

## **LEGISLATIVE COUNCIL PANEL ON PUBLIC SERVICE**

### **Promotion of Integrity in the Civil Service**

#### **Purpose**

This paper presents for Members' information an overview of the work of the Civil Service Bureau ("CSB") in the promotion of integrity in the civil service.

#### **Overview of our integrity management efforts**

2. An honest and clean civil service is the cornerstone of effective governance. The Administration is committed to upholding high standards of integrity and probity in the civil service. Such a commitment is enshrined in the civil service rules and regulations governing conduct in the civil service, which lay down clear guidelines against malpractices.

3. Throughout the years, CSB and the Independent Commission Against Corruption ("ICAC") have been working closely with departments to promote and safeguard integrity in the civil service. We adopt a three-pronged approach in inculcating a culture of integrity amongst staff –

##### **(a) Prevention**

Clear policies, guidelines and procedures are available to provide guidance to individual officers. Proper checks and balances are built into various operational and service systems.

##### **(b) Education**

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

**(c) Sanction**

Disciplinary punishments will be imposed strictly on those who have been found guilty of misconduct.

4. As illustrated by the key indicators set out in Annex A, the overall ethical climate in the civil service has remained stable and steadily improved in the past five years.

5. This notwithstanding, we recognise that there is no room for complacency. We will remain vigilant in upholding an ethical culture within the civil service.

**Sanction**

6. The Administration takes a serious view of criminal offences or acts of misconduct which involve a breach of trust in the office held by civil servants or misuse of power. Any allegations of such misconduct would be promptly investigated. Where, following impartial proceedings, an officer is found guilty of misconduct, disciplinary sanctions would be strictly enforced. In the four years ending 2003/04, of the 169 officers who have been subject to disciplinary action for having committed offences/misconduct related to abuse of official position<sup>(Note)</sup>, 48 or about 28% have been awarded terminatory punishments (i.e. compulsory retirement from the service or dismissal).

**Prevention and education**

7. On the prevention and education front, the efforts that we are spending on integrity management in the past few years are summarised below.

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<sup>(Note)</sup> 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.

### *Service-wide guidelines*

8. Service-wide guidelines on conduct matters are kept under constant review to ensure that they remain clear and adequate in present-day circumstances. In this regard, two revised circulars which give clearer guidelines on (a) acceptance of advantages by civil servants in their personal capacities; and (b) how to deal with gifts or entertainment offered to an officer in his official capacity, were issued in 2002. In 2004, we issued a revised circular on conflict of interest. The updated circular provides more detailed guidelines, including the common areas in which conflict of interest may arise. It is supplemented by an annex containing examples of conflict of interest situations to help enhance staff awareness of the situations that they should avoid. We have also encouraged departments to develop their own departmental guidelines highlighting, where appropriate, the more prevalent form of conflict of interest situations to which their staff are exposed, by virtue of the nature of their work.

### *Civil Service Integrity Entrenchment Programme*

9. As part of our efforts to promote and entrench an ethical culture in the civil service, CSB and ICAC have jointly launched the “Civil Service Integrity Entrenchment Programme” (CSIEP) in early 2004. Under the programme, an out-reach team comprising directorate officers from CSB/ICAC calls on bureaux/departments to discuss practical issues in relation to integrity management. The programme aims at engaging bureaux/departments to take stock of the progress made against the objective of inculcating an ethical culture in the civil service and to examine and identify areas that need to be focused on in the near future. Up to March 2005, we have visited 30 departments (with a combined workforce of some 104 000 staff) under this programme.

10. Departments are generally conscious of the need for vigilance in upholding staff integrity in their organisations and have taken proactive promotional efforts. Such measures include issue of departmental guidelines on conduct-related matters, promulgation/updating of departmental codes on conduct and discipline, undertaking of assignment studies by the Corruption Prevention Department of ICAC to plug loopholes in departmental systems and processes, organisation of seminars and talks on integrity-related matters, publication of newsletters, production of audio-visual training materials and development of dedicated webpages on conduct and discipline. In individual departments, large-scale promotional campaigns and on-going strategies to advocate healthy lifestyle and integrity are also launched/adopted.

### ***Resource Centre on Civil Service Integrity Management***

11. The electronic “Resource Centre on Civil Service Integrity Management” (“RCIM”), jointly developed by CSB and ICAC, was launched in 2001. It puts in one place materials relating to integrity management to facilitate the work of departmental managers responsible for embedding an ethical culture within their organisations. This resource centre on the intranet provides handy reference materials such as service-wide regulations on conduct matters, publications on subjects related to the integrity of civil servants, sample departmental guides or codes of conduct, as well as answers to some frequently asked questions on conduct matters.

