## Paper for the Bills Committee on Provision of Municipal Services (Re-organisation) Bill

## NEW FRAMEWORK FOR DELIVERING MUNICIPAL SERVICES

### **Purpose**

This paper sets out for Members' information details of the new framework for the delivery of municipal services.

## **Background**

- 2. In November 1998, we engaged a Consultant to advise on the administrative framework and committee structure for the delivery of municipal services when the current terms of office of members of the Provisional Municipal Councils (PMCs) expire on 1 January 2000.
- 3. The Consultant produced two reports: one on food safety and environmental hygiene services and the other on leisure and cultural services. We discussed our initial response to his recommendations with the Panels concerned on a number of occasions. We also undertook to brief Members on details of the new structure when these had been finalised.

## **Objectives of New Framework**

- 4. During the consultation exercise on the review of district organisations in 1998, the public expressed concern about the fragmentation of responsibilities among the PMCs and Government agencies concerned in matters relating to food safety and environmental hygiene. The consensus is that a major structural change is needed to ensure better co-ordination in the delivery of these services. Similarly, for culture and sports, there was a demand for focused strategic planning, clearer delineation of responsibilities and better coordination in respect of funding and other activities.
- 5. In considering the Consultant's recommendations, we were conscious that the new framework should achieve the following objectives:

- (a) to meet new challenges in food safety through a more proactive and comprehensive regulatory system, enhanced capacity for risk assessment and public communication, and more co-ordinated and efficient management of food incidents:
- (b) to streamline the delivery of environmental hygiene services and improve waste management through better coordination of waste collection and disposal;
- (c) clearly define the roles of the agencies involved in the provision of leisure and cultural services and to provide an effective coordination mechanism;
- (d) to enhance accountability and cost-effectiveness in the delivery of these services; and
- (e) to strengthen community participation and professional input in such activities.

#### **The Administrative Structure**

- 6. In his reports, the Consultant recommended the establishment of :
  - an Environment and Food Bureau (EFB) to deal with policy issues concerning food safety, environmental hygiene, environmental protection, conservation, agriculture and fisheries;
  - a Food and Environmental Hygiene Department (FEHD) under EFB to assume responsibility for food safety and the provision of environmental hygiene services; and
  - a Leisure and Cultural Services Department (LCSD) to promote and deliver cultural and leisure services. This Department should be responsible to Home Affairs Bureau (HAB).
- 7. We accept the administrative structure proposed by the Consultant and set out in **paragraphs 8 to 35** below the proposed organisation and staffing of EFB, FEHD and LCSD and consequential changes to the staffing of HAB.

#### Environment and Food Bureau (EFB)

- 8. EFB will oversee Agriculture and Fisheries Department (AFD) which is currently under Economic Services Bureau (ESB), Environmental Protection Department (EPD) now under Planning, Environment and Lands Bureau (PELB) and the new department FEHD. It will have a total establishment of 74 posts, of which 26 are to be redeployed from PELB, ESB and HWB. It will take charge of policy areas that employ a total of over 21,000 staff, and control an annual budget of over \$7.4 billion in recurrent outlay.
- 9. The proposed organisation and distribution of duties of EFB are at **Appendix 1**. The Bureau will be led by a Director of Bureau (D8) and will consist of two Divisions. Division A will cover food safety, and environmental hygiene and agriculture and fisheries matters, it will be headed by a Senior Deputy Secretary (AOSGB1 (D4)). He will be responsible for the food and environmental hygiene and agriculture and fisheries portfolio, resource management and Bureau administration. He will also assist the Director of Bureau in coordinating and monitoring response to major food incidents which call for the involvement of other Departments and Bureaux at a senior level. An inter-departmental liaison group consisting of representatives from EFB, Health and Welfare Bureau (HWB), DH, FEHD, AFD and EPD will be established to facilitate exchange of information and concerted action in dealing with problems relating to public health, food and the environment.
- 10. The Senior Deputy Secretary will be supported by three Principal Assistant Secretaries (PAS)(AOSGC (D2)) and a Principal Executive Officer. The new post of PAS(A)1 will mainly be responsible for formulating and reviewing policies on food safety, developing proposals for updating legislation and regulatory standards and assisting the Senior Deputy Secretary in dealing with food incidents. He will in addition serve as Secretary to the Advisory Council on Food and Environmental Hygiene.
- 11. The post of PAS(A)2 will be transferred to EFB from ESB. The officer concerned will mainly be responsible for matters relating to agriculture and fisheries, wholesale marketing, veterinary health, protection of endangered species, provision of slaughtering facilities, and food premises and liquor licensing and control of pesticides. He will in addition service the Licensing Appeal Board and take up house-keeping responsibilities for AFD.

