

# 立法會

## *Legislative Council*

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### **Report of the Panel on Welfare Services for submission to the Legislative Council**

#### **Purpose**

This report gives an account of the work of the Panel on Welfare Services ("the Panel") during the 2020-2021 session of the Legislative Council ("LegCo"). It will be tabled at the Council meeting of 20 October 2021 in accordance with Rule 77(14) of the Rules of Procedure.

#### **The Panel**

2. The Panel was formed by a resolution of the Council on 8 July 1998 and as amended on 20 December 2000, 9 October 2002, 11 July 2007 and 2 July 2008 for the purpose of monitoring and examining Government policies and issues of public concern relating to welfare (including women welfare) and rehabilitation services, poverty, social enterprise and the Family Council. The terms of reference of the Panel are in **Appendix I**.

3. The Panel comprises 13 members, with Dr Hon CHIANG Lai-wan and Hon YIU Si-wing elected as its Chairman and Deputy Chairman respectively. The membership list of the Panel is in **Appendix II**.

#### **Major work**

##### Planning for social welfare facilities and services

##### *Overall planning*

4. There has long been a shortage of welfare facilities, resulting in long waiting time for different types of services and area shortfall for some services. At the same time, there has been an increasing demand for

welfare facilities as a result of ageing population, keen community demand for child care services, need for more population-based or district-based welfare facilities, as well as new service requirements or enhancements in response to changing societal needs. The Panel has kept monitoring the long, medium and short-term strategies and measures adopted, and the progress made by the Administration to identify suitable sites or premises for the provision of more welfare facilities to meet the service demand. In the session, members gave views on the overall planning for social welfare facilities, and had focus discussions on the welfare facility projects funded by the Lotteries Fund ("LF"), the long-term planning for provision of child care services and the implementation of the Elderly Services Programme Plan at three separate meetings.

5. Members were pleased to note that the Administration had updated and would continue to update the Hong Kong Planning Standards and Guidelines to stipulate the population-based planning ratios for different types of child care, elderly and rehabilitation services. However, members expressed deep concern that there was an absence of a clear picture of the current and future population-based and district-based demand and supply of various welfare services as well as a concrete plan of the Administration to address the shortfall in the short, medium and long term. This apart, to enable better district service planning, the Administration should analyze the age distribution and demographic characteristics of the population in each district, such as the number of dual working parents and the proportion of children population. While the Government had already invited the Hong Kong Housing Authority and the Hong Kong Housing Society to reserve about 5% of the total domestic gross floor area in future public housing development projects exclusively for welfare uses following the announcement of the relevant initiative in the Chief Executive's 2020 Policy Address, members were concerned that public housing development projects normally took around 10 years to complete from the initial planning stage. Hence, the additional service places (such as the increase of 10 000 residential care places for the elderly) under the projects concerned would only be provided with completion dates in the second five years period, i.e. from 2025-2026 onwards and beyond. This implied that the long-standing problem of long service waiting time could hardly be resolved in the short term.

6. The Administration advised that through the \$20 billion allocation for the purchase of premises for the provision of welfare facilities, which was a short-term approach it adopted to address the acute shortfall of welfare facilities, the Government Property Agency was assisting the Social Welfare Department ("SWD") in identifying suitable non-domestic premises for the provision of around 160 welfare facilities from 2021-2024 in phases

(including the provision of 1 000 additional long full day child care service places). Members were concerned that the progress of the purchase exercise would very much hinge on the availability of suitable premises in the market identified through surveying and the number of sales proposals received through open invitation. There was a view that since the number of premises the Administration could rent would be much greater than that it could purchase with the \$20 billion allocation amidst the economic downturn and the drop in rental market of non-domestic premises, the Administration should reconsider the use of the \$20 billion allocation. At the request of members, the Administration originally undertook to report to the Panel in October 2021 on the progress made so far under the purchase exercise. However, the Administration subsequently advised that it was not in a position to do so but would update the Panel on the subject as and when appropriate.

7. Members noted that a medium strategy adopted by the Administration to increase the supply of welfare facilities was the Special Scheme on Privately Owned Sites for Welfare Uses ("Special Sites Scheme"), which encouraged non-governmental organizations ("NGOs") to provide or increase on their own sites, through expansion, redevelopment or new development, those welfare facilities considered by the Administration as being in acute demand. Members were gravely concerned that while Phase One of the Special Sites Scheme was launched in September 2013 and covered 50 service proposals (involving about 9 000 additional elderly service places and about 8 000 additional rehabilitation service places) after review, only six projects had been completed. As regards Phase Two of the Special Sites Scheme which was launched in April 2019, SWD was still discussing with the applicant organizations to finalize details of the proposals. Members called on the Administration to expedite the implementation of the service proposals, in particular those related to the increase of the elderly and child care service places.

