

立法會
Legislative Council

LC Paper No. CB(2)1823/18-19

(These minutes have been
seen by the Administration)

Ref : CB2/PL/WS

Panel on Welfare Services

Minutes of meeting
held on Monday, 15 April 2019, at 10:45 am
in Conference Room 2 of the Legislative Council Complex

- Members present** : Hon KWONG Chun-yu (Chairman)
Hon SHIU Ka-chun (Deputy Chairman)
Hon LEUNG Yiu-chung
Hon CHAN Chi-chuen
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon POON Siu-ping, BBS, MH
Hon Alvin YEUNG
Hon CHU Hoi-dick
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan
Dr Hon Pierre CHAN
Hon LUK Chung-hung, JP
Dr Hon CHENG Chung-tai
- Members absent** : Hon Michael TIEN Puk-sun, BBS, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Andrew WAN Siu-kin

Public Officers attending : Item III

Mr Caspar TSUI, JP
Under Secretary for Labour and Welfare
Labour and Welfare Bureau

Ms Michelle LAM
Assistant Director (Social Security)
Social Welfare Department

Ms Alice WONG
Principal Executive Officer (Working Family
Allowance Office)
Working Family and Student Financial Assistance
Agency

Ms TONG Kit-man
Senior Deputy Controller
Student Finance Office
Working Family and Student Financial Assistance
Agency

Items IV & V

Mr Johann WONG, JP
Deputy Secretary for Labour and Welfare (Welfare) 2
Labour and Welfare Bureau

Item IV

Ms Carol YIP, JP
Director of Social Welfare
Social Welfare Department

Miss Cecilla LI, JP
Deputy Director of Social Welfare (Administration)
Social Welfare Department

Item V

Dr LAW Chi-kwong, GBS, JP
Secretary for Labour and Welfare
Labour and Welfare Bureau

Mr TAN Tick-yee
Assistant Director (Elderly)
Social Welfare Department

Ms PANG Kit-ling
Assistant Director (Family and Child Welfare)
Social Welfare Department

Mr KOK Che-leung
Assistant Director (Rehabilitation and Medical Social
Services)
Social Welfare Department

Mr Alex WONG
Assistant Director (Subventions)
Social Welfare Department

Mr Kenneth WOO
Chief Executive Officer (Planning)2
Social Welfare Department

Mr Neo NG
Acting Chief Executive Officer (Planning)1/Senior
Executive Officer (Planning)New Territories
Social Welfare Department

**Clerk in
attendance** : Ms Wendy JAN
Chief Council Secretary (2) 4

**Staff in
attendance** : Ms Catherina YU
Senior Council Secretary (2) 4

Miss Alison HUI
Legislative Assistant (2) 4

Action

I. Information paper(s) issued since the last meeting

[LC Paper No. CB(2)1148/18-19(01)]

Members noted that a joint letter dated 2 April 2019 from Dr KWOK Ka-ki and Mr Alvin YEUNG requesting the Panel on Education to hold a joint meeting with the Panel on Welfare Services to discuss student suicides had been issued since the last meeting.

II. Items for discussion at the next meeting

[LC Paper Nos. CB(2)1173/18-19(01) to (02)]

2. Members agreed to discuss at the next meeting scheduled for 20 May 2019 the following items:

(a) Special Scheme on Privately Owned Sites for Welfare Uses;
and

(b) Redevelopment of the site for Factory of the Blind in To Kwa Wan.

3. The Chairman said that the Administration had advised that the Financial Services and the Treasury Bureau had submitted to the Legislative Council on 26 October 2018 an Annual Progress Report covering the items in the Public Accounts Committee's Report No. 68, which included, among other things, "Management of projects financed by the Lotteries Fund". The Administration therefore suggested removing the item "Management of projects financed by Lotteries Fund" from the Panel's list of outstanding items for discussion. Members agreed.

4. Members also agreed that the Panel should hold a joint meeting with the Panel on Education in May 2019 to discuss and receive public views on "Provision of speech therapy services for elderly persons, persons with disabilities and students with special needs".

(Post meeting note: The special meeting was scheduled for 28 May 2019 at 9:30 am.)

