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**Establishment Subcommittee of the Finance Committee**

**Minutes of the 4<sup>th</sup> meeting**  
**held in Conference Room 1 of Legislative Council Complex**  
**on Wednesday, 17 March 2021 at 8:30 am**

**Members present:**

Hon Mrs Regina IP LAU Suk-ye, GBS, JP (Chairman)  
Hon YIU Si-wing, BBS (Deputy Chairman)  
Hon WONG Ting-kwong, GBS, JP  
Hon Starry LEE Wai-king, SBS, JP  
Hon CHAN Hak-kan, BBS, JP  
Hon WONG Kwok-kin, SBS, JP  
Hon Steven HO Chun-yin, BBS  
Hon KWOK Wai-keung, JP  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Hon Elizabeth QUAT, BBS, JP  
Hon Martin LIAO Cheung-kong, GBS, JP  
Hon POON Siu-ping, BBS, MH  
Dr Hon CHIANG Lai-wan, SBS, JP  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
Hon CHUNG Kwok-pan  
Hon Jimmy NG Wing-ka, BBS, JP  
Hon Holden CHOW Ho-ding  
Hon SHIU Ka-fai, JP  
Hon YUNG Hoi-yan, JP  
Dr Hon Pierre CHAN  
Hon CHAN Chun-ying, JP  
Hon Tony TSE Wai-chuen, BBS, JP

**Public Officers attending:**

Mr Raistlin LAU Chun, JP	Deputy Secretary for Financial Services and the Treasury (Treasury) 1
Mrs Angelina CHEUNG FUNG Wing-ping, JP	Deputy Secretary for the Civil Service 1
Mr Sonny AU Chi-kwong, PDSM, PMSM, JP	Under Secretary for Security
Miss Rebecca CHEUNG Pui-ling	Principal Assistant Secretary for Security (B)
Mr Andy YEUNG Yan-kin	Deputy Director of Fire Services
Mr CHAN Derek Armstrong	Deputy Chief Fire Officer (Headquarters) Fire Services Department
Mr Kevin LAI Ming-fai	Principal Assistant Secretary (Narcotics)1 Security Bureau
Ms Louise HO Pui-shan, CMSM	Deputy Commissioner of Customs and Excise
Mr Ellis LAI Lau-pak, CMSM	Assistant Commissioner of Customs and Excise (Administration and Human Resource Development)
Mr HO Kai-ming, JP	Under Secretary for Labour and Welfare
Mr KOK Che-leung	Deputy Director of Social Welfare (Administration)

**Clerk in attendance:**

Ms Connie SZETO	Chief Council Secretary (1)4
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**Staff in attendance:**

Miss Judy YEE	Council Secretary (1)4
Ms Alice CHEUNG	Senior Legislative Assistant (1)1
Ms Sharon CHAN	Legislative Assistant (1)4
Ms Haley CHEUNG	Legislative Assistant (1)10

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The Chairman drew members' attention to the information paper ECI(2020-21)10, which set out the latest changes in the directorate establishment approved since 2002 and the changes to the directorate establishment in relation to the three items on the agenda. She then reminded members that in accordance with Rule 83A of the Rules of Procedure ("RoP"), they should disclose the nature of any direct or indirect pecuniary interest relating to the item under discussion at the meeting before they spoke on the item. She also drew members' attention to RoP 84 on voting in case of direct pecuniary interest.

**EC(2020-21)9                      Proposed creation of one supernumerary post of Chief Fire Officer (GDS(C)2) in the Fire Services Department with effect from 1 April 2021 or upon approval of the Finance Committee (whichever is later) for five years to strengthen the supervision, direction and support to the operation in the New Territories Command**

2.        The Chairman remarked that the staffing proposal was to create a supernumerary Chief Fire Officer ("CFO") post, to be designated as Assistant Director (New Territories South) ("AD(NT/S)"), in the Fire Services Department ("FSD") with effect from 1 April 2021 or upon approval of the Finance Committee ("FC") (whichever is later) for five years to strengthen the supervision, direction and support to the operation in the New Territories Command ("NT Command").

3.        The Chairman pointed out that the Panel on Security had discussed this staffing proposal at its meeting on 3 November 2020. Members had discussions on the specific tasks of the new post. The majority of the members opined that with growing population and new infrastructures being built in the New Territories ("NT"), and with the development of the Three-Runway System ("3RS") at the Hong Kong International Airport ("HKIA") in particular, it was necessary for FSD to increase its manpower and resources to cope with the heavy workload of NT Command. Some members expressed concern on the future directorate establishment of other NT districts subsequent to creation of the new post. The majority of the members taking part in the discussion were supportive of the staffing proposal. The Panel had no objection to submission of the proposal to the Establishment Subcommittee ("ESC") for consideration.