#### *Welfare facility projects funded by the Lotteries Fund*

8. The Panel was briefed by the Administration on its plans to seek funding from LF for the new welfare facility projects in the 2021-2022 financial year and the latest development of the welfare facility projects which were included in the annual briefing for the Panel in May 2020. Noting that the Administration had obtained funding from LF from 2018-2019 to 2020-2021 for 36 welfare facility projects but only planned to seek funding from LF in 2021-2022 in respect of seven new welfare facility projects, members were concerned about whether the number was lower than the planned target to meet the demand of the community for welfare facilities. Members were advised that not all welfare facility projects would be funded

by LF. The construction cost of certain welfare facilities would be met by the Block Allocation of Capital Work Reserve Fund. As another means to provide welfare facilities, SWD had worked with the Development Bureau to identify suitable land sale sites and require private developers through land sale conditions to design and construct bare-shell premises for proposed welfare facilities according to SWD's specifications. Expressing concern that only two out of the seven welfare facility projects planned to seek funding from LF in 2021-2022 had mapped out the estimated service commencement date, members urged the Administration to compress the implementation timetable as far as practicable.

9. The Panel was also consulted on the Administration's proposal to inject \$1.1 billion into LF. Members noted that the reason for the proposed injection into LF was due to the substantial decrease in the proceeds from the Mark Six Lottery, which had all along been the main source of recurrent revenue of LF, in 2020-2021 under the coronavirus disease 2019 ("COVID-19") epidemic. It was expected that the injection would benefit some 40 welfare projects in the pipeline which would seek funding from LF in the coming two years for pre-construction consultancy services. While not objecting to the proposal which sought to ensure that the planning of much-needed welfare service premises would not be affected by the temporary drop in the LF's revenue and the relevant projects could proceed as scheduled, members raised concern over the investment strategies adopted for LF to ensure its long-term financial sustainability; the mechanism in place for monitoring the project costs; and whether additional injection would be required in the next one or two years.

#### *Long-term planning for provision of child care services*

10. On the provision of child care service places, members specifically urged the Administration to reserve lower floors of new public rental housing for the setting up of child care centres to provide more day child care services; increase the service places and raise the level of incentive payment to attract more people to serve as home-based child carers under the Neighbourhood Support Child Care Project; and expedite the re-engineering of the Mutual Help Child Care Centres to provide aided after-school care services for pre-primary children. Holding the view that it was of paramount importance that child care services would be kept abreast with the times, some members criticized that the Administration had neither drawn up a long-term plan for the provision of child care service places to meet the needs of the community in the new age, nor provided concrete responses to take forward the recommendations put forth in the final report of the Consultancy Study on the Long-term Development of Child Care Services which was submitted to the Administration in 2018. Some members held the view that

home-based child caring services was an emerging industry and creating job opportunities in child care services could unleash women labour force and benefit the development of local economy. Noting that many grass-root women had lost their job for the time being due to the COVID-19 epidemic, there was a suggestion that the Administration should assist these women in re-entering the labour force in the future by providing them with re-training subsidy for receiving training in relation to child caring.

#### *Implementation of the Elderly Services Programme Plan*

11. The Elderly Services Programme Plan was submitted by the Elderly Commission to the Administration in June 2017, in which 20 recommendations on the future development of elderly services were put forth under four strategic directions to meet the challenges to elderly services arising from an ageing population. In the session, the Panel received an update from the Administration on the progress of its follow-up work on the recommendations. Members noted that eight of the 20 recommendations had been completed or were on-going, whereas work for the other 12 had commenced. Members were particularly concerned about the measures in place to address the acute manpower shortage of care workers. Some members considered that importation of labour for care workers should be explored. Some other members held the view that efforts should be devoted to attract local labour to join the care sector. There was a call for the Administration to promote greater use of information technology in elderly and rehabilitation care and the application of gerontechnology in the community, with a view to improving the quality of life of service users as well as reducing the burden and pressure on care staff and carers.