III. Providing extra allowance to recipients of social security, Working Family Allowance and Work Incentive Transport Subsidy; and one-off grant to students in need

[LC Paper Nos. CB(2)1173/18-19(03) to (04)]

5. At the invitation of the Chairman, Under Secretary for Labour and Welfare ("USLW") briefed members on the Administration's initiatives to provide one-off extra allowances to recipients of social security payments, Working Family Allowance ("WFA") and Work Incentive Transport Subsidy ("WITS") ("one-off extra allowances"), and to provide a one-off grant of \$2,500 to financially needy students ("one-off grant").

Financial assistance for needy children

6. The Chairman and Mr LUK Chung-hung expressed similar view that the students who were not recipients of the financial assistance under the student financial assistance schemes administered by the Student Finance Office ("SFO") of the Working Family and Student Financial Assistance Agency ("WFSFAA") (hereunder referred to as "student financial assistance schemes") might also have financial needs. Mr LUK further asked how the Administration defined "financially needy students". The Chairman, the Deputy Chairman, Mr LUK and Mr Wilson OR strongly urged the Administration to provide the one-off grant for all students in Hong Kong in view of the huge fiscal surplus in the 2018-2019 financial year.

7. USLW responded that the provision of one-off grant sought to help students who had financial needs and the Administration currently had no plan to provide the one-off grant to all students. Nevertheless, the Administration noted members' view and would study how the support for needy families could be further strengthened. USLW added that the Administration was committed to support the needy. In the 2018-2019 financial year, the overall recurrent expenditures of Comprehensive Social Security Allowance and Social Security Allowance were around \$20 billion and \$34.4 billion respectively.

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8. At the request of the Chairman and the Deputy Chairman, USLW undertook to provide information on the basis for setting the amount of one-off grant to each financially needy student at \$2,500 and the total expenditure incurred by the Administration if all students in Hong Kong were provided with the one-off grant.

(*Post-meeting note:* The Administration's response was issued to members vide LC Paper No. CB(2)1492/18-19(01) on 20 May 2019.)

9. Regarding Mr LEUNG Yiu-chung's concern about possible labelling effect on recipients of the one-off grant, USLW advised that the Administration noted Mr LEUNG's concern and would try to avoid any labelling effect as far as practicable.

10. The Deputy Chairman said that according to the Hong Kong Poverty Situation Report 2017, the number of children in poverty stood at 177 000 in 2017, which had increased by 5 300 children when compared with 2016. The Deputy Chairman and Dr KWOK Ka-ki further questioned the effectiveness of providing the one-off grant in the alleviation of children poverty and how the Administration would address the problem of children poverty. Dr KWOK suggested that the Administration should consider providing an allowance for children from low-income families on a monthly basis.

11. USLW responded that education, employment and training were useful means to tackle inter-generational poverty, and the WFA Scheme, which sought to encourage self-reliance of low-income families through employment, was effective in lifting the poor out of poverty. USLW added that the Administration was willing to explore any effective way to address the problem of poverty.

12. Dr Fernando CHEUNG pointed out that many three-person and four-person households whose income was below the poverty line thresholds could not meet the income requirements for receiving full grant under the student financial assistance schemes. Opining that the eligibility criteria for receiving student financial assistance were too stringent, he called on the Administration to review the eligibility criteria and enquired about the review timetable.

13. Senior Deputy Controller (SFO) ("SDC") responded that an adjusted family income formula was used in the means test mechanism to assess the eligibility of an applicant for student financial assistance. The mechanism took into account the gross annual income of an applicant's family and the number of family members. The mechanism was not based on the median monthly domestic household income ("MMDHI") and was characterized by a number of adjustments such as the exclusion of medical expenses for chronically ill household member(s), counting of only 30% of the annual income of unmarried children/siblings residing

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with an applicant's family, etc. As such, the income thresholds for student financial assistance schemes should not be compared directly with the poverty line, which was set at 50% of the MMDHI before government policy intervention. SDC further said that currently, around 60% of recipients of student financial assistance were receiving full grant. At Dr Fernando CHEUNG's request, SDC undertook to provide the number of households who were receiving half grant under the student financial assistance schemes and had a household income below the poverty line.