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Deliberations

*The need for creation of the supernumerary Assistant Director (New Territories South) post and its impacts*

4. Noting that NT/S Command would cover 3RS, which was expected to commence operation in 2024, Mr YIU Si-wing asked how FSD could ensure holder of the AD(NT/S) post possessed the necessary professional knowledge in relation to management of HKIA and 3RS, such as knowledge on handling special fire incidents and combating terrorist activities at HKIA. He also asked for the reasons for the continual expansion of the establishment of FSD over the past three years, the considerations for strengthening its workforce, as well as changes in the manpower and work distribution in NT/S Command, New Territories North Command ("NT/N Command"), Hong Kong Command ("H Command") and Kowloon Command ("K Command") subsequent to creation of the supernumerary AD(NT/S) post.

5. Mr POON Siu-ping expressed support for creation of the supernumerary AD(NT/S) post. He pointed out that it was announced in the 2020 Policy Address ("Policy Address") that there would be no growth in the civil service establishment in order to reduce public expenditure in light of the economic downturn. He asked how FSD would handle its increasing workload and whether consideration would be given to revising the tenure of the supernumerary post (e.g. from five years to two years) if FC's approval was not given to the staffing proposal.

6. In response, Under Secretary for Security ("USS") remarked that the commissioning of various major infrastructures, new fire stations and ambulance depots, coupled with the ageing of existing building blocks, as well as a growing and ageing population, had seen an increased demand for fire and ambulance services. Furthermore, given the establishment of a number of dedicated operational teams in FSD in recent years, additional resources had to be deployed, and additional manpower were required, to satisfy the surging public demand for emergency services. FSD had examined and reviewed the need for creation of the AD(NT/S) post, and it was of the view that creation of the supernumerary post would help maintain appropriate management and control over the firefighting and rescue services in NT Command, and to ensure the efficiency and effectiveness of FSD's services. It was expected that creation of the post could enhance the directorate support given to and strengthen the overall supervision, direction and management of NT Command. He remarked that if FC's approval was not given to the staffing proposal, FSD would have to cope with the increasing workload from within the limited resources currently available. Taking into account the various prospective

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work and plans of NT Command, FSD believed that a tenure of five-year was appropriate to ensure the continuity and stability of the work in relation to the post.

7. Deputy Director of Fire Services ("DDFS") said that FSD had been monitoring the demand for firefighting and rescue services in various Commands, as well as assessing the need for additional fire stations or manpower based on factors such as the overall population density and intensity of development, etc. On the other hand, additional manpower would be required for FSD to handle the increased workload subsequent to the passage of legislation related to fire services, such as the passage of the Fire Safety (Industrial Buildings) Ordinance (Cap. 636) in June 2020. FSD had set up several professional teams (e.g. the High Angle Rescue Team, the Mountain Search and Rescue Team and the Hazardous Materials Team, etc.) and new fire stations (such as Liantang/Heung Yuen Wai Fire Station) in recent years which called for an enlarged establishment to ensure the smooth operation and an enhanced responsiveness of FSD. Pitched at the CFO rank, holder of the proposed AD(NT/S) post had to take personal command for fire services operations in serious incidents that occurred within the areas served by the Command. Given the heavy workload of the CFO in overseeing NT Command, coupled with the future development and population growth in NT, FSD considered it necessary to have the supernumerary AD(NT/S) post created.

8. Regarding how creation of the proposed post would impact the distribution of fire stations, DDFS remarked that currently, NT Command had under its establishment 21 and 16 fire stations in NT/N and NT/S respectively. With the commissioning of 3RS in 2024, FSD planned to set up three additional fire stations in NT/S, i.e. two at HKIA and one outside HKIA's Restricted Area, to address the additional fire services demand. By then, AD(NT/S) would manage a total of 19 fire stations. As the Lok Ma Chau Loop ("LMCL") Development would contribute to an increase in population, a fire station cum ambulance depot scheduled for completion in 2024 would be established by FSD within the area. AD(NT/N) would then be managing a total of 22 fire stations. Meanwhile, there were a total of 32 and 21 fire stations under H Command and K Command respectively, the number and distribution of which was similar to that of NT Command. In light of the three additional fire stations to be set up in NT/S where 3RS was located, the authorities were formulating contingency plans for aviation accidents and giving advice on the contingency plans for 3RS' new terminal with a view to coping with the fire services demand subsequent to the commissioning of 3RS.

