

立法會

Legislative Council

LC Paper No. CB(4)412/18-19
(These minutes have been seen
by the Administration)

Ref : CB4/PL/PS

Panel on Public Service

**Minutes of meeting held on
Monday, 19 November 2018, at 10:45 am
in Conference Room 3 of the Legislative Council Complex**

- Members present** : Hon Gary FAN Kwok-wai (Chairman)
Hon Martin LIAO Cheung-kong, SBS, JP (Deputy Chairman)
Hon WONG Ting-kwong, GBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Charles Peter MOK, JP
Hon KWOK Wai-keung, JP
Hon IP Kin-yuen
Dr Hon Elizabeth QUAT, BBS, JP
Hon POON Siu-ping, BBS, MH
Dr Hon CHIANG Lai-wan, SBS, JP
Hon HO Kai-ming
Hon LAM Cheuk-ting
Hon SHIU Ka-fai
Dr Hon Pierre CHAN
Hon Jeremy TAM Man-ho
- Members absent** : Hon CHU Hoi-dick
Hon Tony TSE Wai-chuen, BBS
- Members attending** : Hon James TO Kun-sun

**Public Officers
attending**

: Agenda item V

Mr Thomas CHOW, JP
Permanent Secretary for the Civil Service

Mr Hermes CHAN
Director of General Grades
Civil Service Bureau

Miss Katharine CHOI
Principal Assistant Secretary for the Civil
Service (Manpower)

Agenda item VI

Mr Thomas CHOW, JP
Permanent Secretary for the Civil Service

Mr Eric CHAN, JP
Deputy Secretary for the Civil Service 3

Mrs Suzanna KONG
Principal Assistant Secretary for the Civil
Service (Staff Relations)

Clerk in attendance

**: Mr Anthony CHU
Chief Council Secretary (4)1**

Staff in attendance

**: Ms Wendy JAN
Senior Council Secretary (4)7**

Ms Maggie CHUNG
Council Secretary (4)1

Mr Griffin FUNG
Legislative Assistant (4)8

Mr Terry HON
Clerical Assistant (4)1

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I. Confirmation of minutes

(LC Paper No. CB(4)117/17-18 -- Minutes of meeting held on 11 October 2018)

The minutes of the meeting held on 11 October 2018 was confirmed.

II. Information paper(s) issued since the last regular meeting on 15 October 2018

(LC Paper No. CB(4)65/18-19(01) -- Letter dated 12 October 2018 from Hon LAM Cheuk-ting concerning the training, grade structure and manpower situation of the lifeguards of the Leisure and Cultural Services Department (Chinese version only)

LC Paper No. CB(4)88/18-19(01) -- Administration's response to the submission from the Federation of Hong Kong and Kowloon Labour Unions

LC Paper No. CB(4)145/18-19(01) -- Administration's response to the letter dated 12 October 2018 from Hon LAM Cheuk-ting concerning the training, grade structure and manpower situation of the lifeguards of the Leisure and Cultural Services Department

LC Paper No. CB(4)174/18-19(01) -- Submission from the Hong Kong Confederation

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of Trade Unions (Chinese version only)

LC Paper No. CB(4)174/18-19(02) -- Administration's response to the submission from the Hong Kong Confederation of Trade Unions

LC Paper No. CB(4)193/18-19(01) -- Letter dated 22 October 2018 from Hon Jeremy TAM Man-ho requesting information on the Government's plan to set up a civil service college in Kwun Tong (Chinese version only))

2. Members noted that the above papers had been issued since the last regular meeting on 15 October 2018.

3. Regarding Mr Jeremy TAM's letter dated 22 October 2018 (LC Paper No. CB(4)193/18-19(01)) requesting information on the Government's plan to set up a civil service college in Kwun Tong, the Chairman informed members that Mr TAM's letter had been forwarded to the Administration for response.