(Post-meeting note: The Administration's response was issued to members vide LC Paper No. CB(2)1492/18-19(01) on 20 May 2019.)

14. Mr LUK Chung-hung opined that the eligibility criteria for the School Textbook Assistance ("STA") Scheme were too stringent and should be relaxed. Given that the STA Scheme had not been reviewed for years, he urged the Administration to conduct a comprehensive review of the Scheme.

Disbursement arrangement of one-off extra allowances and one-off grant

15. Criticizing WFSFAA's arrangement for disbursing payments under the Caring and Sharing Scheme, Mr LUK Chung-hung and Dr CHENG Chung-tai were concerned that there might also be chaos in the disbursement of the one-off extra allowances and the one-off grant. Sharing a similar view, Mr Wilson OR said that the Administration should establish a mechanism for future disbursement of one-off subsidies. Mr POON Siu-ping enquired whether individuals/households who applied for WFA or WITS before the passage of the Appropriation Bill 2019 ("Appropriation Bill") would be eligible to receive the one-off extra allowances. Dr CHENG Chung-tai enquired about the additional administrative cost incurred in disbursing the one-off extra allowances to recipients of WFA and WITS.

16. USLW responded that the Administration had provided one-off extra payments for recipients of social security payments, WFA and WITS as well as financially needy students in the past and the disbursement arrangements for the one-off extra allowances and the one-off grant would be similar to that in previous years. USLW said that the Administration noted members' concern about the disbursement arrangements and would explore how the disbursement arrangements could be further improved.

17. Principal Executive Officer (Working Family Allowance Office) ("PEO(WFAO)") supplemented that recipients of WFA or WITS whose applications were made within the Applicable Period (i.e. from the first day of the month in which the Appropriation Bill was passed to the date of passage of the Appropriation Bill; and the six calendar months before that month), and eventually approved, would be eligible to receive the one-off extra allowances. For recipients of WITS whose claim period covered more than six months, WFAO would remind them to submit their applications within the Applicable Period. PEO(WFAO) also advised that no additional manpower would be engaged in the disbursement of the one-off extra allowances to recipients of WFA and WITS.

18. Mr Wilson OR and Dr Fernando CHEUNG called on the Administration to disburse the one-off extra allowances and the one-off grant as early as possible. USLW responded that it was expected that the extra allowances would be disbursed about a month after the passage of the Appropriation Bill. As regards the one-off grant, it would be disbursed starting from the third quarter of 2019 to tie in with the commencement of the 2019-2020 school year. USLW assured members that the Administration would review the procedure for disbursing the extra allowances and the one-off grant with a view to expediting the disbursement of payments.

Relaxing the requirements under the Working Family Allowance Scheme and the Work Incentive Transport Subsidy Scheme

19. Mr LEUNG Yiu-chung said that as many casual workers were unable to meet the working hour requirements under the WFA Scheme, the Administration should further relax the working hour requirements so that more low-income families, particularly those three-person and four-person households, could benefit. He also called on the Administration to resume the household-based WITS. Mr POON Siu-ping opined that the Administration should increase the amount of WITS.

20. USLW responded that the Administration had implemented enhancement measures concerning the income and working hour requirements under the WFA Scheme in April 2018 in order to benefit more households, particularly single-parent households, households with children and singleton households. Since then, the Administration had received new applications for WFA from over 24 000 households. The Administration would keep in view the development and consider enhancing the WFA Scheme and the WITS Scheme having regard to

members' views.

Application for Working Family Allowance by ethnic minorities

21. Dr Fernando CHEUNG said that according to the Hong Kong Poverty Situation Report on Ethnic Minorities 2016, Pakistanis and Nepalese had a working poverty rate of around 80%. Expressing concern that many ethnic minorities ("EMs") might not be aware of the WFA Scheme due to language barrier, he sought information on the number of EMs who had applied for WFA and the number of approved applications.

22. PEO(WFAO) responded that as at end-February 2019, WFAO had received around 2 190 applications for WFA from EMs and approved around 1 700 applications (involving around 1 200 households and over 5 100 persons). USLW supplemented that various non-governmental organizations ("NGOs") which provided dedicated support for EMs had assisted the latter in applying for WFA.