9. The Chairman suggested that if extension on the tenure of the AD(NT/S) post would be required in the future, some key performance

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indicators should be provided to Members for reference for evaluating the effectiveness and potential room for improvement in relation to the post.

10. In response, USS said that consideration had been given by FSD on ways to enhancing the synergy effects between the AD(NT/N) and the AD(NT/S) posts, as well as strengthening the coordination between the two post holders in dealing with challenges relating to hill fire and extreme weather. FSD would give briefings to the Legislative Council ("LegCo") on the work of AD(NT/S) in the future as appropriate to advise Members on the performance of the post holder.

11. Given the increasing population in NT and the commissioning of infrastructures within the area, Mr CHAN Hak-kan expressed support for creation of the supernumerary AD(NT/S) post to alleviate FSD's workload in NT Command. He pointed out that with the completion of the North East New Territories New Development Areas Project and the commissioning of the Liantang/Heung Yuen Wai Control Point, there would be a significant increase in the population of NT/N, together with demand for fire services. Mr CHAN asked whether, subsequent to creation of the AD(NT/S) post, considerations would be given to arrangements that would allow AD(NT/N) to focus on addressing the fire services demand of NT/N residents.

12. In response, USS said that comparing with H Command and K Command, NT Command covered a larger area with greater population and handled more cases of hill fire. Furthermore, with the commissioning of various major infrastructures, it was imperative that an additional CFO post be created to strengthen the supervision and coordination of firefighting work within the Command. Subsequent to creation of the supernumerary AD(NT/S) post, it was anticipated that, in addition to strengthening contact with residents within the Command to help enhance the level of fire safety, improvement would be made to the efficiency of ADs(NT) in taking command of fire services operations at serious fires or other calamities of similar magnitude.

*Upgrading the training and equipment of firefighters*

13. Mr Tony TSE declared that he was a member of the Standing Committee on Disciplined Services Salaries and Conditions of Service. He supported in principle this staffing proposal to address the increasing fire services demand arising from a growing population and commissioning of infrastructures in NT. In addition to creation of the AD(NT/S) post, Mr TSE enquired about the measures in place at FSD to enhance the safety of firefighters in the line of duty.

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14. Ms YUNG Hoi-yan expressed support for creation of the supernumerary AD(NT/S) post to strengthen the manpower of FSD to cope with the additional workload arising from a growing population in NT Command and extreme weather conditions. She enquired if sufficient manpower and resources had been made available to the specialized teams and programme of FSD (e.g. the High Angle Rescue Team, the Tactical Support Unit and programme on the use of working dogs, etc.). Given the substantial increase in the number of hikers since the outbreak of the Coronavirus Disease 2019 ("COVID-19") epidemic, she asked how this had impacted FSD in terms of workload.

15. In response, USS said that the Security Bureau had all along supported FSD to procure fire services equipment (e.g. fire appliances, fire vessels and protective outfit) to address service needs, with a view to ensuring safe operations for firefighters and enhancing service efficiency. DDFS responded that the number of mountain search incidents had increased slightly over the past two years. FSD conducted reviews on the equipment and training for frontline personnel on a regular basis, and apparatus were upgraded and procured in a timely manner. A locator system that could detect firefighters' locations in closed areas or fire ground was introduced in recent years. FSD would also introduce self-help training for various simulated scenarios to ensure firefighters' personal safety.

16. Regarding members' enquiries on specialized team and programme, USS remarked that the High Angle Rescue Team had introduced drones with thermal imagers for its missions to locate missing persons in mountains. Meanwhile, the Tactical Support Unit, comprising 78 firefighters from different commands, was responsible for handling special incidents. Members of the unit would be temporarily attached to the Fire and Ambulance Services Academy to learn elementary skills and operation strategies for handling various special incidents, as well as acquiring the knowledge on the use of newly-purchased equipment. In the event of special incidents, the Tactical Support Unit would be deployed to provide on-site support. Furthermore, working dogs of FSD would provide different kinds of assistance, including identification of fire source, searching for missing persons at structural collapse scenes or in the mountains, etc.

17. The Chairman remarked that NT Command handled more cases of hill fires than all other commands. She asked about the hill fire prevention measures in place and how hill fire control equipment had advanced in recent years.

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18. Taking into account the future population growth in NT and successive completion of a number of infrastructures, Ms Elizabeth QUAT expressed support for the staffing proposal to address the need of NT Command for discharging its duties. Expressing concerns on the problem of hill fires in NT, she asked how new technologies, including drones, could be used to help putting out hill fires.