#### Mandatory reporting requirement for suspected child abuse cases

12. The protection of children from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child is a fundamental right guaranteed by the United Nations Convention on the Rights of the Child. While there have long been calls from some quarters of the community for mandatory reporting for the purpose of early and effective detection of suspected child abuse case, at the very least by those professionals who have frequent contacts with children, reporting of child abuse is currently voluntary in Hong Kong. The court case in April 2021 on the death of a five-year-old child in 2018 due to abuse by her parents has revived the concern about possible under-reporting of such cases in Hong Kong. At the Panel's request, the Administration exchanged views with members in May 2021 on the formulation of a mandatory reporting mechanism and the

strengthening of the work on prevention of child abuse cases.

13. Members in general considered that reporting of child abuse cases should be a statutory requirement for certain designated professionals including teachers, child care workers, social workers and healthcare professionals, who could be equipped with the necessary expertise to identify substantiated abuse cases for reporting. There was however concern that there might be cases whereby the designated personnel might incline to report all suspected cases in order not to be held criminally liable. Mandatory reporting might also result in loss of trust of the clients in the case workers, particularly for cases involving sexual abuse of children. To address these issues of concern, members suggested that there should be a clear threshold of reporting and sufficient protection to safeguard reporters' interest. They urged the Administration to hammer out the details and draw up an implementation timetable as soon as possible. The Administration subsequently advised the Panel in September 2021 that a cross-bureaux working group, comprising the Labour and Welfare Bureau, the Education Bureau, the Food and Health Bureau and the Security Bureau, had been set up to explore the possibility of introducing a mandatory reporting mechanism for suspected child abuse and neglect cases. As a next step, views from stakeholders would be sought on the key parameters identified by the working group as essential for considering a mandatory mechanism and whether legislation is the appropriate way forward. Subject to the outcome of the views collection exercise, the working group would proceed to map out the legislative proposal for further consultation with stakeholders.

14. It was announced in the Chief Executive's 2021 Policy Address that upon consultation with stakeholders, the Administration was formulating a legislative proposal to provide for a mandatory reporting mechanism on child abuse cases with the target of introducing the relevant bill into the Seventh LegCo. Training for practitioners in the relevant professions to identify child abuse cases would be enhanced at the same time to facilitate the implementation of the mandatory reporting mechanism. Noting that the target of the Administration was to introduce the bill into LegCo in the first half of 2023, members urged the Administration to expedite the work in this regard. They considered that the Administration should also take forward the legislative work in tandem with the recommendation put forth by the Law Reform Commission of Hong Kong to introduce a new offence of "failure to protect a child or vulnerable person where the child's or vulnerable person's death or serious harm results from an unlawful act or neglect" for better protection of children and vulnerable persons.

## Service and support during the coronavirus disease 2019 epidemic

### *Welfare services under the coronavirus disease 2019 epidemic*

15. With the adoption of stringent border control measures to guard against imported cases and social distancing measures to prevent the spread of the COVID-19 virus in the community, Hong Kong has overcome wave after wave of the epidemic, and achieved zero local infections on many days in the fight against COVID-19. The last wave, or the fourth wave, of the local epidemic began in late November 2020 and reached its two peaks in mid-December 2020 and mid-January 2021. With the putting in place of a series of stringent anti-epidemic measures by the Administration at the time to tackle the wave, the Panel had a discussion with the Administration in February 2021 by videoconferencing on the social welfare support provided to the elderly, persons with disabilities, children and the grass-roots during the epidemic. Members urged the Administration to strike a proper balance between reducing the risk of spreading COVID-19 in the community with adjustments to the mode and frequency of essential services and addressing the service needs. In their view, home-based physiotherapy and cleaning services should be continued during the epidemic for frail singleton elderly persons and elderly couples living alone. Since no visiting at RCHEs was allowed during the epidemic unless on compassionate grounds, welfare service units and social workers should maintain frequent contact with the elderly residents to understand their needs, and strengthen their communication with family members of the residents on the residents' conditions. Given that the risk of severe illness from COVID-19 increased with age, some members called on the Administration to pursue all ways to facilitate vaccination of residents and staff members of RCHEs.

### *Additional support for individuals and families with financial difficulties*

16. The Working Family Allowance Scheme ("the WFA Scheme") is a pro-employment measure aims to support lower-income working households who are not on Comprehensive Social Security Assistance ("CSSA") and have longer working hours to encourage self-reliance and alleviate intergenerational poverty. The Short-term Food Assistance Service Projects ("STFASPs") provide one-off basic food assistance for a specified period to help individuals and families encountering sudden change and facing immediate financial hardship in coping with their daily food expenditure. Since the protracted COVID-19 epidemic has caused wages and household income came under pressures and many to contend with lay-offs, the Panel was consulted on two sets of one-year time-limited measures to render additional support to individuals and families with financial difficulties, namely the abolishment of the Individual-based Work Incentive Transport

Subsidy ("WITS") Scheme for redeploying the resources to reduce the working hour requirements for the Basic and the Medium Allowances under the WFA Scheme and the relaxation of the asset limits of STFASPs by pitching the asset limits to those of WFA Scheme.

