

For discussion
on 16 May 2022

LEGISLATIVE COUNCIL PANEL ON PUBLIC SERVICE

Review of the Selection and Appointment Mechanism for Senior Levels of the Civil Service and Performance Management in the Civil Service

Purpose

This paper briefs Members on the latest progress of the Government's review of the selection and appointment mechanism for senior levels of the civil service and gives an overview of the performance management measures in the civil service.

Background

2. With the implementation of The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (the Hong Kong National Security Law) and improvement to the electoral system of the Hong Kong Special Administrative Region of the People's Republic of China (HKSAR), chaos has ended and social order has been restored. We are now embracing a new era where we can focus on economic development and improving people's livelihood. The 2021 Policy Address delivered by the Chief Executive (CE) focuses on developing and mapping out Hong Kong's future, and puts forth a number of new measures.

3. In order to achieve good administration and governance, the HKSAR Government will enhance the effectiveness of governance in various aspects, which include reviewing the selection and appointment mechanism for senior levels of the civil service. As the Public Service Commission (PSC) is responsible for, amongst others, advising the CE on civil service appointment and promotion matters, we have also invited the PSC to provide its views on the outcome and recommendation of our review.

Review of the Selection and Appointment Mechanism for Senior Levels of Civil Service

4. As the backbone of the HKSAR Government, the civil service plays a vital role in fully implementing “One Country, Two Systems”. The Civil Service Bureau (CSB) has been strengthening the main elements of the management of the civil service, including recruitment, training and the selection and appointment mechanism for senior civil service positions, so that the civil service can zealously embrace the opportunities and challenges of the new era. There are at present some 1 500 civil service posts at directorate level, constituting around 0.7% of the overall 194 000 civil service establishment. Directorate civil servants not only take up leadership positions in the civil service of the HKSAR Government, but also play a critical role in the effective implementation of policies in the HKSAR.

Current arrangements for selection and filling of posts

5. All along, civil service appointments have been based on the principle of open and fair competition. The most meritorious and the most suitable persons are selected to fill civil service vacancies. At the same time, maintaining a clear and systematic career development structure is conducive to the recruitment and retention of talents in the Government. Vacancies at directorate civil service ranks are mostly filled by internal promotion, providing career development opportunities for other civil servants. Like all civil service posts, promotion of directorate civil servants is based on objective criteria and the principle of meritocracy. Taking into account the character, ability, experience of the officers concerned and the qualifications prescribed for the promotion ranks (if any), the most suitable and the most meritorious candidates are selected and promoted through a fair process. Seniority of the officers concerned should not be given weight in the selection process save when a relatively large number of them have similar scores or performance ratings.

6. Other than filling vacancies through internal promotion, vacancies at directorate ranks may also be filled by officers from other grades within the civil service¹, or candidates identified through in-service or open recruitment.

¹ Promotion ranks are specified as to which grades or ranks they correspond to. For example, Senior Executive Officer is the promotion rank for Executive Officer I, Principal Education Officer is the promotion rank for Senior Education Officer (Administration), Principal Inspector (Education), Senior Specialist (Education Services) and Principal I.

Generally, departmental and grade management may consider widening the pool of candidates to other grades in the civil service or conduct in-service or open recruitment, if and when there is a lack of suitable officers for advancement within the grades concerned, or there is a need to, having regard to the job requirements, to bring in experience or expertise that is otherwise not available within the grades concerned.