19. In reply, DDFS said that hill fire and mountain rescue exercises were jointly held by FSD and the Agriculture, Fisheries and Conservation Department on an annual basis. Unmanned drones purchased by FSD in recent years were used to detect areas affected by hill fires, monitor the spread of fires, find out whether anyone was trapped in the fire ground, and help firefighters in giving directions and conducting coordination at hill fire scenes. At present, unmanned drones were used for detection purpose only, as they were unable to carry the extra loads of the extinguishing agents required for controlling hill fires, which, in some cases, would spread across an extensive area. He stressed that FSD conducted reviews on equipment and facilities from time to time, and new equipment were procured in a timely manner based on operational needs.

*Enhancement of fire protection measures and public awareness on fire safety*

20. Mr Tony TSE pointed out that the complex structures of old buildings and "three-nil" buildings as well as the lack of fire safety awareness of some residents had posed additional challenges to provision of fire services. He asked about FSD's measures in place in upgrading the fire protection facilities at old buildings and "three-nil" buildings.

21. Ir Dr LO Wai-kwok said that the Business and Professionals Alliance for Hong Kong, to which he belonged, supported creation of the supernumerary AD(NT/S) post to provide additional resources for implementing the legislative amendments regarding fire risks of old buildings. He enquired about issues relating to the exercise to amend the Fire Safety (Buildings) Ordinance (Cap. 572) ("the Ordinance") announced by the authorities in February 2021. Ir Dr LO noted the suggestion of the authorities to introduce, in connection with the amendments to the Ordinance, a scheme to empower FSD and the Urban Renewal Authority ("URA") to carry out fire safety improvement works for owners of old buildings who were incapable of complying with the requirements of the Ordinance and to recover the costs incurred from such owners upon completion of the works, and he asked about the details of the scheme. Furthermore, he asked about the progress of the Registered Fire Engineer ("RFE") Scheme taken forward subsequent to the passage of the amended Fire Services Ordinance (Cap. 95) by LegCo in March 2017, which



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allowed RFEs to provide fire safety risk assessment and certification services for licence applicants of certain premises.

22. On enhancing fire safety of old buildings, USS remarked that FSD had been collaborating with URA since 2018 in launching a \$2 billion Fire Safety Improvement Works Subsidy Scheme under which subsidies would be given to eligible owners of old target composite buildings to conduct the necessary fire safety improvement works in compliance with the requirements of the Ordinance. The Government subsequently injected an additional funding of \$3.5 billion and rolled out two rounds of application. Regarding further amendments to the Ordinance, references were being made to the implementation of a similar mechanism under the existing Buildings Ordinance ("BO") (Cap. 123) for exploring an appropriate mechanism to empower FSD and BD to carry out fire safety improvement works for owners of old buildings who were incapable of complying with the requirements of the Ordinance, and to recover the incurred costs from such owners upon completion of the works. The authorities planned to conduct public consultation in the second half of 2021 to formulate an appropriate mechanism and work out amendments to the legislation for the purpose of empowering the departments concerned to carry out the relevant work. DDFS supplemented that at a meeting of the District Fire Safety Committee of Kowloon City District held in March 2021, FSD representatives had discussed with district representatives on provision of additional fire protection facilities, such as fire extinguishers and fire resisting blankets, etc., for buildings with higher fire risks and "three-nil" buildings. When attending future meetings of the District Fire Safety Committee of Yau-Tsim-Mong District and Sham Shui Po District, FSD representatives would also discuss relevant matters with a view to enhancing the fire protection facilities at buildings with high fire risks in various districts.

23. On the implementation of RFE Scheme, DDFS advised that the Administration was formulating the requirements on the qualification of RFEs, guidelines relating to disciplinary matters and responsibilities under the Scheme, as well as relevant codes of practices and guide to professional conduct. It was expected that the relevant subsidiary legislation would be introduced in the next LegCo session for scrutiny.

Voting on the item

24. There being no further questions from members, the Chairman put the item to vote. All the members present were in favour of this proposal. The Chairman declared that the Subcommittee agreed to recommend the item to FC for approval. No member requested that the item be voted on separately at the relevant FC meeting.

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**EC(2020-21)10      Proposed creation of one permanent post of Assistant Commissioner of Customs and Excise (GDS(C)2) in the Customs and Excise Department, to be offset by the deletion of one permanent post of Administrative Officer Staff Grade C (D2), with immediate effect upon approval of the Finance Committee to rationalize the directorate support for the Administration and Human Resource Development Branch**

25.    The Chairman remarked that this staffing proposal was to create one permanent post of Assistant Commissioner of Customs and Excise ("AC of C&E") in the Customs and Excise Department ("C&ED"), designated as Assistant Commissioner (Administration and Human Resource Development) ("AC(AD)"), to be offset by the deletion of one permanent post of Administrative Officer Staff Grade C ("AOSGC"), with immediate effect upon approval of FC to rationalize the directorate support for the Administration and Human Resource Development Branch ("AD Branch").