17. Members in general agreed with the broad direction of these measures. Taking into account that the COVID-19 epidemic had presented unprecedented challenges to the local economy, members proposed a number of additional time-limited arrangements for the WFA Scheme for consideration of the Administration. These included lowering also the working hour requirement for the Higher Allowance; providing a time-limited elderly allowance to recipients who were living with elderly family members; disbursing the allowance to applicants first and vetting their applications afterwards to enable applicants to receive the allowance earlier; and reducing the claim period of applications to cover the immediate past three calendar months instead of the immediate past six calendar months before submission. As regards STFASPs, members called on the Administration to allocate additional financial resources to operators of STFASPs in order to meet the increase in demand arising from the proposed time-limited measure.

#### Monitoring of residential care homes

18. It was announced in the 2016 Policy Address that the Government would comprehensively strengthen the monitoring of residential care homes for the elderly ("RCHes") and residential care homes for persons with disabilities ("RCHDs"), with measures including enhancing inspection and supervision, improving the regulatory mechanism and promoting staff training, etc. To take forward these initiatives, a time-limited supernumerary post of Assistant Director of Social Welfare ("ADSW") with the post title of Assistant Director (Licensing and Regulation) was created in 2017 up to 31 March 2021 to head the newly established Licensing and Regulation Branch ("LR Branch") in SWD. In the session, the Panel was consulted on the proposal of retaining the above supernumerary post for a period of three years to continue to head the LR Branch.

19. Members agreed in principle that with the rapidly ageing population, the demand for elderly and rehabilitation services would continue to increase and hence, SWD had a continued need for having the necessary manpower to monitor residential care homes ("RCHs") and enhance their level of services. Members however requested the Administration to advise concretely how the retention of the supernumerary post of ADSW could strengthen the planning and development, and monitoring the service quality of RCHs in the next three years. The Administration advised that apart



from continuously heading the LR Branch in implementing various regulatory and enhancement measures, handling licensing and inspection matters as well as responding to complaints against RCHs, the post holder would examine and implement a number of proposals to further enhance the monitoring of RCHs and their service quality. These included strengthening infection controls and personal and environmental hygiene measures in the RCHs to lower the risk of collective infection and ensure the safety of the residents and staff members; and rendering support to the newly recruited staff members of RCHs by organizing staff sharing sessions and workshops regularly to facilitate professional development of residential care services. Separately, an amendment bill would be introduced into LegCo in 2022 to improve the quality of services provided by RCHEs and RCHDs.

### Support for underprivileged groups in the community

#### *Community and residential care services for the elderly*

20. The policy objective of the Administration on elderly services is to accord priority to the provision of home care and community care, which are supplemented by residential care, so as to assist elderly persons to age in place in their familiar communities for as long as possible. In the session, members discussed with the Administration the community and residential care services for the elderly. Expressing concern about the adequacy and the quality of the residential care services for the elderly, some members suggested that the Administration should encourage the establishment of RCHEs in the Guangdong-Hong Kong-Macao Greater Bay Area and purchase these places for Hong Kong elders on the Central Waiting List. Separately, the Panel passed two motions urging the Government to allocate additional resources and foster collaboration among relevant departments in order that all RCHs could use the Community Geriatric Assessment Service provided by the Hospital Authority ("HA") in the 2020-2021 financial year; and put forward a proposal for providing additional resources to facilitate the upgrading of most of the EA2 homes to EA1 homes expeditiously so as to enable the elderly to enjoy life in their twilight years.

21. Another motion urging the Government to put in place a basket of measures to enhance both the community and residential care services for the elderly was passed by the Panel. The proposed measures included allocating additional resources and formulating short, medium and long-term goals for various community care services based on the waitlisting situation of and actual needs for such services; deploying the resources currently allocated to the Pilot Scheme on Support for Elderly Persons Discharged from Public Hospitals after Treatment to the Integrated Discharge Support Programme for Elderly Patients to better utilize resources; increasing the

number of and service places for subvented RCHEs and RCHDs; introducing legislative amendments to increase bedroom area of RCHs; and taking stringent enforcement actions against non-compliance cases of private RCHEs and subvented RCHs.