Requirements for Directorate Civil Servants

Fully implementing “One Country, Two Systems” and the principle of “patriots administering Hong Kong”

7. In a speech delivered at the symposium held on 16 July 2021 marking the first anniversary of the implementation of the Hong Kong National Security Law, Mr Xia Baolong, Vice-Chairman of the National Committee of the Chinese People’s Political Consultative Conference and Director of the Hong Kong and Macao Affairs Office (HKMAO) of the State Council, said that the persons who govern should have the will, the competence and the ability to deliver the targeted results. He also spelt out five requirements that one should fulfil to be a staunch patriot with strong administrative capabilities: (i) being staunch patriots who are competent in fully and accurately implementing “One Country, Two Systems” in governing Hong Kong; (ii) being patriots who have a strong sense of commitment, are ready to act and are competent in resolving conflicts and problems facing Hong Kong’s development; (iii) being patriots who love the people, are for the people and are competent in serving the practical needs of the people; (iv) being patriots who are inspiring leaders competent in rallying and uniting all sectors; and (v) being patriots who have a strong sense of responsibility and are competent and diligent in fulfilling their duties.

8. As said in the 2021 Policy Address, we need a professional and highly efficient governing team consisting of people devoted and loyal to the country and Hong Kong, adept at policy making as well as execution, and driven by a strong sense of responsibility and commitment to serving the people of Hong Kong with assiduity. Civil servants shall serve the Chief Executive and the Government of the day with total loyalty and to the best of their ability. The above qualities are applicable to the whole civil service. The leading role played by directorate officers in the Government is particularly important. As leaders of civil servants and as the Government’s representatives in their respective area of work, directorate civil servants must possess the vision,

mission, energy, passion and capability to embrace the challenges in the formulation, implementation and communication of government policies. They should display commitment and sustain professionalism in implementing “One Country, Two Systems”, delivering public services, and be proactive in taking forward their work with a view to improving the wellbeing of the society. Furthermore, they should be ready and willing to make decisions even in times of adversity and take proper actions in implementing the decisions and at the same time stand ready to bear responsibilities and be accountable for their decisions and actions. Needless to say, they should deal with the public and their work fairly, efficiently, promptly, effectively and sensibly. An effective appointment system should be one that is able to select persons with these qualities.

Pilot Scheme for the New Selection and Appointment Mechanism

9. Over the past few months, CSB has listened to views on the review of the selection and appointment mechanism for senior levels of the civil service. CSB has also sought the advice of the PSC on the proposal.

10. As mentioned above, the review of the selection and appointment mechanism must be conducted on the basis of upholding the principle of meritocracy and ensuring the stability of the civil service. Providing a structured career ladder and maintaining a fair and credible promotion system are crucial to the recruitment and retention of talents in the civil service. In this connection, a majority of directorate posts will still be filled by internal promotion in the future. However, for some directorate posts which require general capabilities for public administration (such as foresight, analytical ability, innovation ability and political sensitivity) more than professional ability, and those with succession difficulty and lack competition in the promotion process, consideration may be given to including these posts under the new appointment mechanism.

11. The experience, professional background and expertise required of post holders vary according to the ranks, duties and responsibilities of the directorate posts. As these requirements will change with factors such as the needs/developments of the society and the adjustments to policy focus, the recruitment arrangements for the posts should be adjusted according to the circumstances and reviewed from time to time.

12. We propose that the new selection and appointment mechanism should achieve the following three major objectives:

- (a) whether by in-service appointment or by open-cum-in-service recruitment, the pool of candidates should be widened as far as possible;
- (b) the improved mechanism should allow the Government sufficient flexibility such that both the candidates and the way of appointment can be adjusted in response to social development or change in policies; and
- (c) provide appropriately attractive terms of appointment and arrangements to encourage serving civil servants and/or other aspiring candidates with good attributes to apply for the opened-up senior directorate posts.

13. Under the new selection and appointment mechanism, we will conduct in-service or open recruitment to fill vacancies at the directorate ranks². Even though there is a need to bring in experience or professional expertise which is not available in the grades concerned for some of the posts, given the post-holder needs to be familiar with the internal operation and the policies of the Government, it is appropriate to conduct in-service appointment only. The Director of Information Services (DIS) post mentioned below is one such example. In conducting in-service appointment, we will widen as far as possible the pool of candidates for recruitment in terms of both the grade and the rank. In other words, in delineating the eligibility for application for these posts, we will avoid limiting the pool of candidates to a certain profession or the lower rank of the post concerned. This will make these positions attractive to competent, though junior, serving civil servants. Taking the DIS post again for example, the post is at Directorate Pay Scale Point 6 (D6) level and is originally the promotion rank for the Deputy Director of Information Services (at D3 level). For the in-service recruitment, we widened the pool of eligible candidates for selection by setting the entry requirement at D2 level or above. If we conduct open recruitment, we will also set appropriate professional qualification and experience requirements and broaden them as far as possible.