26.    Ms YUNG Hoi-yan, Deputy Chairman of the Panel on Security, reported that the Panel had discussed this staffing proposal and the specific duties of the proposed permanent post at its meeting on 3 November 2020. Members supported the proposal to rationalize the directorate support for the AD Branch in C&ED and called on other government departments to model after C&ED and use public money in a more prudent manner. Members taking part in the discussion raised no objection to submission of the proposal for ESC's consideration.

Discussion

*Duties of the proposed permanent Assistant Commissioner of Customs and Excise post and the implications of the staffing proposal*

27.    Mr Steven HO expressed support for this staffing proposal. He enquired about the differences between the duties of the proposed AC(AD) post and the AOSGC post to be deleted, as well as the justifications for replacing an AOSGC post with an AC(AD) post. Mr HO opined that in the future, the Administration should set out detailed justifications for its staffing proposals in its papers for members' reference.

28.    Ir Dr LO Wai-kwok expressed support for this staffing proposal. He enquired about the justifications for the proposed deletion of one

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AOSGC post and the proposed creation of the permanent AC(AD) post to head the AD Branch. He opined that in the future, the Administration should set out the detailed justifications for its staffing proposals in its paper to facilitate members' discussion.

29. The Chairman expressed support for this staffing proposal. She noted that civil secretary posts had been pitched at the Administrative Officer grade in some disciplined services departments ("DSDs") (e.g. Hong Kong Police Force ("HKPF") and C&ED) for the administration of DSDs. In recent years, those civil secretary posts had been gradually taken up by staff members of the relevant DSD, with a view to achieving an enhanced synergy effect within the department. Given the identical pay levels of the proposed AC(AD) post and the AOSGC post to be deleted, she asked why the staffing proposal would incur an additional expenditure of about \$210,000.

30. Mr YIU Si-wing opined that creation of the permanent AC(AD) post to replace the AOSGC post for supervision of the operation of various divisions of the AD Branch of C&ED could strengthen the support given to C&ED in the formulation of its work plans. He enquired about the annual average staff cost for creation of the proposed post, including details on salaries and fringe benefits. Mr YIU also enquired whether the duties of the proposed post included strengthening promotion on the use of information technology ("IT") at C&ED to enhance efficiency and achieve savings in expenditure on human resources.

31. In response, USS remarked that some DSDs still retained civil secretary posts which were taken up by officers from beyond disciplined services departments. For instance, the relevant post at HKPF was taken up by an officer from the Executive Officer grade. Officers would be deployed to relevant departments in light of the operational needs of different DSDs. Insofar as C&ED was concerned, Deputy Commissioner of C&ED responded that the AD Branch was originally headed by a Customs Civil Secretary pitched at the AOSGC rank; in recent years, an Assistant Commissioner of C&ED had been deployed to head the AD branch. Given the growing complexity and diversity of the enforcement actions carried out by C&ED in recent years, coupled with the successive commissioning of a number of newly-built boundary control points, it was anticipated that the responsibilities of C&ED would further expand. Taking into account the extensive portfolio of the AD Branch, ranging from internal human resources management, provision of administrative support, training and recruitment, facilitation of the review of legislation within C&ED's purview, prosecution of Customs offence-related cases to investigation of public and/or staff complaints, etc., C&ED was of the view that it was more appropriate to have an officer with knowledge and actual

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experience of frontline Customs work to head the AD Branch. Hence, C&ED proposed to have the AC(AD) post created and the AOSGC post deleted to rationalize the directorate support for the AD Branch.

32. On the use of technology, USS responded that bureaux/departments were encouraged to use IT more extensively for enhancing efficiency at work and for delivery of service. At present, IT applications were extensively used at C&ED for, among other things, detective and investigative tasks at different boundary control points. At AD Branch, for instance, certain training exercises could, where practicable, be conducted with the use of video systems or applications. C&ED noted Members' views and continued efforts would be made in the future to promote the application of IT in different areas of work.

33. Regarding the additional expenditure incurred by this staffing proposal, USS responded that the salary of the proposed AC(AD) post was identical to that of the AOSGC post to be deleted. The additional expenditure mainly arose from the entitlement to disciplined services quarters for officers at the AC rank.

*Duties of Customs and Excise Department*

34. Ms Elizabeth QUAT expressed support for this staffing proposal. She pointed out that illegal trading of endangered species was getting more rampant in recent years and she asked whether C&ED would consider deploying additional manpower or equipment to combat such crimes.