12. We have been constantly updating and enhancing the content of the RCIM since its launch. In 2003, we incorporated into the website a more comprehensive list of frequently asked questions on subjects such as acceptance of advantages, declaration of investments, and outside work. To remind civil servants of the dire consequences of misconduct, we have started in 2004 to upload onto the RCIM examples of acts of misconduct that staff are advised to avoid. The cases that have been uploaded so far cover subjects including unauthorised absence from duty; falsification of attendance records; and supervisory responsibility etc.

### ***Civil Servants’ Guide to Good Practices***

13. The “Civil Servants’ Guide to Good Practices” was first published in 1999. It sets out in simple language the good behaviour expected of civil servants at all levels. To help fortify an ethical culture in the civil service, we have updated the Guide and distributed it to civil servants at all levels in April 2005, including non-civil service contract staff. Apart from bringing the content of the Guide up-to-date where appropriate, we have expanded the annexes to the Guide to give answers to a wider list of common questions on conduct matters.

14. We have also added a new chapter on the common law offence of misconduct in public office to raise staff awareness and to provide guidance on the subject. The chapter aims to remind civil servants that our society expects public officials to exercise their powers with integrity and fidelity and in an incorrupt manner. Corrupt conduct, contrary to the ethical standards that society expects a public official to apply when discharging his official duties, may not merely be dealt with as a disciplinary matter. It may be criminally actionable. To tie in with the issuance of the Guide with the new chapter,

sample cases based on precedents (of convictions under the common law offence of “Misconduct in Public Office”) have been compiled and uploaded onto the RCIM for easy reference of staff.

15. A copy of the updated Guide is enclosed at [Annex B.](#)

### ***Management of staff indebtedness***

16. On the management of staff indebtedness in the civil service, CSB has been monitoring the situation closely, including the calling of regular returns from departments with a higher number of indebted staff. We have earlier issued service-wide guidelines reminding civil servants of the importance of prudent financial management. Proactive measures are also implemented at departmental level to ensure that personal financial difficulties, if any, of individual officers would not impair operational efficiency or the integrity of the civil service as a whole. For example, the Police Force launched an on-going healthy life-style campaign to promote the physical and mental well-being of its staff. The Correctional Services Department and the Food and Environmental Hygiene Department promote the value of a healthy life-style through talks and publicity on departmental web-pages.

17. Thanks to the sustained efforts of departments in managing the situation coupled with the territory-wide trend driven largely by the economic recovery, we see a consistent decline in the number of insolvency or bankruptcy cases in the civil service from 997 in 2002 to 185 in 2004.

### ***Training and induction***

18. Training is an important measure for continually upholding civil service integrity. Corruption prevention courses are held on a regular basis to enhance awareness of the high standards of conduct required of civil servants. In the three years ending 2004, 2 200 such training courses, including talks on corruption prevention and briefings on integrity and avoidance of conflict of interest, were organised for 57 000 officers at various ranks. We are encouraged by the strong support given by departments in providing integrity training to their staff.

### **Future endeavours**

19. As a testimony of the Administration’s commitment in entrenching an ethical culture in the workplace, CSB and ICAC are jointly organising a forum on 16 June 2005, bearing the theme of “Successes through Ethical

Governance”. It aims to provide an opportunity for leaders in the public and business sectors to examine new ethical challenges on the horizon and share experience in ethical leadership. Some 800 participants are expected to join the Forum.

20. As a sequel to the CSIEP (please see para. 9 and 10 above), CSB and ICAC are planning to organise theme-based workshops for middle managers covering a number of topics that are of particular interest to departments. These include avoidance of conflict of interest in procurement and tendering; and supervision of outsourced activities. Related to this, we are working together with the Works Branch of the Environment, Transport and Works Bureau in drawing up an updated integrity management guide for the staff of works departments.

21. Much as we are encouraged by the positive feedback about the usefulness of the reference materials available on the Resource Centre on Integrity Management, CSB will continue to enrich its content from time to time. At the same time, to ensure that our service-wide guidelines remain clear and relevant in present-day circumstances, we will keep them under regular review.

22. Overall, CSB will maintain close partnership with ICAC and departments to further embed a culture of integrity in the civil service.