III. Proposal of rescheduling the regular meetings of January to July 2019

(Appendix of LC Paper No.-- Proposed schedule of regular meetings for the 2018-2019 session (Starting from January 2019))

4. The Chairman informed members that at the meeting on 2 November 2018, the Panel on Education agreed to request this Panel to consider rescheduling the regular meetings from January 2019 onwards so that it could hold its regular meetings at the vacated time slots. The Chairman then invited members to consider the proposal to reschedule the regular meetings from the third Monday of every month

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from 10:45 am to 12:45 pm to the second Monday of every month from 4:30 pm to 6:30 pm (except April to June 2019) from January 2019 onwards. In order to solicit views from those members who were not present at the meeting, the Clerk was instructed to issue a circular to all members for consultation.

(Post-meeting note: A circular was issued to members on 21 November 2018 vide LC Paper No. CB(4)241/18-19 to consult their views on the rescheduling proposal. Since some members did not agree to the proposal, the Panel Chairman had decided not to accede to the request of the Panel on Education. Members were informed of the decision vide LC Paper No. CB(4)270/18-19 on 3 December 2018.)

IV. Date of next meeting and items for discussion

(LC Paper No. CB(4)193/18-19(02) -- List of outstanding items for discussion

LC Paper No. CB(4)193/18-19(03) -- List of follow-up actions)

5. Members agreed that the next regular Panel meeting would be held on 17 December 2018 to discuss the following items proposed by the Administration:

- (a) Issues relating to the lifeguards of the Leisure and Cultural Services Department ("LCSD"); and
- (b) Creation of a Principal Economist Post in the Office of the Government Economist under the Financial Secretary's Office.

6. Members noted that members of the Panel on Welfare Services and all other Members of the Legislative Council would be invited to join the discussion of item (b) above as it involved a staffing proposal to enhance the economic research capacity in support of the Government's work in areas of population, poverty, ethnic minorities, welfare and retirement protection. Mrs Regina IP suggested that the Civil Service Bureau ("CSB") should co-ordinate the attendance of representatives from relevant bureau(x)/department(s), such as the Financial Secretary's Office or the Commerce and Economic Development Bureau so that the attending public officers could satisfactorily answer members' enquiries

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on the staffing proposal. Permanent Secretary for the Civil Service ("PSCS") noted Mrs IP's suggestion.

7. Regarding item 14 of the "List of outstanding items for discussion" ("the List") relating to the meal break arrangement for the Ambulanceman Grade in the Fire Services Department, the Chairman informed members that the Administration had provided information notes to update members on the progress (LC Paper Nos. CB(4)1506/16-17(01) and CB(4)1585/17-18(01)). Members agreed to delete this item from the List.

8. The Chairman further informed members that at the work plan meeting on 30 October 2018, he and the Deputy Chairman had conveyed members' proposed items for discussion by the Panel raised at the Panel meetings on 11 and 15 October 2018 to the Secretary for the Civil Service.

V. Non-civil service contract staff

(LC Paper No. CB(4)193/18-19(04) -- Administration's paper on non-civil service contract staff

LC Paper No. CB(4)193/18-19(05) -- Paper on employment situation of non-civil service contract staff prepared by the Legislative Council Secretariat (updated background brief))

9. At the invitation of the Chairman, PSCS briefed members on the latest position of the employment of non-civil service contract ("NCSC") staff by the Administration and its current measures and positions regarding matters over which Panel members had raised concern in the past, as set out in the Administration's paper (LC Paper No. CB(4)193/18-19(04)) ("the Administration's paper").

Replacement of NCSC positions by civil service posts

10. Given the Administration's stated policy to replace those NCSC positions with established long-term operational and service needs by civil service posts, Mr WONG Ting-kwong asked why there were still some 3 400 NCSC staff who had served continuously for five years or

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more and about 2 000 of them had served continuously for more than 10 years as at 30 June 2018. Mr Martin LIAO enquired about the progress of the review on the employment situation of NCSC staff employed by Bureaux/Departments ("B/Ds"). Both Mr WONG and Mr LIAO called on the Administration to replace the positions of those NCSC staff who had worked in B/Ds for a long period of time, say, more than 10 years, by civil service posts.