- 12. The new post of PAS(A)3 will deal with the full spectrum of environmental hygiene services and facilities, including hawkers and markets. He will also be responsible for a comprehensive review of the Public Health and Municipal Services Ordinance (Cap 132). He will coordinate the Healthy Living Campaign which EFB will take over from HWB and assume house-keeping responsibilities for FEHD.
- 13. The PEO will assist the Senior Deputy Secretary in the day-to-day administration of the Bureau, and in the planning, management, and allocation of resources for the environment and food policy areas.
- Division B will cover the environmental protection policy portfolio. Its entire complement of 18 posts, headed by a Deputy Secretary (AOSGB (D3)), will be transferred from the Environment Division of PELB. The Division's role and functions will remain unchanged. However, PAS(B)2 will take up responsibility for domestic waste collection and removal in addition to waste management to achieve greater consistency in waste management policy and more effective co-ordination of the work of EPD and FEHD in this area.

## Food and Environmental Hygiene Department

- 15. The Food and Environmental Hygiene Department (FEHD) will take over responsibility for :
  - food safety and control from Department of Health (DH);
  - environmental hygiene services and facilities from the PMCs; and
  - poultry and food animal inspection from AFD.
- 16. The Department will have a total establishment of 16,351 posts, of which -
  - 15,923 are to be transferred from USD and RSD;
  - 306 from DH:
  - 89 from AFD; and

• 33 are new posts.

Compared with the existing structure for the provision of these services, there is a net reduction of 966 posts.

17. The organisation of the Department is set out in **Appendix 2**. It will be headed by a Director (AOSGA (D6)) and organised into three Branches: a Food and Public Health Branch (431 posts), an Environmental Hygiene Branch (15,364 posts) and an Administration and Development Branch (555 posts).

#### Food and Public Health Branch

- 18. The Food and Public Health Branch will comprise 431 posts, of which **306** are on transfer from DH, **89** from AFD and **3** from USD/RSD. The remaining **33** posts are new posts to be created for strengthening the management of food incidents and risk assessment and communication.
- 19. An organisational chart of the Branch is at **Appendix 3.** It will be headed by a new post of Deputy Director of Health (D3) to provide leadership at a senior level to upgrade our food safety programme and enhance our capability in dealing promptly and effectively with food incidents. He will be supported by a Senior Administrative Officer with responsibility for administrative support and the review of legislation. Within the Branch, the Food Surveillance and Control Division will be headed by an Assistant Director of Health to be transferred from DH. It will be responsible for food survellance and certification, live food animal inspection and management of food incidents. A Risk Assessment and Communication Division will be set up. It will be headed by a Consultant (D2). It will be responsible for research and analysis of food surveillance data, dissemination of food safety information and advisory services on pest control. The setting up of this new Division will reinforce our food surveillance programme and ensure it reflects current needs and international trends. We will also be able to adopt a more proactive approach in educating the public and the trade on food risks.
- 20. The Branch will be staffed mainly by professional and departmental grade officers on secondment from DH and AFD and members of the Health Inspectorate. We will consider open recruitment if we cannot find officers with the required experience in the Departments concerned.

#### Environmental Hygiene Branch

- 21. The Environmental Hygiene Branch will consist of 15,364 posts. Its management structure has been streamlined by removing USD's 2 Regional Headquarters from the existing 3-tier system. This has led to the reduction of some 60 posts.
- 22. The Branch will be headed by a Deputy Director (AOSGB(D3)). It will consist of a Headquarters Division and three Operational Divisions. The Headquarters Division will be headed by an AOSGC (D2) to take charge of departmental policies on public hygiene services and licensing and hawker control. He will also be responsible for aligning different policies and practices following the dissolution of the PMCs and formulating new guidelines and procedures for adoption in the Districts.
- 23. The three Operational Divisions will each be headed by an Assistant Director of Municipal Services (ADMS (D2)). In addition to the management of environmental hygiene services in the Districts, each ADMS will be assigned specific responsibilities for cross-territory functions.
- 24. The directorate structure of the Environmental Hygiene Branch will be reviewed in two years, with a view to deleting or downgrading one of the AD posts.

