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Panel on Public Service

**Minutes of the policy briefing held on
Tuesday, 19 October 2021, at 9:30 am
in Conference Room 3 of the Legislative Council Complex**

Members present : Hon KWOK Wai-keung, JP (Chairman)
Hon POON Siu-ping, BBS, MH (Deputy Chairman)
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBM, GBS, JP
Hon Steven HO Chun-yin, BBS, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Martin LIAO Cheung-kong, GBS, JP
Dr Hon CHIANG Lai-wan, SBS, JP
Hon SHIU Ka-fai, JP
Dr Hon Pierre CHAN
Hon CHAN Chun-ying, JP
Hon LUK Chung-hung, JP
Hon Tony TSE Wai-chuen, BBS, JP

Member absent : Hon Elizabeth QUAT, BBS, JP

**Public officers
attending** : **Agenda item I**

Mr Patrick NIP, JP
Secretary for the Civil Service

Mrs Ingrid YEUNG, JP
Permanent Secretary for the Civil Service

Mrs Angelina CHEUNG, JP
Deputy Secretary for the Civil Service 1

Action

Miss Ann CHAN
Deputy Secretary for the Civil Service 2

Mr Gary POON, JP
Deputy Secretary for the Civil Service 3

Mr Hermes CHAN, JP
Director of General Grades
Civil Service Bureau

Clerk in attendance : Ms Wendy JAN
Chief Council Secretary (4)1

Staff in attendance : Ms Maggie CHUNG
Senior Council Secretary (4)1

Ms Peggy CHUNG
Council Secretary (4)1

Mr Griffin FUNG
Legislative Assistant (4)9

I. Briefing by the Secretary for the Civil Service on the Chief Executive's 2021 Policy Address

[LC Paper No. CB(4)1650/20-21(01), The Chief Executive's 2021 Policy Address, The Chief Executive's 2021 Policy Address Supplement]

At the invitation of the Chairman, Secretary for the Civil Service ("SCS") briefed members on the policy measures relating to the Civil Service Bureau featured in the Chief Executive's 2021 Policy Address and Policy Address Supplement as set out in the Administration's paper (LC Paper No. CB(4)1650/20-21(01)).

Review of the selection and appointment mechanism for senior levels of the civil service

2. Members generally expressed support for the review of the Administration's selection and appointment mechanism for senior levels of the civil service in accordance with the principle of meritocracy ("the review"). Mr Martin LIAO asked whether the Administration would formulate any

Action

quantitative key performance indicators for assessing the performance of directorate civil servants. Dr CHIANG Lai-wan enquired whether the Administration would conduct open recruitment exercises to fill the vacancies of directorate posts if there was no suitable candidate from the civil service.

3. SCS advised that the Administration had all along adhered to the principle of meritocracy in its appointments. In the face of the new era, the Administration needed a leadership team consisting of civil servants who were devoted and loyal to the country and Hong Kong Special Administrative Region ("HKSAR") as well as highly proactive to take forward the Administration's policy initiatives. As such, the Administration had decided to conduct the review in order to appoint the most competent officers best suited to individual positions in the leadership team.

4. SCS further advised that the Administration would review the scope of grades and ranks that could be considered for promotion to directorate posts, and the appraisal arrangement for directorate civil servants, including the competency requirements for directorate civil servants and the assessment methods adopted by appraising officers. While civil service posts at promotion ranks were normally filled by internal promotion, the Administration might conduct open recruitment exercises for some directorate positions so as to widen the pool of candidates.

5. Noting that the Administration might recruit talents from outside the civil service to fill up senior civil service positions, Mrs Regina IP said that some serving civil servants were worried about the promotion prospects in the civil service as well as the collaboration between civil servants and these new leaders from various backgrounds and cultures. She urged the Administration to address these issues.

6. The Chairman called on the Administration to ensure the transparency and credibility of the selection and appointment mechanism, and avoid creating a culture of cronyism in the civil service. Mr CHAN Chun-ying enquired whether the Administration would continue to seek advice from the Public Service Commission on appointments and promotions to the senior ranks of the civil service, and further enhance its credibility.

7. SCS said that the Administration recognized the importance of maintaining the transparency and fairness of the selection and appointment mechanism. Under the established mechanism, advice would be obtained from the Public Service Commission, which was an independent statutory body comprising leaders from various sectors of the community, on

Action

appointments and promotions to the senior ranks of the civil service. The Public Service Commission would be duly consulted during the review.

8. In reply to the Chairman's question regarding the timetable of the review, SCS advised that the Administration would gauge views from the staff sides and consult the Public Service Commission on the measures to improve the selection and appointment mechanism. It planned to consult this Panel on the proposed measures in early 2022.

Measures to monitor and improve the performance of civil servants

9. Mr Tony TSE said that some members of the public were concerned about the proactiveness and efficiency of some civil servants in providing public services, and asked whether the Administration would review the civil service performance management system to ensure that the grades given to civil servants truthfully reflected their work performance. He further pointed out that the Administration had usually taken a long time to remove persistent sub-standard performers from the civil service.