11. PSCS advised that out of the 3 400 NCSC staff who had served continuously for five years or more as at 30 June 2018, about 1 000 of them had been engaged in different NCSC positions within the same department. He further said that the engagement of NCSC staff was under constant review and CSB would continue to liaise with B/Ds, in particular with those B/Ds with a large number of NCSC staff, to ascertain the need to replace those NCSC positions with established long-term service needs by civil service posts. However, there was still a continued need for some B/Ds to engage a certain number of NCSC staff to meet specific needs that could not be catered for by civil servants, and these NCSC staff might have served in B/Ds for a long period of time. An example was the engagement of NCSC staff by the Hongkong Post for sorting, loading and unloading mails that required them to work less than the conditioned hours of civil servants.

12. Referring to paragraph 14 of the Administration's paper, Mr Martin LIAO requested the Administration to provide other examples of the NCSC staff engaged by the Administration to tap the latest expertise in a particular area of the labour market. PSCS advised that NCSC staff might be employed by B/Ds to tap the latest expertise in the information technology ("IT") sector and by the Efficiency Office to man the 1823 hotline.

Employment of NCSC staff by certain B/Ds

Education Bureau

13. Whilst commending the Administration for its continued efforts in reducing the number of NCSC staff over the years, Mr IP Kin-yuen observed that although the total number of NCSC staff had dropped by 5.8% from 10 380 in June 2017 to 9 773 in June 2018, the number of NCSC staff engaged by the Education Bureau ("EDB") had only decreased by 1.8% from 1 201 to 1 179 over the same period. Mr IP sought information on the type of jobs undertaken by these staff and reasons of their employment.

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14. In response, PSCS provided the number of full-time NCSC staff working in EDB and Government schools by reasons of employment. In gist, there were 213 and 535 NCSC staff working in EDB and Government schools respectively to meet service needs that were time-limited or seasonal in nature. Another some 400 NCSC staff were employed by Government schools to meet service needs where the mode of delivery of the service was under review or likely to be changed. An example was NCSC staff employed under the Funding Flexibility Scheme, under which individual Government schools were given the flexibility to hire the right mix of supporting staff to meet their respective operational needs, e.g. clerical and janitor services. Furthermore, EDB had employed more than 10 NCSC staff to tap the latest expertise in a particular area of the labour market, such as providing consultation services relating to students with specific learning difficulties in reading and writing.

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15. Noting that NCSC staff were employed to carry out clerical and janitor service in Government schools under time-limited funds/grants, Mr IP Kin-yuen called on the Administration to change the mode of funding to a long-term basis, so that these NCSC positions could be replaced by civil service posts. In order to facilitate members' monitoring of the employment of NCSC staff, Mr IP requested and the Administration agreed to provide a breakdown of full-time NCSC staff employed by EDB and government schools by type of jobs undertaken by these staff and reasons of their employment as mentioned in Annex C of the Administration's paper.

Judiciary

16. Noting that the number of full-time NCSC staff in the Judiciary had increased from 83 in June 2017 to 108 in June 2018, Mr Martin LIAO sought the reasons for the increase and the type of jobs undertaken by these staff in the Judiciary. PSCS replied that some additional NCSC staff were engaged by the Judiciary to perform security related duties for the enhanced security measures in various law court buildings.

LCSD

17. Mr HO Kai-ming expressed concern about the difficulties in recruiting NCSC staff to carry out lifeguard duties and enquired about their entry requirements, in-service training as well as the replacement of some NCSC positions by civil service posts. PSCS replied that as LCSD would brief members on the issues relating to its lifeguards at the

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next regular meeting to be held on 17 December 2018, members could follow up these issues at the meeting.

Fringe benefits and training of NCSC staff

18. Mr POON Siu-ping commended the Administration for its efforts in reducing the number of NCSC staff over the years and enquired whether NCSC staff, especially those NCSC staff who were employed for meeting time-limited or seasonal operational and service needs, were required to work overtime and whether they were eligible for overtime allowance. PSCS advised that some B/Ds might require NCSC staff to work overtime and they should normally be compensated by time-off in lieu in accordance with their employment contracts.

19. Mr POON Siu-ping also enquired whether NCSC staff were eligible for the same paid paternity leave and maternity leave as their counterparts in the civil service. PSCS explained that government employees, including NCSC staff, with no less than 40 weeks' continuous service immediately before the expected or actual date of childbirth would be eligible for paid paternity leave or maternity leave, including the new 14-week maternity leave arrangement for civil servants.