IV. Strengthening the monitoring of residential care homes for the elderly and residential care homes for persons with disabilities and enhancing their service quality

[LC Paper Nos. CB(2)1173/18-19(05) and CB(2)743/18-19(05)]

23. At the invitation of the Chairman, Director of Social Welfare ("DSW") briefed members on the progress and recommendations of the Working Group on the Review of Ordinances and Codes of Practice for Residential Care Homes ("the Working Group"), which was set up by the Social Welfare Department ("SWD") in June 2017 after the creation of a supernumerary post of Assistant Director of Social Welfare, to review the codes of practice and ordinances for residential care homes for the elderly ("RCHEs") and residential care homes for persons with disabilities ("RCHDs"), as well as the measures implemented to strengthen the monitoring of residential care homes (RCHs") and enhance their service quality.

Enhancing service quality of residential care homes

24. Mr CHAN Chi-chuen opined that the Administration might not take stringent actions against substandard private RCHEs because the closure of such RCHEs would have an adverse impact on the waiting time of elderly persons for residential care places. He was therefore concerned about whether private RCHEs would adopt the Working Group's

recommendations and enhance their service quality.

25. DSW responded that the Administration attached great importance to the service quality of RCHs and implemented various measures on an ongoing basis to strengthen the monitoring of RCHs and enhance their service quality. She then elaborated on the measures implemented by the Administration on upgrading the quality of RCHs, which were set out in the Annex to the Administration's paper (LC Paper No. CB(2)1173/18-19(05)).

26. The Chairman noted that the Working Group had recommended that the home manager of an RCH should not have any criminal conviction record of sexual offences. Given that such a condition did not apply to other RCH staff, he was concerned that there might be inadequate protection for RCH residents against sexual assaults. He also expressed concern that the recommendation could not prevent persons who had no criminal conviction record of sexual offences but were suspects of such offences from being employed as home managers.

27. DSW responded that the Administration also attached great importance to preventing sexual harassment of RCH residents. Subject to compliance with the Guidance on CCTV Surveillance and Use of Drones issued by the Office of Privacy Commissioner for Personal Data, RCHs were required to install closed circuit television systems in public areas designated for residents' daily activities, interview rooms, etc. to step up supervision of the daily operation of RCHs. Furthermore, RCH operators should enhance their awareness of sexual offences and consider conducting sexual conviction record check before making job offers to selected applicants.

28. DSW further said that the Working Group had recommended the introduction of a home manager registration system in order to strengthen the accountability of home managers. To enhance professionalism of home managers, home managers of some RCHs were required to attain certain qualifications through designated training programmes. Deputy Director of Social Welfare (Administration) supplemented that the Administration had launched the Training Subsidy Scheme to provide full subsidies to home managers, health workers and care workers of RCHs to enroll in Qualifications Framework ("QF")-recognized training courses. In addition to the subsidies, allowance would be provided for RCHs to render on-site training support and arrange relief staff if necessary when their health workers and care workers were attending these training courses. In response to Mr LUK Chung-hung's enquiry about whether

RCH staff were entitled to paid training leave, DSW said that the Administration would follow up on the provision of paid training leave for RCH staff with the RCH sector.

Statutory staffing requirements of residential care homes

29. Dr Fernando CHEUNG opined that the statutory staffing requirements in respect of high care level homes should be substantially enhanced. Dr CHEUNG and Mr LEUNG Yiu-chung were of the view that apart from nurses, there should be other professionals such as physiotherapists, occupational therapists, speech therapists and social workers on duty during specific periods in high care level homes.

30. DSW responded that it was stipulated in the ordinances for RCHs that an RCH operator should employ persons as home managers, ancillary workers, care workers, health workers and nurses according to the care level of the RCH. DSW further said that SWD had launched pilot schemes by setting up district-based professional teams which comprised professionals including social workers, physiotherapists, occupational therapists, etc. The pilot schemes were territory wide projects under which the professional teams provided outreach services to support the social and rehabilitation needs of residents of private RCHs. The Administration would review these pilot schemes in due course.

