, and transferring the information to the recipient school upon the student's change of school.

The EDB collects from schools the information on parents' willingness for processing SEN information of students. Premised

upon the prime principle of respecting parents' will, the EDB does not request schools to collect the reason why the parents consent or why they do not consent.

The EDB has all along, through different means, encouraged parents to pass the assessment information of their children to school when their children promote to primary schooling. Currently, pre-school children are admitted to P1 of the public sector ordinary schools through the Primary One Admission System (POA). Currently, the EDB and the CACs of the DH and the HA have a mechanism for the transfer of assessment information of pre-school children with special needs to primary schools with a view to facilitating schools' early arrangement of support for those children with SEN. Under the prevailing practice, the CACs will, upon seeking the consent of parents, send the assessment information of the upcoming P1 students to the EDB for onward transmission to the recipient public sector primary schools before the commencement of the new school year.

Besides, the EDB has been collaborating with non-governmental organisations (NGOs) in running annual seminars for parents of lower kindergarten children with special needs. In addition to briefing parents about the support services available at public sector ordinary primary schools, the importance of home-school cooperation, and the sources for acquiring school information, we also encourage parents to indicate the Special Education Code which fits their children's developmental needs on the POA Application Form when they apply for a P1 place for their children. This will facilitate the collaboration of the EDB and other departments under the aforementioned mechanism to transfer the assessment information of their children to the recipient primary schools, so that primary schools can plan and provide support at the earliest time possible. In tandem, seminars are also organised for kindergarten teachers to enhance their knowledge of the support for students with SEN offered by public sector ordinary primary schools and special schools respectively, so that they could provide practical advice to parents on helping the children to adapt smoothly to the primary school life.

To ensure that P6 students with SEN will continue to receive suitable support upon their admission to secondary schools, primary schools are requested to transfer, upon obtaining parental consent, relevant information of these students to the secondary schools concerned. Data will be transferred via electronic means if they are in SEMIS,

while reports and learning records will be transferred from primary schools to secondary schools. We have stated in details the related arrangements in a circular entitled “Transfer of Information of Students with Special Educational Needs” (EDB Circular No. 9/2013). A letter is issued in May every year to remind the primary schools about the arrangements. A template form is provided for primary schools to record the statistics of information transferred to secondary schools.

In addition, the EDB staff will advise schools, at various occasions (such as school visits, daily contacts, etc.), about the transfer of information for students with SEN and the types of documents to be sent to the recipient schools (viz. medical reports, assessment reports, succinct learning records and teaching strategy suggestions, etc.), and the timeframe for sending the information. The EDB also collaborate with the NGO in running an annual seminar for parents of P6 students with SEN promoting to Secondary One. Among the professional advice given, we encourage parents to give consent to the primary schools to transfer relevant information of their children with SEN to the secondary schools with a view to facilitating early identification and intervention by the secondary schools, so that students with SEN will continue to receive suitable support.

After all, for some parents, SEN information of their children is important personal data. We need to let parents understand thoroughly the purpose and function of transferring the respective information and let them make an informed choice on whether to let the recipient school have the respective information. Therefore, we opine the prevailing practice appropriate and more proper as compared with an ‘opt-out’ arrangement.

(m) Regarding para. 2.12 (c) and (d) of the Audit Report, a sample of the assessment summary and assessment report are in **Annex 3 & 4**.

(n) Regarding para. 2.13 of the Audit Report:

- i) As aforementioned, the SEMIS captures and manages the information of students studying in aided special schools and students with SEN studying in ordinary public sector schools. Currently, the SEMIS has captured the most essential student information, including assessment findings, assessment results, as well as the SEN type. As the dates of post-assessment meetings and issuance of assessment summaries and

assessment reports will not affect the support given to students, such information has not been recorded in the SEMIS.

ii) and iii)

The EDB requires schools to follow the principle of ‘Intervention before Assessment’. They should provide intervention to students as soon as they are identified to have difficulties without the need to wait for assessment results. Upon completion of assessment, EPs would discuss with school personnel and parents the support measures in post-assessment meetings, so that schools and parents could adjust the support in accordance with the discussion results and EPs’ recommendations. Usually, assessment summaries are issued within three months upon completion of the assessment. It takes a longer time to write up the assessment reports. According to the principle of ‘Intervention before Assessment’, after the post-assessment meetings have been held, schools will continue or adjust the support for students in accordance with the discussion results, whilst not waiting for the issuance of assessment summaries or assessment reports before providing support to the students. The SBEPS Guide contains general guidelines on the time expected of EPs to issue assessment summaries and assessment reports. Hence, basically the support the students receive will not be affected by the dates of issuance of the assessment summaries or assessment reports.

- iv) The SEMIS captures and manages the information of students studying in aided special schools and students with SEN studying in public sector ordinary schools, and it facilitates EDB to understand the general profile of students with SEN and provide appropriate support and resources. With the input of the major assessment results and related information in the SEMIS provided by the EPs, it is sufficient for EDB to manage related tasks. As the assessment summaries and assessment reports not only contain assessment results but information of the students’ parents and family, and the assessment summaries and reports also have restricted access, from the angles of protection of privacy data and to respect EPs’ professional responsibility, we consider it not appropriate to file and upload such information onto the SEMIS.
- (o) In view of the regularisation of the On-site Pre-school Rehabilitation Services (OPRS) since the 2018/19 school year, the EDB and the

Social Welfare Department (SWD) have agreed on a collaborative mechanism. The specialists and special child care workers of OPRS and the other rehabilitation services under the SWD will offer their professional advice on the progress of their serving children with special needs by completing a report form before the children begin primary schooling. With the coordination of the SWD and the EDB and subject to parental consent, the progress report of individual children will be sent from their pre-school centres/kindergartens/NGOs providing the subvented rehabilitation services to the SWD which will pass the reports to the EDB for onward transmission to the children's designated public sector primary schools before September. Based on the progress information provided by OPRS or the other subvented rehabilitation services of the SWD and the assessment information of CACs, the primary schools will plan and provide appropriate support services for the respective P1 students at the earliest time possible. The above mentioned mechanism will take effect from the 2018/19 school year for children promoting to P1. As this mechanism is newly established, we do not have figures on parents not giving consent for transfer progress information of their children from pre-school centres or kindergartens to their designated public sector primary schools in the past years.

- (p) We will follow up on para. 2.15(c) of the Audit Report which mentioned to review and record information about the dates of post-assessment meetings held at school, as well as issuance of assessment summaries and reports furnished by the SBEPs. The views of the SBEPs and other stakeholders will be consulted with a view to accomplishing the concerned task within the 2018/19 school year and issue new guidelines.
- (q) Regarding the recommendation in para. 2.21 and 2.22 (b) of Audit Report, the EDB will continue to remind schools to enhance the transparency of information through circulars and school visits. Specifically, the EDB staff would, during school visits, continue to encourage schools to release more information about the support for students with SEN for parents' reference, for example, to set out in the school report how resources are deployed to provide support services for students with SEN and upload such information onto the school website. We have also provided a sample in the "Operation Guide on the Whole School Approach to Integrated Education" to facilitate schools' understanding that they should illustrate their implementation of integrated education in the school report.

Besides, apart from requiring schools to publicise the percentage of teachers with special education training in the School Profiles, the EDB has proposed to the Committee on Home-School Co-operation to assign a separate column in the Primary and Secondary School Profiles for schools to elaborate on the implementation of the Whole School Approach to integrated education. The arrangement has been approved by the Home-School Committee and the respective information will be provided in the School Profiles to be distributed in 2018. The EDB has also been uploading information on schools' Open Days onto the website of the Committee on Home-school Co-operation so as to enable parents (including parents of students with SEN) to pay on-site school visit(s) to acquire more school information before making school choices.

(r) Re: para. 2.22 and Appendix B:

- i) Besides the “Year-end Evaluation Form at School Level on Whole School Approach to Catering for Students with Special Educational Needs”, there is another tool named “Catering for Student Differences ~ Indicators for Inclusion” for schools to conduct self-evaluation. It assists schools to set targets and define observable success criteria in the school self-evaluation and school development process. It can be downloaded at:

http://www.edb.gov.hk/attachment/en/edu-system/special/support/wsa/indicators-082008_e.pdf

Please find an example in **Annex 5**.

- ii) A sample of a School Report is in **Annex 6**.
- iii) Under the implementation of the school-based management, schools have to devise School Development Plan (SDP), Annual School Plan, report on the progress made in the School Report, and conduct a holistic evidence-based review of their SDP at the end of their school development cycle (that is self-evaluation) to inform forward planning, to facilitate their continuous development and improvement, and to enhance their accountability. The above self-evaluation reports have to be discussed and endorsed in the Incorporated Management Committee/School Management Committee. Although the reports would not be verified by the EDB, the Regional

***Note by Clerk, PAC:** *Annex 6 not attached.*

Education Offices will provide support and advice to schools on their daily operation and continuous development

- (s) The EDB has taken up the major repairs (MR) works of non-estate and estate aided schools since April 2010 and April 2014 respectively. In accordance with the established mechanism, schools may apply for installation of lifts through the annual MR mechanism. Since April 2010, EDB has approved a total of 46 lift installation applications through the annual MR mechanism, with another 68 pending approval.

To expedite the lift installation works for schools without such provision, the Financial Secretary has announced in the 2018-19 Budget that the Government will make a provision of \$2 billion and set up a dedicated team to handle the lift installation works for schools, including those which have submitted applications through the existing mechanism but pending approval. In order to collect the latest information on school premises and ascertain the schools' needs for lifts so as to take forward the works, EDB sent a letter to all aided and DSS schools on 1 March to explain the objective of the relevant scheme and invite applications from schools which have no lifts and have yet to make any installation request through the existing mechanism. Schools which have already submitted lift installation request through the MR mechanism do not need to make resubmission.

Up till now, we have received around 100 replies, including schools which have already submitted application through the MR mechanism in the past years; schools seeking to replace existing lifts; and schools that have lift installed at certain teaching blocks but seeking to have lift installed at other teaching block. We are following up with these schools on the information provided to verify the circumstances at the schools and to arrange subsequent follow-ups. We plan to arrange newly engaged consultants to conduct preliminary technical feasibility assessment for these schools from the first quarter of 2019 onwards.

- (t) Under the current allocation systems for Primary One and Secondary One school places, students may refer to the information provided by EDB, the School Profiles published by the Committee on Home-School Co-operation on an annual basis and the school websites to ascertain if the schools may provide accommodating learning environment (including the availability of lift) for students

with SEN and, with reference to the learning environment and school facilities, etc., choose the schools that suit their needs.

Should students with physical disability be allocated with places at schools without lift provision for the time being under the prevailing allocation systems for primary one and secondary one school places (including the Discretionary Places Admission Stage and the Central Allocation Stage), the schools concerned may make use of the LSG as necessary to fund supporting measures for such students. And, the schools concerned may also apply to EDB for the Top-up Fund to construct ramp, procure stair-climbing machine, etc., for the students concerned.

- (u) (i) Since April 2010, the EDB has approved at least five lift installation applications each year, and endeavoured to approve more where resources and manpower permit. The yet-to-be approved applications will be re-considered together with new applications (if any) in the subsequent funding allocation exercise. Hence, the schools concerned are not required to resubmit applications afresh. Among the 46 approved applications, over 60% (29 applications) were approved in the same year of application or within the next year, whereas the rest have a waiting time ranging from 2 to 7 years. The average waiting time for all applications is 1.5 years.

(ii) and (iv) Based on the experience in handling relevant works projects in the past few years, lift installation works generally involve more complicated work stages. From conducting preliminary technical feasibility studies, discussing with schools over lift location, preparing drawings for submission to relevant departments for approval, coordinating with schools on works arrangements and schedule to completing the works, it normally takes at least 4 to 5 years. Should the works involve more complicated technical issues (for example, limited space available for lift installation), or the schools can only make available limited time slots for the works, it will take an even longer completion time. For the 4 schools with lift installation works completed by the time the Director of Audit's Report No. 70 was prepared, the average time required from application to works completion is around 6 years.

(iii) The updated progress of those approved lift installation works; With regards to the 42 approved lift installation projects set out in paragraph 2.25 of the Director of Audit's Report No. 70, the relevant

work progress as at end-May is as follows: one project has been completed by end-April. It is envisaged that the relevant lift can be put to use by June 2018 pending the issuance of the Occupation Permit from the Buildings Department; 10 projects are at the construction stage. Based on the latest works progress, three of them are expected to be completed within 2018; and the remaining 31 are either under submission of plans for approval by relevant departments, planning or detailed design stage.

(v) Measures to be taken to expedite the approval and installation processes with a view to meeting the target of completing all the school lift installation works by 2026-27 (paragraph 2.26 refers) and an implementation timeline. To expedite the lift installation works for schools, apart from making the \$2 billion provision, EDB will set up a dedicated team to handle the relevant works. As mentioned in the reply to question (s) above, in order to collect the latest information on school premises and ascertain the schools' needs for lifts so as to take forward the works, EDB sent a letter to all aided and DSS schools on 1 March to explain the objective of the relevant scheme and invite applications from schools which have no lifts and have yet to make any installation request through the existing mechanism. Schools which have already submitted lift installation request through the MR mechanism do not need to make resubmission. We are following up with the schools concerned on the information provided to verify the circumstances at the schools and to arrange subsequent follow-ups. We plan to arrange newly engaged consultants to conduct preliminary technical feasibility assessment for schools in need of lifts from the first quarter of 2019 onwards. It is expected that the relevant assessment can be completed within one year. EDB will then formulate the installation timetable based on the results of technical feasibility studies and the actual circumstances of individual schools.

(vi) Interim measures taken/to be taken to facilitate the access of persons with disabilities to the facilities in schools which had not installed lifts; Pending completion of the lift installation works, schools may make use of the Learning Support Grant as necessary to fund supporting measures for students with physical disability. If school still requires financial assistance after utilising its resources,

they may apply to EDB for the Top-up Fund for procurement of special furniture and equipment or carrying out minor conversion works to facilitate the mobility and improve learning environment of students with physical disability within the school premises, such as constructing ramp, procuring stair-climbing machine, converting toilet or ordering tailor-made desks and chairs.

- (v) Prior to the announcement of the \$2 billion provision to expedite installation of lifts, according to the established mechanism, schools may submit applications for lifts installations through the MR mechanism. The relevant works are funded by the block vote allocation under the Capital Works Reserve Fund (Head 708 Subhead 8100QX). For the 46 lift installation projects approved by EDB since 2010, the project cost of individual projects would vary having regard to the site condition, as well as project scope, design and works arrangements. Generally speaking, a more realistic project estimate could only be made available after the detailed design is finalised. The annual expenditure of the relevant works is subject to the progress of individual projects. The expenditure required at the early stage would be much less than that during the construction stage. For 2013-14 to 2017-18, the lift installation-related annual expenditure under Subhead 8100QX is as follows:

Financial Year	Lift installation-related Annual expenditure (\$M)
2013-14	2.688
2014-15	11.091
2015-16	16.415
2016-17	13.144
2017-18	25.737

Education Bureau
7 June 2018



教育局

請於每年十二月八日
開始填寫量表，須於
一個月內完成。

小一學生之學習情況量表

(標準版 + 附加題)

學校名稱：_____ 學生註冊編號：_____

學生姓名：_____ 1()班 ()號 性別： 男 / 女

出生日期：_____年_____月_____日

填表日期：20_____年_____月_____日

填表人姓名：_____

填表須知

填寫量表前請先仔細閱讀使用手冊

1. 這份量表須由教師填寫，填寫的教師必須對受評估的學生有一定程度的認識，例如學生的班主任。
2. 填表者應確保所有題目已作答。
3. 填表者應根據日常觀察所得，決定學生出現各項行為的頻率。可選擇的頻率依次為「時常」、「間中」、「很少」及「從不」四項，每題只可選擇一個答案。
4. 由於這些題目涉及學生在校內不同科目的表現，若填表者不能肯定某些行為的出現頻率，請與任教該科目的教師或學生家長商討。若在商討後仍無法作出決定，可選擇「不適用 / 不知道」。然而，應儘量避免此選項。
5. 本量表須配合《學生資料背景》一併分析。

標準版 + 附加題

時 常	間 中	很 少	從 不	不 適 用 / 不 知 道
--------	--------	--------	--------	---------------------------

(A) 中文

- | | | | | | |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| * 1. 能讀出簡單而常見的文字，例如水、手、早、雨、天、花。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| * 2. 能朗讀簡單的句子。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| * 3. 能流暢地朗讀課文，不會斷斷續續、讀錯字、讀漏字、跳行或讀出多餘的字。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| * 4. 能依圖畫的內容選取所提供的單字進行配詞，例如 天一空、火一車。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 5. 能依圖畫的內容選取所提供的配詞配成簡單的句子。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| * 6. 能看圖口述造句。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 7. 能運用書本插圖提示，順序地口頭描述故事。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| * 8. 無須輔以圖畫而能選取所提供的詞語配成簡單句子。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| * 9. 能寫出簡單的單句，例如我有很多玩具；我和同學一起玩耍。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 10. 能在句子裏適當地加入基本的標點，例如逗號、句號。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 11. 能適當地控制筆桿進行書寫，不會過度用力或乏力。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 12. 書寫時不會經常出格。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

	時 常	間 中	很 少	從 不	不 適 用 / 不 知 道
13. 寫字的筆順一般正確。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 14. 書寫時不會漏寫筆畫、漏寫字或字詞。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 15. 速度不會太慢，能在一般同學需要的時間內完成抄寫。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 16. 能默寫簡單的詞語，例如公園、學校等。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 17. 能適當地運用新學的詞彙。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

(B) 數學

1. 能分辨上下、前後的概念。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. 能根據物件的特質來分類，包括輕重、長短、大小、形狀。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 3. 能把物件歸類，並能粗略說出其中的異同。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. 能以「一一對應」的方法數數 1 至 20。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. 能以「一一對應」的方法比較兩種物件的多少。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. 能順數 1 至 10。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. 能倒數 10 至 1。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 8. 能順數 11 至 20。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 9. 能倒數 20 至 11。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
10. 能正確地默出 1 至 20 以內任何一個數字。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	時 常	間 中	很 少	從 不	不 適 用 / 不 知 道
11. 能依照次序排列 20 以內的數字。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 12. 能寫出 1 至 20 以內的單、雙數。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
13. 能以直式或橫式計算 10 以內的個位加法。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
14. 能計算個位減法。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 15. 能計算 18 以內各數的基本加減組合， 例如 $9+8=17$ ； $17-8=9$	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 16. 能知道「相差」的意義。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 17. 能知道「比」的意義。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 18. 能知道「和」的意義。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 19. 能計算 10 以內的推理題目， 例如 $\square+4=9$ ； $\square-3=5$	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
20. 能知道 1 至 20 以內的數字代表的數量，例 如能選取指定數量的物件。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
21. 能比較 1 至 20 以內的數字的大小。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
22. 能比較大量物件的多少而不用逐一點算， 例如 90 粒圓點比 30 粒圓點多。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
23. 能比較兩種物件的數量而不受物件的外型 特徵所影響，例如比較 4 隻大象和 7 隻螞 蟻的數量。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
# 24. 能指出個位和十位，例如 15 這個數中，5 是個位，1 是十位。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
# 25. 能知道個位和十位代表的數值，例如 15 這 個數中，5 代表 5，1 代表 10。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	時 常	間 中	很 少	從 不	不 適 用 / 不 知 道
26. 能利用實物，例如數粒表示個位和十位的數值。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
27. 能明白加法交換性質，例如 $2 + 3 = 3 + 2$ 。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

#註：第 24 題所指的是學生能指出兩位數字中的個位和十位。第 25 題所指的是學生不但能指出個位和十位，而且明白個位數字和十位數字代表不同的數值。

(C) 英文

1. 能認讀教師隨機選出的英文字母。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. 能默寫教師隨機讀出的英文字母。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. 能認讀常見的簡單英文單字， 例如 we, like, book, ten	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. 能正確地抄寫英文單字，包括分隔字與字 之間的空位。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. 能默寫常見的簡單英文單字， 例如 we, like, book, ten	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 6. 能正確地跟隨教師朗讀簡單的英文字詞及 短句。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 7. 能默寫簡單英文句子。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 8. 能明白簡短的英文口頭指示， 例如 Stand up	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 9. 能運用簡單英文單字描述圖畫。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
10. 能運用簡單英文句子互相問候， 例如 Good morning	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	時 常	間 中	很 少	從 不	不 適 用 / 不 知 道
11. 能嘗試用英文回答與日常生活有關的簡單問題， 例如 How old are you? I am six.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

(D) 個人自理及社交

* 1. 無須成年人協助，能獨立應付簡單的工作，例如依指示拿出或放回書簿文具。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 2. 能跟隨課堂指示。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. 能分辨各科書本、作業和習作簿。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 4. 能帶齊作業、上課所需物品等。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 5. 能自行抄寫家課冊，無須別人協助或提點。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 6. 無須成年人提點，能專心學習 10 分鐘。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. 不合群，例如小息時離群獨處。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. 畏縮。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9. 易發脾氣。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
10. 反應呆滯，對周圍事物沒有興趣。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
11. 活動過多，不能安坐。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

時 常	間 中	很 少	從 不	不 適 用 / 不 知 道
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(E) 語言能力

- | | | | | | |
|--|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| 1. 能跟隨兩個步驟的指示，例如從教師處拿取文具，然後分派給同學。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 2. 能明白簡單的故事。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 3. 能表達自己的需要，例如上廁所、身體不適等。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 4. 能說出簡單的個人資料，例如兄弟姊妹的數目、住址、父母的職業等。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 5. 能用完整句子表達意思。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 6. 能轉述別人簡單的口頭訊息。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 7. 聆聽故事後能回答簡單直接的問題，例如一家人到哪裡去玩？ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 8. 能簡單地複述剛聽過的句子或其他資料。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 9. 能用適當的詞語表達自己的意思（不會經常用意思不明確的字眼，例如「嘢」、「果啲」、「呢啲」等）。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 10. 與人溝通時能懂得適當地發問「這是甚麼？」、「哪裡？」、「為什麼？」等。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

(F) 肌肉控制及協調能力

- | | | | | | |
|---------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| 1. 能依形狀填色，大致不會填出界外。 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
|---------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|

	時 常	間 中	很 少	從 不	不 適 用 / 不 知 道
2. 能運用剪刀剪出印在紙上簡單的圖形。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. 能利用尺子畫直線。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. 能畫出多種可辨認的東西，例如太陽、樹、花。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* 5. 能分辨左右。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. 不用協助或扶欄，能兩腳輪流交替下梯級。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. 能控制自己的身體平衡和動作協調，包括行、走、跑、跳、站立和穩坐。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. 上體育課時，能做到所要求的動作。	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

附有*的題目與簡短版的題目相同

***Note by Clerk, PAC: Chinese version only.**

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EDUCATION BUREAU EDUCATIONAL PSYCHOLOGIST'S REPORT

Name: [REDACTED] ([REDACTED])	Ref. No.: [REDACTED]	Sex: Male
Date of Birth: 20.7.2009	Age: 7yrs 8 mths	as on 3.4.2017
School: [REDACTED]	Class: P.2 (2016/17)	

Date of School Visits: 3.4.2017 , 24.4.2017 , 8.5.2017 & 26.6.2017

Reason for Referral

[REDACTED] was referred through the Early Identification and Intervention Programme for P.1 Pupils with Learning Difficulties for assessment and advice on his educational needs.