20. Mr KWOK Wai-keung criticized the Administration for engaging NCSC staff and agency workers for the reason of cost-cutting, and these staff lacked promotion prospects, job security and career development. Referring to the civil service pay adjustment mechanism, Mr KWOK enquired whether the salary of NCSC staff would be adjusted according to the gross pay trend indicator without deducting the payroll cost of increments as they would not be granted an annual salary increment as their civil service counterparts.

21. PSCS stressed that cost reduction was not a consideration in employing NCSC staff. As regards pay adjustment for NCSC staff, B/Ds would conduct periodic reviews on the pay of their NCSC staff and make adjustments where appropriate, and the rates of pay adjustments of NCSC staff in major NCSC user B/Ds last year were comparable to those of the 2018-2019 civil service pay adjustment rates. Some NCSC staff even had a higher pay rise than civil servants in comparable ranks.

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22. At the request of Mr KWOK Wai-keung, PSCS undertook to provide the average annual salary adjustment rates for NCSC staff by B/Ds for the 2018-2019 financial year.

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23. Noting that the Administration would not give preferential consideration to NCSC staff applying for civil service posts, Mr KWOK Wai-keung called on the Administration to provide training at the new Civil Service College to prepare NCSC staff to take up civil service posts. PSCS advised that departmental management might nominate their staff members, including NCSC staff, to participate in job-related programmes. He further explained that NCSC staff who met the basic entry requirements of a civil service vacancy should generally enjoy a competitive edge over other applicants because of their working experience in the Government. The average success rate of serving NCSC staff and other applicants was around 15% and 2% respectively.

24. In response to Mr KWOK Wai-keung's enquiry about abolishing the arrangement for offsetting severance payment/long service payment with the accrued benefits derived from Government's contribution made to NCSC staff's Mandatory Provident Fund schemes, PSCS advised that once the new legal arrangement had been put in place, employing B/Ds would act in accordance with it.

T-contract staff

25. Whilst noting the improvements made by the Administration on the terms and conditions of the agency workers and information technology contract staff engaged under a term contract centrally administered by the Office of the Government Chief Information Officer (commonly known as "T-contract staff") in the latest tender exercise to recruit a new batch of T-contract staff, Mr Charles Peter MOK expressed concern about the management problem arising from the expanding size of T-contract staff engaged by the Administration which had exceeded the number of civil service IT staff and NCSC staff providing IT support for B/Ds. He also expressed concern about the problem faced by the T-contract staff who had worked in B/Ds for a long period of time when their T-contract positions were replaced by civil service posts. As these T-contract staff might not find the entry salary of civil servants attractive considering their cumulative pay rise over the years, they would not apply for civil service posts and hence lost their jobs. He strongly urged the Administration to take into account the situation of these staff in handling this matter.

26. PSCS said that T-contract staff were not NCSC staff. That said, PSCS advised that the Secretary for the Civil Service could follow up relevant issues at his regular meetings with the Government Chief Information Officer.

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VI. Commendation Schemes for Civil Servants

(LC Paper No. CB(4)193/18-19(06) -- Administration's paper on the Commendation Schemes for Civil Servants

LC Paper No. CB(4)193/18-19(07) -- Paper on commendation schemes for civil servants prepared by the Legislative Council Secretariat (updated background brief))

27. At the invitation of the Chairman, PSCS briefed members on the various commendation schemes for civil servants and other supporting measures to boost morale of civil servants, details of which were set out in the Administration's paper (LC Paper No. CB(4) 193/18-19(06)).

Civil Service Outstanding Service Award Scheme ("CSOSAS")

28. In response to Mr POON Siu-ping's enquiry about the estimated expenditure of the 2019 CSOSAS and the broadcast of the videos of the winning departments/teams of the scheme, PSCS advised that the estimated expenditure for the 2019 award scheme was about \$3.9 million, including holding of a prize presentation ceremony, commissioning of an independent research company for conducting surveys, prizes for the winning departments and publicity activities, etc. PSCS added that the videos of winning departments/teams would be broadcasted through different channels, including through social media platforms and at some government venues.