31. While considering professional outreach services for residents of private RCHs necessary, Dr Fernando CHEUNG was of the view that it should be the responsibility of the operators of private RCHs to enhance their service quality. Given that such outreach services were subsidized by the Administration and the money saved by the operators concerned might not be ploughed back to improve the service quality of their RCHs, the Administration should consider imposing profit control on private RCHs.

32. Mr POON Siu-ping noted that the Working Group had recommended extending the duty hours per day of nurses and health workers to 13 hours and those for care workers to 10 hours in high care level homes in order to enhance the manning ratio. He was concerned about the occupational health and safety of RCH staff if they were required to work long hours. Taking the view that standard working hours should be promoted, he had reservation about the recommendation. DSW responded that relevant staff of RCHs would not be required to work continuously for 10 or 13 hours a day. They would work on shift to cover the duty hours.

Statutory minimum area of floor space per resident of residential care homes

33. Mr POON Siu-ping enquired about the reasons why an interim grace period for improving the living space of residents ("interim grace period") was not set for medium and low care level homes as in the case of high care level homes. DSW responded that the existing statutory minimum area of floor space per resident in all RCHs was 6.5m². The Working Group recommended increasing the statutory minimum area of floor space per resident to 9.5m² in high care level homes and to 8m² in medium and low care level homes in phases. Given that the resident turnover rate in medium and low care level homes was relatively low and the difference between the existing and the proposed statutory minimum area of floor space per resident in these types of homes was not as great as that in the high care level homes, the Working Group considered it unnecessary to set an interim grace period for these homes. Dr Fernando CHEUNG took the view that the statutory minimum area of floor space per resident in RCHs to be established on new premises should be gradually increased from the existing 6.5m² to 16m².

Requirements for licensees of residential care homes

34. Dr Fernando CHEUNG said that if the licence applicant who was a body corporate was allowed to authorize an officer of the organization/company to be a "designated responsible person", the "designated responsible person" might be made a scapegoat and the licensee could still evade legal responsibilities. He took the view that the "designated responsible person" must be one of the directors of the organization/company.

35. DSW responded that the requirements for licensees of RCHs had aroused considerable concern in the RCH sector and the Working Group had lengthy discussions on the subject matter. Given that the officer who was authorized to be a "designated responsible person" was a management staff of the organization/company, he/she would be held accountable for the operation of the RCH concerned.

Age of residents for residential care homes for persons with disabilities

36. Dr Fernando CHEUNG said that some members of the Working Group considered that RCHDs should not admit persons with disabilities aged below 18. Noting that the Working Group had recommended that no

change should be made to the current stipulation of the age of residents (i.e. six years old or above) in respect of RCHDs, he requested the Administration to elaborate on the recommendation.

37. DSW responded that while the Working Group considered it not desirable for RCHDs to admit children with disabilities, it had recommended that the current stipulation of the age of residents with respect to RCHDs should be maintained so as to cater for the needs of some children with disabilities (e.g. victims of domestic violence) for residential care services. Nevertheless, the Working Group considered that the regulatory control over RCHDs in taking care of children with disabilities should be strengthened. To this end, the Codes of Practice for RCHDs would be amended to require RCHD operators to provide special support to meet the needs of residents who were children with disabilities.

Implementation of licensing scheme for residential care homes for persons with disabilities

38. The Deputy Chairman said that the then Secretary for Labour and Welfare had undertaken that all RCHDs operating with certificate of exemption ("CoE") would be required to meet the licensing requirements by end-2019. He enquired about the number of RCHDs which had already been issued with licences as at 15 April 2019.

39. DSW responded that as at 31 March 2019, out of the 319 RCHDs, 167 had been issued with licences. The remaining 152 RCHDs were operating with CoEs. Seven of these RCHDs would either cease operation, move to another location or undergo redevelopment, and another 145 RCHDs were undergoing or preparing for the required improvement works. According to the Administration's assessment, most of these RCHDs should be able to comply with the licensing requirements by end-2019. The Administration would provide assistance for individual RCHDs to carry out the improvement works, if necessary.