Background Information Family Background

[REDACTED] is the younger of the two boys of his parents. Both parents are working. The parents hire a domestic helper to take care of the children's daily needs. Mother helps the children with schoolwork. She also brings the boys for playing basketball and swimming lessons. [REDACTED]'s cousin (表哥) helps check his homework assignments at times.

Academic Performance and School Adjustment

According to the Observation Checklist for Teachers in P.1, [REDACTED] was very weak in Chinese Language (at the 1st percentile). He was slightly weaker than his aged peers in English (9th percentile). He was better at Math, self-care and social skills.

Review by Student Support Team (SST) in the first term of P.2 indicated that he was lagging below class level. [REDACTED] revealed that he liked Chinese but he was weak in English. He managed to do homework assignments for Math and G.S. No emotional or behavioural problems were reported by teachers. Chinese teacher offered accommodation for Dictation and he responded with efforts and confidence. Mother reported that despite support, [REDACTED] was diffident in learning English.

Behaviour Observed

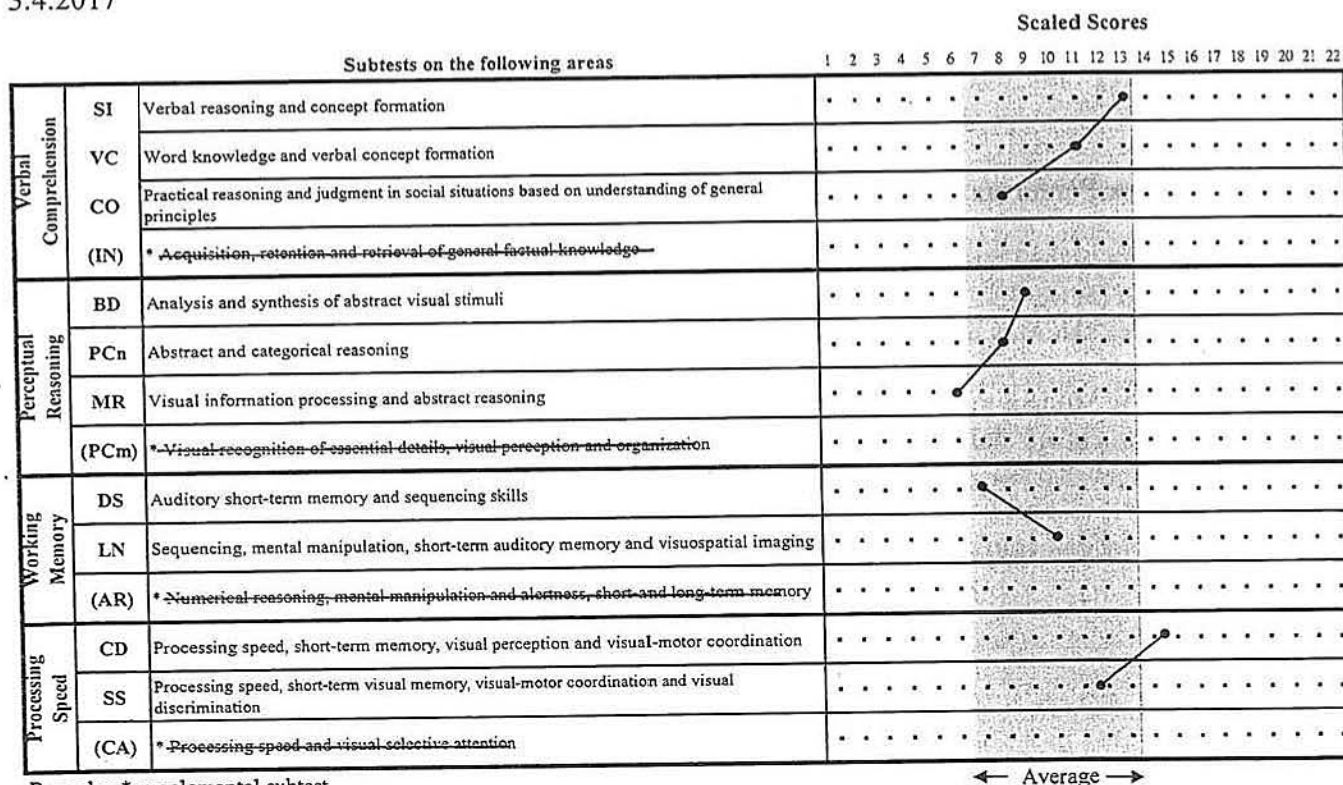
█████ was invited to work with me individually on 3.4.2017, 24.4.2017 & 8.5.2017. He impressed me to be a gentle and polite boy. He was smiling when having a conversation with me, sharing family experiences, learning performances and activities outside school. He had a positive outlook and positive relationships with his family members and relatives. He tidied up things and put back the chair before he left the interview room.

During the assessment sessions, he maintained adequate attention control and worked with perseverance on all the given tasks. When working on reading tests, he confused word pairs which looked similar, e.g. read 技 as 枝. Sometimes he read a word pair based on his knowledge of one word in the pair (read a word pair as 視藝 with knowledge of the word 藝). As a result, he made mostly substitution errors. When doing a working memory test, █████ rehearsed the auditory stimuli in a soft voice before he sound it out. When working on a paper and pencil task, █████ checked his work, found a mistake and correct before he proceeded with the second half of the test. These behaviours reflect █████ care and efforts to achieve better accuracy of his written work. His handwriting was of good quality but he had difficulty in recalling/ making attempt of some word pairs. He also had difficulty in mental arithmetic and used finger counter to do two digits addition. Some problems with reciting the times table were also observed.

Assessment Findings and Discussion

Intellectual Functioning

The Wechsler Intelligence Scale For Children – Fourth Edition (Hong Kong) was administered on 3.4.2017



Remarks: * supplemental subtest

Scale	Composite Score	Percentile Rank	95% Confidence Interval	Classification
Verbal Comprehension	VCI:104	61	97-111	Average
Perceptual Reasoning	PRI:85	16	78-94	Low Average
Working Memory	WMI:91	27	85-98	Average
Processing Speed	PSI:120	91	107-127	Superior
Full Scale	FSIQ:99	47	93-105	Average

On the WISC-IV (HK), [REDACTED] earned a Full Scale IQ (FSIQ) of 99 at the 47th percentile, classifying his overall intellectual ability within the Average range. There is a 95% chance that his true IQ is between 93 and 105. However, there are significant discrepancies between his processing speed and the other two indices (perceptual reasoning and working memory) (base rate=2.2% and 3.8% respectively). Also, significant discrepancies are found between his verbal comprehension and perceptual reasoning (base rate=10.2%). His strengths are in verbal reasoning and concept formation (base rate=10-25%), and processing speed, visual motor coordination (base rate=2-5%). His weaknesses are in auditory short term memory and sequencing skills (base rate=10-25%) and visual information processing and abstract reasoning (base rate=5-10%).

Reading and Writing Ability

Hong Kong Test of Specific Learning Difficulties In Reading and Writing for Primary School Students – Third Edition(HKT-P(III Junior Primary) Date of Assessment:3.4.2017 & 24.4.2017

Literacy Tests	Scaled Score (mean=10, s.d.=3)	
<i>Chinese Word Reading</i>	6	
<i>Chinese Word Dictation</i>	7	
<i>One Minute Reading</i>	7	
Literacy Composite Score	6.7	weak
Cognitive Tests		
<i>Rapid Digit Naming</i>	11	
<i>Rapid Letter Naming</i>	9	
Rapid Naming Composite	10	average
<i>Rhyme Detection</i>	9	
<i>Onset Detection</i>	6	
Phonological Awareness Composite	7.5	average
<i>Phonological Short-term Memory</i>	7	
<i>Phonological Working Memory</i>	10	
Phonological Memory Composite	8.5	average
<i>Homophone Identification</i>	10	
<i>Homograph Identification</i>	9	
Morphological Skills Composite	9.5	average
<i>Left/Right Reversal</i>	7	
<i>Lexical decision</i>	7	
Orthographic Knowledge	7	weak

████ is weak in literacy skills. Among the cognitive tests, he attained average performance in all tests except for orthographic knowledge.

Informal reading assessment using his Chinese textbook (P.2 Term 1 level) indicates his good reading accuracy and fluency for a passage he has learnt in lessons. He also answered all the questions about the passage well. He had difficulty in writing words like 麼、遮 and 傘. Strategies like repetitions, segmentation (breaking a word into smaller parts) and associative memory (e.g. word family 字詞家族) were demonstrated and practised with him in the follow-up session with him. █████ had good motivation in trying out the new strategies. █████ told me that he had been to the library but he had not borrowed books. Though he liked Chinese, apparently he did not have a reading habit to consolidate his language skills.

In summary, █████ has average intelligence but has specific learning difficulties in reading and writing.

Meeting at School

A meeting was held at school on 22.6.2017 to share the assessment findings and discuss support plan with the parent and teachers. Mother was understanding and supportive. Knowing that █████ was weaker in confidence in learning English, she planned to arrange interesting activities (drama class and phonic skills training) to help him develop basic skills and interest. With positive peer influence, John has recently developed a stronger interest in reading books on Chinese historical figures (e.g. 秦始皇). Mother would arrange bi-weekly visits to the public library to borrow books in this series. Members also shared books which might help █████ develop interest in reading English story books (e.g. Lego phonics books).

Conclusion and Recommendations

████ is a polite and gentle boy whose performance in language subjects was lagging behind class level. Present assessment findings indicate that he has **average intelligence**. His processing speed is within the superior range (PS=120) but his perceptual reasoning is within the low average range. He is also weak in visual information processing and orthographic knowledge. He was found to have **specific learning difficulties in reading and writing**. His strength is his good motivation, attention skills and perseverance when coping with learning tasks. He needs support to develop his reading and writing skills, as well as his memory skills.

- He would benefit from intensive remedial support in the basic subjects, with a multisensory approach to learning vocabulary, concepts and skills. He might listen to songs, rhymes and audio books. He could learn and practise skills in breaking down a word into meaningful parts, highlighting parts which are difficult/ confusing, using small Lego blocks/ letter magnets to build up words and make up stories about words. Learning about word families and keeping a notebook of common/ useful vocabulary are helpful, too. Use of the look-cover-write-check sequence in doing revision for dictation is another way to ease his memory for words.
- School and Parents might arrange █████ to join study skills training/ reading and writing training group. Parents are invited to join the regional parent workshop organised by the Education Bureau to equip him with support strategies which help with █████'s learning of

literacy skills, memory skills and Math skills. To enhance his memory for works/ facts, he can learn chunking (breaking a long piece of information into smaller, meaningful parts), grouping (organizing points related to each other) and associative memory skills. Use of visual strategies or graphic organizers (such as mind-maps and flow charts) and highlighting keyword with colours is recommended.

- [REDACTED] needs regular reading practice to develop reading skills. He likes Chinese and can read chapters taught in class. Therefore, Parents might encourage him to read familiar materials (such as passages chosen from book) to improve reading fluency, and consolidate vocabulary. Ask him some questions about the passage and encourage him to elaborate or explain why the characters choose a certain behaviour/ action. Parents might also encourage [REDACTED] and his brother to read/ borrow books from the library, watch movies (explore their interests in heroes/ adventures/ drama etc) and find books which might have comics or fiction written in simple language about the movies. [REDACTED] is a helpful boy who might like to share these stories with younger children in school.
- Teachers can arrange [REDACTED] to sit near supportive peers. Peer helpers might help him with some difficult vocabulary in reading, work with him in retrieving words (e.g. based on radicals or semantic cues) when writing a composition. They might also recite some short poems or times table with him to have some practice with memory skills. Encouragement and positive feedback from teachers on his ideas, efforts made and area of improvement would help him maintain a positive mindset. Provide him with opportunities to help with tasks in class would also strengthen his sense of competence in non-academic area.
- Assessment accommodation and curriculum adaptation should be provided as needed. Teachers might consider offering a smaller scope/ using a different marking scheme (adding marks) to boost his motivation in doing daily dictation in Chinese and English. He needs special exam arrangement, such as:

- Additional time (not more than 25%)

His progress should be reviewed by the Student Support Team regularly to revise the needs for curriculum adaptation and special exam arrangement accordingly.

[REDACTED]
[REDACTED]
Educational Psychologist
28 Jun 2017

Cir. School/SST, File

教育局
教育心理學家評估摘要

只供家長參考
未經家長同意
不得翻印或轉交他人

檔案編號： [REDACTED]
學生姓名： [REDACTED] ([REDACTED])
出生日期： 2009 年 7 月 [REDACTED] 日
20

學校： [REDACTED]
性別： 男
班級： 小 二 (2016/17)

評估結果：

1. 智力評估

韋氏兒童智力量表-第四版(中文·香港版) (評估日期：2017 年 4 月 3 日)

● 總智商 : ☐特優 ☐優異 ☐中上 ☒中等 ☐中下 ☐有限 ☐低弱

2. 讀寫能力

香港小學生讀寫障礙測驗(第三版) - 初小 (評估日期：2017 年 4 月 24 日及 5 月 8 日)

語文測驗：

● 認讀及默寫 : ☐強 ☐一般 ☒弱 ☐缺損

語言認知測驗：

● 語音檢索 : ☐強 ☒一般 ☐弱 ☐缺損
● 語音意識 : ☐強 ☒一般 ☐弱 ☐缺損
● 語音記憶 : ☐強 ☒一般 ☐弱 ☐缺損
● 語素辨析 : ☐強 ☒一般 ☐弱 ☐缺損
● 字形結構辨析 : ☐強 ☐一般 ☒弱 ☐缺損

評估總結：

該生在讀寫方面有特殊學習困難。

建議：

- 學校為該生提供學習支援服務：
 - ☒課堂內學與教的額外支援(座位安排、朋輩支援、多感官學習法) ☒加強輔導教學
- 學校為該生提供校內特別考試安排(例如：加時)
- 教育局/學校將邀請家長參加有關改善子女學習技巧的家長小組/講座

[REDACTED]

([REDACTED])
教育心理學家

正本存檔

副本送： 學生家長
學校

日期：2017 年 6 月 9 日

備註：有關索取教育心理學家的評估報告的方法，已載列於家長在接受教育心理服務時所簽署的「家長同意書」。

*Note by Clerk, PAC: Chinese version only.

Catering for Student Differences ~ Indicators for Inclusion Examples

Area	Performance Indicator	Examples of Inclusive culture, policies and practices
Domain I Management and Organization		
1. School Management	1.1 Planning	<ul style="list-style-type: none"> Setting up a Student Support Team (SST) Adopting the WSA to catering for student diversity
	1.2 Implementation	<ul style="list-style-type: none"> Keeping a register of students with SEN Assigning duties to members of the SST Co-ordinating all support measures by the SST Using flexibly various grants, e.g. Capacity Enhancement Grant (CEG), Student Guidance Grant and Learning Support Grant (LSG), etc. Setting up a resource library and a catalogue of resources
	1.3 Evaluation	<ul style="list-style-type: none"> Evaluating the school's effectiveness in catering for student diversity
2. Professional Leadership	2.1 Leadership and Monitoring	<ul style="list-style-type: none"> Including "Catering for student diversity" as one of the school development goals
	2.2 Collaboration and Support	<ul style="list-style-type: none"> Scheduling regular SST meetings Collaborating with relevant professionals
	2.3 Professional Development	<ul style="list-style-type: none"> Arranging teachers to attend special education courses systematically Arranging peer lesson observation and collaborative lesson planning by teachers
Domain II Learning and Teaching		
3. Curriculum and Assessment	3.1 Curriculum Organisation	<ul style="list-style-type: none"> Catering for diversity by organizing group teaching and designing IEPs, etc.
	3.2 Curriculum Implementation	<ul style="list-style-type: none"> Arranging curriculum accommodation, collaborative lesson planning, etc.
	3.3 Performance Assessment	<ul style="list-style-type: none"> Providing assessment accommodations
	3.4 Curriculum Evaluation	<ul style="list-style-type: none"> Modifying teaching according to the diverse needs of students Evaluating IEPs
4. Student Learning and Teaching	4.1 Learning Process	<ul style="list-style-type: none"> Developing student's study skills and habits
	4.2 Learning Performance	<ul style="list-style-type: none"> Keeping Student Progress Records Keeping IEP Records Developing students' multiple intelligences
	4.3 Teaching Organisation	<ul style="list-style-type: none"> Arranging collaborative learning and peer tutoring
	4.4 Teaching Process	<ul style="list-style-type: none"> Carrying out collaborative teaching; adopting a multi-sensory approach to teaching, etc.
	4.5 Feedback and Follow-up	<ul style="list-style-type: none"> Encouraging independent learning through evaluating the learning process with students Encouraging parents to train students at home Encouraging students' positive behaviour and enhancing learning motivation through award schemes
Domain III Student Support and School Ethos		
5. Student Support	5.1 Support for Student Development	<ul style="list-style-type: none"> Cultivating a caring school culture; organizing peer support programmes, etc. Facilitating the participation of students with different abilities for development of their potentials Organizing activities to enhance students' awareness and respect for individual differences Identifying the SEN of new students as early as possible
	5.2 School Climate	<ul style="list-style-type: none"> Training up student ambassadors and peer tutors Organizing pastoral care activities or training young leaders in promoting inclusive school ethos
6. Partnership	6.1 Home-School Cooperation	<ul style="list-style-type: none"> Inviting parents to IEP meetings; organizing parent-volunteers activities
	6.2 Links with External Organisations	<ul style="list-style-type: none"> Seeking professional support and community resources if necessary
Domain IV Student Performance		
7. Attitude and Behaviour	7.1 Affective Development and Attitude	<ul style="list-style-type: none"> Students have positive self-image
	7.2 Social Development	<ul style="list-style-type: none"> Learning social skills through participation in 'circle of friends'
8. Participation and Achievement	8.1 Academic Performance	<ul style="list-style-type: none"> Enhanced learning motivation
	8.2 Non-academic Performance	<ul style="list-style-type: none"> Enhanced self-esteem and confidence

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Development Bureau
Government Secretariat**

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Legislative Council Secretariat
No. 1 Legislative Council Road
Legislative Council Complex
(Attn.: Mr. Anthony CHU)

1 June 2018

Dear Mr. CHU,

Public Accounts Committee

Consideration of Chapter 4 of the Director of Audit's Report No. 70

Government's Efforts in Managing Excavation Works on Public Roads

Thank you for your letter of 21 May 2018 regarding questions raised by the Public Accounts Committee on Chapter 4 of the Director of Audit's Report No. 70. I enclose herewith a consolidated reply of this Bureau, Highways Department and Lands Department.

Yours faithfully,



(Vitus NG)

for Secretary for Development

Public Accounts Committee
Consideration of Chapter 4 of the Director of Audit's Report No. 70
Government's efforts in managing excavation works on public roads

For the Development Bureau

Part 2: Management and monitoring of road excavation works

- 1) While according to paragraph 2.5, the Environment, Transport and Works Bureau Technical Circular (Works) No. 17/2004 ("the Technical Circular") specified that project officers should arrange to carry out all necessary site investigations and satisfy themselves that sufficient ground information had been made available prior to commencement and during the detailed design, paragraph 2.4 indicated that of the excavation permits ("XPs") issued in 2016, 1 061 were granted extensions of permit periods. Among such XPs, 49% were related to government projects, and of the three cases with the longest extension, the Water Supplies Department and the Housing Department were involved in these projects with extension ranging from 446 days to 502 days. Please advise:
- (a) reasons why the departments concerned had not confirmed the underground situation prior to applying for XPs according to the Technical Circular, and whether mismanagement and manpower shortage were some of the reasons;
 - (b) whether the Administration has formulated any penalty or demerit point system to prevent unreasonable extension of permit periods; if so, of the details; if not, of the reasons for that; and
 - (c) measures to be put in place by the Administration to ensure its works departments will confirm the underground situation prior to applying for XPs?

Ans1(a) The purpose of carrying out site investigation is to collect information and data about the underground utilities and ground condition within a project area to facilitate detailed design and preparation of technical specification of tender documents. Site investigation is usually carried out in small parts of the project area and is not a full survey of the area taking into consideration the

practical need and circumstances, for instance, to refrain from closing certain stretch of busy road sections for a long period, or from conducting site investigation work in a larger area so as to minimise inconvenience to the public.

Government works departments have been observing the guidelines stipulated in the Environment, Transport and Works Bureau Technical Circular (Works) No. 17/2004 on carrying out all necessary site investigations before and during the detailed design stage. As a matter of fact, during the period of time between the site investigation and actual construction, different utility undertakings (UUs) may continue to undertake laying and maintenance works of underground utilities, resulting in the actual underground utilities differing from the records of the site investigation. As such, it is not uncommon for contractors to encounter unforeseen ground condition or underground utilities after commencing the construction work.

In general, the reasons for applying for extension to XPs are due to circumstances unforeseen during the design stage of a project such as uncharted underground utilities, unanticipated obstructions, unforeseen rectification works, change in construction methods, delay in material delivery, new site constraints identified, works suspension caused by accidents and/or adverse weather conditions, extra coordination with another excavation plan nearby, and traffic impact assessment, etc, but not related to maladministration or shortage of manpower.

Ans1(b) Pursuant to the Land (Miscellaneous Provisions) Regulations (Cap. 28A) (LMPR), a permittee is required to pay the relevant fees when applying to Highways Department (HyD) for extension to an XP due to works delay, and if the reason for the delay is insufficient, the permittee is also required to pay an additional fee being the economic cost for the disruption to traffic.

Ans1(c) Development Bureau agrees with the recommendation made by the Director of Audit, and will remind Government works departments observing the requirements as stipulated in the Environment, Transport and Works Bureau Technical Circular (Works) No. 17/2004 and request the departments to enhance site investigation on a risk-based approach with a view to improving the degree of accuracy prior to the application for XPs.

Part 3: Control of underground utility installation and space occupation

- 2) According to the consultancy report referred to in paragraph 3.3, there was currently no standard mechanism to manage space occupation by utility undertakings ("UUs") underneath public roads. Does the Administration agree that ineffective underground space management may cause improper use of underground space, damage to existing utilities, and delays in emergency repairs and excavation works? How will the Administration solve the related problems?

