

For Information

**Legislative Council Panel on Public Service
Follow-up to the Meetings in the 2017-2018 Legislative Session**

This paper provides the information requested at the meetings of the Legislative Council Panel on Public Service (“the Panel”) in the 2017-2018 legislative session.

Non-Civil Service Contract Positions

2. At the meeting of the Panel on 15 January 2017, Members requested the Government to provide the following information as at 30 June 2017 –

- (a) a breakdown of full-time non-civil service contract (“NCSC”) positions by the duration for which the positions have been created;
- (b) for those positions which have been created for five years or more in (a) above, a breakdown by reasons for not replacing them by civil service posts;
- (c) a breakdown of full-time NCSC staff undertaking professional information technology or engineering duties by bureau/department/office; and
- (d) regarding a net reduction of 75 NCSC staff in the Buildings Department from 30 June 2016 to 30 June 2017, the reasons that led to the reduction, the number and ranks of NCSC positions deleted and created, the number of civil service posts, if any, created and their rank(s), to replace the positions.

3. Information on paragraph 2(a) to (c) above is set out in **Annexes I to III**. As at 30 June 2017, there were 10 380 full-time NCSC staff employed by bureaux/departments (“B/Ds”). Due to nature of work, more than 30% (about 3 540 in number) of these NCSC positions cannot be replaced by civil service posts notwithstanding their long-term service needs.

These include positions engaged to meet service needs that are subject to market fluctuations, that require staff to work less than the conditioned hours of civil servants, or that require tapping the latest expertise from the labour market having regard to their nature of work. Besides, for about 7% of these positions (about 730 in number), the relevant B/Ds have plans to delete the positions or replace them by civil service posts. As for the remaining some 60% of these positions (about 6 120 in number), the services are still required to be delivered by NCSC staff for the time being due to various reasons (such as permanent service needs have yet to be established). Among these, about 1 760 (less than 20% of the total number) have been created for five years or more. B/Ds will continue to conduct timely review on these positions in accordance with the prevailing policy to ascertain whether there are long-term service and operational needs, and whether they should appropriately be replaced by civil service posts. Detailed breakdown of the numbers is at **Annex I**.

4. Regarding paragraph 2(d) above, during the said period, the Buildings Department converted 32 NCSC positions to civil service posts and deleted 57 NCSC positions upon cessation of service needs. On the other hand, it created 14 NCSC positions for meeting new service needs. As such, during the period there was a net reduction of 75 NCSC positions in the Buildings Department. Relevant breakdown is at **Annex IV**.

Civil Servants / NCSC Staff / Outsourcing Manpower

5. At the meeting of the Panel on 15 January 2018, Members requested the Government to provide statistics on the changes in the total number of civil servants, full-time NCSC staff and outsourcing manpower employed/engaged by the Government since the establishment of the Hong Kong Special Administrative Region.

6. The number of civil servants employed by the Government since 1 July 1997 and the number of NCSC staff engaged by the Government since the introduction of the NCSC Staff Scheme in 1999 are at **Annex V**. As regards outsourcing of services, since the number of workers is not specified in many outsourcing service contracts, we do not have the requested information.

7. At the meeting of the Panel on 21 May 2018, Members requested the Government to provide the following information –

- (a) the number of civil servants, full-time NCSC staff and outsourcing manpower employed/engaged by the Government as a percentage of the Hong Kong population; and
- (b) comparison of the figures in (a) above with nearby cities.

Members also requested the Government to provide the number of civil servants as a percentage of the total labour force in Hong Kong from 2002-2003 to 2016-2017.

8. As at 31 March 2018, the number of civil servants in the Government was 171 458; and according to the statistics of 30 June 2017, the number of full-time NCSC staff employed by the Government on that day was 10 380. As regards outsourcing of manpower, we do not keep the relevant information as explained in paragraph 6 above. As such, we cannot provide the information on the total number of these three types of manpower as a percentage of the Hong Kong population. As for civil servants, its number as a percentage of the labour force in Hong Kong from 2002-2003 to 2016-2017 is at **Annex VI**.

9. As regards our neighbouring cities, we have considered the figures of the Singapore and Macao governments. According to the information released by relevant bodies, the total population of Singapore in 2016 was 5 607 000, and there were about 84 000 civil servants and 61 000 employees working in statutory boards; whereas for Macao, the total population in the same year was 653 000, and the total number of public officers engaged by various modes of employment was about 31 000. Given the differences in circumstances between different cities, such as variations in the size of economy and mode of public service delivery, their different definitions of “civil servants” and “staff of statutory bodies”, as well as the differences in the role, form of appointment, etc. of those working in the governments, it is not appropriate to make a simple comparison between the above figures.