22. To facilitate residents of RCHEs in need to use medication properly and safely, members had a separate discussion with the Administration on drug management in RCHEs. Members in general were of the view that efforts should be made by the Administration to strengthen training on subjects covering drug safety for RCHE staff to enhance their knowledge and skills for taking care of the elderly, and encourage RCHEs to apply for the Innovation and Technology Fund for Application in Elderly and Rehabilitation Care for procurement or rental of drug management technology products to assist them in drug management. Members were advised that in the longer term, the Residential Care Homes (Elderly Persons) Regulation (Cap. 459A) would be amended to include provisions relating to care service so that RCHs should properly manage drugs and strictly follow doctors' prescription in assisting residents to take medication.

*Support for victims of domestic violence and sexual violence*

23. Another focus of the Panel in the session was the support for victims of domestic violence and sexual violence, in particular during the COVID-19 epidemic whereby many families were facing unemployment and financial hardship due to economic downturn and parents were confined at home to take care of their children all day long under the suspension of classes. Members were gravely concerned that while there was an increase in the number of calls received by hotlines of NGOs providing support for victims of domestic violence under the epidemic, the number of calls received by SWD's 24-hour one-stop hotline had decreased during the same period. This apart, the number of spouse or cohabitant battering cases and child protection cases referred by different parties (including the Police) to SWD had decreased. There were suggestions that the Administration should commission an independent third party to conduct a survey on the effectiveness of SWD's preventive, supportive and specialized services to combat domestic violence, including its hotline service; examine the trend of domestic violence at different stages of the epidemic; and arrange Integrated Family Service Centres to provide round-the-clock service to facilitate individuals or families facing domestic violence or in crisis to seek refuge service during non-office hours.

*Support for children and youth*

24. In the session, members also deliberated the welfare and support

services relating to the growth and development of children and youth provided by SWD. Members were concerned about the current arrangement that the implementation of the Pilot Scheme on Social Work Service for Pre-primary Institutions and the measure of "two school social workers for each school" in secondary schools fell within the policy purview of the Labour and Welfare Bureau, whereas the implementation of the measure of "one school social worker for each school" in all public sector and Direct Subsidy Scheme primary schools through a new funding mode was under the purview of the Education Bureau. They considered that the two Bureaux should keep in view of the development and discuss the way forward. Members also made various suggestions to strengthen the provision of child care services, rehabilitation services for children with special needs in kindergartens or kindergarten-cum-child care centres and services for at-risk youth. There was a view that the Administration should comprehensively review and enhance the Child Development Fund in various fronts, including expanding the coverage of the Fund to all children and providing children with targeted savings from childhood with contributions from the Government and parents if they wished to do so.

25. As a related issue, the Panel was briefed on the progress of a consultancy study commissioned by the Commission on Children on developing a Central Databank on Children ("CDC") in Hong Kong, which was aimed to be completed in around mid-2022. Members noted that the proposed CDC could enable the Government and/or relevant non-government stakeholders to collect and share useful data on children. In their view, wider benefits could be brought about by data linkage projects focusing on prevention and early intervention if privacy, security and ethical concerns could be properly addressed. The Administration advised that at the macro-level, the CDC administrator would keep a central databank with non-identifiable data from policy bureaux or government departments for the purpose of "trend monitoring" and "policy appraisal". At the micro-level, the relevant policy bureaux or government departments would retain data with identifiable data in their respective databanks for the purposes of "prevention & early intervention" and "case tracking". The Commission on Children had agreed that an incremental approach should be adopted in the development of CDC by rolling out an "Initial Central Databank" in selected themes or segments first. Taking into account the concerns expressed by stakeholders in the engagement exercise, "Risk of abuse and neglect" and "Children with special educational needs" were selected as the priority areas for further examination by the consultant in its final analysis. Members requested the Administration to revert to the Panel in the next LegCo term the outcome of the consultancy study.

### *Support for carers*

26. Support for carers is one of the key elements of the strategic development of the social welfare policy. In the session, the Panel gave views on the commissioned study on support for carers which sought to understand from carers, service providers, professionals and other stakeholders the needs and service expectations of carers of elderly persons and persons with disabilities. Members considered that the study, which was expected to be completed in 2021, should address the increasing common phenomenon of "seniors caring for seniors"; expand the definition of "carers" from only covering family carers to include also carers who were not family members but were the sole caregivers of elderly persons or persons with disabilities; and explore how more timely assistance and support could be provided to carers, including the provision of subsidy to needy elderly persons and their carers to acquire gerontechnological products. Given that foreign domestic helpers played the role of primary carer of elderly persons in many families, some members urged the Administration to promote professional ethics to these helpers. The Administration undertook to revert to the Panel in the next LegCo term the outcome of the study.