Ans2) Under the current mechanism, different Government departments will in accordance with the relevant legislations issue licences and permits to UUs for excavation works to lay and operate their underground utilities. The density of underground utilities in Hong Kong, particularly in developed areas, is extremely high. Maintaining accurate records and ensuring their timely update are difficult in practice, especially for those underground utilities laid many years ago with incomplete records. Besides, with the current technology, utility information is mainly recorded and kept on record plans. It is difficult to use these plans for managing occupation of underground space by UUs. Development Bureau agrees with the recommendation made by the Director of Audit on the need to develop an effective management and control system for underground space occupation. Development Bureau is coordinating with HyD, Lands Department (LandsD), and other bureaux with policy responsibility in UUs to explore the development of an effective management and control system, including the feasibility of using innovative technologies such as the Consolidated Utility Installation Modelling System (CUIMS) as mentioned in Ans21), or making use of Building Information Modelling (BIM) and 3D Geographic Information System (3D GIS), etc.

- 3) As per paragraph 3.13, the Administration did not maintain as-built records on utility installations beneath public roads/unleased government land. What are the reasons for that and how the Administration will improve the situation?

Ans3) The density of underground utilities is extremely high in the

developed areas of Hong Kong. There are on average about 50 kilometres (km) of underground utilities per km of public road involving eighteen UUs, who maintain their records with their own systems. As laying and maintenance works on the underground utility continue, the associated records may differ from the actual condition. Maintaining accurate as-built records of underground utilities is therefore very difficult in practice.

As a matter of fact, HyD has specified in the XP conditions the depth level standards of underground utilities and the related installations. The various public utilities coordination forums set up by HyD can effectively coordinate UUs' space requirements and different construction standards. The XP conditions issued by HyD have also required all UUs to keep as-built records in respect of the level and alignment of the newly laid underground services and associated installations. The form of records has been standardised amongst UUs.

As mentioned in Ans2), Development Bureau is coordinating with HyD, LandsD, and other bureaux with policy responsibility in UUs to explore the development of an effective management and control system.

- 4) Regarding Audit's recommendations as set out in paragraph 3.17(e) to (f), please advise details of such measures and their implementation time frame?

Ans4) Development Bureau agrees with the recommendation made by the Director of Audit on the need to develop an effective management and control system for underground space occupation. Development Bureau is coordinating with HyD, LandsD, and other bureaux with policy responsibility in UUs to explore the development of an effective management and control system, and aims to formulate a preliminary proposal and programme in several months' time.

Part 4: Exploring the use of common utility enclosures

- 5) Regarding paragraph 4.12, does the Development Bureau agree that it has taken an excessively long time to explore the possible use of common utility enclosures ("CUEs")? How will the Administration expedite the study?

Ans5) At present, the density of underground utilities is extremely high in Hong Kong. If common utilities enclosures (CUE) are to be constructed, re-provisioning a huge amount of the existing underground utilities would be unavoidable and would cause widespread nuisance and inconvenience to the public for a long period of time as a result.

The Government adopts a positive attitude on the construction of reasonably cost-effective CUE in new development areas. HyD will commence a consultancy study by mid-2018 to review the feasibility of constructing CUEs in new development areas, and resolve possible issues in constructing CUEs such as construction, operation and management, maintenance, safety and legal responsibilities with a view to proposing a practicable implementation framework. The consultancy study is expected to be completed by 2019. Development Bureau will consider the relevant proposals as soon as possible and discuss with stakeholders.

For the Highways Department

Part 2: Management and monitoring of road excavation works

- 6) As per paragraph 2.9, for excavation works at the same location which had not been grouped together, the Highways Department ("HyD") did not require justifications from applicants which had included a time break of three months or more in their revised works schedules for not adopting a common trench approach. In these cases, the concerned excavation works were only deferred and there was no reduction in the number of road openings. Please advise:
- (a) reasons why HyD had not required justifications from applicants for not adopting a common trench approach;
 - (b) measures to be put in place by HyD to ensure that coordination arrangement would be made by XP applicants to reduce the need for repeated road openings in close proximity; and
 - (c) regarding Audit's recommendations as set out in paragraph 2.12(b), whether HyD will reject the granting of XPs to applicants failing to offer justifications for not adopting a common trench approach?

Ans6(a) Currently, HyD considers the length, depth, alignment, programme and exact location of the proposed excavations to determine whether adopting a common trench approach is feasible by assessing the nature of works concerned as well as the coordination report submitted by applicant. In appropriate circumstances, HyD will proactively encourage the applicant to adopt a common trench approach by providing all necessary assistance to tackle the problems. Since the applicant has to resolve problems such as liabilities, technical difficulties and insurance, etc. before adopting a common trench approach, there are not many cases that can implement common trench approach. To further encourage the applicant to adopt a common trench approach, we will amend the part for case coordination in the Excavation Permit Processing Manual (XPPM) to require the applicants to provide justifications for not adopting a common trench approach.

Ans6(b) HyD explicitly specifies in the XPPM that it is the applicant's responsibility to provide accurate coordination report. Currently, the Excavation Permit Management System (XPMS) automatically sends emails to other applicants of un-coordinated plans when an applicant submitted a case coordination report. If other applicants do not agree with the coordination report or HyD has doubts on the information provided in the coordination report, HyD will discuss with the relevant applicants under the coordination case to arrive at a reasonable coordinated programme.

Ans6(c) HyD will amend the part for case coordination in the XPPM to require the applicants to provide justifications for not adopting a common trench approach. Undoubtedly, applicants need to resolve many problems such as the liabilities, technical difficulties and insurance, etc. when adopting a common trench approach. These problems can only be resolved by mutual agreements/coordination among the UUs. If an applicant cannot provide justifications for not adopting a common trench approach, HyD will consider not granting XP to him. HyD may seek legal advice from Department of Justice (DoJ) when amending the XPPM, if necessary.

7) As per paragraph 2.10 which indicated that 4 093 cases had remained uncoordinated for over two years, please advise the reasons why the responsible departments failed to coordinate plans for such a prolonged period (e.g. whether mismanagement and manpower shortage were some of the reasons), and the number of outstanding cases that had become obsolete or had been abandoned due to unresolved difficulties?

Ans7) Applicants are required to provide necessary data in XPMS such as the extent of excavation, the proposed commencement and completion dates. HyD will identify other applications in the vicinity and group them into an un-coordinated case. Besides, we will assign one of the applicants as the leading applicant, who is responsible for the coordination among other applicants. HyD will then vet the coordination report submitted by the applicant. Out of 4 093 un-coordinated cases pending processing for over two years, we found that the proposed commencement dates of 3 935 of the cases have lapsed. It indicates that most of these applications have either abandoned or temporarily suspended but the applicants are yet to timely cancel or renew (and also inform HyD) their applications.

According to the current operating procedures, applicants must take the initiative to cancel the XP application in the XPMS and coordination task if they intend to give up or the plan has become obsolete before the plan is removed from the system. Otherwise, the plan will still be classified as un-coordinated and remain in the XPMS. The applicant may also choose to update the start date or completion date that already expired and then carry out coordination again. Therefore, although there are 4 093 un-coordinated cases in the system, this does not relate to maladministration or insufficient manpower.

In spite of this, HyD has from time to time removed some abandoned or obsolete plans when necessary to enhance the efficiency of coordination. However, the above procedures have not been automated in the system.

To further improve the situation, HyD will follow the Audit's recommendation to regularly carry out periodic review and clearance of long-outstanding obsolete/abandoned plans in XPMS to reflect those plans that require coordination more effectively.

- 8) Regarding the demerit point system mentioned in paragraph 2.19, please provide details of the system with concrete examples to illustrate the operation of the system, including:
- (a) the respective numbers of demerit points that will be assigned against the four frequently observed non-compliant ("NC") items mentioned in paragraph 2.22 and the substandard reinstatement works mentioned in paragraph 2.24;
 - (b) number of cases with 4 or more demerit points in the past three years;
 - (c) the effective period of the demerit points;
 - (d) circumstances under which the overall demerit points may be reduced; and
 - (e) given that when the overall demerit point level of a contractor reaches a certain level, the relevant contractor will not be

approved as a nominated permittee in any new application for at least three months, will HyD impose penalties other than the above sanction on such contractors, and review whether the above practices have sufficient deterrent effect?

Ans8) In August 2012, HyD implemented a Demerit Point System (DPS) with sanctioning measures to reflect the performance of the permittee/work office/contractor party-combination in complying with the XP conditions.

The DPS covers different aspects of non-compliance (NC) in which demerit points will be assigned to the permittee/work office/contractor party-combination accordingly if any NC is identified. These aspects include demerit point for:

- NC items identified during audit inspection (DPL1);
- Delayed rectification of rejected permanent reinstatement (DPL2A & DPL2AA);
- Failure to submit site photos (DPL2B); and
- Overdue submission of test certificates/reports (DPL2C).

Since 30 September 2017, the following new demerit point categories were implemented:

- Delayed rectification of shallow depth services (DPL2D);
- Delayed rectification of damaged/deteriorated manhole and drawpit covers (DPL2E); and
- Abuse of emergency XP (DPL2F).

Please refer to **Annex 1** for the details of the Demerit Point System.

Sanctioning measure will be imposed on a party-combination if its overall Demerit Point Level (DPL) is at 4 or above. When a party combination is being sanctioned, the relevant contractor will not be approved as a nominated permittee in any new application for at least three months and until its overall DPL drops below 4.

From 1 January 2019 onwards, HyD will further strengthen the sanctioning measures that the relevant party-combination will be immediately sanctioned for at least three months for any outstanding rectification of rejected permanent reinstatement with prolonged period over two years, until the rectification work is completed to the satisfaction of HyD.

Ans8(a) The four frequently observed NC items as mentioned in para. 2.22 of the Audit Report will be counted as DPL1 with the respective risk weightings as follows:

Four frequently observed NC items	Category	Risk Weighting
No continuous barriers to fence off obstruction/excavation from pedestrian flow	Major	2
Minimum clear footway width not provided and maintained for pedestrians	Major	2
Permit not displayed	Minor	1
Signs not provided in accordance with the approved temporary traffic arrangement	Major	2

For the delayed rectification of rejected permanent reinstatement as mentioned in para. 2.24 of the Audit Report, demerit points will be counted as DPL2A if the rectification is not completed within two months, or counted as DPL2AA if the outstanding period is more than nine months.

Ans8(b) The number of cases with DPL of 4 or above over the past three years:

Year	Number of party-combination with DPL of 4 or above
2015	4
2016	4
2017	16*

Remark*: The enhanced DPS and strengthened sanctioning measure were implemented on 30 September 2017.

Ans8(c) DPL is generated weekly on Saturday.

Ans8(d) Different types of DPLs have different conditions for reduction. The details are as follows:

DPL1 – For NC items which are classified as “rectifiable”, the demerit points attracted may be reduced by half (risk weighting = 0.5) if the permittee or the nominated permittee rectifies the NC item to HyD’s satisfaction within 48 hours. Otherwise, the demerit point gained will be accumulated for three months.

DPL2A – The demerit point gained will be accumulated for seven months without reduction mechanism.

DPL2AA – The demerit point will be recorded until the relevant rectification is completed to the satisfaction of HyD.

DPL2B, DPL2C and DPL2F – The demerit point gained will be accumulated for three months without reduction mechanism.

DPL2D and DPL2E – The demerit point will be recorded until the relevant rectification is completed to the satisfaction of HyD.

Ans8(e) HyD uses the DPS as an administrative measure to control the performance of the XP permittee and/or nominated permittees in road opening works. The DPS can tackle the construction arrangement by violating parties directly and effectively, therefore, it has considerable deterrent effect. Since its implementation in August 2012, HyD has constantly reviewed the effectiveness of the DPS in response to actual situation in which the DPS and the sanctioning measure have continuously been enhanced (the last enhancement of DPS and sanctioning measures was implemented on 30 September 2017; the upcoming enhancement of sanctioning measure will be implemented on 1 January 2019). In addition, serious cases and repeated non-compliance with XP conditions cases will be referred to the Enforcement Team (ET) of HyD for independent investigation. The ET will make recommendations to the DoJ for instituting prosecutions if there is sufficient evidence.

9) As per paragraph 2.21 and Table 4, the overall coverage of the Audit Inspection Team ("AIT") inspections on active permit sites up to December 2017 was only 43%, while the inspection coverage rates of normal excavation permits and capital works excavation permits sites were only 89% and 95% respectively. Please advise:

(a) detailed procedures for conducting inspections;

- (b) reasons why the inspection coverage rate was on the low side, and whether human errors or mismanagement were some of the reasons for it, or whether the situation was attributable to manpower shortage or arrangement problem; and
- (c) reasons why HyD had not reviewed the problem of low inspection rate in the past and measures taken by HyD to enhance its inspection rate?

Ans9(a) The reason for the overall inspection coverage rate of 43% is that
&(b) when computing the above inspection coverage, the inspections of emergency excavation permits (EXPs) and small scale works excavation permits (SSWXP) were also included. The sites of these two types of permits were in large number (the total number of active sites under these permits in 2016 was 37 926) and with short durations (less than two days for SSWXP sites and usually completed within seven days for EXP sites), many of these site works of EXPs and SSWXPs had already been completed before inspection could be arranged by the Audit Inspection Team (AIT) using the established sampling mechanism. In fact, in view of the small scale and short duration nature of the road works for EXPs and SSWXPs, the impact to road users was relatively small. As such, the above did not involve any human errors, maladministration nor insufficient manpower or arrangement.

For sites under other types of XP, HyD would inspect the permit sites as far as possible and the overall inspection coverage had reached 89% with the existing AIT establishment. Among the permit sites which were not covered by inspection, about 30% of which the permittees did not carry out any excavation works, and others were generally permits with short construction period. Nonetheless, the AIT is reviewing the inspection mechanism in an effort to improve the overall inspection coverage.

Daily operation of the AIT:

- The AIT site audit staff compile a daily inspection list of active permit sites from the XPMS with the following order of priority:
 - permit sites with poor performance records;
 - permit sites not inspected in the past 10 active permit days;
 - new permit sites;

- existing permit sites without Advance Notice (AN) submission;
 - permit sites with consistently good performance records.
- The AIT carries out audit inspection according to the daily inspection list compiled, and records any NC item observed on site. The permittee will also be notified of any NC item observed so that rectification can be arranged as early as possible.
- The inspection results will be available for viewing by the permittee or his nominated permittee through the Audit Inspection Management System (AIMS) after 1pm of the following working day.

Ans9(c) If the permittee does not make AN submission before commencement of works, such permit sites may not be fully covered on random checks. Nevertheless, HyD inspects those permit sites as far as possible taking into consideration the number of active excavation works and the available resources. We are also arranging to review the random checking mechanism for permit sites without AN submission in order to enhance timely inspections of these sites in an effort to improve the overall inspection coverage.

10) Regarding issues relating to the checking of completion of works as referred to in paragraphs 2.23 and 2.24, please advise:

- (a) reasons why there has been an increase in substandard reinstatement works in recent years, given that the number of Completion Notices ("CNs") rejected by HyD increased from 5 294 in 2011 to 6 191 in 2017;
- (b) reasons why the rectification works for the 2 581 cases mentioned in paragraph 2.24(b) had remained outstanding for over two years, and among such cases, the number of cases in which it was confirmed that the relevant contractors would not be approved as nominated permittees; and among the 6 779 rejected CNs, the number of cases in which the defect liability period might not be enforceable given the lapse of long time after CN submission;

- (c) whether HyD will, if defective rectification is found, continue to enclose the works site until the works are confirmed in order? Given that it is the responsibility of the contractor to undertake rectification works, whether the Administration will consider amending the relevant requirements so that contractors must continue to provide the defect liability after the completion of the necessary rectification works;
- (d) the time required for the CN acceptance work mentioned in paragraph 2.24(c). Although HyD had undertaken some exercises in the latter half of 2017 which affected the processing of CNs as at the end of 2017, CN inspections and acceptance in respect of 64% of cases were overdue. This reflected the seriousness of the problem. Whether dereliction of duty was involved in such cases, and of the reasons why one of such cases was overdue by five months;
- (e) regarding paragraph 2.24(d), as of December 2017, 483 site photographs and 771 test reports had been pending for submission to HyD for over three years, of the reasons why HyD had allowed the delay and what were the recovery procedures and the progress of the relevant recovery work; and
- (f) regarding paragraph 2.24(e), as of December 2017, 4 842 photographs and 2 523 test reports had been pending for review for over three years, of the reasons for that?

Ans10(a) The number of rejected Completion Notices (CNs) in 2011 was around 9% [5 294 cases] of the total number of CNs with first submission in the same period, such percentage slightly increased to around 10% [6 191 cases] in 2017. Thus, the situation of rejected CNs in 2017 was similar to that in 2011. HyD has already enhanced the DPS in September 2017 to strengthen sanctioning of the permittees with unsatisfactory performance and would continue to urge UUs to comply with the requirement of reinstatement works in the monthly Road Opening Co-ordinating Committee (ROCC) meetings.

Ans10(b) The 2 581 cases mentioned in para. 2.24(b) of the Audit Report were those CNs submitted and rejected in 2010 till 2015. There were 330 744 CNs complying with the relevant requirements of

reinstatement works and accepted by HyD in the same period. Thus, the above 2 581 cases were around 0.8% of the total number of CNs accepted in the same period, and they did not involve road safety issue.

Notwithstanding the above, HyD has always attached great importance to the abovementioned rejected CNs, and has been urging UUs to clear these cases soonest possible. For instance, out of the 2 581 cases mentioned above, 1 035 cases were related to normal XPs and the number of rejected CNs has dropped to 244 cases as in early April 2018.

In order to avoid long outstanding unsatisfactory permanent reinstatement and tighten control on road opening works, HyD has already enhanced DPS in September 2017 which included raising the demerit point levels for unsatisfactory reinstatement and strengthened the sanction on permittees with unsatisfactory performance. Under the enhanced DPS, from 1 January 2019 onwards, sanction will be immediately imposed on relevant permittee/work office/contractor party-combination for at least three months for any outstanding rectification of rejected permanent reinstatement with prolonged period over two years. The concerned contractor of the responsible party-combination will be removed from the relevant pre-approved nominated permittee list during the sanction period. HyD will keep monitoring the effectiveness of the above enhancement measures and would further review the relevant DPS and strengthen the sanctioning measure if found necessary.

In addition, the Defect Liability Period (DLP) will last for twelve months starting from the CN submission for which the permanent reinstatement works have to comply with the relevant HyD standards. Thus, the DLP could still be implemented even the CN for the 6 799 cases concerned had been submitted for some time.

Ans10(c) In general, public roads affected by road opening works should be re-opened to the public as soon as the works are completed to minimize the impact on traffic. On the other hand, the XP permittees have the obligation to comply with the established reinstatement standards and XP conditions to ensure that the reinstatement fulfills the relevant safety and quality standards and

XP conditions. After receiving a CN from a permittee, HyD will arrange site inspection the soonest possible within seven working days. In case of unsatisfactory reinstatement, HyD will reject the CN and request the relevant permittee to carry out rectification. If there is safety concern affecting road users, HyD will immediately arrange with the permittee or if found necessary directly instruct HyD's own contractor in consultation with Transport Department and the Police to temporarily close the relevant section of the road until it is rectified satisfactorily. Furthermore, the DLP will last for twelve months starting from the CN submission for which the permanent reinstatement works have to comply with the relevant HyD standards.

Ans10(d) After receiving a CN from a permittee, HyD will arrange site inspection the soonest possible within seven working days. In addition, HyD has established an internal target time period of vetting CN.

The Audit Report quoted that 64% cases of CN processing (1 297 cases) were overdue. However, such figure was based on the number of CNs pending processing (2 019 cases) as at 31 December 2017. The figure did not include the number of CNs already processed. The submission of CNs surged in the second half of 2017 resulting from the enhancement exercise of the XPMS carried out by HyD on 21 August 2017, which in turn dragged on the processing CNs in late 2017, and the above was considered to be a short-term transition period of enhancement exercise. According to the findings in para. 2.24(c) of the Audit Report, HyD could process 80% of these CNs in a timely manner if it was based on the total number of 67 988 CNs submitted in 2017. In addition, as at 30 April 2018, 19 561 CNs were submitted in 2018 of which HyD could process 86% in a timely manner. As observed from the above figures, the performance of HyD in processing CNs timely had improved. HyD would keep close monitoring of the situation of CN processing to ensure its timely completion.

Besides, as there were surges of submission of CNs in the second half of 2017 as mentioned above, the single CN processing case overdue for five months as stated in the Audit Report was just one among all the CN submissions. We therefore consider that this was an isolated case, and it has since been approved.

Ans10(e) HyD has reminded UUs to timely submit site photos and test reports in the monthly ROCC meetings. Demerit points have also been imposed on those UUs with overdue submissions according to the DPS.

HyD keeps reminding permittees about their obligations to timely submit site photos and test reports, and would strictly implement the DPS to tackle the situation of overdue submissions.

Ans10(f) HyD will redeploy internal resources with a view to complete the outstanding works as far as possible. Besides, we have already reminded the responsible officers to expedite the processing of the submitted site photos and test reports. We will continue to closely monitor the early completion of these works to ensure that they will be timely completed and checked. HyD has already completed the processing and checking of the 4 842 site photos and 2 523 test reports.

11) As per paragraph 2.27(c), AIT encourages permittees to rectify NC items at an early opportunity by issuing an advisory letter if any contravention is found. Will HyD consider empowering AIT to take enforcement actions immediately after a contravention is found?

Ans11) The AIT of HyD is an establishment independent of the Regional Offices and the ET, providing independent and impartial audit inspection service. As recommended by the Efficiency Unit in their review in 2009, HyD has adopted a compliance-led approach where permittees are encouraged to comply with XP conditions and to rectify an NC item observed during AIT inspection as soon as possible so as to minimize disturbance to the public. Prudent consideration on efficiency and effectiveness should be taken for adopting an enforcement-focused approach by authorizing the AIT to take enforcement actions, as the enforcement procedures may require more time and human resources for meeting the stringent standard on collecting and proofing evidence. Notwithstanding the above, we will review the effectiveness of the existing mechanism and the compliance-led principle from time to time. If necessary, we will strengthen the sanctioning measures to enhance the awareness of the industry in complying with the relevant provisions.

12) The compliance-led approach in handling NC items was adopted by HyD in 2009. With a lapse of nine years, permittees should have been familiarized with the XP system and relevant statutory requirements. Does HyD agree that it is necessary to strengthen law enforcement actions to cope with the increasing trend in serious and repeated non-compliant cases as mentioned in paragraph 2.29? If yes, what measures will be adopted? If not, what are the reasons for that?

Ans12) HyD has been adopting a compliance-led approach for managing excavation works on streets maintained by the Department. Through regulatory checking and instant notification to permittees for rectification in the event of non-compliance, the compliance-led approach aims to trigger immediate rectification actions to minimize potential risk to the public. However, serious and repeated non-compliance with XP conditions cases have all along been our main focus of enforcement work. Upon receipt of case referrals, the ET of HyD conducts in-depth investigations on the referred cases and if sufficient evidence is collected, the ET will make recommendations to the DoJ for instituting prosecutions. We have been stepping up our prosecution efforts in recent years. As illustrated in Table 10 of the Audit Report, the number of prosecution cases increased from 15 in 2013 to 65 in 2016. HyD will continue to focus enforcement actions against serious and repeated non-compliance with XP conditions cases. We are also regularly reviewing the case referral mechanism so that cases of this category will be followed up promptly.