## Administration and Development Branch

25. The Administration and Development Branch will consist of 555 posts. It will be headed by a Deputy Director (AOSGB (D3)). He will be underpinned by a Senior Principal Executive Officer (D2) responsible for departmental administration as well as implementing of capital projects; a Chief Treasury Accountant (D1) responsible for finance and accounting; and an ADMS (D2) responsible for the management and development of the environmental hygiene grades. We aim to inculcate a new culture of service, responsiveness and accountability in the Department.

## Leisure and Cultural Services Department

26. The Leisure and Cultural Services Department will assume territory-wide responsibility for the provision of the leisure and cultural services. In addition, it will take over from HAB the Antiquities and

Monuments Office (AMO), and from the Television and Entertainment Licensing Authority (TELA) the Books Registration Office.

- 27. The new Department will have an establishment of **9,554** posts of which **9,507** are to be transferred from USD and RSD, **39** from HAB, and **8** from TELA. Compared with the existing structure for the provision of leisure and cultural services, there is a net reduction of **492** posts.
- 28. The proposed organisation of LCSD is at **Appendix 4**. The new department will be headed by a Director (AOSGA (D6)). It will consist of three Branches: a Cultural Services Branch (**2,341** posts), a Leisure Services Branch (**6,637** posts) and an Administration Branch (**576** posts).

#### Cultural Services Branch

The Cultural Services Branch will be headed by a Deputy Director, Senior Assistant Director of Municipal Services (SADMS(D3)) and made up of three divisions each under an ADMS (D2). Cultural Services Division 1 will be responsible for the planning and management of preforming venues, promotion and presentation of territory-wide cultural and entertainment programmes, and administration of subvention schemes. Cultural Services Division 2 will take charge of the policies and management of museums, heritage and conservation matters, film archive and cultural exchange programmes. For Cultural Services Division 3, the major functions will include the planning, provision and promotion of library services and literary arts, the management of public libraries and Music Office, the operation of the URBTIX and the conduct of research and development work for the Branch. In addition, a non-civil service contract officer will continue to serve in the capacity of Artistic Director of the Hong Kong Repertory Theatre. This officer will leave the department upon corporatisation of the three Performing Companies now under the Provisional Urban Council.

#### Leisure Services Branch

30. The Leisure Services Branch will be headed by a Deputy Director (AOSGB (D3)). It will comprise three Divisions, each under an ADMS. Leisure Services Division 1 will be responsible for sports subvention and promotion, planning input, setting of fees and charges, recreation venues and programmes, and veterinary services. Leisure

Services Divisions 2 and 3 will be operational units organised on a geographical basis. They will be responsible for the operation of district leisure and sports services and the management of major facilities. The structure has been streamlined by removing the existing Regional offices to achieve a two-tier structure.

#### Administration Branch

- 31. The Administration Branch will be headed by a Deputy Director (AOSGB (D3)). He will be assisted by a Senior Principal Executive Officer (SPEO(D2)) in general and human resources management, planning and development; and an Assistant Director of Accounting Services (ADAS (D2)) in departmental finance and accounting. In addition, there is a non-civil service contract officer responsible for information technology development. The ranking of this contract officer will be reviewed upon the expiry of her current contract in 2000.
- 32. The AOSGB and ADAS will have additional responsibilities during the formative years of the new department, which include the rationalisation of administrative and accounting practices inherited from the two municipal services departments, the harmonisation of fees and charges, the corporatisation of the three performing companies, as well as exploring outsourcing initiatives. It is proposed that these two posts will be reviewed in two years time with a view to downgrading or deletion.

## Home Affairs Bureau

Four additional posts, including a PAS (AOSGC (D2)) post, will be created in the Culture and Sport Division of HAB for servicing the Culture and Heritage Commission, working closely with statutory bodies like the Arts Development Council, the Academy for Performing Arts and the Art Centre. The proposed organisation structure of the Division is at **Appendix 5**.