### *Support services for students with hearing impairment*

27. Of equal concern to members in the session was the support services for students with hearing impairment. Members noted that for the external speech processor of cochlear implant, they were not covered by the standard fees and charges of HA. While the current supplier of external speech processors of HA provided three-year warranty, patients had to bear the repair and maintenance cost of the external speech processors upon expiry of the warranty period. There was a view that apart from providing financial assistance to needy patients under the Samaritan Fund, the Administration should provide vouchers to students with hearing impairment so as to provide greater flexibility for them to choose hearing aids that most suited their needs. Members also called on the Administration to strengthen school-based support to facilitate the learning of the students with hearing impairment.

### Poverty alleviation

28. Social security plays an essential role in helping people meet their basic needs and alleviating poverty. It has always been a key area of concern of the Panel. Members were consulted in November 2020 on the proposed annual adjustment of social security payment rates under the CSSA Scheme and the Social Security Allowance Scheme, and issues relating to

rent allowance under the CSSA Scheme with effect from February 2021. While not objecting the proposal, members considered that there was a need for the Administration to conduct a comprehensive review of the CSSA Scheme to better meet the needs of various disadvantage groups in the community. A motion was passed at the meeting requesting the Government to relax the asset limits for applying for the Scheme; extend the grace period for excluding the owner-occupied residential property of able-bodied households from the asset test; allow application for the Scheme on individual basis; and disregard the cash value of insurance policies in the calculation of the total value of capital assets. On the last proposal, members were pleased to note from the Chief Executive's 2020 Policy Address that the Administration would implement a time-limited arrangement, under which the total cash value of insurance policies of able-bodied CSSA applicants would be disregarded as assets so that more unemployed persons could receive assistance to tide over their economic difficulties.

29. In the session, the Panel also discussed the Administration's initiatives to provide one-off extra allowances to recipients of social security payments, WFA and Individual-based WITS as proposed in the 2021-2022 Budget. Noting that the Administration's plan was to disburse the one-off extra allowance a month after the passage of the Appropriation Bill, members urged the Administration to expedite the disbursement of payments as early as possible, say, two weeks after the passage of the Appropriation Bill. Given the prevailing under-employment situation and the one-off nature of the extra allowance, there was a view that existing recipients of WFA and WITS should automatically be eligible for the one-off extra allowance.

30. The Panel continued its ongoing effort to monitor the poverty situation in Hong Kong. Members were concerned that it took more than one year for the Administration to compile the yearly poverty situation report. They suggested that an interim poverty situation report should be published every six months to keep members of the public abreast of the latest poverty statistics. In the light of members' concern, the Administration undertook to speed up the process and aimed to complete the Hong Kong Poverty Situation Report 2020 in the fourth quarter of 2021. On the poverty situation in 2019, members considered that the size of poor population before policy intervention was alarming. They were concerned about the appropriateness to adopt the concept of "relative poverty" in setting the poverty line which might leave some people in poverty being neglected. In addition, household income should not be the sole indicator for measuring poverty as many persons generated income from their assets. In view of the unprecedented challenges posed by the COVID-19 in some industries, members urged the Administration to analyze the poverty situation of the

unemployed persons under the epidemic and implement targeted measures to lift these persons out of poverty. Reference could be made to the poverty alleviation approach adopted by the Mainland to equip persons in poverty with the skills to become self-reliant.

31. The Chief Executive announced in January 2020 the initiative of combining the Normal Old Age Living Allowance ("OALA") and Higher OALA with the adoption of the higher payment rate of OALA and the raising of the standardized asset limits. Subsequently, it was announced in the Chief Executive's 2020 Policy Address Supplement that in light of the significant financial implications of the two measures, the timing of implementation would be reassessed. Members noted that OALA had lifted around 150 000 persons out of poverty and reduced the overall poverty rate by 2.2 percentage points in 2019. Taking into account that the above initiative would benefit some 50 000 current recipients of Normal OALA to receive the higher payment rate and an additional 100 000 elderly persons to become eligible for OALA due to the upward adjustment of asset limits, members had, on different occasions, kept requesting the Administration to provide the timetable for implementing the initiative. It was later announced in the Chief Executive's 2021 Policy Address that the Administration planned to merge the Normal and Higher OALA in the second half of 2022, so that the more lenient asset limits of the Normal OALA would be adopted across-the-board, and eligible applicants would receive payment at the Higher OALA rate. Members expressed dissatisfaction that while the implementation of the initiative would only increase the Government's recurrent expenditure by about \$0.8 billion per year, it took the Administration about two years to assess the financial implications and required another 10 months to implement the initiative.