Forecast of Civil Service Establishment

10. At the meeting of the Panel on 15 June 2018, Members requested the Government to provide the estimated number of civil service posts to be created in the next five years according to B/D's medium manpower plans drawn up in view of changes in population, other socio-economic factors as well as operational needs.

11. Change in the civil service establishment depends on the range of services provided by the Government, prevailing socio-economic conditions and the Government's financial affordability in different times. It is our established practice to examine B/Ds' proposals for creation of civil service posts in accordance with the internal resource allocation mechanism, having regard to the actual operational and development needs of public services in each financial year, so as to ensure that B/Ds have the manpower required to implement new policy initiatives and improve existing services. Given the constant changes in the public demand for government services, the mode of service delivery and the overall socio-economic conditions, as well as the complicated factors involved, the Government does not have an objective and reliable basis to estimate the number of civil service posts to be created in the next five years.

Number of appeal cases against decision to reject post-service outside work applications

12. At the meeting held on 17 July 2018, the Government was requested to provide the number of appeal cases lodged by directorate civil servants against the Secretary for the Civil Service's decision to reject their post-service outside work applications each year over the past five years.

13. In the past five years, there was one appeal case lodged by a directorate civil servant against the Secretary for the Civil Service's decision to reject his post-service outside work application in 2014. The appeal was dismissed.

Legislation to Prohibit Acts of Insulting Public Officers on Duty enacted in Overseas Jurisdictions

14. At the same Panel meeting, the Government was also requested to provide information about legislation to prohibit acts of insulting public officers on duty enacted in overseas jurisdictions. With regard to whether to legislate to prohibit acts of insulting public officers on duty, the Security Bureau is currently following up by a study covering overseas legislation and practices as well as relevant cases. Through the study, we hope to explore how overseas jurisdictions enact similar legislation, the effectiveness of such legislation, and whether there is any enforcement experience which Hong Kong may learn from.

15. To legislate against acts of insulting public officers is a controversial issue. Public views on this issue remain divergent. Any legislative proposal will need to clearly define the scope of the offence, the elements involved, whether there is any acceptable ground of defense and the appropriate penalties, etc. At the same time, the study also covers public officers other than the Police, and the proposal must be compliant with human rights requirements, including freedom of speech and freedom of expression. As such, the Government needs to thoroughly look into the issue.

16. Apart from legislation, we will also review how to strengthen measures to reduce acts of insulting public officers and provide effective protection to police officers in execution of their duties.

Civil Service Bureau
July 2018

**Breakdown of the Full-time NCSC Positions by Service Nature
(Position as at 30 June 2017)**

Service nature of NCSC positions	Number of NCSC positions
(I) Due to their nature of work, the NCSC positions cannot be replaced by civil service posts notwithstanding their long-term service needs	
(a) To meet service needs that are subject to market fluctuations	1 720
(b) To meet service needs that require staff to work less than the conditioned hours required of civil servants	972
(c) To tap the latest expertise from the labour market	845
(a) + (b) + (c) :	3 537 (34%)
(II) NCSC positions to be replaced / deleted	
(d) The NCSC positions will be replaced / deleted upon end of time-limited service needs or change in the mode of service delivery	373
(e) Relevant duties will be taken up by civil servants	353
(d) + (e) :	726 (7%)
(III) Due to various reasons (such as permanent service needs have yet to be established), the services of the positions are required to be delivered by NCSC staff for the time being	
(f) To meet service needs where the mode of service delivery is under review or will be reviewed	1 794
(f)(i) Relevant positions have only been created for less than five years	759
(f)(ii) The positions have been created for five years or more, the mode of service delivery of which is under review or will be reviewed	1035
(g) To meet service needs that are short-term, time-limited or seasonal in nature	4 323
(g)(i) Relevant positions have only been created for less than five years. As the service needs of some of them are seasonal, it is difficult to replace them by civil service posts	3599
(g)(ii) The positions have been created for five years or more. As the duration of time-limited service needs is yet to be confirmed, NCSC staff are engaged to deliver the services for the time being	724
(f) + (g) :	6 117 (59%)
Number of positions created for less than five years (i.e. (f)(i) + (g)(i)) :	4 358 (42%)
Number of positions created for five years or more (i.e. (f)(ii) + (g)(ii)) :	1 759 (17%)
(I) + (II) + (III) :	10 380

The information in the () is the percentage of relevant positions to the 10 380 positions.