13) As per paragraph 2.33, Audit sample checked 10 cases of suspected breaches of section 10T of the Land (Miscellaneous Provisions) Ordinance (Cap. 28) detected by the AIT's inspections. Among five of such cases, AIT referred the suspected-breach cases to the Enforcement Team ("ET") through advisory letters three to six days after its inspections. In the event, there was a time gap of six to eight days between AIT's inspections and ET's inspections. In this regard, ET could not obtain sufficient evidence of the suspected breaches for taking prosecution actions. Please advise under the established procedures, of the number of days within which AIT should refer suspected-breach cases to ET after detection of such cases? Given that the above five cases had been deferred by three

to six days before referral, did the cases involve government officials not acting according to established procedures or statutory requirements? In relation to the above question, given the time required for referral, how will HyD enhance the referral process between the two teams, such as merging the two teams so as to enhance the efficiency of its law enforcement work?

Ans13) Under the current referral mechanism, if there is any suspected violation of Section 10T on Provision of Safety Precaution and Support of the Land (Miscellaneous Provisions) Ordinance (Cap. 28) (LMPO) identified by AIT, AIT will issue Advisory Letter to notify the permittee to provide relevant safety provisions and supports on site as soon as possible. The ET will also be notified for follow up actions at the same time. There is no referral time limit stipulated under the current referral mechanism. To expedite the notification to the ET, the referral procedures have been enhanced so that the case is referred to the ET by email to enable ET's prompt follow-up action.

14) As per Audit's Report, contractors of some road works did not undertake rectification works after a relatively long period of time (paragraphs 2.24 and 3.9 refer), and some NC items were frequently observed (e.g. problems as mentioned in paragraph 2.22). Apart from implementing the demerit point system, will HyD implement other measures, such as increasing the penalty imposed on non-compliant contractors, in order to tackle the aforesaid problems?

Ans14) HyD enhanced the DPS in September 2017 to strengthen the sanction on permittees with unsatisfactory performance, in particular strengthening the control of reinstatement works and the minimum depth requirement of underground services. HyD would keep urging UUs to comply with the XP conditions in the monthly ROCC meetings such that the above problems can be improved soonest possible. HyD would consider strengthening the sanction on contractors' non-compliance with the requirements to further improve the situation if necessary.

Part 3: Control of underground utility installation and space occupation

- 15) According to the consultancy report referred to in paragraph 3.3, there was currently no standard mechanism to manage space occupation by UUs underneath public roads. Does the Administration agree that ineffective underground space management may cause improper use of underground space, damage to existing utilities, and delays in emergency repairs and excavation works? How will the Administration solve the related problems?

Ans15) At present, apart from the infrastructure and maintenance works from government departments, road excavations in Hong Kong are mainly due to the installation and maintenance of utility services provided by UUs. In general, the government regulates the installation of utility services underneath public roads by the UUs in three statutory aspects. The first one is to regulate the provision and operation of the service providers. The second one is to regulate the underground space occupation in government land, including public roads by utility services.

Afterwards, if the relevant UU has already fulfilled the above requirements and is preparing to install utility services, HyD will be responsible for supervising the excavations on public roads. HyD establish the XPMS in accordance with Part III of the LMPO for the planning and coordination of road excavation works and through the permit conditions, require permittee to fulfill its responsibilities including the proper supervision and execution of road excavations, provision of safety precautions, reasonable construction period, site cleanliness and proper road reinstatement works so as to reduce the impact of excavations on road users. In addition, if HyD suspects an excavation without a valid permit through inspection or reporting, upon confirmation, HyD will initiate prosecution in accordance with the law.

In order to prevent excavation work from damaging underground utilities and installations, the XP conditions stipulate that the permittee shall make all reasonable effort to obtain relevant utility record plans from UUs prior to commencement of excavation. Before any excavation including excavation for trial pits, the permittee shall use suitable non-destructive underground services detectors, in conjunction with any available plans, to determine as

accurately as possible the location of the underground services within or in the vicinity of the proposed excavation area. The permittee shall also carry out any suitable investigation such as hand-dug trial pits to ascertain the exact positions and levels of underground services prior to using mechanical plant for road breaking and excavation.

At present, the Government adopts the above-mentioned legal framework and system to regulate the occupation of government land and underground space without specific control system for managing the occupation of underground space underneath public roads by UUs. HyD has been closely liaising and communicating with UUs so as to manage excavations effectively using administrative means apart from legislation.

With the dense population and the advancement in technology, the underground utilities (especially the telecommunication services) are becoming more crowded. This is indeed a problem that needs to be addressed. HyD recognizes that an effective underground space control mechanism assists in better utilization of scarce underground space, reduce the possibility of damaging existing underground utilities during excavation, and shorten the time required for emergency repairs and excavations. The effectiveness in the management and control of the occupation of underground space shall depend on the accuracy and the consistency of standard/structures of utility records kept by UUs. HyD will collaborate with the LandsD and Development Bureau as well as the relevant bureaux with policy responsibilities on utilities, to explore the development of an effective management and control system over underground space occupation and seek the LandsD's assistance in developing the consolidated utility installation modelling system for better utilization of underground space in areas with congested underground utilities. The trial modelling system aims to allow UUs to visualize the underground space condition, and assist them in identifying and planning a viable route to accommodate their proposed utility services.

- 16) As per the situation as described in paragraph 3.11, will HyD explain:
- (a) reasons why under the existing control mechanism, there is no documented standard on checking the detailed alignment and disposition of the system, and why HyD does not require the XP

applicants to ascertain and confirm whether the related alignment and disposition of the proposed installations will be in conflict with other existing installations or proposed installations; and

- (b) how HyD can ascertain that the alignment and disposition of underground utility systems are in compliance with land licence conditions?

Ans16(a) If an UU plans to conduct excavations on a public road, the XP
&(b) applicant shall submit a works plan showing the scope of excavation, including the location, length, width and depth, as well as the temporary traffic arrangements for approval. At present, all plans will be kept in the computer system for the use of audit inspection, reinstatement inspection and records. However, the plans are used for the approval of excavation works and do not include details of the utilities services to be installed under the road excavation works.

During an inspection, if HyD reveals that the excavation works have deviated from the approved scope of the permit or approved temporary traffic arrangements, HyD will issue an advisory letter to the permittee according to the severity of the breach or consider proceeding to prosecution.

Different government departments/bureaux are responsible for regulating different trade of UUs to install their utility services underneath public roads in accordance with the relevant laws and regulations. In addition, the LandsD will, under Part II of the LMPO, issue land licence to UUs with conditions requiring them to submit master plans of their utility services for endorsement. If a UU deliberately conceals the information on their installed services or alignment, or installs services outside the approved scope of master plan, thus breaching the licence conditions, then the relevant government departments/bureaux may take enforcement actions according to relevant regulations or licence conditions.

With regard to the Audit Commission's recommendations, we will consider making reference to the licence condition issued by the LandsD to the UUs, to consider enhancing the procedures and requirements on checking the alignment and depth before the road surface is reinstated. We will also discuss with the LandsD the feasibility of sharing the annual updated master plan on strategic

installations submitted by the power and gas supply UUs to explore the usefulness of such information in facilitating HyD to better control road excavation.

- 17) As per Case G in paragraph 3.11, please advise the reason for HyD to have approved the CNs of 180 poles inadvertently. Have similar cases occurred previously? If so, please provide the number of such cases and reasons for granting approvals inadvertently, and whether human errors were involved.

Ans17) Case G involved the misuse of the mechanism of the SSWXP. In fact, the SSWXP was introduced by HyD for UUs to arrange their small scale excavation works more efficiently. Therefore, the applicant is not required to submit the details of utilities (e.g. the configuration, alignment and size) before the commencement of the works by using SSWXP (i.e. each excavation area does not exceed 4 square metres and the length of excavation does not exceed 6 metres). By making use of the simplified procedure of SSWXP, the company in Case G did not provide any submission to seek the consent of the HyD and erect the poles above ground. After the submission of the CN by the company, HyD approved the CN in accordance with the established procedure, i.e. approval based on the condition of the reinstatement of the road surface. However, after due investigation, the relevant approval was withdrawn.

Based on the experience gained from Case G, HyD had improved the mechanism of the SSWXP in 2011. Now, UUs can only use the SSWXP to carry out pre-defined standard works. For non-standard works (such as the erection of poles on roads), UUs must provide additional information on the installation works before applying for XPs and obtain the consent of HyD.

Except Case G, no similar event has occurred in the past.

- 18) According to paragraph 3.12, as excavation works proponents were not required to obtain HyD's consent for their underground utility installations, there was no assurance that the alignment and disposition would be up to HyD's satisfaction. How will HyD resolve the aforesaid situation?

Ans18) UUs manage and update their own underground utility records in accordance with the relevant regulations on operation and land licences. Since 2002, the major UUs and government departments will upon request, share their underground utility information in an unified standard and format through the jointly established Electronic Mark Plant Circulation System (EMPC).

There is no incentive for UUs to purposely withhold information of their own underground utility installation. Such withholding will lead to the failure of project proponents to identify the existence of underground utilities. Hence, it will greatly increase the risk of causing damage to UU's underground utilities which is disruptive to both parties. Besides, if the excavation works result in an accident (such as in contact with live electrical facilities or pipelines of flammable gas, etc.) due to unavailable utility information, the responsible UU may be legally liable for its action.

With regard to the Audit Commission's recommendations, we will consider making reference to the licence condition issued by the LandsD to the UUs, to consider enhancing the procedures and requirements on checking the alignment and depth before the road surface is reinstated. We will also discuss with the LandsD the feasibility of sharing the annual updated master plans on strategic installations submitted by the power and gas supply UUs to explore the usefulness of such information in facilitating HyD to better control road excavation.

19) As per paragraph 3.13, the Administration did not maintain as-built records on utility installations beneath public roads/unleased government land. What are the reasons for that and how the Administration will improve the situation?

Ans19) When UUs install their underground utilities, they are required taking into account the underground space available and their respective technical requirements and standards of utility services. HyD has specified a minimum depth requirement of underground utility installations under the XP conditions. The various public utility coordination forums set up by HyD can effectively coordinate UUs' space requirements and different construction standards. The XP conditions issued by HyD have required all UUs to keep as-built records in respect of level and alignment of the underground services

and installations laid or placed. The form of records has been standardized amongst UUs. In addition, UUs as the owners of their underground utility information have the legal rights to determine whether to disclose such information and these rights should be respected. In spite of this, the major UUs and government departments, upon request have agreed to share their own underground utility information in an unified standard and format through the jointly established EMPC.

20) As per paragraph 3.16, some UUs criticized that the trial Consolidated Utility Installation Modelling System ("CUIMS") was not user friendly. Please advise:

- (a) whether the Administration had consulted the stakeholders when CUIMS was first put in place; and
- (b) responses made by HyD to the above criticism and whether HyD would consult UUs on the improvements measures?

Ans20(a) HyD commissioned a collaboration study with the Hong Kong University of Science and Technology in early 2013. Through close liaison and discussion with different government departments and UUs, the prime objective of the study is to enable UUs to better visualize the condition of underground space occupation, to assess the feasibility of their proposed installations' alignment in details and to better utilize the remaining underground space so as to face and tackle the congestion problem of underground utilities. As such, UUs should be able to better handle the difficulties and challenges before commencement of road excavation work and as a result minimizing the disturbance to road users after commencement of the work. Before the implementation of the trial CUIMS, HyD had obtained the consent and support of all participating UUs.

Ans20(b) One of the objectives of the subject trial of the CUIMS is to collect UUs' opinions on the operation of the system and to identify areas for improvement. HyD will consolidate all UUs' suggestions for improvement and seek the LandsD's assistance to develop a more effective and user friendly CUIMS. We will also continue to invite UUs to give opinions on the design of the system.

21) Regarding Audit's recommendations as set out in paragraph 3.17(e) to (f), please provide details of such measures and their implementation time frame?

Ans21) In view of the increasingly congested condition of underground utilities in Hong Kong, we agree that there is a need to tighten control of excavations works at road sections with congested underground utilities. We have made effort to explore management mechanisms to improve the condition of underground utilities in occupying underground space. We conducted a collaboration study with the Hong Kong University of Science and Technology in early 2013 to establish the CUIMS. The trial modelling system aimed to allow UUs to visualize the underground space condition, and assisted them in identifying and planning a viable route to accommodate their proposed utility services for better utilization of the remaining underground space. As such, UUs should be able to better handle the difficulties and challenges in carrying out excavation work at congested road sections, and as a result minimizing the disturbance to road users. The CUIMS is still under trial and the trial will be completed in end 2018. Taking into consideration the trial results on CUIMS, we will seek the LandsD's assistance to review the development of the CUIMS for better utilization of limited underground space, mainly cover those areas with congested underground utilities.

In addition, the establishment of an effective system for managing and controlling the occupation of underground space is a very complicated and arduous task. In fact, the effectiveness of the management and control of the underground space occupation depends on the accuracy of underground utility records kept by UUs. It involves many different factors and requires consultation with the stakeholders of different trades. For example, different UUs currently have their own independent and different systems to keep their underground utility information. To enable the sharing of utility records amongst UUs, it is necessary to align the standards and forms of record kept by UUs. This task may require resolving the possible problems encountered in design, management, maintenance, related data security and legal responsibilities. Therefore, at this stage, it is not yet possible to set a definite timetable for this task. We will collaborate with LandsD and relevant policy bureau to explore the possibility to develop an effective management and monitoring system on underground space occupation.

Part 4: Exploring the use of common utility enclosures

22) As per paragraph 4.15(a) and (b), please advise:

- (a) reasons why HyD had not consulted the relevant UUs on the selection of locations before constructing the two trial CUEs in 2006;
- (b) reasons for constructing trial CUEs in low-density residential areas;
- (c) reasons for low utilization of the two trial CUEs; and
- (d) experience drawn from the above trial schemes?

Ans22(a) The construction of the above trial CUE for public utilities aimed at collecting the response of UUs on such infrastructure and to gain experience in resolving problems in different aspect such as construction, management, maintenance, operation, security, safety and legal liability issues. In addition, there are certain constraints on site selection. Therefore, there was no particular involvement of UUs during the time of site selection. However, we have discussed the subject issue on the construction of trial CUE with UUs at the regular meetings of the Joint Utilities Policy Group (JUPG) during this period.

Ans22(b) If CUEs were built in a highly congested urban area in Hong Kong, large scale utilities diversion would be inevitably required, which would incur significant and long-term public nuisance. These constraints limited the choice of suitable sites for CUE implementation.

Ans22(c) The decision of UUs to place their utility services in the CUE involves many different factors, such as the demand for services, planned alignment, installation method and site constraints, etc. The participation of CUE trial is on voluntary basis as there is no legislation to govern the use of CUE by UUs. This may result in a relatively low usage of the trial CUE in 2006. However, during this period, we have repeatedly encouraged UUs to participate in the trial during the JUPG meetings.

Ans22(d) The construction of a CUE in Hong Kong's densely developed area is extremely difficult and the construction cost would be enormous. To build a CUE in the new development areas, it is necessary to resolve the issues like construction, management, operation, maintenance, and related security, safety and liabilities. In view of the recent experience on the use of CUE in overseas countries and the Mainland (e.g. Qianhai), the Government considers it worthwhile to review the implementation of CUE in new development areas. HyD is arranging to commission the relevant consultancy study in mid-2018.

23) As per paragraph 4.15(c), in 2004, the then Environment, Transport and Works Bureau requested HyD to review the operation and users' comments on the two trial CUEs, and reported the condition in a year. Had HyD reported the situation after one year? Separately, while HyD mentioned in 2010 that it would prepare a report after reviewing the results of the trial CUEs, the report had not been submitted so far. Please explain why.

Ans23) In October 2004, the Environment, Transport and Works Bureau expressed its support for the allocation of funds to HyD to build two trial CUEs. HyD was suggested to report the review of operations and users' comments in approximately one year after the completion of the CUEs.

Two trial CUEs were completed in 2006. With regard to the review of the operation of the CUEs, HyD reported to the Transport and Housing Bureau the operation and status of the trial CUEs in September 2007.

At the meeting of the JUPG held in May 2010, HyD stated that it would prepare a report after the completion of the above-mentioned review of the trial CUEs.

In September 2012, the HyD also reported to the Transport and Housing Bureau on the operation and update status of the trial CUEs. Thereafter, the policy matter in relation to the subject was transferred to Development Bureau. In May 2014, we discussed with Development Bureau the direction of further development of CUE. In conclusion, the Government is open to any proposed use of CUE in

new development areas where it is cost-effective and justified to do so.

In view of the recent experience on the use of CUE in overseas countries and the Mainland (e.g. Qianhai), the Government considers it worthwhile to review the implementation of CUE in new development areas. HyD will commence the relevant consultancy study in mid-2018. The purpose and objective of the study include reviewing and summarizing the effectiveness of the above two trial CUEs, and study the implementation of CUE in new development areas. It is expected that the study report will be completed in 2019 for reporting to the JUPG accordingly.

- 24) In relation to the above question, while HyD could not produce reports on or records of its review of the trial CUEs, paragraph 4.8(a) indicated that HyD considered that the trial CUE proposals in the Kai Tak Development project would only bring about limited benefits. Please explain the basis upon which HyD came to the above conclusion.

Ans24) The Civil Engineering and Development Department (CEDD) is the works department which was responsible for the Kai Tak Development (KTD) Project. A meeting between CEDD and HyD was held in September 2010 to discuss the feasibility to adopt CUE in the KTD Project. CEDD pointed out after the meeting that sufficient space along the footway has been reserved for laying of underground utilities in the design of the KTD Project. The benefit of implementing CUE in the KTD Project may be just limited to reducing the nuisance to the pedestrians. In addition, the roadworks of the KTD Project had already commenced, and had to complete the construction by mid-2013 in order to tie in with the public housing development programme. Given that compacted programme for construction, suitable location for constructing the proposed trial CUE was limited. Moreover, as two trial CUEs were already constructed in 2006, it was considered that the benefits of implementing the third trial CUE was limited. After considering the above factors, and in order to avoid delaying the KTD and the associated public housing development projects, the implementation of trial CUE in the KTD Project was not pursued at that time.

25) As per the situation mentioned in paragraph 4.16, please explain why HyD had not communicated with the Civil Engineering and Development Department at an earlier stage regarding the construction of trial CUEs. How will HyD strengthen its communication with other departments so that the planning for implementing trial CUEs in future can dovetail with the construction programme of a new development area?

Ans25) Regarding the issue on the trial of CUE, HyD had kept close communications with CEDD and related departments. For example, HyD had discussed with CEDD in writing on this subject in August 2009, September 2009, September 2010, November 2010 and February 2011. In addition, HyD had continual discussion with LandsD, DoJ, the then Environment, Transport and Works Bureau and relevant UUs on matters relating to the operation, legal and contractual arrangements of the trial CUE between 2005 and 2008.

To promote the implementation of CUE, HyD is arranging to employ consultants to commence a feasibility study on the implementation of CUE in new development areas in mid-2018. The main objectives of the consultancy study are to address the construction, management, operation, maintenance, security, safety and legal liability issues for recommending a practical implementation framework of CUEs for consideration by Development Bureau with a view to early implementation of CUE in new development areas. During the study period, HyD will communicate closely with the relevant departments (including CEDD) and UUs so that the construction of a trial CUE can be tied in with the future construction plan of new development areas.

Others

26) Some members of the public pointed out that on certain roads sections, albeit not at the same location, road excavation works are conducted frequently to the extent that the accumulated duration of road opening works on the road sections may add up to more than one year, thus adversely affecting road users of the sections concerned. Has the Administration reviewed the situation, such as whether it is a result of conducting the works in phases? If not, has the Administration imposed any restrictions and requirements regarding

repeated road opening works carried out within a certain area with short time breaks in between?

Ans26) Hong Kong is a densely developed city. In order to cope with the community development, UUs and government departments are required to carry out road works from time to time to improve, repair or renovate their facilities installed underground to maintain or enhance their service quality. Due to geographical, traffic, engineering and other constraints, some road works (such as the road works of large extent) have to be carried out in phases to reduce the impact on the traffic and operation of utility services. When approving these applications for XPs, HyD will assess the length, depth, alignment, duration and exact location of the proposed excavation works, and determine whether the proposed road works are reasonable considering the actual environment of the relevant road sections, the nature of works and the coordination report submitted by the applicant.

HyD understands that road works will cause a certain degree of nuisance to the public. To minimize the inconvenience cause to the public due to road works, HyD will continue to approve XPs in a prudent manner in accordance with the established mechanism, and will conduct regular inspections on road works.

For controlling excavation works in close vicinity and within a short period of time, HyD uses the XPMS to check whether the relevant excavation works have been carried out on the same road section in the past three to six months. If any repeated road opening works is found, HyD will require the applicant to change the date of commencement of construction in order to shorten the total excavation time and avoid cases of repeated road opening within a short period of time.

By monitoring the time and scope of road works at the time of XP applications by XPMS, together with the XP fee system and the charge of economic costs for delayed excavation works, may induce the project proponents to reduce the scope and time of their proposed works, thereby minimizing the air and noise pollution, and construction waste caused by the excavation.

27) In relation to the above question, the traffic signs on some road sections are subject to frequent revisions as a result of frequent road opening works in the area, causing confusion to road users. Please advise whether regulations are currently in place governing the traffic signs to be displayed during road works, and how the Administration tackles this problem.

Ans27) According to the Road Traffic Ordinance (Cap. 374), HyD has prescribed a “Code of Practice for the Lighting, Signing and Guarding of Road Works” (the Code). The Code is prescribed based on local experience with reference to standards of other countries, including the USA and Europe. When carrying out road works, the contractor should follow the requirements of the Code to safeguard the safety of road users and road works operatives. Pursuant to the Road Traffic (Traffic Control) Regulations (Cap. 374G), the contractor shall, erect signs, road markings, barriers and road hazard warning lanterns at the locations as stipulated in the Code; otherwise, it constitutes an offence. The alteration of traffic instructions as a result of roadworks, e.g. traffic diversion, etc., will vary according to the site conditions in different locations. Contractors will prepare temporary traffic arrangement according to the principle set out in the Code and submit to the Transport Department and the Police for approval. Generally, the arrangement must be clearly displayed in the works area. The contractor must also provide 24-hour telephone contact for public enquiries and complaints. The Code will be reviewed and revised from time to time to meet the latest standards and requirements. The latest version was just published last year.