35. Dr CHIANG Lai-wan expressed support for this staffing proposal, which would help C&ED discharge its duties of growing diversity and workload. She raised a question on the anticipated workload and the nature of jobs involving C&ED in the future.

36. In response, USS remarked that timely deployment of resources in light of the operational needs of C&ED had been made in support of enforcement actions. Deputy Commissioner of C&ED advised that two other branches (i.e. the Boundary and Ports Branch and the Intelligence and Investigation Branch) were responsible for combating smuggling of endangered species. Their jobs included detection and prevention of smuggling of contraband at land, sea and air boundary control points, as well as taking follow-up actions on related organized crimes and money laundering activities. She remarked that C&ED had introduced various high-tech apparatus (e.g. high-tech x-ray scanners) to help detect smuggling of endangered species. Furthermore, C&ED had maintained close liaison with Mainland and overseas enforcement agencies for exchange of intelligence.

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37. On the way ahead, Deputy Commissioner of C&ED responded that additional duties of C&ED in recent years included taking up enforcement actions against false trade descriptions and unfair trade practice in respect of both goods and services, assisting the implementation of trade facilitation measures such as the Trade Single Window, and contributing to efforts on anti-money laundering and counter-terrorist financing, etc. The workload at C&ED would increase as the Greater Bay Area Development and the Belt and Road Initiative would necessitate closer and heavier traffic, trade and connection with the Mainland.

Voting on the item

38. There being no further questions from members, the Chairman put the item to vote. All the members present and voting were in favour of this proposal. The Chairman declared that the Subcommittee agreed to recommend the item to FC for approval. No member requested that the item be voted on separately at the relevant FC meeting.

**EC(2020-21)11      Proposed retention of one supernumerary post of Assistant Director of Social Welfare (D2) in the Social Welfare Department with effect from 1 April 2021 or upon approval of Finance Committee (whichever is later) for a period of three years to continue to head the Licensing and Regulation Branch with a view to strengthening the monitoring of residential care homes for the elderly and residential care homes for persons with disabilities and taking forward various initiatives to improve the service quality of residential care homes on an on-going basis**

39. The Chairman remarked that the staffing proposal was to retain a supernumerary post of Assistant Director of Social Welfare ("ADSW") (D2) in the Social Welfare Department ("SWD"), designated as Assistant Director (Licensing and Regulation) ("AD(LR)"), with effect from 1 April 2021 or upon approval of FC, whichever is later, for a period of three years to continue to head the Licensing and Regulation ("LR") Branch with a view to strengthening the monitoring of residential care homes for the elderly ("RCHEs") and residential care homes for persons with disabilities ("RCHDs") and taking forward various initiatives to improve the service quality of residential care homes ("RCHs") on an on-going basis.

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40. Dr CHIANG Lai-wan, Chairman of the Panel on Welfare Services, reported that the Panel had discussed this staffing proposal at its meeting on 8 February 2021. Members were concerned that with an ageing population, demand for elderly care services would keep growing. They were of the opinion that the Administration should ensure provision of appropriate human resources to enhance the monitoring of RCHEs and RCHDs and to improve the service quality of RCHs. Members also held the view that the paper provided to the Panel by the authorities did not explain specifically how retention of the supernumerary AD(LR) post could enhance the planning, development and implementation of providing RCHE and RCHD services in the next three years to address relevant service demands and to improve service quality on an ongoing basis.

41. Dr CHIANG Lai-wan remarked that members of the Panel had agreed that the proposal be submitted to ESC for consideration; however, members requested Administration's information on the number of non-compliance cases identified by the LR Branch during its inspections to RCHs in the past three years with a breakdown of follow-up actions taken by the LR Branch, and a Strength-Weakness-Opportunity-Threat Analysis in relation to the staffing proposal of retaining the supernumerary AD(LR) post. Some members were of the view that detailed information had to be provided to illustrate how the staffing proposal could help formulate longer-term planning strategies for the timely expansion of service capacity of RCHs and for further enhancement of the service quality and monitoring of RCHs.

Discussion

*Efforts on improving the service quality of residential care homes*

42. Mr YIU Si-wing expressed support for this staffing proposal. He asked whether the operation of Kowloon City and Yau-Tsim-Mong District Social Welfare Offices ("DSWOs"), which were administered by AD(LR), would be affected if FC's approval was not given to the proposal before the expiry of the tenure of the supernumerary AD(LR) post, and the justifications for having an officer under supernumerary terms to administer DSWOs. Furthermore, Mr YIU asked for details on the Qualifications Framework("QF")-recognized training programmes provided by SWD to RCH staff and other initiatives (e.g. optimizing salaries and promotion pathways) for attracting talents, especially young people, to join the RCH service industry.