10. Mr Steven HO remarked that some civil servants at junior and middle levels adopted a lax working attitude upon passage of the probation bar. The Chairman cited examples to illustrate that such civil servants were being bureaucratic when handling district and territory-wide issues. The Chairman and Mr HO called on the Administration to come up with measures to enhance civil servants' problem-solving abilities and motivate civil servants, in particular those at junior and middle levels, to provide quality services to the public.

11. Dr CHIANG Lai-wan was of the view that both politically appointed officials and civil servants should be held accountable for their work performance. Mr Steven HO and Dr CHIANG urged the Administration to formulate effective measures, such as demotion, to deal with unsatisfactory work performance of civil servants.

12. SCS advised that a performance management system was already in place to monitor civil servants' work performance, and there was also an established mechanism to handle persistent sub-standard performers. While it was important to process cases of sub-standard performers in a fair and just manner, it was also important for such cases to be handled in a timely manner and the Administration would explore room for enhancing and streamlining the relevant procedures in the light of operational experience. The Administration would also implement a number of measures, including reviewing the selection and appointment mechanism and the appraisal arrangement for directorate civil servants, to enhance various aspects of the

Action

management of civil service, with a view to developing a proactive workforce with strong problem-solving abilities.

13. At the request of Mr Steven HO, SCS undertook to provide the number of civil servants who had been demoted due to unsatisfactory work performance in the past 10 years.

(Post-meeting note: The Administration's response was issued to members vide LC Paper No. 1720/20-21(01) on 8 November 2021.)

14. Expressing concern that the public might have a negative perception of the work attitude of some civil servants, Mr LUK Chung-hung suggested that the Administration should establish a mechanism to engage civil servants at all levels, including middle and junior levels, to participate in the policy making process, or introduce incentive schemes to encourage them to put forward suggestions to improve government policies, with a view to fostering a strong sense of motivation and belonging among civil servants.

15. SCS said that it would help bring about improvements in the provision of public services if members of the public were objective and fact-based when making comments on the performance of the civil service. He added that the Administration treasured the views of frontline civil servants, which were valuable as they could reflect first-hand feedback from the public when government policies were being executed. The Administration had set up staff suggestions scheme with incentive awards to encourage civil servants to make suggestions on improving civil service efficiency.

16. Mrs Regina IP commented that in recent years, civil servants, excluding those in the disciplinary forces, had come under criticism over their spirit of patriotism and their willingness to take up responsibilities. She considered that SCS should focus on formulating high-level strategies to lead the civil service towards a cultural change and accepting new values in response to the changes brought by the new era.

17. SCS concurred with Mrs Regina IP's view, and added that, under the new era, when considering and handling policy issues, civil servants should not confine themselves only to the perspective from HKSAR, but should also take into consideration the perspectives of the country and the fact that HKSAR was part of the country.

Review of the Basic Law Test in civil service recruitment

18. Mr LEUNG Che-cheung and Mr LUK Chung-hung expressed support for the review of the content of current Basic Law Test for recruitment

Action

to the civil service and inclusion of The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region ("the National Security Law") in the scope of assessment. Mr CHAN Chun-ying said that some civil service unions were concerned that such arrangement might affect the attractiveness of the civil service. The Deputy Chairman asked whether serving civil servants had to sit the Basic Law and National Security Law Test.

19. SCS advised that applicants for all civil service positions requiring academic qualifications at or above completion of secondary education level must pass the Basic Law and National Security Law Test in order to be considered for appointment. The Administration would strengthen the training on the Basic Law and the National Security Law for serving civil servants, in particular for new recruits within their three-year probationary period.

20. In response to the enquiry of Mr CHAN Chun-ying, SCS advised that the new content would be incorporated into the Basic Law and National Security Law Test starting from mid-2022.

Advocating dedicated positions with specific responsibilities

21. Mr Martin LIAO expressed concern that the creation of more commissioner posts to take forward specific responsibilities might result in a cumbersome Administration's structure. In response to the questions raised by Mr LIAO and the Chairman, SCS advised that the commissioners would be responsible for coordinating the work of different bureaux/departments ("B/Ds") in specific policy areas. The Administration would gauge views from B/Ds in respect of the creation of additional commissioner posts and ensure that such arrangement would not create a cumbersome structure. The Administration would report further details to this Panel in due course.

Implementation of the requirement for civil servants to sign declaration

22. In response to Mr LEUNG Che-cheung's enquiry on how the Administration could ensure that serving civil servants would genuinely be responsible to the HKSAR Government, SCS advised that the implementation of the National Security Law and the principle of "patriots administering Hong Kong" as well as the improvement to the electoral system provided a solid basis for the development of the civil service. The requirement for civil servants to take an oath or sign a declaration had enabled them to have clearer awareness of the duties, responsibilities and requirements entailed by their official positions.