Warning and conviction records of residential care homes

40. Dr Fernando CHEUNG said that currently, the conviction records and warning records of non-compliant RCHs were kept in the SWD's website for 24 months and 12 months respectively. He considered that SWD should keep these records in its website for five years. DSW responded that the Administration had sought legal advice on how long these records should be kept in SWD's website. According to the legal advice, it would be unfair to the RCHs which had rectified their problems

if these records were kept in SWD's website for too long. It would also affect the reputation and operation of the RCHs concerned. The Administration would keep in view the development and review the duration of keeping these records as appropriate.

Purchasing additional places through the Enhanced Bought Place Scheme

41. Given that many private RCHEs might not be able to reach the standards of EA1 places, Mr CHAN Chi-chuen expressed concern that the Administration might not be able to meet the target of purchasing an additional 5 000 EA1 places under the Enhanced Bought Place Scheme ("EBPS") in the coming five years.

42. DSW responded that purchasing places from private RCHEs under EBPS helped enhance the quality of private RCHEs as EBPS places had to meet higher standards in terms of staffing ratio and floor area per resident. Moreover, when SWD purchased a certain percentage of EBPS places in a private RCHE, the RCHE concerned had to apply the EBPS requirements to the entire home including all the remaining non-EBPS places. In considering purchasing EA1 places, the Administration would also take into account the performance of the RCHEs concerned, including their conviction records. The Administration planned to purchase 1 000 EA1 places each year over the next five years and was confident that such a target could be met in the first year. As regards the subsequent supply of EA1 places, DSW said that it would hinge on the progress of private RCHEs in enhancing their standards. The Administration would continue to implement measures to facilitate private RCHEs to upgrade their places to EA1 places.

43. Mr LUK Chung-hung expressed concern that the fees of non-EBPS places might become higher as the number of such places would be reduced when more of such places were upgraded to EBPS places. He also said that many private RCHEs were facing manpower shortage because the wages they offered were too low to attract new entrants. In order to meet the staffing requirements, some private RCHEs would arrange "on-the-run staff" to impersonate their staff members during inspections of RCHEs by SWD. He called on the Administration to review EBPS and impose standard wage rates for staff of private RCHEs as a condition under EBPS.

44. DSW responded that EBPS helped provide more subsidized places so as to reduce the waiting time of elderly persons for such places. The

Administration would strike a balance between the provision of EBPS and non-EBPS places. DSW further said that if RCHEs were found not meeting the minimum staffing requirement, warning would be issued to the RCHEs concerned. To alleviate the manpower shortage in the care service sector, the Administration had launched the Navigation Scheme for Young Persons in Care Services to attract more young people to join the elderly and rehabilitation care services in the welfare sector.

Public consultation on the Working Group's recommendations

45. The Deputy Chairman and Dr Fernando CHEUNG said that they were members of the Working Group and did not agree with some of the recommendations made by the Working Group such as statutory staffing requirements, statutory minimum area of floor space per resident, requirements for licensees of RCHs and the age of residents for RCHDs. DSW responded that the Working Group's recommendations were supported by the vast majority of its members. Views of members of the Working Group which differed from the Working Group's recommendations would also be recorded in the report of the Working Group. It was expected that the Working Group would submit its report in May 2019 to the Labour and Welfare Bureau ("LWB") for consideration. LWB would study the report and consult stakeholders, including members of the public, on the Working Group's recommendations.

46. Mr LEUNG Yiu-chung opined that the Administration should conduct an extensive public consultation exercise on the Working Group's recommendations. The Deputy Chairman considered that there should be at least one consultation session each for members of the public and for the RCH sector in all the 18 districts. Deputy Secretary for Labour and Welfare (Welfare)2 ("DS(W)2") responded that the Administration planned to commence the consultation exercise in the second half of 2019. All stakeholders including service users, RCH operators, relevant professional sectors, relevant advisory bodies, members of the public and the Panel would be invited to give views on the specific recommendations of the Working Group.

47. In response to Mr POON Siu-ping's enquiry about the legislative timetable for amending the relevant ordinances, DS(W)2 said that as many of the Working Group's recommendations involved legislative amendments, the Administration would proceed with the drafting of the amendment bill and commence the legislative process after finalizing the amendment proposals. DS(W)2 further assured members that the Administration would endeavor to complete the legislative process as

early as practicable.