#### Review on enhancement of the Lump Sum Grant Subvention System

32. To enable the Lump Sum Grant Subvention System ("LSGSS") keep pace with time, it was announced in the Policy Agenda of the Chief Executive's 2017 Policy Address that the Government would discuss with the social welfare sector on how to optimize LSGSS. The Task Force for Review on Enhancement of Lump Sum Grant Subvention System ("Task Force") was set up in November 2017 to conduct a review on the enhancement of LSGSS. In the session, the Panel was briefed by the Administration on findings and recommendations of the review. Members noted that the Task Force had made a total of 30 recommendations under five domains, namely, the quality of welfare services; the staffing establishment, subvention benchmark and human resource management; the financial planning; the relevance of utilizing LSG subvention; and the accountability and corporate governance of NGOs. The plan of the Administration was to

discuss with stakeholders on how to take forward these recommendations in a systematic manner, which were expected to be introduced gradually starting from 2022-2023. Some members considered that the review had failed to address the crux of the problems of LSGSS, particularly the concerns about salary structure and salary benchmark which had resulted in high staff turnover, as well as the restrictions on the utilization of lump sum grant subvention for Funding and Service Agreement-related activities which had diminished NGOs' flexibility in meeting the changing service needs. There was a suggestion that representatives of the Administration should sit in at meetings of the governing boards of the NGOs concerned to better understand their problems and to monitor the implementation of the target measures to address the problems so identified.

### Registration of social workers

33. The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region ("NSL") was enacted by the Standing Committee of the National People's Congress on 30 June 2020. Article 3 of NSL provides that it is the duty of the Hong Kong Special Administrative Region ("HKSAR") to safeguard national security, and the executive authorities, legislature and judiciary of HKSAR shall effectively prevent, suppress and punish any act or activity endangering national security in accordance with NSL and other relevant laws. Article 9 provides that the HKSAR Government shall take necessary measures to strengthen public communication, guidance, supervision and regulation over matters concerning national security, including those relating to schools, universities, social organizations, the media, and the internet. The Panel was consulted on the Administration's proposal to amend Schedule 2 of the Social Workers Registration Ordinance (Cap. 505) so that a person convicted of any offence endangering national security shall be disentitled from being or continuing to be a registered social worker, unless all members of the Social Workers Registration Board ("SWRB") resolved otherwise.

34. Members supported the broad direction of the proposed legislative amendments. They pointed out that the social work profession, through serving in social organizations, played a pivotal role in helping people in need and shouldered social responsibility towards their service users with whom they were in frequent contact. Social workers, with the trust of service users, stood to exert on them significant influence in matters including those of concern to national security. Persons convicted of offences endangering national security, if permitted to discharge the duties of social workers, would put the interest of the service users at stake, cast doubt on the integrity of the social work profession and tarnish the professional image of social workers. For the sake of public interest,

members went further to suggest that the composition of SWRB should be adjusted by increasing the number of lay members appointed by the Chief Executive to SWRB so as to enhance public accountability and credibility of SWRB in discharging its self-regulatory function. Taking note of the views of members, the Administration advised that the relevant legislative amendments would be introduced into the Seventh LegCo under the negative vetting procedure.

### Subcommittee on Issues Relating to the Silver Age Card

35. The Subcommittee established under the Panel commenced its work in December 2020 to study and follow up welfare benefits to which members of the public aged between 60 and 64 ("silver-age persons") are currently entitled, as well as the feasibility of introducing the Silver Age Card. The Subcommittee had held five meetings from February to July 2021 to discuss with the Administration various issues of concern including the proposal of introducing Silver Age Card, the latest employment and retirement situation of silver-age persons and the relevant support measures, application of technology to facilitate older persons to integrate into the community and age in place, health status and average healthcare expenditure of silver-age persons, poverty situation of silver-age persons and measures to assist these persons, consumption patterns of silver-age persons and business opportunity of the silver age market, and the progress of incorporating persons aged 60 to 64 under the Government Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities. The Subcommittee also paid a visit to the Jockey Club "age at home" Gerontech Education and Rental Service Centre and the Gerontech Cleaning and Maintenance Service Centre to better understand the latest gerontech applications in Hong Kong. The Subcommittee had completed its work and would provide a report to the Panel.