Action

23. Mr Martin LIAO stressed that the Administration should ensure that all civil servants would genuinely uphold the Basic Law and were committed to serving the community. The Deputy Chairman urged the Administration to consider formulating measures to ensure that serving civil servants who took the oath/signed the declaration would genuinely observe the oath/declaration. Dr CHIANG Lai-wan enquired about the latest position of the civil servants who neglected or refused to duly sign and return the declaration.

24. SCS advised that among those 129 civil servants who had neglected or refused to duly sign and return the declaration, the great majority of them had left the service. The Administration needed more time to handle a few complicated cases, and it was expected that the service of the civil servants concerned would be terminated shortly. He added that cases involving alleged misconduct which might also constitute a breach of the oath/declaration would be dealt with according to the established civil service disciplinary mechanism. The Administration took a serious view on such cases and, where the alleged misconduct could be established, would take stringent disciplinary actions against the officers concerned.

Training for civil servants

25. Noting that four working groups were set up to examine the training on national studies and the Basic Law, leadership development, innovation and technology applications and international collaboration for civil servants, Dr CHIANG Lai-wan asked whether the Administration would in future assess civil servants' understanding of the above areas upon their completion of the relevant training. SCS advised that the Administration would consider assessing, where necessary, the understanding of civil servants on the Basic Law and the National Security Law after they had completed the relevant training, so as to better ensure the effectiveness of the training provided.

26. Dr CHIANG Lai-wan called on the Administration to enhance the training on leadership and innovation for civil servants. Mr Martin LIAO was concerned that the review might give the public an impression that the training provided for civil servants was ineffective in grooming them to fill up the leadership positions of the civil service. As such, he urged the Administration to ensure value for money in the provision of training for civil servants. SCS assured members that the Administration would enhance the training for civil servants to keep them abreast of the fast changing environment while not losing sight of the need to ensure value for money in the provision of civil service training at the same time.

Action

Re-organizing the Government structure

27. Noting that the Administration would re-organize the government structure, Mr SHIU Ka-fai hoped that the re-organization would address the problems of duplication of duties and unclear delineation of responsibilities among B/Ds. Mr LEUNG Che-cheung and the Deputy Chairman enquired about the estimated growth in the civil service establishment under the proposed re-organization.

28. SCS advised that the Administration was working on the detailed proposals on the re-organization of the policy bureaux. He added that there was zero growth in the civil service establishment in 2021-2022. The civil service establishment had increased by 11% within the past four years and the number of civil service posts was nearly 200 000 at present. He stressed that the Administration would keep the civil service establishment under control through re-prioritization and streamlining of work processes to maintain a lean and efficient civil service.

Government's capability in information dissemination and public communication

29. Mr SHIU Ka-fai considered that enhancing Government's capability in information dissemination and public communication should be the Administration's top priority. While commending the Administration for its efforts in this matter, he highlighted the need for the Administration to be more mindful of the words used when disseminating health messages to the public in order to avoid confusion. SCS advised that the Administration had to be cautious in disseminating information to the public in order to ensure such information was accurate and reliable.

30. While appreciating SCS's efforts in taking forward various government policies, Mr Jeffrey LAM opined that there was room for improvement in the dissemination of accurate information and timely clarification of disinformation by some directorate civil servants. SCS agreed that it was important for directorate civil servants to disseminate information and communicate with the public on policies under their purview effectively. He further advised that civil servants' training on information dissemination and public communication would be strengthened.

(At 11:00 am, the Chairman extended the meeting for 15 minutes beyond the appointed ending time to allow sufficient time for discussion.)

Action

Other concerns

31. Concerning that the Government would face fiscal deficits in 2021-2022, Mr Tony TSE asked whether the Administration would implement civil service pay reduction in 2021-2022, and how the Administration would maintain civil service morale in such circumstances. Mrs Regina IP called on the Administration to address the problem of experienced Administrative Officers leaving the civil service to take up appointments in non-government organizations for better remuneration.

32. SCS advised that the Administration noted the challenges faced by civil servants at work. In this connection, apart from offering adequate remuneration to retain and motivate civil servants, the Administration would also provide them with a supportive working environment.

33. The Chairman enquired as to whether the Administration would consider reviewing the four principles, i.e. no additional staffing resources, no reduction in the conditioned hours of work, no reduction in emergency services, and continued provision of essential counter services on Saturdays/Sundays, to enable all civil servants to work on a five-day week ("FDW") basis.

34. SCS advised that currently around 36 000 civil servants were working on a non-FDW pattern. B/Ds had been exploring measures to migrate more staff to FDW pattern, yet it was unavoidable that some posts had to remain in a non-FDW pattern having regard to the staffing resources and operation of B/Ds.

II. Any other business

35. There being no other business, the meeting ended at 11:08 am.