Motion

48. The Deputy Chairman moved the following motion:

"現時社會福利署("社署")提出的院舍條例修訂方案未有大幅改善院舍的人均面積、人手比例等規定，而本人與張超雄議員及民間團體及專業人士共同提出的"8+8 方案"、"人手比例民間方案"及持牌人規定建議而合組而成的"院舍改革民間方案"，社署未有採納民間意見。

就此，本人動議社署應就院舍條例的修訂舉行全港 18 區的公眾諮詢，並將社署提出的方案及"院舍改革民間方案"一併納入公眾諮詢的文件，讓公眾共同討論兩份方案的可行性。"

(Translation)

"The Social Welfare Department ("SWD") has not substantially enhanced the requirements for average per capita space, staffing ratio, etc. in its proposed amendments to the relevant ordinances for residential care homes ("RCHs"), nor has it adopted the proposal on revamping RCHs advocated by the community, which has incorporated the "8+8 rules", the staffing ratio proposal and the proposed requirements for licensees put forth jointly by community groups, professionals, Dr Hon Fernando CHEUNG Chiu-hung and me.

In view of the above, I move that SWD should conduct in all the 18 districts in Hong Kong a public consultation on the amendments to the relevant ordinances for RCHs, with both SWD's proposal and the proposal on revamping RCHs advocated by the community be included in the public consultation paper, so as to facilitate public discussion on the feasibility of the two proposals."

49. Referring to the wording of motion regarding "SWD's proposal", DSW clarified that the recommendations and amendments to the relevant ordinances for RCHs were not made by SWD but by the Working Group. Members noted DSW's clarification but did not propose amendments to the motion. The Chairman put the motion to vote. All members present voted for the motion. The Chairman declared that the motion was carried.

V. Annual briefing on welfare facility projects funded by Lotteries Fund

[LC Paper No. CB(2)1173/18-19(06)]

50. At the invitation of the Chairman, Secretary for Labour and Welfare ("SLW") briefed members on the Administration's plan to seek funding from the Lotteries Fund ("LF") for construction of welfare facilities in the 2019-2020 financial year and the latest development of the welfare facility projects which were included in the annual briefing for the Panel on Welfare Services in July 2018.

Implementation progress of welfare facility projects

51. Expressing concern about the lengthy process of implementing LF-funded welfare facility projects, the Deputy Chairman suggested that a lump-sum funding mode should be adopted for large-scale welfare facility projects so that NGOs would not be required to apply for funding item by item.

52. SLW responded that various funding modes had been adopted for various types of construction projects under LF and allocation of fund on an item-by-item basis was not applicable to construction projects undertaken by private developers, the Housing Department and the Architectural Services Department. The Administration would look into the funding arrangements for projects under the Special Scheme on Privately Owned Sites for Welfare Uses ("Special Scheme") having regard to the Deputy Chairman's view.

53. SLW further said that as construction of welfare facilities involved land uses, considerable time was required since collaboration among various bureaux/departments and the conduct of technical feasibility studies of these projects were necessary. SLW added that LWB had proposed to create the post of Assistant Director (Planning and Development) to head a new Planning and Development Branch of SWD. Upon creation of the post, the coordination of capital works projects of welfare facilities would be greatly enhanced, and acquisition of suitable sites or premises for provision of welfare facilities would be carried out in a more efficient manner. Meanwhile, the Administration would make its best effort to expedite the process.

Arrangements for stakeholders affected by the redevelopment projects

54. Dr Fernando CHEUNG expressed concern about the decanting arrangements for service users affected by redevelopment projects. He called on the Administration to provide the NGOs concerned with support for solving problems arising from redevelopment of their welfare facilities and funding for making decanting arrangements. He also urged the Administration to establish a mechanism under which NGOs were required to enhance the transparency of their redevelopment projects and consult stakeholders on the projects at the initial stage. NGOs should also involve stakeholders in decision-making process.