29. Mr IP Kin-yuen recalled that when he served as the Chairperson of one of the Final Adjudication Panels of CSOSAS in 2017, he was greatly impressed by the proactive attitude and outstanding performance of many civil servants. As public recognition of such outstanding performance could boost morale and build up a positive image of the civil service, he called on the Administration to step up publicity of the award scheme, with a view to enhancing the community's understanding of the work of civil servants and attracting more talents to join the civil service. He further suggested that the Administration should produce leaflets to showcase the work of the winning departments and teams.

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30. PSCS explained that efforts had been made by the Administration to publicize CSOSAS and that a TV documentary produced by the Radio Television Hong Kong on the 2017 award scheme was broadcast on television and uploaded onto the Internet. He undertook to give consideration to the suggestions made by Mr IP Kin-yuen in planning the 2019 CSOSAS.

31. Mr SHIU Ka-fai expressed support for the commendation schemes for civil servants. As B/Ds not directly involved in the delivery of public service, such as the Electrical and Mechanical Services Department ("EMSD") and the Civil Engineering and Development Department, were in a less advantageous position in competing for the awards under CSOSAS, he urged that the outstanding performance of those B/Ds should also be recognized.

32. PSCS advised that CSOSAS had been organized by the Administration since 1999 as a biennial event. Comparing to the most awards won by a single department under the scheme at around 60, the fact that EMSD had also received more than 30 awards demonstrated that outstanding performance of those B/Ds not directly involved in the delivery of public service would also be recognized under CSOSAS.

Long and Meritorious Service Travel Award ("LMSTA") Scheme

33. Mr Jeremy TAM expressed gratitude to CSB for its effort in relaxing the travelling with spouse requirement in the LMSTA Scheme from 2019-2020 onwards to allow the awardee (whether married or not) to flexibly nominate a travelling companion and receive the same travel allowance.

34. Noting that the number of awards under the LMSTA Scheme for each year was determined on the basis of one award for every 27 officers meeting the service requirement, Mr POON Siu-ping enquired whether the Administration would consider improving this quota ratio so that more eligible civil servants could receive this award.

35. PSCS advised that the Administration had over the years improved the quota ratio under the LMSTA Scheme. The quota ratio was increased from one award for every 30 officers meeting the service requirement to one award for every 27 officers in 2014-2015. As the estimated expenditure of the LMSTA Scheme in 2018-2019 had already reached \$113 million and the new measure to allow awardees to flexibly nominate a travelling companion from 2019-2020 onwards would further

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increase this expenditure, the Administration had to take into account the resource implication when considering further improving the quota ratio.

Awards and commendation letters for NCSC staff and outsourced workers

36. In view of the large number of NCSC staff and outsourced workers who provided public services, Mr HO Kai-ming called on the Administration to extend the commendation schemes to cover NCSC staff and outsourced workers to recognize their contributions to the work of the Government. Mr HO further suggested that the Administration should consider providing small souvenirs to encourage members of the public to make use of convenient channels, such as the 1823 mobile app, to express their gratitude to those staff/workers with outstanding performance.

37. Sharing the views of Mr HO Kai-ming, Mr James TO remarked that, in addition to the commendation schemes for civil servants, the Administration should also introduce measures to show its appreciation for the contribution made by outsourced workers with long continuous service.

38. Mr Jeremy TAM enquired about the number of NCSC staff who could meet the 20-year continuous service requirement under the LMSTA Scheme. Dr CHIANG Lai-wan further called on the Administration to extend all the commendation schemes to cover NCSC staff.

39. PSCS advised that as NCSC staff were employed on a time-limited basis under the NCSC Staff Scheme introduced in 1999, most if not all of them could not meet the criterion on length of continuous service of 20 years or more under the LMSTA Scheme. Nevertheless, NCSC staff with outstanding performance might qualify for awards under CSOSAS and receive commendation letters under the Commendation Letter Scheme. The commendation letters would be kept in the personnel files of the NCSC staff, which in turn might facilitate their application for civil service posts. As regards outsourced workers providing services to B/Ds, CSB would relay members' views to the major procuring B/Ds for ways to encourage outsourced service contractors to give recognition to their deserving workers.

