

LEGISLATIVE COUNCIL PANEL ON PUBLIC SERVICE

Integrity Enhancement Initiatives for Civil Servants

Purpose

This paper gives an update of the work of the Civil Service Bureau (“CSB”) in the promotion of integrity in the civil service.

Overview of Integrity Management Efforts

2. The Administration is firmly committed to upholding high standards of integrity and probity in the civil service. Throughout the years, CSB and the Independent Commission Against Corruption (“ICAC”) have been working closely with bureaux and departments (“B/Ds”) to promote integrity in the civil service through a three-pronged approach, namely, prevention, education and sanction.

(a) *Prevention*

Clear policies, guidelines and procedures are available to provide guidance to individual civil servants. Proper checks and balances are built into B/Ds’ operational and service systems.

(b) *Education*

Sustained efforts are devoted to promoting good standards of conduct at all levels in the civil service. These include induction, training, seminars, and the promulgation of rules and guidebooks to enhance understanding and awareness of the high standards of probity required of civil servants.

(c) *Sanction*

The Administration takes a serious view of criminal offences and acts of misconduct which involve a breach of trust in the office held by civil servants or misuse of power. Allegations

of such misconduct would be promptly investigated, and disciplinary sanction would be strictly administered should a civil servant be found guilty of misconduct following impartial proceedings. During the period from April 2004 to December 2007, 113 civil servants had been subject to disciplinary action for offences/misconduct related to abuse of official position^(Note). Of them, 31 or about 27% were awarded removal punishments (i.e. compulsory retirement or dismissal).

3. According to the annual report of the Transparency International released in 2007, Hong Kong ranked the 14th least corrupt place among 179 countries/cities in the Corruption Perception Index, one place up as compared with 2006.

4. As illustrated by the key indicators set out at Annex, the overall corruption scene in the civil service has remained stable in the past five years.

Prevention and Education

5. On the prevention and education front, the efforts that we have made on integrity management in the past few years are summarized below.

(i) Service-wide Guidelines

6. CSB keeps under constant review service-wide guidelines on conduct matters to ensure that they remain clear and adequate in present-day circumstances. In 2007, we issued a number of revised circulars concerning acceptance of advantages matters. These include acceptance of advantages offered to civil servants in their private capacity; acceptance of advantages/entertainment offered to civil servants in their official capacity as well as gifts/donations to a department for the benefit of staff; and acceptance of sponsored visits by civil servants in their official or private capacity. The updated circulars provide clearer guidelines on these subjects.

^(Note) Acts of misconduct classified as cases of abuse of official position include –

- (a) Conviction under the Prevention of Bribery Ordinance (Cap.201);
- (b) Unauthorised acceptance of advantages/entertainment from persons with official dealings;
- (c) Unauthorised outside work for persons with official dealings;
- (d) Unauthorised disclosure of government information;
- (e) Abuse of government properties; and
- (f) Use of official information/authority for personal gains.

7. In December 2006, we promulgated a revised circular on declaration of investments by civil servants. This circular makes it clear that directorate civil servants who have proceeded on final leave (i.e. leave immediately prior to resignation or retirement) should continue to be subject to the relevant declaration requirements until they have exhausted their leave and left the service.

(ii) **Civil Service Integrity Entrenchment Programme**

8. Throughout the years, CSB and ICAC have been working towards deepening integrity education and embedding the concept of civil service integrity more firmly at different levels of staff in B/Ds. Among the major initiatives in this regard was the Civil Service Integrity Entrenchment Programme launched in 2004. Upon completion of the programme in April 2006, the outreach team comprising directorate officers from CSB and ICAC visited 34 B/Ds (with a combined workforce of some 124,000 staff) to discuss practical issues in relation to integrity management.

(iii) **Enhanced Integrity Management Programme of the then Works Branch**

9. In 2006, the Works Branch of the then Environment, Transport and Works Bureau (“ETWB”), in collaboration with CSB and ICAC, launched an enhanced integrity management programme for the works departments. The objective of the programme was to address issues like supervision of contractors and the management of conflict of interest situations by staff in the course of their supervision of contractors arising from increased outsourcing of government services. Under the programme, the then ETWB produced an Integrity Management Manual consolidating various conduct guidelines and regulations for reference of staff in the works departments. CSB, ICAC and the then ETWB jointly held six presentations on integrity management for the directorate staff of the works departments. In addition, some 150 integrity training workshops were held for some 7,700 managers/professional staff and site supervisors of individual works departments. In parallel, training seminars were also conducted for contractors and their employees so that they knew what was expected of them and concerned civil servant in conducting their day-to-day business.