28) Some members of the public have reported prolonged absence of site staff at road works sites of some road sections after the commencement of works, suspecting that it might have caused works delays. Does HyD monitor the implementation of road works with a view to understanding the reasons for frequent delays, e.g. whether the delays are attributable to excessively low level of permit fees currently charged for XPs (paragraph 1.10(b) refers)? Has HyD previously reviewed the level of permit fees and consulted other relevant departments on the need to adjust the fees to encourage timely completion of road works?

Ans28) During the construction period, HyD will regularly inspect the site to ensure that the relevant works are carried out in accordance with the conditions of the XP. The “unattended site” situation will be treated as a NC to the conditions of XP and unless the unattended situation is due to one of the “Standard Reasons” prescribed by HyD, or prior approval from HyD has been obtained. Otherwise, the person held responsible may be subject to prosecution. In addition, HyD has established a DPS which demerit point will be assigned to the relevant party for any NC observed. Sanctioning measure will be imposed if its overall demerit point is at 4 or above. For a site anticipated to be idle exceeding 14 consecutive working days due to the one of the “Standard Reasons”, the permittee shall, unless prior approval has been granted by HyD, cover the excavation by steel plates or other suitable means in such a manner so as to allow the area to be reopened for the safe and reasonably nuisance-free passage of vehicular or pedestrian traffic. HyD reserves the right to take over the site after giving due notice to the permittee if the excavation remains open without being worked on and without any reason being given to and accepted by HyD.

In respect of the extension of the XP, HyD will charge the applicant the extension fee and the economic cost in accordance with the statutory requirements. The charges are intended to provide incentive to the permittees to complete their works as soon as possible so as to reduce the inconvenience to the public. As regards the extension fees and economic costs, the Government adopts the “user-pays” principle to recover the administrative costs and the economic costs for affected traffic due to the extension of road works. The daily economic cost charged for the extension of the permit for affected traffic on carriageway ranges from \$1,710 to \$21,800 per day, according to the type of road concerned. It is believed that the mechanism can be an incentive to concerned parties to minimise the extension of the XP.

The Government regularly reviews the XP fee. A proposal of revision of fees and economic costs for excavation in 2018 was submitted to the Panel on Development of the Legislative Council for consideration in April 2018.

For the Lands Department

Part 3: Control of underground utility installation and space occupation

29) According to the consultancy report referred to in paragraph 3.3, there was currently no standard mechanism to manage space occupation by UUs underneath public roads. Does the Administration agree that the ineffective underground space management might cause improper use of underground space, damage to existing utilities, and delays in emergency repairs and excavation works? How will the Administration solve the related problems?

Ans29) Under the existing regulatory regime of underground utility installation by UUs, the control over laying works includes the issuance of XP by the HyD and the formulation of appropriate land administration arrangements by the LandsD concerning the occupation of government land by underground utilities. Under established mechanism, there is no requirement for maintaining a specific record of underground space usage and the actual underground location of utility services. Neither do such matters fall under the general purview of the LandsD.

The consultancy report mentioned in the question was published under a consultancy study commissioned by the HyD on the exploration of ways to improve the management mechanism for utilities occupying underground space.

Regarding the problems caused by congested underground utilities, the LandsD will, at the requests of HyD and relevant policy bureaux/departments, and subject to the availability of resources and manpower, provide assistance from land administration angle for better collecting and maintaining records of underground utility installation, including asking licensees to submit regularly-updated and more detailed master plans under the conditions of land licences. The LandsD will also support the collection of relevant information and suitably incorporate such information in its Geographical Information System (GIS).

30) As per paragraph 3.13, the Administration did not maintain as-built records on utility installations beneath public roads/unleased government land. What are reasons for that and how the Administration will improve the situation?

Ans30) As mentioned in Ans 29), under the existing regulatory regime of underground utility installation by UUs, the LandsD is responsible for the formulation of appropriate land administration arrangements on the occupation of government land by underground utilities. In particular, UUs should first obtain land licences from LandsD before laying underground utilities. UUs with land licences, depending on their business needs, may install underground systems and utilities beneath unleased government land (including public roads) across the territory. They may modify and repair their underground systems and utilities as appropriate. The Government may also request licensees to remove or divert their underground utilities for land development or other reasons from time to time under the conditions of land licences. Under established mechanism, there is no requirement for maintaining a specific record of underground space usage and the actual underground location of utility services. Neither do such matters fall under the general purview of the LandsD.

Regarding records showing the coverage and alignment of utility facilities, the LandsD, under relevant land licence conditions, currently requires three UUs (namely the CLP Power Hong Kong Limited, the Hongkong Electric Company Limited and the Hong Kong and China Gas Company Limited) to provide master plans of their utility facilities which take six months or longer to complete removal or diversion annually. As the time required for the removal, diversion or relocation of these facilities, including high pressure power lines and high pressure gas pipe systems, is much longer, and the area being affected by such works is more extensive, there will be more constraints on the use of land for such purposes. For installation of other facilities of the above three UUs, as well as fixed telecommunications and television broadcasting facilities of other companies, since relevant removal or diversion can be carried out within a short period of time without significantly hindering the use of land, the LandsD does not require responsible companies to provide master plans of such facilities. Currently, the master plan only indicates the coverage and general alignment of utilities

occupying government land, but not other details such as the specific use of underground space and the actual underground positions of such utilities.

As mentioned above, the LandsD will, at the requests of HyD and relevant policy bureaux/departments, and subject to the availability of resources and manpower, provide assistance from land administration angle for better collecting and maintaining records of underground utility installation, including asking licensees to submit regularly-updated and more detailed master plans under the conditions of the land licences. The LandsD will also support the collection of relevant information and incorporate such information in its GIS.

Q8 Demerit Point System

Demerit Point Level (DPL)	=	DPL1 + DPL2A + DPL2AA + DPL2B + DPL2C + DPL2D + DPL2E + DPL2F
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$$DPL\ 1 = \frac{\sum \left\{ \begin{array}{l} \text{Rolling 3-month cumulative demerit point of the responsible} \\ \text{party combination revealed from audit inspections} \end{array} \right\}}{\text{Total number of audit inspections carried out for permit sites of that responsible party combination within the 3-month period}}$$

$$DPL\ 2A = \frac{\sum \left\{ \begin{array}{l} \text{Rolling 7-month cumulative demerit point of the responsible} \\ \text{party combination contravened the relevant permit condition} \\ \text{for delayed rectification of rejected permanent reinstatement} \\ \times \text{corresponding Risk Weighting} \end{array} \right\}}{\text{Total number of permits with rejected permanent reinstatement assessed on the permits of that responsible party combination within the 7-month period}}$$

$$DPL\ 2AA = \sum \left\{ \begin{array}{l} \text{Cumulative demerit point of the responsible permittee,} \\ \text{irrespective of any different Division/Contractor involved,} \\ \text{for rejected permanent reinstatement remaining outstanding} \\ \text{for prolonged period and not yet satisfactorily rectified} \\ \times \text{corresponding Risk Weighting*} \end{array} \right\}$$

$$DPL\ 2B = \frac{\sum \left\{ \begin{array}{l} \text{Rolling 3-month cumulative demerit point of the responsible} \\ \text{party combination contravened the relevant permit condition} \\ \text{due to overdue submission of certified as-built records} \\ \times \text{corresponding Risk Weighting} \end{array} \right\}}{\text{Total number of permits requiring submission of certified as-built records assessed on the permits of that responsible party combination within the 3-month period}}$$

$$DPL\ 2C = \frac{\sum \left\{ \begin{array}{l} \text{Rolling 3-month cumulative demerit point of the responsible} \\ \text{party combination contravened the relevant permit condition} \\ \text{due to overdue submission of test certificates/reports} \\ \times \text{corresponding Risk Weighting} \end{array} \right\}}{\text{Total number of permits requiring submission of test certificates/reports assessed on the permits of that responsible party combination within the 3-month period}}$$

$$\begin{aligned}
\text{DPL } 2D^{\#} &= \Sigma \left\{ \begin{array}{l} \text{Cumulative demerit point of the responsible party} \\ \text{combination contravened the minimum depth} \\ \text{requirements} \end{array} \right\} \\
\text{DPL } 2E^{\#} &= \Sigma \left\{ \begin{array}{l} \text{Cumulative number of the responsible permittee,} \\ \text{irrespective of any different Division/contractor involved,} \\ \text{for confirmed case of delayed rectifications of} \\ \text{damaged/deteriorated manhole or drawpit covers X 0.1} \end{array} \right\} \\
\text{DPL } 2F^{\#} &= \Sigma \left\{ \begin{array}{l} \text{Rolling 3-month cumulative number of the responsible} \\ \text{party combination for confirmed case of abuse of} \\ \text{emergency excavation permit revealed from audit} \\ \text{inspections X 1.0} \end{array} \right\}
\end{aligned}$$

Remark * New risk weighting implemented since 30 September 2017

New DPL categories implemented since 30 September 2017

A worked example of the Demerit Point System is available on the HyD website for reference:

https://www.hyd.gov.hk/en/publications_and_publicity/publications/technical_document/xppm/manual/doc/Appendix_9-2-8_V5.pdf

Risk Weightings

Categories		Classification					Risk Weighting
DPL1	Severity of NC	Severe					3
		Major					2
		Minor					1
	Repeated NC within one month	Recurrence of severe NC					5
		Recurrence of major NC					3
		Recurrence of minor NC					2
	Rectification of Immediately Rectifiable NC	Rectified to HyD's satisfaction within 48 hours					0.5
DPL2A	Delayed Rectification of Rejected Permanent Reinstatement	8 months < outstanding time ≤ 9 months					1.5
		7 months < outstanding time ≤ 8 months					1.4
		6 months < outstanding time ≤ 7 months					1.3
		5 months < outstanding time ≤ 6 months					1.2
		3 months < outstanding time ≤ 5 months					1.1
		2 months < outstanding time ≤ 3 months					1.0
DPL2AA	Outstanding time more than 9 months	9 months < outstanding time ≤ 1 year	1 year < outstanding time ≤ 2 years	2 years < outstanding time ≤ 3 years	3 years < outstanding time ≤ 4 years	4 years < outstanding time ≤ 5 years	Over 5 years
	30/9/2017 to 31/12/2017	0.0003	0.0004	0.0006	0.0006	0.0006	<u>0.002</u>
	1/1/2018 to 31/3/2018	0.0003	0.0004	0.0006	0.0006	<u>0.002</u>	<u>0.003</u>
	1/4/2018 to 30/6/2018	0.0003	0.0004	0.0006	<u>0.002</u>	<u>0.003</u>	<u>0.004</u>
	1/7/2018 to 30/9/2018	0.0003	0.0004	<u>0.002</u>	<u>0.003</u>	<u>0.004</u>	<u>0.005</u>

	1/10/2018 to 31/12/2018	<u>0.001</u>	<u>0.002</u>	<u>0.003</u>	<u>0.004</u>	<u>0.005</u>	0.005
	1/1/2019 onwards	<u>0.002</u>	<u>0.003</u>	<u>0.004</u>	<u>0.005</u>	0.005	0.005
DPL2D	Delayed rectification of shallow depth services	1 st to 3 rd month after initial rectification period					0.2
		4 th to 15 th month after initial rectification period					0.5
		Beyond 15 th month after initial rectification period					2.0



中華人民共和國香港特別行政區政府總部食物及衛生局

Food and Health Bureau, Government Secretariat
The Government of the Hong Kong Special Administrative Region
The People's Republic of China

Our ref.: FHB/H/30A/1 Pt. 17

Tel.: 3509 8961

Your ref.: CB4/PAC/R70

Fax: 2840 0467

1 June 2018

Mr Anthony CHU
Clerk to Public Accounts Committee
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Mr Chu,

**Consideration of Chapter 5 of the Director of Audit's Report No. 70
Department of Health's efforts in smoking control**

Thank you for your letter to the Food and Health Bureau dated 21 May 2018.

When considering the reappointment of Members of the Hong Kong Council of Smoking and Health (COSH), we will take into account their attendance rate during their term, as well as their contribution both during and outside meetings, such as their advice and suggestion, their efforts in connecting COSH with community resources and stakeholders, etc. The Food and Health Bureau and the Department of Health will continue to monitor the performance of Members and remind COSH to introduce measures to facilitate a higher attendance rate of Members.

Yours sincerely,

(Carol WONG)

for Secretary for Food and Health

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DEPARTMENT OF HEALTH
TOBACCO CONTROL OFFICE

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1 June 2018

Clerk, Public Accounts Committee
(Attn: Mr Anthony CHU)
Legislative Council
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Mr CHU,

Public Accounts Committee

**Consideration of Chapter 5 of the Director of Audit's Report No. 70
Department of Health's efforts in smoking control**

Your letter dated 21 May 2018 on the captioned subject refers.

2. The replies from the Department of Health are at Annex for the consideration of the Public Accounts Committee, please.

Yours sincerely,

(Dr PM LEE)
for Director of Health

Encl

c.c. Secretary for Food and Health (fax no. 2526 3753)
Director of Audit (fax no. 2583 9063)

*We build a healthy Hong Kong and
aspire to be an internationally renowned public health authority*

Part 2 : Enforcement Work of The Tobacco Control Office

- 2) It was pointed out in paragraph 2.9(c) that the Tobacco Control Office ("TCO") was developing the "Tobacco Control Office Information System" ("TCOIS") which would be launched in the second quarter of 2018 to replace the Master Case Log. Please provide details of TCOIS-related expenditures. As the information mentioned in paragraph 2.7(a) to (d) of the Audit Report had not been recorded in the Master Case Log, please advise whether all the aforesaid problems can be fixed after TCOIS has been launched; if not, of the reasons and justifications for developing TCOIS?

DH's response:

- 2) The Tobacco Control Office (TCO) procured the system development services of the Tobacco Control Office Information System (the System) through open tender and the price of contract awarded is about \$3.04 million. The System will record the case information mentioned in paragraphs 2.7(a)-(d) in the Audit Report including the interim reply dates, the inspection dates, the inspection results and the final reply dates. The System would facilitate the timely input of enforcement data and help ensuring the completeness of information relating to complaints handling. TCO would also make use of the System to monitor the performance in complaints handling.
- 3) As listed in paragraphs 2.18 and 2.23, the number of inspections varied considerably among complaints, and as shown in Table 8, the percentage of inspections conducted by Tobacco Control Inspectors ("TCI") during overnight sessions was much lower than those of other time sessions, please advise:
- (a) the basis on which TCO formulates the number of inspections to be conducted at different time sessions;
- (b) the staff establishment for conducting overnight inspections and whether the 21 enforcement teams of TCO will take turns to conduct overnight inspections;

- (c) whether the number of inspections currently conducted during overnight sessions has increased; if so, the number of increased inspections; if not, the reasons for that; and
- (d) the progress, results and effectiveness of the initiative stated in paragraph 2.34(d), i.e. DH would enrich the guidelines to facilitate TCIs to determine the frequency of inspections and would closely monitor the patterns of complaints received and smoking offences found at different time sessions; if the initiative has not yet been carried out, of the implementation timetable?

DH's response:

- 3a)** TCO would follow up each case and arrange inspection to the venue having regard to the information about the time of witnessing smoking offence of the complaint received. If smoking offence is found during inspection, Tobacco Control Inspectors (TCIs) would, without prior warning, issue Fixed Penalty Notices to offenders. TCIs may also conduct more inspections to the same venue if needed after taking the following factors into consideration :
- (i) the need for conducting inspections to familiarise with a venue newly inspected;
 - (ii) whether there was evidence of smoking (e.g. cigarette butts and smell);
 - (iii) whether there was history of relatively serious smoking problems;
 - (iv) whether additional information had been provided by the complainant;
 - (v) whether there were multiple time periods of offences reported;
 - (vi) the nature of the venue;
 - (vii) public concern;
 - (viii) characteristics of smoking offenders; and
 - (ix) any other reasons that the enforcement team considered that more frequent inspections for stronger deterrent effect was needed.
- 3b)** At present, the staff establishment of full time civil service TCIs is 89. In general, each overnight inspection is led by a Senior TCI, with team members of TCIs / Assistant TCIs. Each district enforcement team would conduct overnight inspections.

- 3c)** As mentioned in paragraph (a) above, TCO will arrange inspection with reference to the case details and information such as the time of witnessing smoking offence provided by the complainant as far as practicable. There is an enormous number of statutory no smoking areas over the territory involving all indoor public places and workplaces, as well as some outdoor areas such as public pleasure grounds, stadiums and schools. Most of these venues are closed or cease operation during the overnight hours. Therefore, inspections are conducted mainly during daytime and nighttime. To address the increasing demand for enforcement duties, in 2017, the TCO has redeployed and injected resources including setting up a task force with retired policemen to strengthen enforcement action against smoking offences in venues with serious smoking problems, especially at the night time and public holidays. As a result, the number of night operations¹ has increased from 442 in 2016 to 542 in 2017.
- 3d)** As mentioned in paragraph (a) above, there are several factors affecting the time and frequency of inspection. TCO targets to enrich the guidelines to facilitate TCIs to determine the frequency of inspections by Q3 2018. Also, TCO will closely monitor the patterns of complaints received and smoking offences found at different time sessions to guide the effective deployment of the enforcement manpower in future.
- 4)** As heat-not-burn cigarettes or electronic cigarettes ("e-cigarettes") are also prohibited in statutory no smoking areas, and there is a rising trend in the number of people smoking e-cigarettes in recent years, whether the number of fixed penalty notices ("FPNs") listed in Table 9 showed such a trend; if not, whether DH has looked into the reasons why law enforcement officers had not issued FPNs to persons smoking e-cigarettes; and among the FPNs issued between 2013 and 2017, the number involved e-cigarettes?

DH's response:

- 4)** The TCO issued 1 Fixed Penalty Notice (FPN) in 2015, 4 FPNs in 2016, and 1 summons and 11 FPNs in 2017 (17 FPNs/summonses in total) to

¹"Night operation" includes "afternoon and evening shift", "evening shift" and "overnight shift" covering the periods 1200-2300, 1800-2300, and 2000-0600 respectively.

offenders who smoked electronic cigarettes in no smoking areas. The TCO issued 2 summonses and 22 FPNs to offenders who smoked heat-not-burn tobacco products in no smoking areas in 2017 (24 FPNs/summonses in total).

- 5) It was mentioned in paragraph 2.44(c) that TCO would explore the feasibility of additional payment methods. Please advise the progress and conclusions of the review, as well as the effectiveness of the new measures (if adopted); if this has not been done, of the implementation timetable? Apart from adopting additional payment methods, whether DH has considered introducing other methods to reduce the unsettlement cases of FPNs, in particular by non-local offenders; if so, of the details; if not, the reasons for that?

DH's response:

- 5) At present, FPNs may be settled through automated teller machines, Payment by Phone Service, Internet banking, phone banking, post (payments by cheques, bank drafts or cashier orders) or at Post Office counters. TCO would liaise with the Treasury to explore the feasibility of settling FPNs at convenience stores. Other than this, TCO has reminded TCIs to continue to explain to offenders at the scene, in particular non-local offenders, the methods of settling FPNs.
- 6) Regarding Audit's recommendations as set out in paragraph 2.49 that DH should enhance publicity to the trade on the legal requirement of banning tobacco advertisements and the legal definition of such advertisements, and should take enforcement actions against tobacco advertisements where warranted, please advise the progress and effectiveness of the relevant follow-up work; if the recommendation has not been implemented, of the implementation timetable?

DH's response:

- 6) TCO is drafting a letter to promote understanding of the provisions of the Smoking (Public Health) Ordinance (Cap 371) about the banning of tobacco advertising and would issue to the industry once ready.

Meanwhile, TCO continues to conduct investigations on suspected tobacco advertisement and takes appropriate enforcement actions.

- 7) Although DH had stated that the purpose of supervisory checks was to discover any inconsistencies or irregularities of the enforcement teams, paragraph 2.53 showed that there was scope for improvement in the conduct of surprise checks. Please advise:
- (a) whether Executive Officers ("EOs") will ask the enforcement teams to provide written explanations when failing to locate enforcement teams at the inspection points; if not, of the reasons for that and how EO will follow up on the situation;
 - (b) reasons why no surprise checks had been conducted before 9:30 am and after 7:30 pm, as stated in paragraph 2.53(c); and
 - (c) whether there were cases in which it was concluded that members of enforcement team had not carried out scheduled inspection in the past three years; if so, the number of such cases in each year, and the penalties imposed on the relevant officers?

DH's response :

- 7a) For the 51 supervisory checks mentioned in the Audit Report, the Executive Officers (EOs) were able to locate the enforcement team at the scheduled venue and time on 31 occasions; 16 teams' inspections were found not on schedule due to delay in preceding inspections or other reasons such as traffic condition; and the remaining 4 were due to the large area covered by the venue, hence the EOs were unable to confirm the enforcement teams' work on the spot. Nevertheless, EOs had verified the work through examination of the inspection reports of the teams afterwards and there was no disciplinary nor non-compliance case involved.
- 7b) Each overnight inspection is led by a Senior TCI and accompanied by seconded police officers. Such arrangement assists the monitoring of frontline enforcement teams. Having considered factors such as transportation and security concerns, TCO did not arrange EOs to conduct overnight supervisory checks. We understand that the

supervisory check system is a component of quality assurance to monitor onsite enforcement performance and written guidelines are available to guide the checking process. On the other hand, TCO is considering the use of mobile communication device as a means to enhance the supervisory checks.

- 7c) As mentioned in paragraph (a) above, EOs had verified the work through examination of the inspection reports of the teams after the supervisory checks and there was no disciplinary nor non-compliance case involved.

Part 3 : Facilitating The Work of Venue Managers

- 8) Regarding Audit's recommendation as set out in paragraph 3.19(a) that DH should identify enclosed public places and outdoor escalators with no display of no-smoking signs and encourage venue managers to display no-smoking signs, please advise the progress, timetable and effectiveness of the relevant follow-up work?

DH's response:

- 8) It is an existing practice of TCIs to provide no-smoking signs and to educate venue managers of statutory no smoking areas to implement smoking ban during their enforcement inspections. TCO will strengthen the practice.
- 9) According to paragraph 3.27(b), TCO would explore with the Food and Environmental Hygiene Department how best the two parties could mount more joint operations in public market venues to curb smoking problems there. Please advise the progress, timetable and effectiveness of the relevant follow-up work?

DH's response:

- 9) In response to the recommendation of the Audit Report, TCO has established regular meetings with the Food and Environmental Hygiene Department (FEHD) to discuss issues related to tobacco control in the venues managed by FEHD and to enhance the collaborative efforts. The first meeting was convened on 26 March 2018. Since then, TCO and

FEHD have been conducting joint enforcement operations in public markets and cooked food centres where smoking problem is more serious.

Part 4 : Smoking Cessation Services and Other Management Matters

- 10) According to paragraph 4.11(b), DH would review the way forward of smoking cessation services provided by its clinics to members of the public. Please advise the progress, timetable and effectiveness of the relevant follow-up work?

