

立法會 *Legislative Council*

LC Paper No. CB(4)1023/2022

Ref: CB4/PL/PS

Report of the Panel on Public Service for submission to the Legislative Council

Purpose

This report gives an account of the work of the Panel on Public Service (“the Panel”) during the 2022 Legislative Council session. It will be tabled at the Council meeting of 7 December 2022 in accordance with Rule 77(14) of the Rules of Procedure of the Council.

The Panel

2. The Panel was formed by a resolution passed by the Council on 8 July 1998 and as amended on 20 December 2000, 9 October 2002, 11 July 2007, 2 July 2008 and 26 October 2022 for the purpose of monitoring and examining government policies and issues of public concern relating to the civil service and government-funded public bodies, and other public service organizations. The terms of reference of the Panel are in **Appendix 1**.

3. The Panel comprises 18 members, with Hon KWOK Wai-keung and Hon SO Cheung-wing elected Chairman and Deputy Chairman of the Panel respectively. The membership list of the Panel is in **Appendix 2**.

Major work

Civil service establishment, strength, retirement, resignation, age profile and gender profile

4. The Administration provided an updated overview of the civil service establishment, strength, retirement, resignation, age profile and gender profile. Members noted that as at 31 March 2021, the civil service establishment and

strength stood at around 192 000 and 178 000 respectively. As at 31 March 2022, the establishment was around 193 000 and the strength was around 176 000.

5. Members were concerned about the significant difference and widening gap between the civil service establishment and strength. As the difference was an indication of manpower shortage and increasing workload in the civil service, members considered there a need to narrow down the gap between the establishment and strength as soon as possible. There was also worry that if the gap was not reduced, the public would have an impression that there were a lot of redundant civil servants.

6. Members were given to know that vacancies existed in the civil service mainly because of the lead time required for conducting recruitment exercises. To help bureaux/departments (“B/Ds”) to fill vacancies timely, members suggested that the Administration should review and speed up the recruitment process, encourage B/Ds to make early recruitment planning and arrangements, and conduct year-round recruitment where possible. Meanwhile, the Administration should better understand individual department’s overall manpower situation and harness technologies to enhance work efficiency, so as to address the heavy workload of staff and boost morale.

7. Members noted that the resignation rate of civil servants had increased from 0.8% to 2.1% of the civil service strength in the five-year period from 2017-2018 to 2021-2022. Some members considered the increase alarming and urged the Administration to explore feasible means to attract and retain civil servants. There were suggestions that the Administration should step up the promotional efforts in recruitment, make good use of social media to promote the good stories of civil service, conduct career talks in the Mainland universities to attract Hong Kong students to apply for civil service jobs, provide reasonable annual pay adjustment to civil servants and legislate to protect public officers enforcing the laws from being arbitrarily insulted to ensure that the public would appreciate and respect public officers.

8. Members also expressed concern about the age profile of directorate civil servants. The directorate strength in the age group of 50 or above had been on a continuous increase and there were about 77.4% of its strength in 2021-2022. The Administration was urged to devise succession plans and identify adequate civil servants of suitable calibre for grooming and training to be future leaders.

Non-civil service contract staff

9. The Panel was briefed on the latest situation concerning the employment of Non-Civil Service Contract (“NCSC”) staff by the Government. Members noted that as at 30 June 2021, there were about 3 380 NCSC staff who had continuous service of five years or more, 2 029 NCSC staff had continuous service of 10 years or more, and 967 NCSC staff had been engaged in different NCSC positions within the same department for five years or more. They urged the Administration to ensure that the engagement of NCSC staff by B/Ds had complied with the prescribed ambit of the NCSC Staff Scheme and review the employment situation of NCSC staff from time to time to ascertain the need for replacing the positions with established long-term service needs by civil service posts. In particular, the Administration was asked to replace NCSC positions which were created to meet the latest expertise in a specific area of the labour market by civil service posts in order to retain talents.

10. Members noted that under the guiding principles of the NCSC Staff Scheme, the terms and conditions of service of NCSC staff should be no more favourable than those applicable to civil servants in comparable civil service ranks or with a comparable level of responsibility. Some members were of the view that the remuneration of NCSC staff should be on par with that of their counterparts in the civil service and the existing rule that the salaries of NCSC staff should not exceed the salary mid-point of comparable civil service ranks should be relaxed.

