

For discussion on
21 July 2014

LEGISLATIVE COUNCIL PANEL ON PUBLIC SERVICE

Integrity Enhancement Initiatives for Civil Servants

Purpose

This paper updates Members on the work of the Civil Service Bureau (“CSB”) in promoting and enhancing integrity and probity in the civil service.

Overview

2. The civil service is the backbone of the Government of the Hong Kong Special Administrative Region. An honest and clean civil service is vital to maintaining effective governance. To this end, the Administration is committed to upholding high standards of integrity and probity in the civil service. This commitment is enshrined in the Civil Service Code¹ and the rules and regulations governing conduct and discipline in the civil service.

Strategy in Promotion and Enhancement of Integrity

3. Throughout the years, CSB and the Independent Commission Against Corruption (“ICAC”) have been working closely with bureaux and departments (“B/Ds”) to promote and enhance integrity in the civil service through a three-pronged approach, namely, prevention, education and training, and sanction.

(a) Prevention

4. The emphasis of prevention is placed on the provision of clear policies and guidelines to provide guidance to individual civil servants, with proper checks and balances being built into B/Ds’ operational and service

¹ The Civil Service Code was promulgated in September 2009 to set out the core values of the civil service, namely, commitment to the rule of law; honesty and integrity; objectivity and impartiality; political neutrality; accountability for decisions and actions; and dedication, professionalism and diligence.

systems. In safeguarding the core values and defining the standards of conduct of the civil service, CSB has issued and put under regular review service-wide regulations, rules and guidelines, covering such topics as avoidance of conflict of interest, declaration of investments, acceptance of advantages, entertainment and sponsored visits, and outside work, etc. These rules and guidelines are circulated to all civil servants on a regular basis to remind them of the requirements.

5. CSB also encourages B/Ds to develop and publish their own codes of conduct or guides on integrity-related matters for compliance by their staff, having regard to their own circumstances and operational needs. In this regard, CSB and ICAC jointly promulgated a revised Sample Guide on Conduct and Discipline (“Sample Guide”) in October 2013 to facilitate B/Ds to draw up/refine their in-house codes/guidelines on this important subject. The revised Sample Guide provides updated information on government rules and guidelines relating to conduct and discipline matters, including an introduction of the common law offence of Misconduct in Public Office (“MIPO”) with illustrative examples. So far, over 50 B/Ds have published their in-house code/guide on conduct and discipline matters.

6. Personal financial problems, if any, of individual civil servants may, if not addressed properly, increase their vulnerability to corruption or other illicit practices and compromise the integrity of the civil servants concerned. On management of staff indebtedness in the civil service, CSB has put in place service-wide guidelines reminding civil servants of the importance of prudent financial management. B/Ds have also implemented proactive measures to promote prudent financial management at the departmental level. Administrative or disciplinary action will be taken against those officers whose financial problems have impaired their performance of duties or led to their misconduct acts (e.g. obtaining unauthorised loans). In 2013, there were 73 insolvency/bankruptcy cases in the civil service, representing about 0.8% of the territory-wide bankruptcy cases in Hong Kong. CSB will continue to monitor the situation closely through regular returns from B/Ds.

(b) Education and training

7. Education and training is another important aspect in the promotion of civil service integrity. On this front, CSB and ICAC have been making sustained efforts to promote the importance of integrity at all levels in the civil service. These include induction, training, seminars, workshops and

the promulgation of rules and guidebooks to enhance understanding and awareness of the high standards of probity required of civil servants. In 2013, over 600 training courses, including talks on corruption prevention and briefings on integrity and avoidance of conflicts of interest, were held for about 21 000 civil servants at various ranks and levels.

8. To enhance civil servants' understanding of the common law offence of MIPO, CSB published a MIPO booklet in late 2012 which sets out information on the MIPO offence, salient points to note from key precedent cases, and some general guidance on what civil servants should or should not do in discharging their duties. Following the publication of the booklet, we organised a series of seminars for different levels of civil servants to explain the offence from both the legal and corruption prevention perspectives. Over 1 000 civil servants have attended the seminars so far.

9. The Ethical Leadership Programme ("ELP"), launched by CSB and ICAC jointly in 2006, continues to be our flagship initiative to consolidate the value of integrity in the civil service through leadership and commitment of the senior management in B/Ds. Under this Programme, each B/D has appointed an Ethics Officer ("EO") at senior directorate level to lead and co-ordinate integrity management activities and efforts of their organisations. 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 B/Ds. We have at present a network of about 150 EOs and AEOs. The network serves as an important platform through which we communicate with B/Ds by way of workshops, outreach visits, and other means of information sharing.