DH's response:

- 10) The primary care out-patient clinic located in Ngau Tau Kok under DH is a family medicine training centre, which mainly provides out-patient clinic service to patients as well as training of family physicians. The counselling services of the clinic also provide smoking cessation at a fee for those members of the public in need. Since DH has collaborated with NGOs to provide free smoking cessation services in various districts in recent years, the number of referrals to this clinic for smoking cessation service has decreased. Although the number of clients referred to this clinic for smoking cessation service has decreased, DH considers that it is necessary to provide the smokers with this additional option of services. DH agrees with the Audit Report to review the way forward of this clinic's smoking cessation service.

Part 5 : Operation of The Hong Kong Council on Smoking and Health

- 11) Regarding Audit's recommendations as set out in paragraph 5.20 that Director of Health should consider requiring COSH to publish details of the review reports concerning remunerations of the staff at the top three tiers of COSH, please advise the latest progress in this regard; if it was decided that details of the review reports would be published, of the timetable; if not, of the reasons for that?

DH's response:

- 11) COSH agreed with the audit recommendation concerned. Details of the

review report will be published upon the completion of next remuneration review of its staff at the top three tiers in 2019.



電話 TEL: 2601 8083

圖文傳真 FAX NO:

本署檔號 OUR REF: (4) in LCSD/4-35/29 C

來函檔號 YOUR REF:

5 June 2018

Public Accounts Committee,
Legislative Council,
1 Legislative Council Road, Central,
Hong Kong.
Mr. Anthony CHU

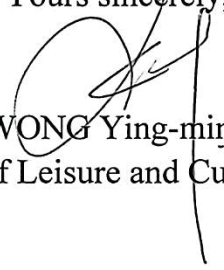
Dear Mr. CHU,

Public Accounts Committee
Consideration of Chapter 5 of the Director of Audit's Reports No.70
Department of Health's in efforts in smoking control

I refer to your letter reference CB4/PAC/R70 dated 21.5.2018 on the captioned subject and would like to append the required information (in bilingual) in Annex for your further action, please

2. Should you have further enquiry, please feel free to contact me or Mr. Kenneth SO, LM(LP) at 2601 8991.

Yours sincerely,


(WONG Ying-ming)

for Director of Leisure and Cultural Services

Question

With reference to paragraph 3.28(c), the Leisure and Cultural Services Department will continue to step up enforcement efforts at venues that it manages. Please provide information on the progress, timetable and effectiveness of the follow-up actions concerned.

Answer

The Leisure and Cultural Services Department (LCSD) will continue to step up enforcement efforts at venues that it manages. For venues with illegal smoking problem identified by Tobacco Control Office (TCO) on a list of “Locations Requiring Enhanced Inspection”, special law enforcement against illegal smoking would be stepped up to a monthly basis by LCSD staff with effect from May 2018.

Apart from the above, LCSD and TCO have identified five venues, namely the Central Pier Waterfront, Urban council Centenary Garden, Ho Sham Park, Jockey Club Tak Wah Park and Tsuen Wan Park, with more severe smoking problems from the list mentioned above and agreed to further increase the frequency of joint operation from an irregular pattern to a monthly basis for each of these venues commencing in May 2018. LCSD would keep close contact with TCO at quarterly meetings to review the effectiveness of our joint operations.



1 June 2018

Mr Anthony CHU
Clerk to Public Accounts Committee
Legislative Council
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong

Mr CHU,

Public Accounts Committee

Consideration of Chapter 5 of the Director of Audit's Report No.70

Department of Health's efforts in smoking control


Thank you for your letter of 21 May 2018. Our response to question (13) of your letter is set out below.

The following mechanism has been adopted in the FY2018-2019.

The Secretariat will check the availability of members to schedule for the next meeting. Reminders of no less than one week before the meeting will be sent to members.

As the mechanism has been adopted only for 2 months, the effectiveness will be reviewed later.

Yours sincerely,


Ms Vienna LAI Wai-yin
Executive Director

Hong Kong Council on Smoking and Health

香港特別行政區政府

創新及科技局

香港添馬添美道二號
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INNOVATION AND
TECHNOLOGY BUREAU

THE GOVERNMENT OF THE HONG KONG
SPECIAL ADMINISTRATIVE REGION

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4 June 2018

Mr Anthony Chu
Panel Clerk
Public Accounts Committee
Legislative Council Complex
1 Legislative Road
Central, Hong Kong

By e-mail

Dear Mr Chu,

Public Accounts Committee

Consideration of Chapter 6 of the Director of Audit's Report No. 70

**OGCIO's programmes and projects in promoting
the wider use of IT in the community**

Thank you for your letter dated 5 June 2018 on the above subject.

We have compiled a detailed response at **Annex** for Members' reference.

Yours sincerely,

A handwritten signature in black ink, appearing to be "Salina MAK", written in a cursive style.

(Salina MAK)

for Secretary for Innovation and Technology

Encl.

c.c.:	Government Chief Information Officer	(Fax: 2511 5359)
	Secretary for Financial Services and the Treasury	(Fax: 2147 5239)
	Director of Audit	(Fax: 2583 9063)

Public Accounts Committee
Consideration of Chapter 6 of the Director of Audit's Report No. 70
OGCIO's programmes and projects in promoting
the wider use of IT in the community
Questions and Requested Information

Questions responded by the Innovation and Technology Bureau

	Question and Requested Information	Response
Part 5: Way Forward		
1	Regarding the Audit recommendation in para. 5.8 that the Government should update regularly their strategies and work programmes on promoting the wider use of IT in the community, taking into account the Smart City Blueprint for Hong Kong and other policy directives and strategies on innovation and technology promulgated, please advise the relevant strategies and the latest details.	The Innovation and Technology Bureau and its departments (including the Office of the Government Chief Information Officer (“OGCIO”)) will continue to publicise new and updated initiatives under our innovation and technology policy directions and strategies, including those for promoting wider adoption of information technology (“IT”) in the community e.g. Smart City Blueprint for Hong Kong. In addition, we will timely update relevant websites.

Questions responded by the Office of the Government Chief Information Officer

	Question and Requested Information	Response
Part 2: Digital Inclusion Initiatives		
2	<p>According to para. 2.11, in the school years 2011-2012 to 2016-2017, the average take-up rate of the Internet Learning Support Programme (“ILSP”) was only 18%. Please advise this Committee of the following:</p> <p>(a) What is the original take-up rate set by OGCIO or the Implementers?</p> <p>(b) In the preparation for setting up the ILSP, did OGCIO examine the possible factors that might lead to low take-up rate as mentioned in para. 2.12. If yes, why did OGCIO still insist on implementing the ILSP; and</p>	<p>(a) OGCIO did not set any targeted “take-up rate” in ILSP. That said, the Implementers are required to set key performance indicators in their annual business plans, including the number of families enrolled, served, and first served, and the number of services, as the targets for evaluating the effectiveness. According to the evaluation in the 2016/17 school year, both Implementers met the targets.</p> <p>(b) In the course of planning for ILSP in 2011, OGCIO already anticipated that some eligible families might not have immediate needs for services under ILSP (e.g. families have already subscribed to Internet services of different service providers at home, purchased computers, etc.). OGCIO and the two Implementers have all along been actively promoting and encouraging more eligible families to enroll and use the ILSP services through various publicity means.</p>

	Question and Requested Information	Response
	(c) Given that the ILSP will end in August 2018, how will OGCIO deal with the 12 414 pieces of computer equipment purchased for eligible families from the launch of the ILSP in July 2011 to December 2017?	(c) One of the services under ILSP is to arrange for sale of computer equipment at affordable prices to eligible families. It does not involve any provision of direct financial subsidies. Such computer equipment generally comes with a 3-year warranty for free maintenance. The families can contact respective computer suppliers direct on computer repair as needed.
3	<p>According to para. 2.13, the Social Welfare Department (“SWD”) did not provide the Implementers with information on the eligible families receiving Comprehensive Social Security Assistance (“CSSA”) to support the implementation of the ILSP. Please advise us of the following:</p> <p>(a) Before implementing the ILSP, did OGCIO consult SWD on the arrangements for providing information on the eligible families receiving CSSA Scheme to the Implementers; and if yes, why did SWD not provide the Implementers with such information ultimately;</p>	<p>(a) OGCIO consulted SWD. To safeguard personal privacy, SWD could not provide the Implementers with information on the eligible families and students, but assist in distributing the programme leaflets and enrolment forms to eligible families.</p>

	Question and Requested Information	Response
	<p>and</p> <p>(b) Drawing on the above experience, how will OGCIO strengthen the communication with relevant departments before implementing any funding programmes in future to avoid recurrence of similar incidents?</p>	<p>(b) OGCIO will strengthen the communication with relevant departments in implementing such funding programmes in future, and consider setting up inter-departmental working group for programme preparation.</p>
4	<p>According to paras. 2.16(c) and (d), the unit cost for providing computer equipment was high. In 2014-2015, the facilitation cost for the purchase of computer was \$1,670 per unit, while the product discount was only \$470. The cost is on the high side. Please advise us of the following:</p> <p>(a) Given suppliers of major brands often sell computers to students at discounted prices at the beginning of a school year, will OGCIO consider changing the policy from facilitating service groups to purchase computers to</p>	<p>(a) The service offered by the Implementers is to arrange for sale of computer equipment at affordable prices to eligible families. It does not involve provision of any direct financial subsidies. As for facilitating suppliers to showcase computer products at schools, OGCIO will convey the suggestions to the Implementers and other welfare agencies which are interested in providing similar services for consideration.</p>

	Question and Requested Information	Response
	<p>assisting computer suppliers to showcase their products at schools and allowing students to purchase computers in the market themselves, with the cost reimbursable upon presentation of invoices/receipts; and</p> <p>(b) Drawing on the experience, how will OGCIO ensure that administrative expenses will not be too high again in implementing similar support programmes in future?</p>	<p>(b) In implementing similar programmes in future, OGCIO will consider including unit cost of services, administrative expenses, etc. and assess the cost effectiveness according to the targets set.</p>
5	<p>It is mentioned in para. 2.22 that OGCIO will conduct a post-implementation review of the ILSP. Please advise us of the scope, timetable, progress and findings of the review.</p>	<p>The ILSP will officially end in end-August 2018. OGCIO will conduct a review with regard to the mode of operation, the number of beneficiary families which have used the services, and the Internet adoption rate of students from low-income families as compared with those from mainstream families, etc. The review is expected to be completed in the second quarter of 2019.</p>
6	<p>According to para. 2.29, up to December 2017, OGCIO had provided a total funding of \$6 million for the development of 17</p>	<p>Please refer to the <u>Appendix</u>.</p>

	Question and Requested Information	Response
	mobile apps. Please advise us of the themes and categories of these apps.	
7	It is mentioned in para. 2.34 that OGCIO will conduct a review of the Funding Scheme for Digital Inclusion Mobile Apps. Please advise us of the scope, timetable, progress and outcome of the review.	Organisations funded under the third round of the Funding Scheme for Digital Inclusion Mobile Apps are required to submit their final reports, including mobile apps downloading statistics, to OGCIO by end-June 2018. OGCIO will conduct a review with regard to the mode of operation, the funded organisations' targets in the project proposals, feedback from the organisations and mobile app users, as well as the app usage and outcome, etc. The review is expected to be completed in the fourth quarter of 2018.
8	Regarding the Audit recommendation to OGCIO in para. 2.42(c) to take measures to further encourage more local enterprises/organisations to adopt web/mobile apps accessibility design, please advise us of the timetable, progress and effectiveness of the relevant follow-up work.	OGCIO has engaged the Hong Kong Internet Registration Corporation ("HKIRC") to support the related promotion work, including organising the Web Accessibility Recognition Scheme, by leveraging HKIRC's expertise in website operation and extensive customer network, to further promote the adoption of accessibility design among enterprises and organisations. The first awards presentation ceremony of the scheme will be held in June this year to commend enterprises and organisations that have attained gold awards in three consecutive years, thereby encouraging other organisations to follow suit and participate in the scheme. The remaining awards will be presented at the awards presentation ceremony to be held at the end of this year.
Part 3: Free Public Wi-fi Services		
9	While the number of sites with free Wi-Fi service provided by the Government has been increasing over the past decade, the usage at	Members of the public can obtain information on "Wi-Fi.HK" hotspots from the "Wi-Fi.HK" website and mobile app. OGCIO will step up the promotion of the "Wi-Fi.HK" website and mobile app in the second half of 2018 through online marketing video. OGCIO will also continue to work

	Question and Requested Information	Response
	some venues is on the low side. Other than connection speed, is it because the public is not aware of the sites where free public Wi-Fi service is provided by the Government? Or are there any other reasons? How will the Government step up the promotion of the Government Wi-Fi Programme (“GovWiFi”)?	with the Hong Kong Tourism Board to promote “Wi-Fi.HK” to overseas and Mainland visitors.
10	Regarding the Audit recommendation in para. 3.18(a) to monitor the performance and connection speed of GovWiFi services and take measures to improve the connectivity and connection speed at GovWiFi venues with connection problem and slow connection speed, please advise us of the progress, timetable and effectiveness of the relevant follow-up work.	OGCIO is upgrading all GovWiFi equipment to IEEE 802.11ac to adopt the latest Wi-Fi standard, and replacing copper wires by fibre links where feasible to improve the data transmission speed and stability. The upgrading works will be completed within this year. By then, it is expected that fibre network will be available at over 80% of the GovWiFi venues and the connection speed would increase significantly from the existing average speed of 3 to 4Mbps to 10Mbps or above.
11	OGCIO stated in para. 3.19(b) that a trial for 4.5G mobile service is being conducted to support Wi-Fi	All installation works for the pilot project is expected to be completed in June 2018. The Wi-Fi service at Central Kwai Chung Park has been launched in May. Initial testing shows that the connection speed can reach

	Question and Requested Information	Response
	services at outdoor venues at Tung Chung North Park, Jordan Valley Park and Central Kwai Chung Park. Please advise us of the progress, effectiveness and conclusions of the relevant pilot project, including whether OGCIO will extend the pilot project to other venues or fully implement the alternative service mode.	over 10Mbps. OGCIO will extend the arrangement to more suitable outdoor government venues, including more than 1 000 parks and sitting-out areas of a smaller size in various districts and public housing estates, as well as those where copper wires cannot be replaced with fibre network.
12	According to para. 3.23, the Government pledged to increase the number of Wi-Fi.HK hotspots to 34 000 by the end of 2019. However, as at 31 December 2017, the number of hotspots only increased to 20 339. Para. 3.26 also indicates that from May 2016 to 28 February 2018, only 19 private organisations joined the Wi-Fi.HK brand. Has OGCIO reviewed the reasons for the low response rate of private organisations, including examining the attractiveness of the terms of the Wi-Fi.HK procurement	<p>At present, more than 100 organisations have joined the “Wi-Fi.HK” brand. OGCIO will continue to promote, streamline the procedures for joining the “Wi-Fi.HK” brand and provide greater flexibility to facilitate organisations to participate in the brand having regard to their respective circumstances.</p> <p>OGCIO is applying for Class 38 (Telecommunications) trademark registration for the “Wi-Fi.HK” brand. The trademark registration will be completed in mid-2018. Trade registration helps enhance the level of trust and attractiveness of the brand.</p> <p>OGCIO will step up promotion of the “Wi-Fi.HK” brand through organising various events, making use of social media and producing online marketing videos. OGCIO will also continue to work with the Hong Kong Tourism Board to promote “Wi-Fi.HK” to overseas and Mainland visitors.</p>

	Question and Requested Information	Response
	contract)? If yes, what are the reasons; if not, why?	
13	<p>According to the situation described in para. 3.34(a), please advise us of the following:</p> <p>(a) Why did OGCI O not seek Department of Justice (DoJ)'s advice on protecting the interests of the Government before acceding to the request of Service Provider A to extend the deadline for commencing the provision of Wi-Fi services at the 4 allocated venues and amending the agreement with Service Provider A?</p> <p>(b) The progress and status of the provision of Wi-Fi services at the 4 allocated venues currently; and</p> <p>(c) When and how will OGCI O follow up the provision of free</p>	<p>(a) OGCI O sought legal advice from DoJ in October 2017. As the pilot project agreement did not contain any provisions for early return of venues or extension of implementation deadline, it was arguable whether such acts would legally constitute a breach of agreement. Hence, OGCI O did not take legal actions to seek compensation from the concerned provider. Drawing on experience of the pilot project, OGCI O has revised the project details and contract provisions for the public-private collaboration (PPC) programme.</p> <p>(b) Wi-Fi services at the 4 allocated venues have already been launched before the agreement deadline. Both the coverage and connection speed of the Wi-Fi service meet the project requirements.</p> <p>(c) After reviewing the pilot project, OGCI O issued invitation to the industry in April 2018 for participating in the new round of PPC</p>

	Question and Requested Information	Response
	public Wi-Fi services at the remaining 156 venues?	programme, involving over 3 100 government venues (including the 156 venues concerned) for providing Wi-Fi services.
Part 4: Other Initiatives in Promoting Wider Use of IT		
14	Regarding Sites 2 and 3 mentioned in para. 4.10, what measures will OGCIO take to expedite the disposal of the two sites? Please advise on the progress and timetable of the relevant follow-up work. If no timetable is set, why?	OGCIO is actively liaising with relevant departments to discuss the preparatory work for land disposal, including termination of the existing Short Term Tenancy and closure of the public metered carpark. Lands Department issued Notice To Quit to the tenants concerned in March 2018. The sites are expected to be available for disposal by tender in Q4 2018.
15	Regarding the Audit recommendation to OGCIO in para. 4.26(a) to encourage more government bureaux/departments, and public and private organisations to open up more data for free public re-use via the PSI portal, please advise us of the progress and timetable of the relevant follow-up work.	OGCIO aims to announce policies and measures in the second half of 2018 to facilitate government bureaux and departments and encourage public and private organisations to open up more datasets in digital format.
16	Regarding the Audit recommendation to OGCIO in para. 4.42(c) to establish a mechanism for the Hong Kong ICT Awards to	The Standards Assurance Sub-committee of the Hong Kong ICT Awards is reviewing the relevant mechanisms. We target to finish the review and formulate relevant improvement measures by end-September 2018 for implementation in the Hong Kong ICT Awards 2019.

	Question and Requested Information	Response
	strengthen the monitoring of the Leading Organisers' performance of the responsibilities stipulated in the Judging Manual, please advise us of the progress and timetable of the relevant follow-up work.	
Part 5: Way Forward		
17	Regarding the Audit recommendation in para. 5.8 that the Government should update regularly their strategies and work programmes on promoting the wider use of IT in the community, taking into account the Smart City Blueprint for Hong Kong and other policy directives and strategies on innovation and technology promulgated, please advise on the relevant strategies and the updated details of work programmes.	Please refer to ITB's response to Item 1.

Digital Inclusion Mobile Apps
(by beneficiary groups)

Beneficiary Group	Mobile App	Theme
Elderly	1. AngeLINK	Assist elderly persons to produce life memorable booklets
	2. eElderly Activity Search	A platform for the elderly to search activities in over 190 local elderly centres
	3. One Click to Know Dementia	Provide dementia patients with cognitive training and practical tools to seek emergency assistance when they get lost
Persons with disabilities	4. Barrier-Free Travel Guide	A barrier-free travel guide for persons with physical disabilities, detailing the accessibility facilities in tourist spots of Hong Kong
	5. Searching & Exploring with Speech Augmented Map Information (SESAMI)	Provide speech augmented map information and indoor venue facility information to visually impaired persons

Beneficiary Group	Mobile App	Theme
	6. SignChat	Maintain a library of sign languages to enable persons with hearing impairment to communicate in sign language when using instant messaging applications
	7. Silence Sign Language Interpretation App	Provide instant sign language interpretation service for persons with hearing impairment through video communication
	8. Tap My Dish	Provide speech augmented food menu information for persons with visual impairment
Children with disabilities or special educational needs	9. Articulation Screening and Training Tool	Assess and train phonological abilities of persons with hearing impairment
	10. Auditory and Speech Training App	Cantonese speech recognition training kits for children with hearing impairment
	11. Early Literacy	Provide training on reading and writing skills for children with learning difficulties
	12. “Learn smart” teaching material publishing platform	Training kits and a publishing platform of teaching materials for students with cognitive impairment
	13. HOPE Chinese Character Game	Assist children with dyslexia in learning the structure of Chinese characters by decoding method

Beneficiary Group	Mobile App	Theme
	14. MathAid	A teaching tool that reinforces the learning of core mathematical skills for students with visual impairment
	15. Smart and Fit DS Kids	Provide training on muscular and co-ordination abilities for children with Down Syndrome
	16. Stories for Social Skills Made Easy	Educational kits on social learning for children with autism
Ethnic minorities	17. HK Easy	Chinese learning platform for ethnic minorities to learn vocabularies and Cantonese pronunciation

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GOVERNMENT SECRETARIAT
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[*English Translation*]

13 June 2018

Mr Anthony CHU
Clerk, Public Accounts Committee
Legislative Council
Legislative Council Complex,
1 Legislative Council Road,
Central,
Hong Kong

Dear Mr Chu,

Public Accounts Committee

Consideration of Chapter 7 of the Director of Audit's Report No.70

**Home Affairs Bureau's funding schemes and programmes
for youth exchange and internship**

Your letter dated 21 May 2018 is well received. As per your enquiries, please find our responses in the attached appendix.

Yours sincerely,

(Sammy Leung)
for Secretary for Home Affairs

c.c. Secretary for Financial Services and the Treasury
Director of Audit

Public Accounts Committee
Consideration of Chapter 7 of the Director of Audit's Report No. 70
Home Affairs Bureau's funding schemes and programmes
for youth exchange and internship

For the Home Affairs Bureau

Part 2: Management of Funding Schemes for Youth Exchange and Internship

- 1) According to paragraph 2.6(b) and Case 1, even though Organization A had been late in submitting the financial reports and had not submitted the activity reports of the projects it conducted in the previous year, sponsorship was still granted to it for the next year. How will Home Affairs Bureau ("HAB") improve its assessment criteria to avoid granting sponsorship to organizations which have been non-compliant with the funding guidelines?

We agree to the recommendation made in Chapter 7 of the Director of Audit's Report No. 70 (hereinafter referred to "the Audit Report") that we should conduct a review regularly and take measures to enhance the assessment process where necessary with a view to better taking into account the past track records of applicant organisations. Accordingly, a Demerit-point System has already been introduced to the relevant youth internship and exchange funding schemes, in which, among others, applicant organisations with late submission of required reports will have marks deducted in their future funding applications.

- 2) As advised by HAB in paragraph 3 of Case 1, while the participation rate of a project conducted by Organization A was not high, a respectable number of participants benefited from the programme. Please explain how the project was assessed as having "a respectable number of participants benefiting from the programme".