11. Regarding the length of NCSC contracts, there was a suggestion that instead of renewing the contacts of NCSC staff on an annual basis, the Administration should consider extending the length of contracts of NCSC staff with continuous services of certain years to enhance their job security and maintain the standard of services. To boost the morale of NCSC, the Administration was asked to consider according priority to employing NCSC staff with outstanding performance.

12. There was concern about the shortage of NCSC seasonal lifeguards in the Leisure and Cultural Services Department (“LCSD”) which led to the closure of some public swimming pools and gazetted beaches during swimming seasons. Members requested the Administration to review the structure and composition of LCSD’s lifeguards, with a view to bringing about improvements to the situation.

Pay and conditions of service

2022-2023 civil service pay adjustment

13. The Chief Executive decided on 12 July 2022 that with retrospective effect from 1 April 2022, civil service pay should be increased by 2.5% for civil servants in the upper, middle and lower salary bands and the directorate.

14. Members expressed diverse views on the adjustment magnitude of 2.5%. Some members were concerned that the across-the-board pay rise of 2.5% for all civil servants had significantly deviated from the net pay trend indicators (“PTIs”) and the pay claims of the staff side. As the pay of civil servants had already been frozen in the past two years, they pointed out that the pay rise could not fully restore loss of purchasing power of civil servants due to inflation. There were worries that this year’s arrangement would set a precedent for the Administration to disregard the Pay Trend Survey (“PTS”) in future pay adjustment exercises, induce private sector to follow suit and have an adverse impact on the morale of civil servants and the attractiveness of civil service jobs. There was a suggestion that the Administration should enhance communication with the staff side representatives in future pay adjustment exercises and explore with them ways to help boost morale.

15. Some other members, on the other hand, said that although results of the 2022 PTS showed a clear upward trend in the private sector salary, the 2022 PTS had not reflected the real situation in the local market, such as business closures, no pay leave arrangement for staff, etc. In view of the current economic situation in Hong Kong, the pay rise of 2.5% was acceptable and able to address the public perception concern. They suggested that the Administration should explain to the civil servants and the public that the PTS results this year were affected by various special factors, causing disparity between the pay offers and pay claims of staff side.

16. Concern was also raised as to whether PTS was a good reference for deciding annual civil service pay adjustment, given that the civil service and private sector were different in terms of job nature and requirements, appointment policy, remuneration practices, performance measurement system, etc. Some members considered that the Administration should review the established annual civil service pay adjustment mechanism, including the composition of the surveyed companies of PTS and the weighting and order of priority of the six relevant factors (viz. the state of Hong Kong’s economy, changes in the cost of living, the Government’s fiscal position, net PTIs, pay, the pay claims of the staff side and civil service morale), with a view to enhancing its creditability.

Medical and dental benefits for civil service eligible persons

17. The Panel received a briefing by the Administration on the updated position of the provision of medical and dental benefits for civil service eligible persons (“CSEPs”), i.e. serving and retired civil servants and their eligible dependants.

18. Members were pleased to note that the Administration was exploring the feasibility of providing dental scaling services for some CSEPs through private dental clinics in the form of a pilot scheme, with a view to shortening the waiting time for general dental services due to the manpower shortage of Dental Officers in the Government. They suggested that the Administration could consider expanding the scope of the pilot scheme to cover all other dental services progressively. To address the manpower problem of Dental Officers, there was a suggestion that the Administration should improve the salary and benefits for Dental Officers in a way which was comparable to those in the private sector.

19. Medical benefits were provided to CSEPs through the Department of Health and the Hospital Authority. Members expressed concern that as the public healthcare system was facing manpower shortage, ageing population and COVID-19, etc, the waiting time for medical services provided for CSEPs was too long. In order to reduce the pressure on the public healthcare system and improve the provision of medical services for CSEPs, members urged the Administration to seriously study the feasibility of taking out medical insurance for civil servants. There was also a suggestion that the Administration could consider providing civil service medical benefits in the form of health care vouchers.

Civil service recruitment system

20. The Panel discussed the civil service recruitment system, including the review of the Basic Law and the Hong Kong National Security Law Test (“BLNST”) in civil service recruitment. Members noted that some specific civil service grades had encountered recruitment difficulties (such as police officers and lifeguards). Some members suggested that the Administration should step up promotional efforts in the recruitment of these grades and conduct grade structure reviews for professional grades which had recruitment difficulties. To attract more talents to join the civil service, members urged the Administration to facilitate Hong Kong students studying in the Mainland to apply for civil service posts, including providing them with updated information about civil service recruitment and recognizing the education qualifications awarded by Mainland education institutions.