43. Mr Tony TSE enquired about the work arrangements for enhancing the service quality of RCHs during the tenure of the supernumerary AD(LR) post over the next three years, such as details on the support to be

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given to amending the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) and the Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613), the implementation of the revised Code of Practice for Residential Care Homes (Elderly Persons) and the Code of Practice for Residential Care Homes (Persons with Disabilities), as well as the performance indicators of the relevant initiatives.

44. Mr Christopher CHEUNG remarked that SWD should have provided information on the performance and effectiveness of the supernumerary AD(LR) post since the creation of the post in 2017 for Members' reference together with the proposal for retention of the post. Furthermore, he asked about the specific measures in place at SWD for improving the quality of RCHs with a view to changing the general perception that RCHs were of uneven quality standards.

45. In response, Under Secretary for Labour and Welfare ("USLW") said that since the creation of the supernumerary AD(LR) post in 2017 to head the LR Branch, efforts had been made by the LR Branch to enhance the RCH inspection mechanism and formulate targeted strategies and action plans in light of the nature of the items of non-compliance. Since 2017, SWD had introduced various measures to improve the quality of RCHs, including launching the Quality Improvement Project for RCHs, enhancing the transparency of RCH services, strengthening training and promoting professionalism among RCH staff, and strengthening care service for RCH residents, etc. Over the next three years, it was the plan of the Administration to introduce into LegCo in 2021-2022 amendment bills on the Residential Care Homes (Elderly Persons) Ordinance and the Residential Care Homes (Persons with Disabilities) Ordinance, which aimed to, among other things, increase the statutory minimum floor space per resident in high-care-level RCHs and RCHDs from the current 6.5 m<sup>2</sup> to 9.5 m<sup>2</sup> and introduce a registration system together with relevant requirements for home managers and health workers, etc. A major responsibility of AD(LR) was to provide support to the above legislative exercise, including formulating work plans to implement the new regulations in the future, coordinating with the sector and stakeholders, and liaising closely with them to prepare for the full execution of the amended legislation.

46. Deputy Director of Social Welfare (Administration) ("DDSW(A)") remarked that paragraph 10 of and Annex I to the discussion paper provided detailed information as requested by the Panel on Welfare Services at its meeting held in February 2021. The Code of Practice for Residential Care Homes was updated from time to time in response to actual needs and the updates included, among other things, strengthening the drug management of RCHs and protecting the privacy of residents, etc.

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Regarding efforts on supervision of DSWOs, he advised that Assistant Directors of SWD in general were required to take up district administrative work, including supervising DSWOs in various districts. The supernumerary AD(LR) post proposed to be retained was created in April 2017 with FC's approval. Apart from heading the then newly-established LR Branch to handle matters on licensing/registration and monitoring of RCHEs, RCHDs, child care centres and drug dependent persons treatment and rehabilitation centres, AD(LR) also supervised the work of Kowloon City and Yau-Tsim-Mong DSWOs. He added that if approval for this staffing proposal was not secured before the expiry of the tenure of the supernumerary post, the three Chief Social Work Officers currently in place at the LR Branch might be required to absorb the duties of supervising the Kowloon City and Yau-Tsim-Mong DSWOs, to the detriment of the overall work situation and progress of the LR Branch.

47. As for other initiatives on improving the service quality of RCHs, DDSW(A) remarked that SWD would keep encouraging private RCHEs to join the approved accreditation schemes provided under the Accredited Certification Body of Certification of Residential Care Homes (Elderly Persons) Service Providers' Management System. The Service Quality Groups of RCHEs and RCHDs had commenced a new round of work to follow up on and optimize the service quality of RCHs on an ongoing basis and in a timely manner. Regarding enhancement on the training for RCH staff, SWD had formulated QF-recognized training courses and provided career ladders for different practitioners (e.g. home managers, health workers and care workers), as well as allowance for staff to enroll in relevant training courses. SWD had also launched the Navigation Scheme for Young Persons in Care Services in July 2015 with a view to offering employment and training opportunities for young persons aspiring to engage in healthcare work in the welfare sector. In addition, SWD had established the Working Group on the Review of Ordinances and Codes of Practice for Residential Care Homes ("the Working Group") in 2017 to identify areas for improvement and to explore feasible measures. The Working Group had completed the review in May 2019 and come up with 19 recommendations regarding the statutory minimum staffing requirements of RCHs, requirements on RCH licence holders, registration system and qualification requirements for home managers, as well as registration system for health workers.