As pointed out in paragraph 3 of Case 1 in the Audit Report, when assessing the project proposal submitted by Organisation A in 2016-17, the relevant working group noticed that the projects organised by Organisation A in the past "had a respectable number of participants benefiting from the programme". According to our records, the Mainland youth exchange projects conducted by Organisation A were of a significant scale. In the past two years before 2016-17, a total of

six exchange projects were held benefiting 405 young people, with an average number of 67.5 young people participating in each project.

- 3) Regarding paragraph 2.10(a)(ii), please advise the reasons for imposing a sponsorship limit on the overall complementary activities of projects under the Funding Scheme for Youth Internship in the Mainland ("YIFS") only in 2017-2018, and whether HAB currently has any intention to impose a similar limit on the other three funding schemes which are related to exchange projects; if so, of the relevant details and the timetable; if not, the reasons for that. **And**
- 4) According to Table 8 in paragraph 2.10, the sponsorship for complementary activities accounts for 0% to 61% of the total sponsorship for a project. Please provide the criteria for approving such sponsorship, with examples to illustrate the nature of the sponsored activities. In addition, please set out in a table the respective amounts and proportions of sponsorship granted to the complementary activities of the 60 projects referred to in Table 8, as well as the funding schemes under which the sponsorship was granted.

Complementary activities, such as pre-tour training activities and post-tour learning reflection seminars, form a core part of exchange and internship projects. Given the varying nature, destinations, number of both activity days and participants of the projects, the proportion of expenditure attributed to the complementary activities in the total expenditure would also vary accordingly. Besides, some organisations might choose to bear part of the costs of a project themselves (e.g. sponsorship of air tickets or accommodation from other organisations), and hence affecting the proportion of approved sponsorship spent on different parts of a project.

To ensure cost-effectiveness, we have now imposed different suitable sponsorship limits for those complementary activities under different funding schemes in the light of their nature and needs. Taking the Funding Scheme for Youth Internship in the Mainland (YIFS) as an example, owing to the similar nature of different internship projects and the duration eligible for sponsorship falling between 21 days to 42 days, we have standardised the sponsorship limit of complementary activities of internship projects in terms of the total expenditure under the Scheme, viz. the sponsorship of complementary activities shall not exceed 25% of the total sponsorship of each project or \$220,000, whichever is less.

Comparatively speaking, the scale, the number of days, themes and destinations for those exchange projects in the Mainland, Belt and Road countries and other overseas countries can vary greatly. For instance, the cost structure of a 3-day exchange project to study the economic development in Guangdong province can be very different from that of a 14-day voluntary service exchange project across provinces and cities in the Mainland. Considering the diversity of exchange projects, instead of standardising the sponsorship limit to cover the overall cost of complementary activities under each exchange project, we have set a reasonable limit for the individual expenditure items of complementary activities (e.g. production of teaching materials for promotion, day camp activity fees, etc.) to ensure the cost-effectiveness of complementary activities. The assessment panels would also examine the cost-effectiveness of all activities as a whole while vetting the funding applications, and would adjust the sponsorship amount when necessary.

Details of the total sponsorship of the 60 complementary activities and their proportions as mentioned in Table 8 of the Audit Report are in Annex I.

5) Regarding Case 2 in paragraph 2.10 where daily sponsorship rate was not consistently applied in two exchange tours, please advise:

(a) the reason for including transportation under the coverage of sponsorship as no exchange activities were held during the travelling time;

All exchange projects involve travelling time between Hong Kong and the exchange destination. According to the funding criteria of the Funding Scheme for Youth Exchange in the Mainland (YEFS), the sponsorship rate per head is calculated with reference to the number of days, where the amount of sponsorship can be used to cover the cost of transportation to and from Hong Kong. According to the prevailing criteria, the "number of funded days" shall include the travelling time between Hong Kong and the exchange destination.

(b) if HAB had made reference to previous applications as to whether sponsorship should cover transportation before approving funding for the two exchange tours; if not, of the reasons for that; **and**

- (d) as noted by the Audit Commission ("Audit"), the funding guidelines do not specify the circumstances for granting half-day sponsorship to cover transportation, whether HAB will revise the funding guidelines accordingly; if so, of the relevant details and the timetable; if not, the reasons for that; and

As indicated in our response to item (a) above, according to the prevailing criteria, the travelling time of participants between Hong Kong and the exchange destination shall be included when calculating the "number of funded days". Given that all exchange projects vary in content and itinerary, the travelling time involved could also be different. When deciding whether a "half-day" or "full-day" rate in relation to the travelling time should be granted, we often took into consideration the circumstances of individual applications in the past. In order to ensure the consistency of funding approval, we have improved our internal funding guidelines from 2018-19 to clearly set out the method for calculating the travelling time under different scenarios, and illustrated it with examples to assist our staff in the calculation. For example, if the travelling time is not more than four hours, the "half-day" rate should be adopted.

- (c) how HAB will follow up the case in which an excess amount of sponsorship was approved for one of the exchange tours;

As indicated in our response to item (a) above, according to the prevailing criteria, the travelling time of participants between Hong Kong and the exchange destination should be included when calculating the "number of funded days". Therefore, the inclusion of travelling time in the calculation of the "number of funded days" will not result in the disbursement of an excessive amount of sponsorship. The disbursement arrangements for the two exchange projects mentioned above therefore do not involve any excessive amount of sponsorship.

- (e) given that new members will join the Commission on Youth ("CoY") and the Committee on the Promotion of Civic Education ("CPCE") ("the two committees") and their working groups when a new term starts, how will HAB ensure that the criteria employed by members in vetting and approving sponsorship applications will remain consistent.

All the assessment criteria and the funding criteria/the Reference Guide on Funding Allocation have been uploaded onto the relevant Commission/Committee's website for public inspection. The secretariat will also explain the relevant criteria in detail to the assessment panel members before the assessment commences. The criteria for funding approval will not be affected by the change of membership.

- 6) According to paragraph 2.14, a YIFS project was granted a sponsorship exceeding the sponsorship limit for a single project, but HAB records did not document the justification for the departure. Please advise:
- (a) whether any misconduct was involved; if so, of the party that should be held responsible and the relevant follow-up actions and sanctions; **and**
 - (c) measures HAB has in place to prevent non-compliance with limits on sponsorship in future.

As stated in the information that we furnished Audit Commission (hereinafter referred to "Audit") in March this year, prompt follow-up actions had been taken once the non-compliance case was identified. The relevant organisation had also scaled down the internship project to a half. As a result, the sponsorship granted to that project did not exceed the sponsorship limit. As pointed out in the Audit Report, the project concerned was the only case among the 1 050 projects examined by Audit that the approved sponsorship exceeded the limit. To address this, we have reminded our staff about the case and made improvements to the internal funding guidelines by clearly setting out the methodology for our staff to adopt when calculating the amount of sponsorship under different circumstances in order to ensure consistency. Moreover, we have enhanced our computer system which would automatically draw the staff member's attention whenever the amount of sponsorship entered into the system exceeds the applicable sponsorship limits to avoid any non-compliance cases.

- (b) regarding HAB' subsequent response that the project was co-organized by two organizations, whether it means that the amount of sponsorship to be granted to a project can be double or more than double the limits if it is co-organized by two or more than two organizations; and provide figure on the number of projects co-organized by two or more than two organizations; and

No, it is not the case. According to YIFS' application guidelines, a sponsorship limit has been set for each internship project, regardless of it being organised by a single or a number of organisations. Our response in paragraph 2.14 of the Audit Report that "the project was co-organised by two organisations" is merely meant to provide factual information.

There were 13 Mainland internship projects in total jointly organised by two or more organisations in the past four years.

- 7) Regarding the Audit's recommendation in paragraph 2.16(b) that HAB should regularly review the adequacy of practices on assessing project proposals, and based on the review results, take measures to enhance the assessment process where necessary, please advise the outcome of the relevant review and measures to enhance the assessment process.

We agree to Audit's recommendations. The assessment panels consisting of non-official members will continue to take into account the nature and circumstances of individual funding schemes as well as the panel's experience in processing similar applications when deciding on the appropriate assessment approach, including whether to hold interviews for applications. The panels will also put the approach into practice according to the application cycle of the funding schemes.

- 8) Regarding HAB's response in paragraph 2.20(c) that it had imposed a requirement on the minimum number of participants (i.e. 10 participants) for projects under the Funding Scheme for Youth Exchange in the Mainland ("YEFS"), thereby avoiding the recurrence of situations similar to Case 3, please advise:

- (a) the reasons for initially not imposing a requirement on the minimum number of participants for YEFS projects;

As stated in our reply to Audit in March 2018, the sponsorship for eligible Hong Kong participants under the YEFS was calculated on a per head basis. Therefore, organisations generally had no incentive to organise projects with a very small number of participants, bearing in mind that the amount of sponsorship for exchange activities receivable would likely be much lower than the actual cost associated with these activities and the difference would have to be borne by the organisations themselves. Nevertheless, in the light of the experience gained, the relevant working group approved

that the minimum number of participants (i.e. 10 persons) would be set for the YEFS from 2018-19 onwards.

- (b) HAB' considerations in setting a minimum number of participants at 10; and
- (d) as suggested by HAB in paragraph 2.20(a), "organizations generally had no incentive to organize projects with a very small number of participants", whether HAB has taken into account the fact that setting a minimum number of participants for YEFS projects may make it impossible for some exchange projects to proceed, such as programmes which are less popular among young people but have significant educational values, thus defeating the original intention for setting up YEFS or stifling some projects which are exceptionally meaningful;

In determining the minimum number of participants, we took into account mainly the cost-effectiveness and the minimum number of participants in other similar funding schemes. It was also necessary for us to consider and strike a balance for those meaningful exchange projects that are targeted at a niche market or not catering to popular appeal. Having studied the above factors, the relevant working group approved that the minimum number of participants would be set at 10 for the YEFS from 2018-19 onwards. Since the implementation of the new requirement, we have not received any feedback from organisations that the requirement hinders their funding applications for organising exchange projects. We will continue to monitor the implementation of the requirement on the minimum number of participants and conduct a review as and when necessary.

- (c) whether the requirement on the minimum number of participants is applicable to projects not yet completed in 2018-2019, and the number of projects conducted before 2018-2019 with fewer than 10 participants;

All the exchange projects in the Mainland with funding approved in or before 2017-18 have already been completed. In the past five years, there was only one exchange project involving less than 10 participants (i.e. the exchange project as shown in Case 3 of the Audit Report).

- (e) whether HAB will consider allowing organizations to, after providing reasonable explanations, continue to conduct certain projects which have less than 10 participants.

Since the implementation of the new requirement, we have received neither any feedback from organisations that the requirement hinders their funding applications for organising exchange projects, nor any applications for organising a project with participants less than 10. We shall continue to monitor the implementation of the requirement on the minimum number of participants and conduct a review as and when necessary.

- 9) According to paragraph 2.22, organizations are required to submit activity reports and financial reports to HAB within three months after the completion of projects. Please advise what items of information are required to be included in the reports. Has HAB examined if three months are too brief a time for report submission, resulting in organizations frequently failing to submit reports on time?

Taking the 2018-19 YEFS as an example, sponsored organisations are required to submit the following reports and documents within three months upon completion of the entire exchange project: an original and a copy of the activity report, activity photos, video recordings (if any), samples of publicity materials, an original and a copy of the financial report verified by an independent certified public accountant (practising) or a public accountant, an auditor's report prepared and issued by an independent certified public accountant (practising) or a public accountant, quotation record sheets, evaluation questionnaires filled by participants, a consolidated report of the questionnaires evaluated, a list of youth participants of the exchange project, receipts relating to exchange rates, etc. In view of the nature and scale of the sponsored projects (sponsorship shall not exceed \$0.68 million), the concerned working group considered that those organisations should be able to submit the required reports and documents within three months upon completion of all activities. In fact, as shown in Table 10 of the Audit Report, over half of the projects could have their reports and documents submitted on time. We shall continue to monitor the implementation of the requirement and conduct a review as and when necessary.

- 10) Regarding HAB's response in paragraph 2.27(b) that it had stepped up efforts in ensuring timely submission of activity reports and financial reports by organizers, please advise the details and effectiveness of its efforts, as well as the current situation concerning the submission of

reports by organizations. Regarding HAB's indication that late submission of report(s) by organizations in previous exercises would be taken into account in the demerit-point system, please provide details of the demerit-point system (including the score ratio and sanctions).

The Demerit-point System has been introduced to the “Funding Scheme for Exchange in Belt and Road Countries” in 2017-18, including the deduction of scores for funding applications submitted by organisations which have a track record of late submission of reports. As revealed by the preliminary information, among the projects in 2017-18, there were eight cases involving late submission of reports as at 31 May 2018, representing a reduction of 5 cases (38.5%) when compared with 13 cases for the same period in 2017.

As for the YEFS and the YIFS, the Demerit Point System has also been introduced in 2018-19. Since the scheme cycle has yet to be completed, there is no information about whether cases of late submission of reports will arise.

Taking the YEFS as an illustration, details of the Demerit Point System are set out in Annex II.

Furthermore, as per our response to the Audit, we have deployed more manpower to monitor the implementation and follow-up action of the large number of exchange/internship projects so as to ensure timely submission of activity reports and financial reports by the sponsored organisations.

- 11) Given that organizations normally will set the deadline for enrolment of an exchange tour at some time before its departure date, and make preparations for the tour in collaboration with the receiving organization(s), it is therefore difficult to understand the response made by HAB in paragraph 2.32 that organizations might still be recruiting until it was close to the start date of the projects, as well as why organizations informed HAB of the cancellation of projects only after the scheduled tour departure dates. It can also be noted that the organizations concerned lack project planning capability. In view of this, will HAB introduce requirements or guidelines on setting enrolment deadline for projects and the timeframe to report cancellation/modification(s) of projects; if they will, what are the details, if not, what are the reasons? Will HAB

consider taking cancellation of projects into account under the demerit-point system?

We agree to Audit's recommendations. As mentioned in paragraph 2.32(b) of the Audit Report, organisations are required to report under the current funding guidelines on any changes of the exchange/internship projects, including the cancellation of a project. As a way of good monitoring and governance, such requirement had been set out in the guidelines more explicitly for the funding exercises for 2018-19 and thereafter, for the compliance of organisations.

According to the latest updated funding guidelines for the 2018-19 YEFS, sponsored organisations who intend to cancel exchange projects should inform the relevant task force in writing at least two weeks before the originally scheduled departure date of the exchange tour with reasons for the cancellation. Moreover, according to the Demerit-point System, if an organisation fails to report or apply for any changes to the itinerary timely (including cancellation of the project), scores will be deducted from the total scores given to an exchange project in the funding application submitted by the organisation in the next round.

In addition, we have reminded organisations, during the briefing session for the YEFS, to inform us timely of the cancellation of a project in accordance with the requirements in the funding guidelines.

We will also introduce the above arrangements to other funding schemes when their next round of applications commences.

We wish to reiterate that the disbursement of sponsorship is on an accountable basis. Therefore, if a project is to be cancelled, the relevant sponsorship will not be released. Young people who have enrolled for the cancelled projects may check information of other sponsored exchange projects through HAB's newly one-stop-information portal to choose exchange projects that suit their needs.

Part 3: Provision of Programmes of Youth Exchange

12) Regarding exchange places of youth programmes:

- (a) whether HAB has conducted surveys on the reasons for the participants joining projects under the International Youth Exchange Programme ("IYEP"), the Summer Exchange Programme ("SEP") and the Guangdong-Hongkong-Macao Youth Cultural Exchange Programme ("CEP")("the three programmes of youth exchange"); if so, of the details; if not, of the reasons for not conducting surveys and keeping the relevant information;

We had in place an opinion survey of participants for the above three programmes of youth exchange. The questionnaires covered issues like participants' opinions on the itinerary arrangements for the exchange tour, the content of exchange activities, arrangement of complementary activities, whether the exchange tour could achieve the intended objective(s), etc. Assessment results could help evaluate the effectiveness of the programmes. Notwithstanding that the questionnaires did not cover participants' reason(s) for joining the respective programmes, according to the questionnaires collected, about 80% of the participants of these programmes agreed/strongly agreed that the exchange tours could achieve their intended objectives (taking the CEP as an example, the programme's objective is to promote mutual understanding among young people in the three places, enrich participants' understanding of each other's culture and broaden their horizons).

- (b) with reference to paragraph 3.4, please provide the number of organizations that have been invited respectively under the three programmes of youth exchange to nominate suitable candidates in the past three years, and advise whether HAB will expand the list of invitees to include all secondary schools, tertiary institutions and youth organizations in Hong Kong; if not, of the reasons for that;

In the past three years, the number of organisations invited to nominate suitable candidates for the three programmes of youth exchange is provided below:

Number of organisations invited to make nominations:	2015-16	2016-17	2017-18
International Youth Exchange Programme (IYEP)	64	64	79
Summer Exchange Programme (SEP)	18	18	18
Guangdong-Hong Kong-Macao Youth	43	43	43

Cultural Exchange Programme (CEP)			
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The type and the number of organisations invited to make nominations depend on the objectives of the exchange programme concerned, the number of exchange places available, the target participants, etc. For example, target participants of the CEP are generally tertiary students aged between 18 and 24 studying in arts and culture related disciplines. Hence, we used to invite nominations from universities in the past.

We will review the invitation list from time to time with a view to fully utilising the exchange places. Again, taking the CEP as an example, we have extended our invitations for nomination to accredited self-financing post-secondary institutions in Hong Kong since 2018-19.

- (c) according to paragraph 3.5, while the numbers of enrolments for IYEP and SEP projects far exceeded their programme capacities, in overall terms 7% of IYEP's capacity and 12% of SEP's capacity were unutilized respectively; please advise whether having unutilized capacity in a project will affect the granting of sponsorship in future;

As seen in paragraph 3.6 of the Audit Report, we pointed out in our response that the selection of candidates for the IYEP and the SEP was based on their merits and only those who had good performance at selection interviews were selected for the exchange tours. For these reasons, the number of youth participants selected for the IYEP and SEP might be lower than the intended programme capacities. This was to ensure that only the right and suitable candidates would participate in the programmes as Hong Kong's youth ambassadors. Moreover, for the IYEP, the actual number of youth participants selected was subject to the hosting capacity of overseas partner countries/provinces/cities, which could only be ascertained at a later stage. Therefore, it might be different from the originally estimated programme capacity.

Every year, when preparing the funding budget and projecting the estimated number of exchange places, we will take all relevant factors into account, including the estimated number of exchange places to be offered by our overseas partner countries/provinces/cities, the application/enrolment situation and the actual number of participants in previous years, etc. In the past five years, we have not taken the initiative to reduce the number of exchange places in preparing our budget, except in cases where

the overseas partner countries/provinces/cities reduced the number of exchange places or were unable to provide such places. Taking the IYEP as an example, the number of places increased from 65 in 2012-13 to 100 in 2017-18.

- (d) regarding HAB's response in paragraph 3.12(a) that "it is important to ensure that only suitable candidates are selected to participate in the IYEP and the SEP", please give examples to illustrate the necessary requirements for a suitable candidate; and

Target participants for the IYEP are young people aged between 18 and 24 with good academic performance and a proven record in community services. They must also possess good language skills, a good command of general knowledge and an understanding of cultures.

Target participants for the SEP are young people aged between 15 and 24 with good language skills and general knowledge, as well as a good understanding of and keen interest in the theme of the study tour.

- (e) whether HAB has reviewed the reasons for the decline in the number CEP projects participants; if it has, of the details; if not, reasons for not conducting a review; with reference to HAB's response in paragraph 3.12(b) that it will step up promotion of CEP, please advise whether funding for and the capacity of CEP projects will be reduced if the projects continue to receive lukewarm response after promotion has been stepped up.

The Government is committed to promoting youth participation in exchange activities with a view to broadening the exposure and horizons of young people. With the implementation of various funding schemes, the number of youth exchange projects has increased in recent years, providing more choices for our young people. Regarding the CEP, we have stepped up our promotion efforts since 2018-19 by extending the invitation for nomination to accredited self-financing post-secondary institutions in Hong Kong, as well as publicising the programme via HAB's webpage and the One-Stop-Information Platform on Internship and Exchange Opportunities. As a result, the response is more encouraging this year as compared to that in the previous year. As at 10 June, a total of 60 youth participants have been recruited, which is equal to the number of exchange places provided under the programme. We will review the effectiveness of the publicity measures as an ongoing initiative.

- 13) Regarding the issue of manpower support mentioned in paragraph 3.14, please advise whether HAB will set the ratio of official delegates to youth delegates for each project.

Currently, we will, having regard to the actual operational need (e.g. location and duration of the exchange programme concerned and the age of youth participants), determine the manpower support for youth exchange programmes organised by the HAB. For example, since the participants of the SEP are comparatively young (minimum 15 years of age) and the destinations are farther away (overseas countries), two staff members from the HAB and one member from the relevant working group will be deployed to accompany the youth delegates. As for the CEP, since all the participants are adults (aged 18 to 24) and the destinations are much closer to Hong Kong (Macao and Guangdong), only one staff member from the HAB will be deployed to accompany the youth delegates.

We consider that the existing arrangement of deploying manpower based on the actual operational need is cost-effective and can ensure the adequacy of manpower support. Looking ahead, we will continue to examine the actual operational need of various exchange programmes and flexibly adjust the manpower support as necessary, instead of setting a fixed ratio of government representatives to youth delegates.

- 14) As it is mentioned in paragraph 3.18 that among IYEP projects conducted in 2012-2013 to 2016-2017, only 33.4% of the participants reported that they had honoured their post-trip voluntary service commitment, please advise:

- (a) whether HAB has stipulated the types of services and service targets in respect of the 50 hours of voluntary services to be provided; if so, please provide the details and explain the original intent of requiring youth delegates to perform 50 hours of voluntary services;

In 2016-17 and before, youth delegates of the IYEP were required to undertake at least 50 hours of voluntary services. Its purpose was to encourage them to participate in community affairs and to contribute to the community with what they had learnt during overseas visits. The IYEP did not specify the types and target beneficiaries of the voluntary services required.

- (b) details of the celebration activities for the 20th Anniversary mentioned in paragraph 3.19(a); whether HAB has compiled a database to record attendance and performance of youth delegates in the celebration activities, and whether providing assistance to those activities is in line with the original intent of requiring youth delegates to perform voluntary services;

Between January and August 2017, Youth Ambassadors have participated and provided assistance in 14 large-scale international conferences and 20-odd major celebration events for the 20th Anniversary of the Establishment of the Hong Kong Special Administrative Region (the “20th Anniversary”). Apart from receiving participants and overseas guests of the events, and providing on-site support, some of the Youth Ambassadors were tasked to be Master of Ceremonies, to assist in interpretation services or to serve as exhibition guides. The large-scale celebration events included the 20th Anniversary Press Conference, the World Sustainable Built Environment Conference 2017, the Belt and Road Experience Sharing Forum, the 20th Anniversary Flag Raising Ceremony, the Inaugural Ceremony of the Fifth Term Government of the Hong Kong Special Administrative Region, the exhibition on the relics from The Palace Museum, the welcoming event for the visit of the aircraft carrier Liaoning, the Heritage Vogue · Hollywood Road carnival, etc. Furthermore, the Youth Ambassadors served as young reporters in various celebration events. They also established a preparatory committee together to plan and conduct two celebration activities to benefit the community. The new arrangements allowed them to experience voluntary work more comprehensively and enabled them to gain more experience in social services. Such arrangements were well received by the Youth Ambassadors who considered the exposure gained and contributions made were more valuable.