² The targets of open recruitment are not limited to candidates from outside the civil service. Serving civil servants can also apply for these posts.

14. When considering the opening up of certain appropriate directorate posts, we will also enhance the composition of the selection board. At present, the chairman and members of the promotion boards are all government staff. The board chairman and members should avoid any real and perceived conflict of interest. In this regard, before the convening of a promotion board, there is an established mechanism requiring the chairman and members to declare whether they have any real or perceived conflict of interest with the eligible officers. Under the framework of the new selection and appointment mechanism, we propose that where appropriate and where no conflict of interest is involved, the Government may consider inviting the chairman or a member of a relevant statutory or advisory body to serve on the selection board. People who take part in the work of statutory or advisory bodies have valuable experience which would help the selection board to assess the strengths and weaknesses of the candidates from different perspectives. Taking the post of the Head of Civil Service College (CSC) as an example, apart from having a government official to serve as the chairman of the recruitment board, we have also invited members of a relevant advisory body to serve on the board. We will discuss with the bureaux/departments concerned the feasibility of inviting suitable persons to participate in the selection process of individual recruitment exercises (including deliberating on the entry requirements, selection process and ways of assessment).

15. We have earlier conducted recruitment exercises for the two Head of Department posts, namely the Head of the CSC and the DIS, under the framework of the new selection and appointment mechanism. The recruitment arrangements and terms of appointment are as follows:

(a) Head of the Civil Service College (at D6 level)

16. Head of the CSC is a newly established one-rank grade post. The major duties and responsibilities of the post are to head the CSC, and formulate and spearhead the policy and strategy in delivering and enhancing civil service training, including training on the country's Constitution and on the Basic Law, national security, national studies and other training to meet the service-wide training needs of civil servants; to formulate training-related policy and rules for service-wide application; to tender advice and recommendations to the SCS and the Permanent Secretary for the Civil Service and to bureaux/departments on training and development matters; and to implement various training-related initiatives.

17. In setting the entry requirements for the post, we consider that the post-holder should have strong leadership, management and organisational capabilities; the acumen to appreciate the challenges, development needs and opportunities facing civil servants as well as the local, national and international affairs impacting the civil service; strong communication and interpersonal skills; comprehensive and accurate understanding of the Constitution, the Basic Law and the Hong Kong National Security Law; and good understanding of our nation's history, the development of our nation in recent decades as well as our nation's promulgated development directions, etc.

18. In view of the rank, duties and responsibilities of the post, we are of the view that the qualities and experience required for the job may be available to candidates with management and training experience at a senior level, both within and outside the Government. If we conduct solely in-service recruitment, it will undoubtedly limit the choices available to the Government. As such, after careful deliberation, we have decided to conduct both open recruitment and in-service appointment exercises for the post, so as to widen the pool of candidates and cast the net as wide as possible for talents from across the civil service, the private sector and academia. By so doing, it would allow the Government to select the most suitable candidate with the necessary qualifications and expertise, and also serve the Government's best interest.

19. The recruitment exercise for the Head of the CSC has entered its final stage, the result of which is expected to be announced within May or June.

(b) Director of Information Services (at D6 level)

20. The post of DIS is the promotion rank for the Deputy Director of Information Services. This post has been filled by suitable officers from the Administrative Officer Grade for years as no suitable officer has been promoted to the post since 1997.