(iv) **Ethical Leadership Programme**

10. CSB and ICAC jointly launched the “Ethical Leadership Programme” in December 2006. The programme aims to embed the culture of integrity through the leadership and commitment of the senior management in B/Ds so that a sustaining ethical culture can flourish in the civil service. This is a new initiative which will remain our key focus in the coming few years.

11. Under the Programme, an Ethics Officer (“EOs”), a senior directorate officer, has been appointed in each of the B/Ds as the focal point for all integrity-related activities and be responsible for mapping out the strategy and work plan that suit the individual needs and priorities of his organisation. The EOs are assisted by Assistant Ethics Officers (“AEOs”), who are mostly departmental secretaries, in the day-to-day implementation of integrity management programmes within their organizations. We have put in place a network of about 150 EOs and AEOs. The network provides us with a platform on which we can communicate more effectively with stakeholders in B/Ds by way of workshops, outreach visits, and information sharing through various means. To help CSB and ICAC better focus on the needs of B/Ds, EOs are also tasked to submit regular reports on their integrity management and promotion efforts.

12. The inaugural meeting of the Programme was held in April 2007, which also served as an experience-sharing session on integrity management. At the meeting, each EO was provided with an Ethics Officer Manual, which is a management tool to facilitate his planning on integrity promotion and enhancement having regard to the circumstances of his B/D.

13. To support the work of EOs, we will organise periodic workshops on different topics concerning integrity, conduct and discipline. The first such workshop, with the theme of “Administration of Staff Discipline for Ethics Officers”, was held in October 2007 with an attendance of about 130 EOs, AEOs and staff responsible for handling discipline matters in B/Ds. The next workshop on “Contract Management” has been scheduled for March 2008.

14. To help senior management to better focus on integrity management in their organisations, CSB and ICAC have conducted joint visits and presentations to individual B/Ds under the Programme. In 2007, we paid a joint visit to the senior management of the Lands Department and organised two presentations for its senior professional staff and directorate staff. Similar visits and presentations are being planned for other departments.

(v) **Resource Centre on Civil Service Integrity Management**

15. The electronic “Resource Centre on Civil Service Integrity Management” (“RCIM”), jointly developed by CSB and ICAC, was launched in 2001. RCIM serves as a one-stop repository of materials relating to integrity management for reference by all civil servants, especially departmental managers responsible for embedding an ethical culture within their organisations. The Resource Centre provides a platform for the most up-to-date service-wide regulations on conduct matters, publications on subjects related to integrity of civil servants, sample departmental guides or codes of conduct, as well as answers to some frequently asked questions on conduct matters.

16. We devote on-going efforts to updating and enhancing the content of the RCIM. In 2003, we expanded the list of frequently asked questions to include subjects such as acceptance of advantages, declaration of investments, and outside work. Subsequent to a Court of Final Appeal judgment handed down in mid-2005 which authoritatively set out the elements constituting the common law offence of misconduct in public office, we have updated the guidelines on the subject and uploaded them onto the RCIM. To remind civil servants of the dire consequences of misconduct, since 2004, we have started to upload onto the RCIM examples of acts of misconduct, such as those of unauthorised absence from duty; falsification of attendance records; supervisory responsibility; conflict of interest; misconduct in public office; acceptance of entertainment from persons with official dealings and criminal conviction cases involving fraud, forgery, theft and assault, etc. The last updating in July 2007 features more new examples of acts of misconduct covering acceptance of entertainment from persons with official dealings; supervisory responsibility and misconduct in public office, etc.

(vi) **“Civil Servants’ Guide to Good Practices”**

17. The publishing and updating of the “Civil Servants’ Guide to Good Practices” is another example of our efforts to promote civil service integrity on the prevention and education front. The Guide, a handy guidebook first published in 1999, was updated and distributed to civil servants at all levels and to non-civil service contract staff in April 2005. It sets out in layman’s terms the good behaviour expected of civil servants at all levels. A chapter on the common law offence of misconduct in public office has been included to raise staff awareness and to provide guidance on the subject. Answers to a list of frequently asked questions on conduct matters are also provided at the annexes to the Guide.