- (c) whether HAB was aware of the situation prior to the examination by the Audit; if not, why HAB has not monitored and followed up the provision of post-trip voluntary services by the youth delegates; whether HAB will request the remaining 66.6% of youth delegates to eventually honour their commitment of performing 50 hours of voluntary services; **and**
- (d) whether HAB has implemented any measures in the past to impel youth delegates to honour their commitment; if so, of the details of the measures and why they have been ineffective; if not, the reasons for that.

We have from time to time reminded the youth delegates to complete the remaining hours of voluntary work required and to report progress. Actions are being taken actively to follow up on those cases which the youth delegates have yet to honour their commitment in undertaking voluntary services or to report whether they have performed voluntary service as committed, and to urge the delegates to fulfil the requirement and to report as soon as possible, especially to encourage those who are still at school to make use of the coming summer vacation to perform voluntary services. In addition, should the youth delegates have genuine difficulty in honouring their commitment, they should timely provide an explanation to the HAB. We have already requested the youth delegates concerned to report progress in undertaking voluntary services after the summer vacation. Subject to the specific situation after the summer vacation, we shall decide the appropriate follow-up measures to be taken, for example, to consider informing the nominating organisations and seek their assistance in following up on the matter.

- 15) According to HAB's response in paragraph 3.22(b), given the success of the 20th Anniversary youth ambassador programme, HAB had formulated the proposed programme details of IYEP along this model. Please advise what other similar opportunities will be provided by HAB after the completion of the 20th Anniversary youth ambassador programme to enable youth delegates to gain wider exposure and serve the community. What are the proposed programme details of IYEP?

In view of the success of the 20th Anniversary Youth Ambassadors Scheme, the HAB will regularise the Scheme and continue to include elements of international youth exchange. We are currently working on the details for the proposed arrangements and seeking the views of the Youth Development Commission (YDC). We expect to introduce a new phase of the Youth Ambassador Programme in the latter half of 2018.

- 16) According to paragraph 3.25 and Table 18, the response rates to quotation invitations under the three programmes of youth exchange during the period from 2012-2013 to 2016-2017 were on the low side, especially for IYEP, which had a response rate of only 3.8%. It is even revealed in paragraph 3.26(a) that a non-governmental organization has monopolized the provision of services for IYEP projects. In this connection, does HAB update its invitation lists for quotation every year or examine whether the organizations to be invited for quotations still exist; if not, follow-up actions in this regard?

We review annually and, where appropriate, update the invitation lists for quotation to ensure the validity of the information contained therein. In future quotation exercises, we will arrange briefing sessions to explain in detail the required services to the invited bidders, with a view to helping them understand better the terms and conditions of the quotation documents.

- 17) Given that, as revealed in Table 19 in paragraph 3.26, the proportion of service charges in contractor fees for IYEP projects has increased each year, has HAB set a maximum percentage for the proportion of service charges?

As stated in paragraph 3.26(b) of the Audit Report, service providers currently charge a contractor fee for providing services. The contractor fee comprises a fixed service charge and programme expenses for which a service provider is reimbursed on an actual basis. The fixed service charge covers expenses on back-office support services, training services, support during the trip and post-trip follow-ups undertaken by a service provider. The programme expenses cover the costs to be reimbursed on an accountable basis, including airfare and accommodation. There is neither necessary correlation between the fixed service charge and the variable programme expenses, nor a pre-set ratio between the two items. In fact, as the actual amount of programme expense and its respective percentage shares in the contractor fee can only be finalised upon completion of the whole programme, it is operationally infeasible to pre-determine a ceiling on the proportion of the fixed service charge.

On the other hand, we are obliged to conduct procurement exercises and award contracts in accordance with the Stores and Procurement Regulations of the Government. If a pre-determined ceiling on the fixed service charge is set, it might undermine the intention of some service providers to submit a quotation or even contravene the principle of fairness.

Part 4: Governance Matters and Way Forward

- 18) According to paragraph 4.3, members of the two committees are appointed by Secretary for Home Affairs. Please advise the time for the commencement and ending of the terms of the two committees in each year. Will HAB openly recruit talents to join the two committees; if so, please advise the arrangements and details of the recruitment exercise; if not, what are the reasons for that?

The Government has established the YDC recently. The former CoY has been incorporated into the YDC. All non-official members of the YDC are appointed for a two-year term from 1 April 2018 to 31 March 2020. Among the non-official members, three are young members appointed through the Pilot Member Self-recommendation Scheme for Youth (the Self-recommendation Scheme).

Furthermore, the Government has recently appointed 6 new members to and re-appointed 10 existing members of the CPCE for a two-year term from 1 April 2018 to 31 March 2020. Among the new members, two are young members appointed through the Self-recommendation Scheme.

19) With reference to paragraph 4.4 and Table 21, please advise:

(a) meeting times of the two committees and their working groups;

We will take into account mainly the expected attendance by members and the actual operational needs when fixing the meeting schedule. Meetings can be convened in the morning, afternoon or evening.

(b) whether HAB has ascertained the reasons for members' low attendance rates and a member's non-attendance of all meetings; and whether the members concerned have made contributions to the two committees and their working groups in other areas; **and**

(c) whether HAB has re-appointed members with low attendance rates or had not attended any meetings in the past; if it has, of the reasons for that; whether HAB will stop re-appointing members with poor attendance rates; if they will, of the time to do so; if not, the reasons for that.

The HAB has constantly reminded members of the Commission/Committee about the importance of attending meetings of the Commission/Committee and their working groups/sub-committees. The HAB has also liaised with those members with low attendance rates to find out the reasons behind.

Apart from attending meetings, members of the Commission/Committee

also participate in the work of various working groups/sub-committees, assessment panels and task forces. They also assist in administering various funding schemes and participate in other projects and activities, such as devising and reviewing relevant guidelines and selection criteria, organising exchange sessions, attending briefing sessions for funding schemes, attending sponsored activities as guest speakers or observers, etc. Most of the said activities/work are conducted at occasions other than main meetings.

In making re-appointments, the Government will consider comprehensively all the relevant factors including the attendance rate, reasons (e.g. health condition) for low attendance (if applicable), contributions other than attending main meetings by the member, the member's commitment to service and his/her capability, etc.

- 20) Regarding HAB's response in paragraph 4.6 that it had stepped up efforts in reminding members, especially those with low attendance rates, of the importance of attending meetings of the two committees and their working groups, please advise the effectiveness of the relevant measures and attendance rates for the meetings, and whether HAB will implement other measures, such as arranging telephone or video conference, to improve the attendance rates of the two committees and their working groups.

Starting from April 2018, the newly established YDC and the CPCE have taken enhanced measures to remind their members about the importance of attending meetings of the Commission/Committee and their sub-committees/working groups. The enhanced measures include sending reminder emails to members to draw their attention to the importance of attending meetings, and providing each member with his/her attendance record three times a year for his/her information. Besides, we have taken into account members' schedules as far as possible when fixing the date and time of meetings with a view to increasing the chance of attendance by members. We have also fixed the schedule of meetings a few months in advance so as to allow sufficient time for members to reserve their time slots for the meetings. For members with low attendance rates, we have also looked into the reasons behind. We will monitor the effectiveness of the above measures.

On the other hand, for those members who are unable to attend a meeting but still want to express themselves, they could inform the secretariat of their views

in advance and the secretariat will relay their views at the meeting. Regarding other means to facilitate the expression of views by those members who are unable to attend meetings, we will take into account the actual circumstances and members' intention in order to work out a practicable and feasible proposal.

- 21) What methods are currently used by HAB to remind members of the two committees to submit the declaration of interest forms, and in what manner will the members submit the forms? Has HAB reviewed if there are any loopholes in the existing mechanism in reminding members in submitting the forms?

The secretariat will normally remind members, by phone calls or emails, to submit their declarations of interests. Members are required to return the duly completed and signed original declarations of interests to the secretariat for record purpose. Starting from April 2018, the newly established YDC and the CPCE have stepped up efforts to remind members to submit their declarations of interests on time. These efforts include sending a circular memorandum on declaration of interests from the secretariat to all members by email, inviting members to complete the declarations of interests and issuing monthly reminders to those members who have not submitted their declarations of interests. The secretariat will adopt a more stringent vetting procedure to ensure the submission of duly completed declarations of interests by members. The HAB will also make use of electronic means to manage the database of interests declared by members.

- 22) Has HAB found out why decisions on declared interests were not documented as mentioned in paragraph 4.11(a), and whether any misconduct was involved? Has HAB made it mandatory for the secretariats to document decisions on declared interests in the past; if not, why did HAB not introduce such a mandatory requirement?

According to the mechanism adopted in 2017-18 and before, the convener of a meeting could allow a member who was involved in potential conflicts of interest to remain in the selection interview as an observer on condition that the member concerned would not comment or vet the applications. In 2017-18 and before, the working group has been adhering strictly to the said mechanism in handling all cases involving potential conflicts of interest. As such, recording the details of individual cases in the minutes of meetings was not required. This practice was in line with the then prevailing mechanism and no negligence was involved.

Having examined the mechanism, we have made further enhancements to it for processing and recording cases of potential conflicts of interest. Starting from 2018-19, all decisions on the declared of interests of members participating in the assessment procedures shall be documented properly.

- 23) While it is suggested in HAB's response in paragraph 4.21 that the Government was committed to expanding exchange and internship opportunities both on the Mainland and in overseas countries, paragraph 4.14 mentions that the provision of youth exchange and internship activities has been mainly focused on projects on the Mainland. What are the reasons for that? How will HAB provide local young people with more international exchange and internship opportunities?

As shown in Table 1 under paragraph 1.8 of the Audit Report, the HAB launched a programme to sponsor both exchange and internship activities in the Mainland in 1998-99. In 2013, the YEFS and the YIFS were implemented to replace the former funding programme. The Government then launched the Funding Scheme for Exchange in Belt and Road Countries and the Funding Scheme for International Youth Exchange in 2016 and 2017 respectively. When organisations become more experienced in organising international exchange programmes, we expect both the number of projects and the number of young people benefited will increase accordingly. With regard to overseas internships, the HAB has launched new programmes to increase internship opportunities in overseas countries recently, including the United Nations Volunteers – Hong Kong Universities Volunteer Internship Programme and the Pilot Scheme on Corporate Summer Internship on the Mainland and Overseas launched in mid-March 2018. The HAB will continue to explore other possibilities of providing overseas internship opportunities.

- 24) According to paragraph 4.17, HAB considers that "in comparison with programmes of youth exchange organized by the HAB directly, funding schemes have been more efficient as well as effective in promoting youth exchange projects in the community". Please advise how HAB will review and enhance its effectiveness in organizing youth exchange programmes directly and the promotion of such programmes. **And**
- 25) Regarding the Audit's recommendation in paragraph 4.20(d) that a review should be conducted on the way forward of providing activities through the programmes of youth exchange, please advise the progress, timetable and conclusions of the review.

As stated in the Audit Report, the Government is committed to expanding exchange and internship opportunities both in the Mainland and in overseas countries to enable young people to better understand the prevailing economic, social and cultural landscape at the national and international levels, as well as the work culture and career prospects in different places. We have promoted the relevant work in various aspects, including mobilising various communities through funding schemes, supporting non-governmental organisations to organise internship/exchange projects, and directly organising internship/exchange projects by the Government. Among them, most of the internship/exchange programmes directly organised by the Government involve the partnership with overseas governments/quasi-government bodies. Examples include the Funding Scheme for International Youth Exchange and the CEP organised jointly with government units outside Hong Kong.

The Government has recently established the YDC, which includes a Task Force on Youth Exchange and Internship (Task Force). In response to the policy directions agreed by the YDC, the Task Force will provide advice on youth exchange and internship programmes outside Hong Kong, and will assist in the implementation of the relevant work. The Government will continue to review the arrangements and practices of youth exchange and internship programmes outside Hong Kong, and consult the Task Force in due course.

Home Affairs Bureau
June 2018

**Relevant information on the 60 complementary activities mentioned
in Table 8 of the Audit Report**

	Corresponding Funding Scheme	Total amount in sponsorship of complementary activities (\$)	Proportion of the amount in sponsorship of complementary activities
1	Funding Scheme for Youth Exchange in the Mainland	6,500	2%
2	Funding Scheme for Youth Exchange in the Mainland	7,000	2%
3	Funding Scheme for Youth Exchange in the Mainland	9,339	15%
4	Funding Scheme for Youth Exchange in the Mainland	48,937	12%
5	Funding Scheme for Youth Exchange in the Mainland	9,540	18%
6	Funding Scheme for Youth Exchange in the Mainland	23,780	27%
7	Funding Scheme for Youth Exchange in the Mainland	9,700	8%
8	Funding Scheme for Youth Exchange in the Mainland	31,500	10%
9	Funding Scheme for Youth Exchange in the Mainland	8,100	12%
10	Funding Scheme for Youth Exchange in the Mainland	11,659	2%
11	Funding Scheme for Youth Exchange in the Mainland	8,200	14%
12	Funding Scheme for Youth Exchange in the Mainland	3,300	5%
13	Funding Scheme for Youth Exchange in the Mainland	19,596	16%
14	Funding Scheme for Youth Exchange in the Mainland	25,956	27%

	Corresponding Funding Scheme	Total amount in sponsorship of complementary activities (\$)	Proportion of the amount in sponsorship of complementary activities
15	Funding Scheme for Youth Exchange in the Mainland	20,500	29%
16	Funding Scheme for Youth Exchange in the Mainland	11,570	21%
17	Funding Scheme for Youth Exchange in the Mainland	16,589	21%
18	Funding Scheme for Youth Exchange in the Mainland	9,700	17%
19	Funding Scheme for Youth Exchange in the Mainland	10,960	14%
20	Funding Scheme for Youth Exchange in the Mainland	31,080	21%
21	Funding Scheme for Youth Exchange in the Mainland	10,300	9%
22	Funding Scheme for Youth Exchange in the Mainland	65,410	21%
23	Funding Scheme for Youth Exchange in the Mainland	22,060	36%
24	Funding Scheme for Youth Exchange in the Mainland	166,000	28%
25	Funding Scheme for Youth Exchange in the Mainland	11,154	17%
26	Funding Scheme for Youth Exchange in the Mainland	145,000	24%
27	Funding Scheme for Youth Exchange in the Mainland	8,000	6%
28	Funding Scheme for Youth Exchange in the Mainland	134,900	61%
29	Funding Scheme for Youth Exchange in the Mainland	165,000	32%
30	Funding Scheme for Youth Exchange in the Mainland	11,245	17%
31	Funding Scheme for Youth Internship in the Mainland	96,960	21%

	Corresponding Funding Scheme	Total amount in sponsorship of complementary activities (\$)	Proportion of the amount in sponsorship of complementary activities
32	Funding Scheme for Youth Internship in the Mainland	128,588	16%
33	Funding Scheme for Youth Internship in the Mainland	136,288	17%
34	Funding Scheme for Youth Internship in the Mainland	118,478	16%
35	Funding Scheme for Youth Internship in the Mainland	42,048	5%
36	Funding Scheme for Youth Internship in the Mainland	164,200	20%
37	Funding Scheme for Youth Internship in the Mainland	133,799	26%
38	Funding Scheme for Youth Internship in the Mainland	164,200	20%
39	Funding Scheme for Youth Internship in the Mainland	76,000	15%
40	Funding Scheme for Youth Internship in the Mainland	110,750	31%
41	Funding Scheme for Youth Internship in the Mainland	38,800	5%
42	Funding Scheme for Youth Internship in the Mainland	7,500	13%
43	Funding Scheme for Youth Internship in the Mainland	76,276	10%
44	Funding Scheme for Youth Internship in the Mainland	76,276	10%
45	Funding Scheme for Youth Internship in the Mainland	129,276	16%
46	Funding Scheme for Youth Internship in the Mainland	61,010	7%
47	Funding Scheme for Youth Internship in the Mainland	130,219	34%
48	Funding Scheme for Youth Internship in the Mainland	61,900	7%

	Corresponding Funding Scheme	Total amount in sponsorship of complementary activities (\$)	Proportion of the amount in sponsorship of complementary activities
49	Funding Scheme for Youth Internship in the Mainland	135,550	16%
50	Funding Scheme for Youth Internship in the Mainland	88,505	18%
51	Funding Scheme for Exchange in Belt and Road Countries	17,100	7%
52	Funding Scheme for Exchange in Belt and Road Countries	-	0%
53	Funding Scheme for Exchange in Belt and Road Countries	2,000	2%
54	Funding Scheme for Exchange in Belt and Road Countries	56,069	48%
55	Funding Scheme for Exchange in Belt and Road Countries	16,014	12%
56	Funding Scheme for International Youth Exchange	41,785	18%
57	Funding Scheme for International Youth Exchange	-	0%
58	Funding Scheme for International Youth Exchange	36,000	9%
59	Funding Scheme for International Youth Exchange	-	0%
60	Funding Scheme for International Youth Exchange	27,400	14%

Note: Complementary activities, such as pre-tour training activities and post-tour learning reflection seminars, form a core part of exchange and internship projects. Given the varying nature, destinations, number of both activity days and participants of the projects, the proportion of expenditure attributed to complementary activities would also vary accordingly. Besides, some organisations might choose to bear part of the costs of a project themselves (e.g. sponsorship of air tickets or accommodation from other organisations), and hence affecting the proportion of approved sponsorship spent on different parts of a project.

**Details of the Demerit-point System for
the Funding Scheme for Youth Exchange in the Mainland**

The Demerit-point System has been introduced to the Funding Scheme for Youth Exchange in the Mainland to put organisations that do not comply with the “Guidelines for Organising Exchange Projects and Usage of Funding” on record for the purpose of deducting the assessment score obtained by such organisations (a non-compliant organisation will be identified by its registered name and address) in their future funding applications. Details of the system are as follows -

- (a) The Secretariat of the Youth Development Commission will put organisations that do not comply with the “Guidelines for Organising Exchange Projects and Usage of Funding” on record for the relevant task force under the Youth Development Commission to make reference when considering future funding application(s) submitted by the relevant organisations.
- (b) If a sponsored organisation is found to have failed to comply with the “Guidelines for Organising Exchange Projects and Usage of Funding”, such as:
 - (i) for cases of not indicating the appropriate sponsorship wording in the promotion materials/publications, not adopting the appropriate size for the acknowledgement wording, or not reporting to / seeking approval from the relevant task force in the event of a change in the itinerary, **5 points** will be deducted from the total assessment score of the exchange project in the next funding application submitted by the organisation;
 - (ii) for cases of failing to submit the financial report, the activity report and the supporting documents required in relation to the exchange tour to the Secretariat of the Youth Development Commission by the deadline, the organisation will be put on record. For late submission of reports and documents that are overdue for 3 to 6 months by the sponsored organisation, **5 points** will be deducted from the total assessment score obtained by the same organisation in its funding application in the next round. For late submission of reports and documents that are overdue for more than 6 months, **10 points** will be deducted from the total assessment score; and

- (iii) for cases of using the sponsored project for individual/commercial promotion purpose, or having received a complaint against the serious malpractice on the part of the sponsored organisation while organising an exchange project and which is substantiated upon investigation, **10 points** will be deducted from the total assessment score of the exchange project in the next funding application submitted by the organisation.

Remark 1:

The total assessment score is 100 points.

Remark 2:

The Government of the Hong Kong Special Administrative Region has set up the Youth Development Commission (YDC) to oversee the formulation and co-ordination of policies relating to youth development, and to steer the bureaux and departments concerned to take forward the relevant initiatives. The former Commission on Youth (CoY) has been incorporated into the YDC. As a result, all references to and exercisable powers of the CoY and its working groups as mentioned in this Funding Scheme have been entirely handed over to and will be administered by the YDC and its task forces.

Youth Development Commission

April 2018

ACRONYMS AND ABBREVIATIONS

AD/HD	Attention deficit/hyperactivity disorder
ALAs	Academic low achievers
ASD	Autism spectrum disorders
Audit	Audit Commission
Audit Report	Director of Audit's Report
BAT	Basic, Advanced and Thematic
C&ED	Customs and Excise Department
CC	Consumer Council
CCSS	Customer Complaint Settlement Scheme
CEP	Guangdong-Hongkong-Macao Youth Cultural Exchange Programme
CGSO	Consumer Goods Safety Ordinance (Cap. 456)
CN	Completion Notice
COSH	Hong Kong Council on Smoking and Health
CoY	Commission on Youth
CPCE	Committee on the Promotion of Civic Education
CUEs	Common utility enclosures
DH	Department of Health
DSS	Direct Subsidy Scheme
EDB	Education Bureau
EP	Educational psychologist
ET	Enforcement Team
FEHD	Food and Environmental Hygiene Department
FPNs	Fixed penalty notices
GovWiFi	Government Wi-Fi
HAB	Home Affairs Bureau

ACRONYMS AND ABBREVIATIONS

HyD	Highways Department
ICT	Information and communications technology
ILSP	Internet Learning Support Programme
IRTP	Intensive Remedial Teaching Programme
IT	Information technology
IYEFS	Funding Scheme for International Youth Exchange
IYEP	International Youth Exchange Programme
LCSD	Leisure and Cultural Services Department
LegCo	Legislative Council
LREIs	Locations requiring enhanced inspections
LSG	Learning Support Grant
MI	Mental illness
mobile apps	Mobile applications
MR	Major repairs
NSAs	No smoking areas
OFCA	Office of the Communications Authority
OGCIO	Office of the Government Chief Information Officer
PSI	Public Sector Information
SBEPS	School-based Educational Psychology Service
SEMIS	Special Education Management Information System
SEN	Special educational needs
SENCO	Special Educational Needs Coordinator
SEP	Summer Exchange Programme
SLI	Speech and language impairment
SPHO	Smoking (Public Health) Ordinance (Cap. 371)
SpLD	Specific learning difficulties

ACRONYMS AND ABBREVIATIONS

SSBs	School sponsoring bodies
SWD	Social Welfare Department
TCIs	Tobacco Control Inspectors
TCO	Tobacco Control Office
TCPSO	Toys and Children's Products Safety Ordinance (Cap. 424)
TDO	Trade Descriptions Ordinance (Cap. 362)
UUs	Utility undertakings
WMO	Weights and Measures Ordinance (Cap. 68)
XP	Excavation permit
YEFS	Funding Scheme for Youth Exchange in the Mainland
YIFS	Funding Scheme for Youth Internship in the Mainland