#### Total Establishment

34. The new structure, including 114 departmental grades posts to be recreated in the respective "parent" departments to continue providing services to FEHD and LCSD, will have a total establishment of **26,097** posts. Compared with the current establishment of 27,388 posts for the delivery of food safety, environmental hygiene, leisure and cultural services, this

represent a 5% reduction (1,291 posts). However, the new Departments will have to carry some 500 surplus staff on their establishment until they can be redeployed. Since the vast majority of them belong to the general or common grades, we do not envisage much problem in their redeployment.

35. In terms of directorate posts, there will be an overall reduction of 2 posts over the current establishment. This takes into account the creation of 5 posts in EFB to deal with food and environmental hygiene issues, 2 posts in FEHD to strengthen our food safety programme and 1 post in HAB mainly to service the Culture and Heritage Commission. As stated in **paragraphs 24 and 32** above, 3 of the proposed directorate posts will be created on a supernumerary basis with a view to deletion or downgrading in two years.

## **Community Participation and Professional Input**

36. The new framework will strengthen accountability in the use of resources and in the delivery of services. Details of the additional channels for public monitoring and community participation are set out in **paragraphs 37 to 42** below.

## The Legislative Council (LegCo)

- 37. The new Bureau and Departments will be funded from general revenue and subject to all controls applicable to the use and management of government expenditure, including:
  - (a) funds for the new Bureau and Departments will be appropriated by LegCo in the context of the Annual Estimates. The Bureau Secretary and the Heads of Department, as Controlling Officers, will be accountable to the Legislature for the efficiency and economy in the use of government funds;
  - (b) specifically, they are required to present Controlling Officer's Reports setting out performance targets and indicators and relating costs to results, to attend Special Finance Committee meetings to account for the annual expenditure sought and to respond to LegCo questions on their policies and activities; and
  - (c) in addition to the Annual Estimates, all requests for increases in establishment, capital works projects, major

capital expenditure and significant variations to the Annual Estimates in the course of the financial year will be subject to LegCo Finance Committee's approval.

Moreover, the majority of fees and charges will have to go through negative vetting.

## District Councils (DCs)

- We propose to enhance the role of DCs by :
  - (a) inviting the Chairman and Vice Chairman of the DC to sit on the District Management Committee;
  - (b) consulting DCs on the provision of environmental hygiene services and facilities, and community recreational and cultural programmes in the district;
  - (c) facilitating the monitoring of the delivery of such services by DCs by providing them with regular reports and involving them in the monitoring of environmental hygiene service standards at the district level;
  - (d) providing additional funding to DCs for improving the local environment and enhancing the provision of district leisure and cultural activities;
  - (e) jointly organising food safety education programmes with DCs; and
  - (f) encouraging them to develop community initiatives on sustainable development.

## Advisory Council on Food and Environmental Hygiene

39. An Advisory Council on Food and Environmental Hygiene will be set up to strengthen community participation and professional input in food safety and environmental hygiene issues. The proposed terms of reference of the Council are at Appendix 6. The Council would comprise mainly non-official members (including the Chairman) and four ex-officio members (Secretary for the Environment and Food, Director of Food and Environmental Hygiene, Director of Health and Director of Agriculture and Fisheries). We will look for members with experience and/or professional qualifications in such fields as medicine, public health, food science, environmental hygiene services and facilities, education, public

communication, food preparation, agriculture and fisheries and representatives from various sections of the community.

## Statutory Boards

40. In addition, we will set up two statutory boards. They are the Liquor Licensing Board which will be responsible for issuing liquor licences; and the Licensing Appeals Board which will hear appeals against licensing decisions made under the Public Health and Municipal Services Ordinance (Cap.132). These two Boards will comprise wholly non-official members.

#### Culture and Heritage Commission

In the field of arts and culture, a high-level non-statutory Culture and Heritage Commission (CHC) will advise Government on the setting of objectives and the application of resources in support of cultural development and preservation of heritage in Hong Kong. The majority of the members, including the Chairman and Vice-chairman, will be non-officials. The Commission will co-ordinate, but not direct, the work of statutory bodies such as the Arts Development Council (ADC), the Academy of Performing Arts, the Arts Centre and the Antiquities and Monument Board, which will have ex-officio representation on the Commission. The terms of reference of the Commission is demonstrated at **Appendix 7**.