*Actions taken against non-compliant residential care homes*

48. Dr Pierre CHAN asked why SWD conducted fewer inspections to RCHEs and RCHDs in 2019-2020 than it did in 2018-2019; he requested the Administration to provide detailed information on the warning notices issued to RCHs during the inspections and the convicted cases.



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49. Ms YUNG Hoi-yan noted from Enclosure 1 to the discussion paper that the number of convicted cases relating to RCHs in 2020-2021 was 35 (as at December 2020) which, in general, was higher than the overall numbers of the previous three years. The number of non-compliant RCHs in the Yau-Tsim-Mong District was higher than those of other districts. Ms YUNG enquired about the main reason for non-compliance and the measures in place to reduce such non-compliance cases.

50. Dr CHIANG Lai-wan expressed concerns on cases in which RCHs were issued warning notices and convicted of non-compliance. She requested the Administration to provide supplementary information on the cases in which 16 warning notices were issued during inspections to RCHDs in 2017-2018 and the one convicted case, including details of the matters leading to warning notices being served to or conviction of the relevant RCHs, as well as details of the follow-up actions taken by SWD, etc.

51. USLW remarked that some RCHs employed imported workers through the Supplementary Labour Scheme to address the manpower shortage problem. Noting the recent upward trend of local unemployment rate, the Administration anticipated that more local workers might join the RCH sector.

52. DDSW(A) said that SWD had adjusted the frequency of inspections to RCHs in 2019-2020 in view of social incidents and the COVID-19 epidemic. He stressed that SWD had been conducting inspections, including surprise inspections, where practicable to ensure the service quality of RCHs. If irregularities were identified during inspections, SWD would issue written advice, warnings or directions to RCHs and instigate prosecution actions. The convicted cases were mainly attributable to manpower shortage; some were related to operation at unlicensed premises. SWD would upload onto the SWD website for 12 months and 24 months respectively information of non-compliant RCHs who had received warnings or who were convicted by the court, with a view to enhancing the transparency of the service quality of RCHs. He undertook to provide the information requested by Dr CHIANG Lai-wan after the meeting.

*(Post-meeting note: The supplementary information provided by the Administration was circulated to members on 30 March 2021 vide LC Paper No. ESC42/20-21(01))*

(At 10:23 am, the Chairman enquired if members agreed to extend the meeting by 15 minutes to 10:45 am. No member raised any objection.)

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*Impacts of the Coronavirus Disease 2019 epidemic on the operation of residential care homes*

53. Dr Pierre CHAN enquired about details of the anti-epidemic measures adopted by the Administration to prevent any COVID-19 outbreak at RCHs. He pointed out that he had sent a letter to the Secretary for Labour and Welfare in August 2020 raising relevant enquiries but had not received any reply. Dr CHAN was concerned that as visiting medical practitioners might not have full access to the health records of RCH residents, they might find it difficult to advise properly on anti-epidemic measures, such as whether the RCH residents were fit for receiving COVID-19 vaccines.

54. Dr CHIANG Lai-wan suggested that consideration be given to relaxing arrangements for visitors visiting RCH residents, such as enhancement of protection gear for RCHs and allowing persons who had received COVID-19 vaccines or obtained a negative COVID-19 test result to visit RCHs.

55. In response, USLW remarked that at the meeting of the Panel on Welfare Services in February 2021, the Administration had briefed members on the support measures put in place by SWD amid the COVID-19 epidemic, including the provision of anti-epidemic supplies to RCHEs and RCHDs, as well as drawing up manpower support plans, etc. He said that the Government had explored the feasibility of relaxing the arrangements for visitors visiting RCHs and would monitor closely the development of the epidemic for suitable arrangements to be made.

56. DDSW(A) supplemented that SWD had provided special allowances and implemented other anti-epidemic measures to service units including RCHEs and RCHDs since 2020. On improving COVID-19 infection control facilities and ventilation at RCHs, SWD had launched a time-limited scheme in December 2020 to arrange nurses to conduct on-site assessments on infection control measures at RCHs and teach RCH staff about anti-epidemic knowledge and skills; arrange technical engineering teams to conduct on-site ventilation assessments for these RCHs and make recommendations on ventilation improvement; and make appropriate arrangements for RCHE residents who had to be quarantined.

Voting on the item

57. There being no further questions from members, the Chairman put the item to vote. All the members present and voting were in favour of this proposal. The Chairman declared that the Subcommittee agreed to

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recommend the item to FC for approval. No member requested that the item be voted on separately at the relevant FC meeting.

58. There being no other business, the meeting ended at 10:31 am.

Council Business Division 1  
Legislative Council Secretariat  
20 April 2021