21. Members expressed concern that although an internship scheme in various government departments for students with disabilities had been launched since 2016, the percentage of persons with disabilities being employed in the civil service had declined and the number of civil servants with disabilities leaving the civil service was on a rise over the years. The Administration was requested to continue its efforts in promoting the employment of persons with disabilities in the civil service.

22. To raise the awareness of the Basic Law (“BL”) and National Security Law (“NSL”) among those who intended to join the civil service, all new recruits should attain a pass result in BLNST as an entry requirement for all civil service posts. Members noted with concern that candidates who answered 10 out of 20 questions correct would be deemed as having attained a pass result in BLNST. They considered that a higher passing mark of 80% should be set. There was also a suggestion that candidates for civil service jobs should be arranged to receive a short briefing on BL and NSL before taking BLNST, with a view to ensuring new recruits’ understanding of BL and NSL.

Selection and appointment mechanism for senior levels of the civil service

23. The Panel was briefed on the new selection and appointment mechanism for senior levels of the civil service (“the new mechanism”). Under the new mechanism, vacancies at the directorate ranks could be filled through internal promotion, or by officers from other grades within the civil service through in-service recruitment, or by candidates identified through open recruitment. Some members supported the implementation of the new mechanism to attract candidates of high calibre to join the civil service. They suggested that the Administration should open up more directorate posts, in particular the posts which were responsible for overseeing livelihood-related issues, to widen the pool of candidates for selection. However, some other members were worried that the new mechanism might have adverse impact on serving civil servants’ interests and morale. These members considered that the opening up of directorate posts should only be a short-term measure to address the manpower shortage problem. In the long run, the Administration should ensure smooth directorate succession in B/Ds by enhancing the grooming and training of possible and suitable successors to prepare them to fill the various leadership positions in the civil service.

24. Concern was also raised over the appointment criteria for the directorate posts in professional grades. Some members suggested that potential civil servants in professional grades should be posted to different B/Ds to expand their experience in public policy and public administration. There was a view that the

Administration might consider recruiting small professional teams to fill some of the leadership positions in professional departments in order to achieve synergy as quickly as possible.

25. As the leading role played by directorate officers in the Government was particularly important, members suggested that the Administration should ensure the upholding of the principle of “patriots administering Hong Kong” under the new mechanism, identify and attract people who were loyal and committed to the country and Hong Kong to fill the directorate posts, and review whether directorate civil servants were allowed to have dual nationality or right of abode in foreign countries. There were also calls that directorate civil servants should take the initiative to reach out to the public to take heed of their sentiments, solicit their views on policy initiatives and strengthen the co-operation and coordination among B/Ds in order to effectively addressing the problems faced by members of the public. Moreover, the Administration should come up with measures to facilitate inter-departmental coordination so as to build a solution-driven administration.

Performance management of civil servants

26. The Panel was updated on the overview of the performance management measures in the civil service. In some members’ view, the appraisals for civil servants, which were largely paper-based, were generally over generous and could not reflect the actual work performance of individual civil servants. They urged the Administration to improve the performance management system such as introducing a third-party review, so that the performance of individual civil servants could be truly reflected in appraisal reports.

27. Some members considered there a need to have an all-round assessment on the performance of civil servants. They suggested that the Administration could consider formulating key performance indicators, introducing the 360-degree performance appraisal approach to evaluate civil servants’ performance (i.e. obtaining feedback from supervisors, peers and subordinates) and inviting public participation in the assessment and monitoring of the performance of civil servants and B/Ds.

28. Members raised concern over the conduct and performance of the new appointees and requested the Administration to tighten the scrutiny of probationary civil servants, with a view to instilling a stronger sense of discipline and integrity among civil servants. Besides, some members opined that the Administration was lenient with sub-standard performers as only some of the sub-standard performers were temporarily suspended from salary increment and

a small number of them were required to retire under section 12 of the Public Service (Administration) Order. With a view to improving the effectiveness of the civil service performance management system, the Administration was requested to review the appraisal mechanism, introduce measures to accurately assess civil servants' performance so that areas of inadequate or deficient performance could be identified and addressed as early as practicable, and terminate the service of persistent sub-standard performers. In the long run, a performance-linked pay policy and system should be developed.