#### Other Advisory Committees on Leisure and Culture

42. The Administration will set up on a need basis a system of non-statutory advisory committees to provide input from the relevant professions and to keep in touch with the community and the users. The committees will be subject specific and will be serviced by LCSD.

## **Financial Implications**

43. The new structure will require a full year budget of \$9,898.3 million if the staffing requirements are expressed in terms of notional annual salary at mid-point (NAMS). A detailed breakdown is at Appendix 8.

- 44. The reorganisation will achieve savings in the following areas:
  - direct expenses incurred by the PMCs including members' remuneration and the Council Secretariats;
  - institutional efficiency and economies of scale arising from organising services on a functional rather than geographical basis; and
  - streamlining existing staffing structure.
- 45. When fully implemented, the reorganisation will result in total annual notional saving of **\$699.8 million**, broken down as follows:

Staff costs	\$330.3M
PMC Secretariat expenses	24.0M
PMC Members' remuneration	65.0M
Other Charges	103.4M
Other streamlining/enhanced productivity initiatives	177.1M
Total:	\$699.8M

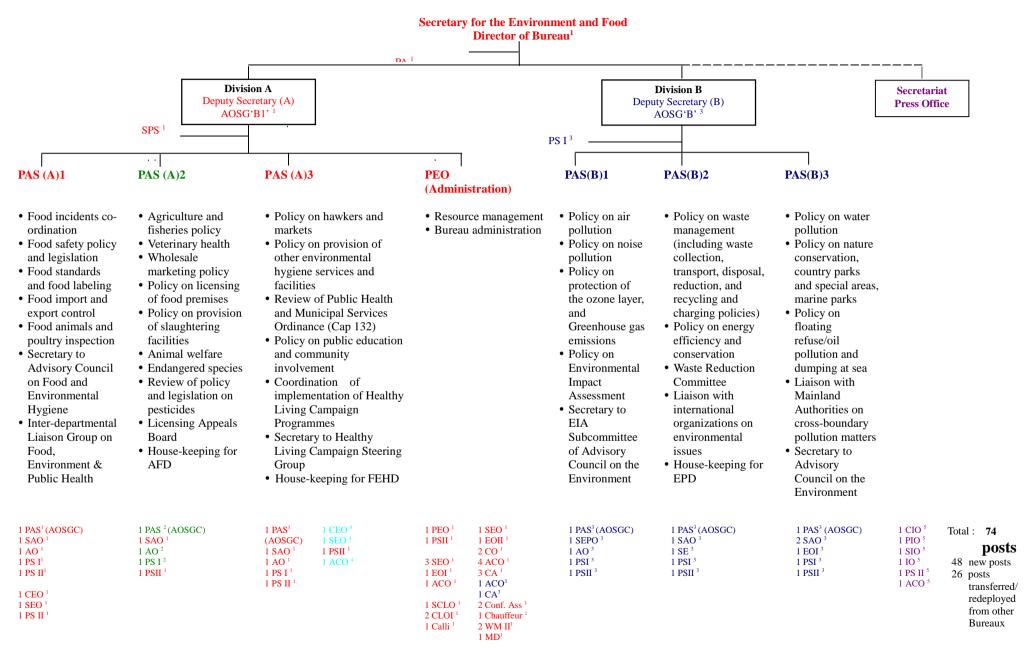
46. However, as stated in **paragraph 34** above, the new Departments will have to carry some 500 surplus staff on their establishment for a short period pending their redeployment Taking this into account, total net savings derived from the re-organisation on 1 January 2000, with staff cost expressed in terms of NAMS value, are estimated to be \$565.6 million.

### The Way Forward

47. Subject to the passage of the Provision of Municipal Services (Reorganization) Bill, a formal submission will be made to the Finance Committee and its Establishment Sub-Committee for approval of the proposed staffing and associated funding requirements, to enable the new structure to commence operation as from 1 January 2000. A separate submission will be made to the Public Works Subcommittee to inject the capital works projects of the two Councils into the Public Works Programme to be funded under the Capital Works Reserve Fund.