10. As part of our efforts to help B/Ds in developing and strengthening an ethical culture in their organisations, we continue to organise thematic workshops for EOs and AEOs on a regular basis. So far, 11 such workshops have been conducted. CSB and ICAC also engage individual B/Ds under the ELP in in-depth discussions and experience-sharing on the implementation of integrity management within their organisations.

11. As a new initiative to promote integrity management in the civil service, we introduced a new Special Citation award under the Civil Service Outstanding Service Award Scheme in 2013 ("the 2013 Scheme") to give recognition to the best integrity management practices in two team awards, namely, *General Public Service* and *Regulatory/Enforcement Service*. Integrity management has been included as one of the assessment criteria

which is evaluated mainly on the basis of the strategy and efforts made by the participating B/Ds to ensure adherence to high standards of conduct and integrity in service delivery. In the 2013 Scheme, the two awards went to teams from the Immigration Department (General Public Service category) and the Electrical and Mechanical Services Department (Regulatory/Enforcement Service category).

12. To provide civil servants with up-to-date and handy reference materials on integrity management, CSB and ICAC provide a dedicated intranet known as the *Resource Centre on Civil Service Integrity Management*, for all civil servants. It serves as a one-stop repository providing updated service-wide regulations on conduct and discipline matters, publications on integrity related subjects, sample guides or codes of conducts, etc. To encourage experience sharing, we further rolled out the *Online Community for Ethics Officers* for EOs, AEOs and their supporting staff in 2009. Apart from providing a rich collection of literatures and training materials, such electronic access also provides a platform enabling online exchange of experience and views among B/Ds.

13. To further provide integrity education to civil servants, CSB and ICAC are collaborating to develop a web-learning portal for civil servants on corruption prevention and related integrity issues. We aim to launch the portal in 2014-15 at the “Cyber Learning Centre Plus”, a learning portal managed by the Civil Service Training and Development Institute of CSB.

(c) Sanction

14. The upholding of core values and compliance with the standards of conduct is supported by a well-established system whereby civil servants with exemplary service are duly recognised and rewarded, and those found culpable of misconduct of criminal offences are properly disciplined and punished.

15. The Administration takes a serious view of criminal offences and misconduct acts which involve a breach of trust in the public office held by civil servants or misuse of his/her power. Allegations of such misconduct would be promptly investigated, and disciplinary proceedings for established cases of misconduct would be carried out with regard to the principles of natural justice and observance of procedural propriety.

16. Over the years, the overall corruption scene in the civil service has remained generally stable and under control as illustrated by the key indicators set out at the **Annex**. Out of 15 civil servants prosecuted for corruption related offences in 2013, 11 civil servants were convicted representing about 0.01% of all civil servants within the Administration. In relation to prosecutions between 2009 and 2013, the five-year average of persons convicted is 14 persons per year. The figures indicate that the vast majority of our civil servants are able to measure up to the very high standards of integrity and probity expected of them.

Conclusion

17. The Administration is keenly aware that there is no room for complacency in its efforts to uphold an honest and clean civil service. CSB will, in collaboration with ICAC and B/Ds, keep up the momentum of integrity management and promotion and strengthen our ethics infrastructure.

18. Members are invited to note the content of the paper.

Key Indicators of Corruption in the Civil Service

	2009	2010	2011	2012	2013
(a) No. of alleged corruption reports/complaints ^{Note 1} against civil servants received by ICAC	Corruption Report	Corruption Complaint			
	1 061	1 057	1 117	1 192	809
	➤ No. of pursuable reports/complaints	704	747	762	776
➤ % of pursuable reports/complaints	66%	71%	68%	65%	55%
(b) No. of civil servants prosecuted for corruption related offences	21	26	19	11	15
➤ No. of civil servants convicted ^{Note 2}	17	17	16	9	11
➤ % of convicted cases	81%	65%	84%	82%	73%
(c) No. of civil servants referred by ICAC to bureaux/departments for consideration of disciplinary or administrative action ^{Note 3}	66	139	78	126	39

Note 1 : A corruption report may contain multiple complaints against different government departments/public bodies/industries. Commencing 2010, corruption statistics have been compiled on the basis of complaints instead of reports.

Note 2 : For simplicity's sake, the trial outcome is entered in the same year an officer is prosecuted for corruption related offence. In practice, the verdict may be returned by the court in the same or a subsequent year.

Note 3 : For cases where no prosecution is made against individual civil servants but possible misconduct or 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 or administrative action.

Data source : ICAC