(vii) **Leadership Forum**

18. A leadership forum with the theme of “Successes through Ethical Governance” was held jointly by CSB and ICAC in June 2005. The forum provided an opportunity for leaders in the public and business sectors to examine ethical challenges and share experience in ethical leadership. The forum was attended by some 1 000 senior executives from both the public and business sectors.

(viii) **Management of Staff Indebtedness**

19. With the sustained efforts of B/Ds in managing staff indebtedness, and coupled with the territory-wide downward trend in the past few years, we see a marked decline in the number of insolvency or bankruptcy cases in the civil service from 464 in 2003 to 138 in 2007.

20. CSB will continue to closely monitor indebtedness in the civil service through regular returns from departments with a higher number of indebted staff. We have issued service-wide guidelines reminding civil servants of the importance of prudent financial management. We will continue to implement proactive measures at departmental level to ensure that personal financial difficulties, if any, of individual civil servants would not impair operational efficiency or the integrity of the civil service as a whole. Notable initiatives on this front include the continuous efforts of the Hong Kong Police Force in launching its Family Life Education Programme, the healthy lifestyle campaign and the work-life balance campaign, etc. to promote healthy financial management within families and the physical and mental well-being of its staff; the continuation of the “financial helpline” and “helppage” initiatives; and the development of training programme and e-learning packages dedicated to the theme of prudent financial management, etc. Efforts have also been made by the Fire Services Department, the Correctional Services Department, the Leisure and Cultural Services Department, and the Food and Environmental Hygiene Department to provide counselling and/or promote a healthy lifestyle through talks, workshops, departmental newsletters and webpages.

*(ix) **Training and Induction***

21. Training is an important ingredient in the promotion of civil service integrity. Corruption prevention courses are conducted on a regular basis to enhance awareness of the high standards of conduct required of civil servants. In the three years ending 2007, over 1,600 training courses, including talks on corruption prevention and briefings on integrity and avoidance of conflict of interest, were held for some 64,000 civil servants at various ranks.

Recent and Ongoing Initiatives

22. In collaboration with ICAC and B/Ds, we will strive to uphold the momentum in integrity promotion through a host of initiatives to be rolled out under the Ethical Leadership Programme. To update EOs on the latest development on conduct and discipline matters and to facilitate experience-sharing, we will continue to organise thematic workshops under the Programme on a regular basis. We will continue our efforts to enlist top management support in integrity enhancement through outreach visits to directorate level staff in target departments, and will enhance the linkage and interaction between EO/AEOs through a dedicated intranet website which is being developed and will be commissioned by phases in the coming years.

23. In a bid to deepening staff's understanding of the common law offence of misconduct in public office, we plan to publish a booklet to provide more guidance on the subject. The booklet will set out, in layman's terms, background information on this common law offence, together with salient points to note from key precedent cases and tips for avoiding falling into the trap of this offence.

24. We will continue to enhance the content of the RCIM as a central repository of best practices adopted by government departments in integrity management. In this connection, we are working on more sample cases for uploading onto the RCIM, which will cover such important areas as neglect of duty, illegal gambling and breach of housing benefits rules, etc.

25. We are keenly aware that there is no room for complacency in our efforts to uphold an honest and clean civil service. We will remain vigilant and maintain close partnership with ICAC and B/Ds to further embed a culture of integrity in the civil service.

Civil Service Bureau
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Annex

| | 2003 | 2004 | 2005 | 2006 | 2007 |
|--|-------------|-------------|-------------|-------------|-------------|
| Number of alleged corruption reports against civil servants received by ICAC | 1 541 | 1 286 | 1 161 | 1 068 | 975 |
| Number of civil servants prosecuted for corruption and related offences (<i>Note 1</i>) | 50 | 38 | 25 | 24 | 25 |
| Number of civil servants convicted (<i>Note 2</i>) | 29 | 26 | 16 | 20 | 13 |
| Number of civil servants named in cases that are referred by ICAC to bureaux/departments for consideration of disciplinary/administrative action (<i>Note 3</i>) | 234 | 161 | 170 | 150 | 123 |

Note (1) : Prosecutions instituted in the year.

Note (2) : Civil servants convicted resulting from prosecutions instituted in the year.

Note (3) : For cases where no prosecution is made against individual civil servants but possible misconduct/malpractice has been revealed during the ICAC investigation, ICAC may, on the advice of its Operations Review Committee, refer them to the bureaux/departments concerned for consideration of disciplinary/administrative action.

Source : ICAC