55. SLW responded that in case NGOs were required to rent premises as temporary reprovisioning, the expenditure incurred in services relocation and fitting-out works for the temporary premises would be covered by LF. LF might also be used to meet the expenses on rent and rates of the temporary premises in warranted cases. SLW further said that under the existing quality monitoring mechanism, NGOs were required to collect views from service users affected by the redevelopment projects. Given that some NGOs might revise their project proposals, the Administration would discuss with the NGOs the suitable timing of consultation with staff members, service users and their family members affected by the projects. The Administration would also remind NGOs to enhance their communication with the stakeholders.

(At 12:59 pm, the Chairman extended the meeting for 15 minutes beyond the appointed ending time to allow sufficient time for discussion.)

56. Dr Fernando CHEUNG said that there was grave concern about whether the existing employment relationship between the Hong Kong Society for the Blind ("HKSB") and their workers would continue after the redevelopment of the Factory of the Blind ("the Factory"). The trainees and workers of the Factory were also worried about the decanting arrangements for the Factory. In this connection, he sought an update on the decanting arrangements for the Factory.

57. SLW responded that having considered the stakeholders' concerns, the Administration had assisted HKSB in identifying a suitable decanting site for the Factory in the urban area. A to-be-vacated school premises in Kowloon had been identified preliminarily as a possibly suitable decanting site for the Factory. Dr Fernando CHEUNG opined that the Administration should establish a mechanism to assist the NGOs concerned in identifying decanting premises for their redevelopment

projects proactively.

Ratio of subsidized to self-financing residential care places for the elderly

58. Noting that a ratio of 6:4 was adopted for subsidized to self-financing places for some RCHE projects under the Special Scheme, the Deputy Chairman said that the Administration should allocate more funding to increase the supply of subsidized residential care places for financially needy elderly persons. He enquired about the basis for setting the ratio of subsidized to self-financing residential care places in RCHEs.

59. Assistant Director (Elderly) ("AD(E)") advised that when planning for new contract RCHEs, a 6:4 ratio of subsidized to non-subsidized residential care places was adopted as a general guideline. Since 2015, a provision had been included in the service contracts to allow the Administration to adjust the ratio of subsidized to non-subsidized places in contract RCHEs having regard to the demand for and supply of such places in the community. In considering the types of services to be provided by the projects under the Special Scheme, the Administration would take account of the existing services provided by participating NGOs and the service needs.

60. In response to the Deputy Chairman's enquiry about the area of floor space per resident in RCHE projects listed in Annex 1 to the Administration's paper (LC Paper No. CB(2)1173/18-19(06)), AD(E) said that the standard net operating floor area ("NOFA") for those 100-place RCHEs planned for construction before September 2017 was 1 096m², whereas the standard NOFA for those 100-place RCHEs planned for construction afterwards had been increased to 1 354m² (i.e. 13.54m² per resident).

Provision of integrated community centres for mental wellness

61. The Deputy Chairman opined that the Administration should seek funding from LF for provision of integrated community centres for mental wellness ("ICCMW") as well. Assistant Director (Rehabilitation and Medical Social Services) ("AD(R&MSS)") responded that the Administration planned to seek funding from LF in the financial year of 2019-2020 for provision of an ICCMW in Tuen Mun. In response to the Deputy Chairman's enquiry about the status of the existing ICCMWs, AD(R&MSS) said that among the 24 ICCMWs, 17 were currently operating in permanent premises. Suitable sites/premises had been identified as permanent accommodation for five other ICCMWs and sites

had been preliminarily reserved for the remaining two ICCMWs.

Social Welfare Development Fund and contribution of naming-after projects funded by the Lotteries Fund

62. The Deputy Chairman said that some representatives from the social welfare sector had reflected to him that as the Social Welfare Development Fund ("SWDF") was established with funding from LF, SWDF projects should be incorporated into LF-funded welfare facility projects. He further said that for LF-funded welfare premises or facilities which were named after a person or an organization, the NGOs concerned were required to pay the Government a naming-after contribution. Taking the view that such a requirement might discourage NGOs from seeking donations for their projects, he called on the Administration to waive the naming-after contribution. As these matters were outside the scope of the item under discussion, SLW suggested discussing them on another occasion, if necessary.

VI. Any other business

63. There being no other business, the meeting ended at 1:14 pm.

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