Breakdown of Full-time NCSC Staff
Undertaking Professional Information Technology Duties ^(Note)
by Bureau/Department
(position as at 30 June 2017)

Bureau/Department	Number of NCSC staff
Commerce and Economic Development Bureau	1
Civil Engineering and Development Department	1
Department of Health	1
Drainage Services Department	6
Education Bureau	62
Electrical and Mechanical Services Department	137
Environmental Protection Department	1
Efficiency Unit	22
Fire Services Department	7
Government Laboratory	2
Home Affairs Department	3
Hong Kong Observatory	16
Invest Hong Kong	3
Inland Revenue Department	15
Innovation and Technology Commission	2
Lands Department	11
Leisure and Cultural Services Department	25
Labour Department	3
Office of the Communications Authority	11
Office of the Government Chief Information Officer	1
Planning Department	2
Hongkong Post	21
Radio Television Hong Kong	7
Rating and Valuation Department	18
Social Welfare Department	2
Trade and Industry Department	3
Treasury	4
University Grants Committee Secretariat	1
Working Family and Student Financial Assistance Agency	22
Water Supplies Department	9
Total	419

Note : For most of the full-time NCSC staff undertaking professional information technology duties, their duties are comparable to those of the civil service Analyst/Programmer and Computer Operator grades.

**Breakdown of Full-time NCSC Staff
Undertaking Professional Engineering Duties ^(Note)
by Bureau/Department
(position as at 30 June 2017)**

Bureau/Department	Number of NCSC Staff
Architectural Services Department	6
Buildings Department	24
Civil Aviation Department	4
Civil Engineering and Development Department	31
Development Bureau	1
Department of Health	2
Drainage Services Department	27
Education Bureau	1
Electrical and Mechanical Services Department	48
Highways Department	44
Innovation and Technology Commission	4
Radio Television Hong Kong	2
Transport Department	3
Transport and Housing Bureau	1
Water Supplies Department	1
Total	199

Note: The professional engineering duties undertaken by these NCSC staff are comparable to those undertaken by civil service grades of Building Services Engineer, Electrical Engineer, Electrical and Mechanical Engineer, Electronics Engineer, Engineer, Geotechnical Engineer, Mechanical Engineer, Shift Charge Engineer and Structural Engineer.

**Breakdown of the net reduction of 75 NCSC staff in the Buildings Department
between 30 June 2016 and 30 June 2017****I. 32 NCSC positions replaced by civil service posts**

NCSC Position	Number of reduction	Relevant Civil Service Rank
Building Surveyor (Contract)	2	Building Surveyor
Structural Engineer (Contract)	2	Structural Engineer
Survey Officer (Contract)	1	Survey Officer (Building)
Technical Officer (Contract)	1	Technical Officer (Structural)
Building Safety Officer	6	Survey Officer (Building)
	7	Technical Officer (Structural)
Administrative Assistant	5	Executive Officer II
	1	Senior Clerical Officer
Contract Clerk	7	Assistant Clerical Officer

II. 57 NCSC positions deleted upon cessation of service needs

NCSC Position	Number of reduction
Building Surveyor (Contract)	17
Structural Engineer (Contract)	7
Survey Officer (Contract)	16
Building Safety Assistant	1
Geotechnical Engineer (Contract)	1
Administrative Assistant	2
Contract Clerk	8
Contract Clerical Assistant	3
Quality Control Assistant	2

III. 14 NCSC positions created for meeting new service needs

NCSC Position	Number
Building Surveyor (Contract)	6
Survey Officer (Contract)	8

**Number of Civil Servants and Full-time NCSC Staff
since the Establishment of the Hong Kong Special Administrative Region**

Year	Number of civil servants (position as at 31 March)	Number of NCSC staff (position as at 30 June)
1998	186 213	-
1999	189 225	-
2000	185 868	6 250
2001	180 968	10 101
2002	173 029	14 260
2003	169 100	14 378
2004	163 039	16 557
2005	157 300	15 661
2006	155 019	18 537
2007	153 805	18 344
2008	153 477	17 403
2009	155 128	16 186
2010	156 573	15 867
2011	156 886	14 818
2012	159 195	14 535
2013	160 663	12 900
2014	162 835	12 147
2015	163 645	12 036
2016	166 150	11 923
2017	167 671	10 380

Annex VI

Number of Civil Servants in Hong Kong from 2002-03 to 2016-17

Year	Number of Civil Servants Note 1	Labour Force Note 2 (’000)	Percentage of the Number of Civil Servants to Labour Force
2002-03	169 100	3 467	4.9%
2003-04	163 039	3 497	4.7%
2004-05	157 300	3 527	4.5%
2005-06	155 019	3 552	4.4%
2006-07	153 805	3 604	4.3%
2007-08	153 477	3 627	4.2%
2008-09	155 128	3 667	4.2%
2009-10	156 573	3 623	4.3%
2010-11	156 886	3 658	4.3%
2011-12	159 195	3 760	4.2%
2012-13	160 663	3 833	4.2%
2013-14	162 835	3 817	4.3%
2014-15	163 645	3 908	4.2%
2015-16	166 150	3 914	4.2%
2016-17	167 671	3 947	4.2%

Note 1 : Figure as at the last day of the year.

Note 2 : Figure as in the last quarter of the year.