Task Force on Reorganisation of Municipal Services 22 October 1999

#### Proposed Organization Chart of The Environment and Food Bureau



<sup>&</sup>lt;sup>1</sup> proposed new posts establishment

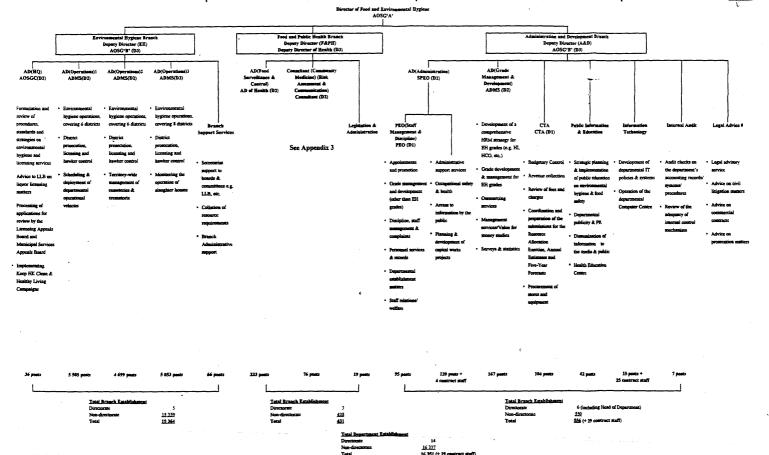
<sup>&</sup>lt;sup>2</sup> proposed redeployment from ESB

<sup>&</sup>lt;sup>3</sup> proposed redeployment from PELB

proposed supernumerary/short-term posts redeployed from HWB

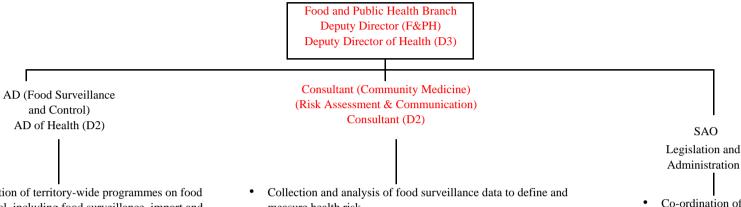
#### Proposed Organization Chart of The Food and Environmental Hygiene Department

Appendix 2



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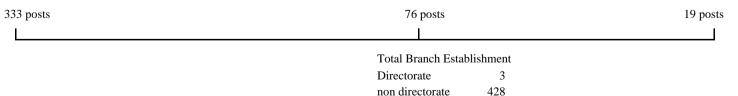
#### **Proposed Organisation Chart of** the Food and Public Health Branch



- Implementation of territory-wide programmes on food safety control, including food surveillance, import and export control.
- Management of all food-related incidents, including investigation of food borne illness outbreaks at food premises, coordination of food recalls and management of food safety incidents.
- Liaision with international food authorities, food traders and other parties for effective food safety control.
- Veterinary health, including prevention and control of diseases originating in live food animals which have a public health angle.
- Food chemistry tests at Man Kam To to detect for excessive harmful chemicals in imported food from the mainland.

- measure health risk.
- Advice on communication strategies to promote food hygiene and dissemination of food safety information to help the public understand the situation correctly and make informed choice.
- Population surveys and laboratory researches on food safety.
- Advice on food standards based on local risk assessment results and international experiences.
- Introduction and promotion of "Hazard Analysis Critical Control Point" (HACCP) to the industry and the public.
- Professional advice on pest control and environmental hygiene matters.
- Liaision with external counterparts, professional fraternities and interest groups to strengthen food control and safety programmes.