40. Mr Jeremy TAM pointed out that since the travel award under the LMSTA Scheme was not a condition of service, NCSC staff who could meet the service requirement could also be covered under the scheme. Given that there were a large number of NCSC staff who had

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served continuously for five years or more, he further asked whether there was a similar travel award scheme with a smaller amount of travel allowance for NCSC staff to boost their morale. PSCS replied in the negative and explained that the terms of employment of NCSC staff were separate and different from those of civil servants.

Other measures to boost morale/alleviate work pressure of civil servants

Counselling service for civil servants

41. In reply to Dr Elizabeth QUAT's enquiry about the utilization of the hotline counselling service on stress management for civil servants, PSCS advised that the service was provided by the Christian Family Service Centre and around 320 users had called the hotline in 2017, with about 660 telephone counselling sessions, 360 face-to-face counselling sessions and 60 clinical psychology sessions provided.

42. Dr Elizabeth QUAT recalled that at the Panel meeting on 17 July 2018, she had suggested that the Administration should expand the hotline counselling service to cover family members of civil servants. She asked whether the Administration had considered this suggestion.

43. Having regard to a recent suspected suicide case which involved a civil servant who was suspected to have committed a criminal offence, Dr CHIANG Lai-wan called on the Administration to strengthen the support and counselling service given to civil servants who were involved in legal proceedings.

44. PSCS advised that the hotline counselling service was aimed at helping civil servants cope with stress at work and other personal problems. Civil servants and their family members were entitled to receiving clinical psychological services provided by the Families Clinics. In case any unfortunate incident occurred, the Administration would proactively contact the civil servants and their families to provide them with necessary assistance.

45. Dr Elizabeth QUAT remarked that hotline counselling service and clinical psychological service actually served different purposes. Given that only 320 users had called the hotline in 2017, she strongly urged the Administration to expand the scope of the hotline counselling service to cover family members of civil servants so as to further enhance the caring culture of the civil service. PSCS noted Dr QUAT's suggestion.

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Leave deduction arrangements of LCSD

46. Dr Elizabeth QUAT considered that leave arrangements were also an important means for the Administration to show its caring attitude towards civil servants. Referring to her question raised at a recent Council meeting concerning the leave deduction arrangements for civil servants of LCSD, Dr QUAT enquired about feasibility of LCSD implementing a pilot scheme on revised leave deduction arrangement for its staff members who were not working on a five-day week basis, and expressed concern about the Administration's reply to her Council question that LCSD's Electronic Leave Application and Processing System could not process the revised leave deduction arrangement. She asked which party was responsible for upgrading the system if required.

47. PSCS explained that CSB had earlier invited all departments that had not fully implemented five-day week, including LCSD, to explore the feasibility of implementing a pilot scheme on revised leave deduction arrangement for their staff on non-five day work week pattern. The Hong Kong Police Force had successfully implemented such pilot scheme and would update the leave processing systems accordingly. For LCSD, it would first have to ascertain if it was operationally feasible to implement a pilot scheme. At the request of Dr Elizabeth QUAT, PSCS undertook to follow up the issue with LCSD and provide a written response in due course.

Admin

48. In this connection, the Chairman informed members that the Panel had received a submission from the Government Amenity Management Supervisors General Union expressing similar views on the leave deduction arrangements for civil servants of LCSD. The submission had been forwarded to the Administration for response and would be issued together with the Administration's response to members in due course.

Enactment of legislation to prohibit acts of insulting public officers

49. Dr Elizabeth QUAT enquired about the progress of the research relating to the enactment of legislation to prohibit acts of insulting public officer and urged the Administration to expedite the completion of the research. PSCS advised that public views on legislating against the acts of insulting public officers were divergent. The Security Bureau was currently following up on a study covering overseas legislation and practices as well as relevant cases. Separately, CSB issued a set of guidelines to B/Ds in March 2018 on helping frontline civil servants understand and respond to verbal violence at work.

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VII. Any other business

50. There being no other business, the meeting ended at 12:36 pm.

Council Business Division 4
Legislative Council Secretariat
14 January 2019