Training and development for civil servants

29. Training and development for civil servants received on-going attention of the Panel. Members considered it vital for civil servants to acquire an accurate understanding of BL, the Constitution, NSL and national affairs. To this end, the Administration should uphold the quality of speakers/trainers as well as the contents of the relevant programmes, and seek advice from the Hong Kong and Macao Affairs Office of the State Council as appropriate. There was also a view that the Administration should enhance the interface between civil servants in Hong Kong and the Mainland in specific professional aspects, for example in agriculture and fisheries, for experience and expertise sharing.

30. Some members urged the Administration to enhance the training for senior civil servants on the country's development and major policies. Noting that the Master's Degree in Public Policy Programme of Peking University organized for senior civil servants was a key training programme for nurturing future leaders of the civil service, members considered the number of training places in each cohort (i.e. 15 to 20 places) insufficient. They suggested that the Administration should increase the full-time training places while at the same time, offer the programme on a part-time basis to allow more civil servants to attend the programme.

31. To widen the international horizons of civil servants, some members suggested that the Administration should strengthen collaboration with India, Southeast Asia countries and South American countries and provide training opportunities at overseas renowned institutions for civil servants. In addition, there was a suggestion that in view of the COVID-19 epidemic, the Administration should provide more training programmes to civil servants, in particular the national studies programmes, through online platform.

32. In members' view, the Administration should undertake measures to encourage continuous learning in civil service. They suggested that the Administration should recognize the training hours earned by the civil servants at

the web-based learning portal and the short-term training courses on national affairs co-organized by civil servant groups and the Mainland's institutions, release civil servants with potential to attend training programmes for one year or more, and assess civil servants' understanding of the four key areas (viz. national studies and BL, leadership development, innovation and technology application, and international collaboration) upon completion of the relevant training and take into account the assessment result of individual officers in determining their promotion.

Participation of civil servants in the fight against COVID-19 epidemic

33. While members expressed gratitude to civil servants, in particular frontline staff, for their contribution in the fight against the pandemic, some members noted that some civil servants had posted messages on social media platforms about their unwillingness to take up anti-epidemic duties. Members called on the Administration to address the problem to avoid creating adverse impact on civil service morale and hindering the effective implementation of anti-epidemic initiatives. There were views suggesting that the Administration could consider providing special allowances or giving commendation for civil servants' participation in anti-epidemic work.

34. To ensure sufficient manpower to effectively implement anti-epidemic measures, the Administration was requested to closely monitor the epidemic situation and suitably adjust its anti-epidemic initiatives and manpower resources. Meanwhile, the Administration should enhance the Administration's preparedness and capability in its response to major incidents (e.g. another wave of the epidemic) in future by consolidating views from frontline civil servants and the experiences in combating the epidemic and drawing up a grand mobilization plan for civil servants and the community to support the Government in taking prompt actions to deal with outbreak situations.

Meetings held

35. From January to November 2022, the Panel held a total of eight meetings. A meeting has been scheduled for 16 December 2022.

Legislative Council

Panel on Public Service

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to the civil service and Government-funded public bodies, and other public service organizations.
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 Public Service

Membership list for the 2022 session

Chairman	Hon KWOK Wai-keung, JP
Deputy Chairman	Hon SO Cheung-wing, SBS, JP
Members	Hon Jeffrey LAM Kin-fung, GBS, JP Hon Steven HO Chun-yin, BBS, JP Hon Elizabeth QUAT, BBS, JP Hon Jimmy NG Wing-ka, BBS, JP Hon CHAN Chun-ying, JP Hon Tony TSE Wai-chuen, BBS, JP Dr Hon Hoey Simon LEE, MH, JP Ir Hon LEE Chun-keung Hon CHAU Siu-chung Hon Nixie LAM Lam Hon Dennis LEUNG Tsz-wing, MH Hon Maggie CHAN Man-ki, MH, JP Ir Hon Gary ZHANG Xinyu Hon Kingsley WONG Kwok, BBS, JP Hon LAI Tung-kwok, GBS, IDSM, JP Hon NGAN Man-yu (Total : 18 members)
Clerk	Ms Angel WONG
Legal Adviser	Ms Doreen WAN