- Co-ordination of legislative reviews
- Co-ordination of policy issues at the Branch level
- Branch administrative support



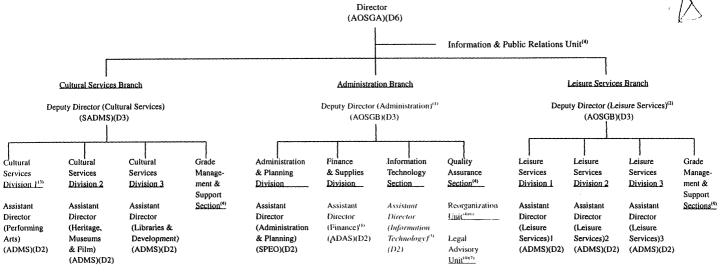
#### Appendix B1

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Proposed Organization Chart of Leisure & Cultural Services Department (as at 1.1.2000)

Appendix 4





(Policy development, direction, promotion and provision of cultural services and programmes, including public entertainment, library services, museum services, heritage and conservation activities, cultural exchange)

(2,341 posts)

(Departmental administration, resources management, planning and development, HRM and training, corporatisation and contractingout of services, information technology and winding up of residue reorganization issues.)

(576 posts including Director's Office)

(Policy development, direction, promotion and provision of leisure services activities, including horticulture and amenities, sports exchange.)

(6,637 posts)

Note: (1) Supernumerary post to be reviewed in 2 years' time with a view to downgrading or deletion

- (2) Post to be made multi-discipline in future and filled by administrative/departmental officer.
- (3) Excluding an Artistic Director for the Repertory Theatre who is a non-civil service contract staff at D1 level and who will leave the department upon corporatisation of the 3 Performing Companies.
- (4) Section/Unit to be headed by Segment D officer (i.e. MPS 45-49).
- Non-civil service contract staff at D2 level at present. To be downgraded to D1 level upon expiry of current contract in February 2000 if the service cannot be contracted out.

#### Total Departmental Establishment

Directorate 12 (+ 2 contract staff)

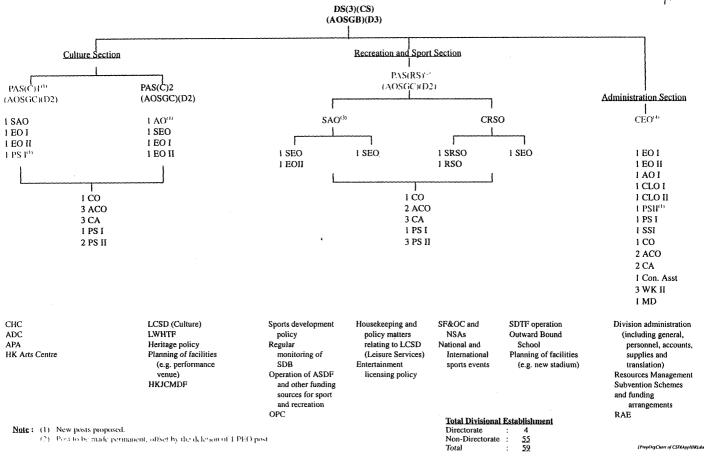
Non-directorate 9.542 9.554

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### Appendix 5

## Proposed Organization Chart of Culture and Sport Division of HAB (as at 1.1.2000)





(2) Pera to be made permanent, offset by the deletion of 1 PEO post

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# Proposed Terms of Reference of Advisory Council of Food and Environmental Hygiene

- (a) To consider and advise on policies relating to food safety and environmental hygiene and to monitor their implementation;
- (b) To advise on regulatory standards relating to food quality and food composition;
- (c) To receive reports on the handling of major food incidents; and
- (d) To advise on community education programmes for promoting public understanding of food safety and public responsibility for environmental hygiene.

# **Proposed Terms of Reference of Culture and Heritage Commission**

We propose the main tasks of the Commission to be:

- (a) To advise Government on the setting of policy objectives and the application of resources, in support of cultural development and preservation of heritage in Hong Kong;
- (b) To co-ordinate the work of statutory or subvented bodies in support of cultural development and preservation of heritage in Hong Kong; and
- (c) To initiate research and receive reports on topics relevant to (a) and (b) above.

Home Affairs Bureau October 1999

## Appendix 8

## Funding Requirements of New Institutions on 1.1.2000 in terms of NAMS Value

	(\$m)
Leisure and Cultural Services Department	4,740.7
Food and Environmental Hygiene Department	4,247
Environment and Food Bureau	53.6
Home Affairs Bureau	5.2
Transfer to other Departments	680.8
Inter-departmental Charges	171
Total	9,898.3