### **Meetings held**

36. During the period between October 2020 and October 2021, the Panel held a total of 14 meetings including an informal meeting for receiving the briefing by the Secretary of Labour and Welfare and the Under Secretary for Home Affairs on the Chief Executive's 2020 Policy Address by videoconferencing.



**Legislative Council**

**Panel on Welfare Services**

**Terms of Reference**

1. To monitor and examine Government policies and issues of public concern relating to welfare (including women welfare) and rehabilitation services, poverty, social enterprise and Family Council.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

**Panel on Welfare Services**

**Membership list for the 2020 - 2021 session\***

<b>Chairman</b>	Dr Hon CHIANG Lai-wan, SBS, JP
<b>Deputy Chairman</b>	Hon YIU Si-wing, SBS
<b>Members</b>	Hon Starry LEE Wai-king, SBS, JP Hon Michael TIEN Puk-sun, BBS, JP Hon LEUNG Che-cheung, SBS, MH, JP Hon KWOK Wai-keung, JP Hon POON Siu-ping, BBS, MH Hon Holden CHOW Ho-ding Hon Wilson OR Chong-shing, MH Dr Hon Pierre CHAN Hon LUK Chung-hung, JP Hon LAU Kwok-fan, MH, JP Hon Vincent CHENG Wing-shun, MH, JP  (Total : 13 members)
<b>Clerk</b>	Miss Lilian MOK (up to 17 January 2021) Ms Maisie LAM (since 18 January 2021)
<b>Legal adviser</b>	Miss Rachel DAI (up to 14 March 2021) Ms Clara WONG (since 15 March 2021)

\* Changes in membership are shown in Annex to Appendix II.

**Annex to Appendix II**

**Panel on Welfare Services**

**Changes in membership**

<b>Member</b>	<b>Relevant date</b>
Hon James TO Kun-sun	Up to 2 November 2020
Hon Tommy CHEUNG Yu-yan, GBS, JP	Up to 3 November 2020
Hon Claudia MO	Up to 3 November 2020
Hon Frankie YICK Chi-ming, SBS, JP	Up to 3 November 2020
Hon LAM Cheuk-ting	Up to 3 November 2020
Dr Hon Helena WONG Pik-wan	Up to 4 November 2020
Prof Hon Joseph LEE Kok-long, SBS, JP	Up to 10 November 2020
Hon Charles Peter MOK, JP	Up to 10 November 2020
Hon IP Kin-yuen	Up to 10 November 2020
Hon HUI Chi-fung	Up to 11 November 2020
Hon SHIU Ka-chun	Up to 11 November 2020
Hon Jeremy TAM Man-ho	Up to 11 November 2020
Hon WU Chi-wai, MH	Up to 12 November 2020
Hon Andrew WAN Siu-kin	Up to 12 November 2020
Hon KWONG Chun-yu	Up to 12 November 2020
Hon LEUNG Yiu-chung	Up to 15 November 2020
Dr Hon Fernando CHEUNG Chiu-hung	Up to 18 November 2020
Hon Alice MAK Mei-kuen, BBS, JP	Up to 1 December 2020
Hon YUNG Hoi-yan, JP	Up to 1 December 2020
Hon CHAN Chun-ying, JP	Up to 1 December 2020
Hon Kenneth LAU Ip-keung, BBS, MH, JP	Up to 1 December 2020
Hon Elizabeth QUAT, BBS, JP	Up to 3 December 2020
Hon CHEUNG Kwok-kwan, JP	Up to 3 December 2020
Hon CHAN Han-pan, BBS, JP	Up to 6 December 2020
Hon Christopher CHEUNG Wah-fung, SBS, JP	Up to 6 December 2020
Hon Martin LIAO Cheung-kong, GBS, JP	Up to 6 December 2020
Hon WONG Ting-kwong, GBS, JP	Up to 8 December 2020
Hon Steven HO Chun-yin, BBS	Up to 8 December 2020
Hon CHAN Hak-kan, BBS, JP	Up to 10 December 2020
Dr Hon CHENG Chung-tai	Up to 25 August 2021

For **changes in LegCo Membership**, please refer to the link below:  
(<https://www.legco.gov.hk/general/english/members/yr16-20/notes.htm>)