21. The Information Services Department (ISD) was mainly responsible for promulgating government information and conducting publicity activities in the past. In response to changing times, the department has evolved into a professional communications agency. The CE said in her 2021 Policy Address that in this era of information explosion, an important aspect of governance was

effective dissemination of government information so that the public could better understand the policies of the Government and the latest situation more quickly. The Government needs to enhance its capability in information dissemination and explanation of policy to the public. DIS is required to take forward ISD's mission of providing professional public relations (PR) advice and promoting government policies and services with a view to projecting an accurate image of the city within and outside Hong Kong. The duties and responsibilities of DIS include: to closely keep in view media feedback on major government policies/initiatives, and review with the CE and other Principal Officials the handling of related PR issues; to provide strategic PR advice and support to the CE / the Chief Secretary for Administration / the Financial Secretary on the Policy Address, the Budget and other key policy initiatives and programmes; to actively engage the media sector to enhance their understanding of the Government's policy thinking and position; to promote, both locally and overseas, understanding of Hong Kong and her positive image through publicity programmes/means; to provide quality, professional and effective services to meet the changing PR and media relation's needs of bureaux/departments and the media; and to develop a multi-skilled and professional cadre of Information Officers.

22. DIS advises the CE, Principal Officials and bureaux/departments on PR matters. As such, the post-holder needs to have extensive experience in the Government and substantial knowledge of its organisation and operation, with some networking and connections in the Government to facilitate efficient formulation of appropriate PR strategies and coordination of actions with better results. Such a candidate will be well qualified to offer well-informed strategic recommendations to the CE and other senior government officials, and play the role as part of the governing team to the fullest extent. Based on the above considerations, we consider it more appropriate for a senior civil servant conversant with the Government's operation to assume the position of DIS such that the duties will be performed more effectively. We have thus conducted an in-service appointment exercise. In order to widen the pool of candidates for selection as far as possible, applicants whose substantive ranks are at D2 level or above or equivalent with at least 10 years of administrative/managerial experience in a directorate position in the Government; and meet other entry requirements can apply for the post. Those who have good understanding of the media sector and solid experience in handling matters relating to PR will be an advantage.

23. We have earlier conducted recruitment for the post through in-service appointment. The selection and appointment work is underway.

Next Step

24. Apart from the above two posts, we have also identified four directorate posts which will become vacant within this year and are relatively suitable for opening up. We plan to commence the recruitment exercises under the framework of the new selection and appointment mechanism.

25. After discussion with the Innovation and Technology Bureau, we plan to open up the posts of the Commissioner for Innovation and Technology (D6), the Government Chief Information Officer (D6) and the Deputy Commissioner for Efficiency (D3). The above three posts are all one-rank grades. In addition, having considered the arrangements for filling these posts in the past and the rank, duties and responsibilities involved, we consider that such posts are well-placed to be included in the pilot scheme for open-cum-in-service recruitment. We will consult the PSC on the proposed recruitment arrangements, terms of appointment, entry requirements, etc. for the above three posts.

26. Another post that the Government plans to open up for filling is that of the Commissioner for Sports under the Home Affairs Bureau (HAB). It is currently an Administrative Officer grade post ranked at the Administrative Officer Staff Grade B (D3) level. The Commissioner for Sports is committed to promoting the development of sports in Hong Kong and encouraging collaboration among different sectors of the community in fostering a strong sports culture. The post-holder should have a vision and strategy for the sports development, and personally have a genuine passion for sports, and be conversant with governmental operations and public policies. HAB is considering the arrangement for filling the post. CSB will follow up with the relevant bureau on opening up the post after re-organisation of the government structure.

27. CSB will take forward the new selection and appointment mechanism according to above proposal, and will maintain communication with the PSC and directorate civil servants.

Performance Management Measures in the Civil Service

28. Experience and exposure are very important for public administration. It remains essential, overall speaking, to have a team of quality middle and senior-level civil servants to underpin the succession to directorate civil service posts. Therefore, the civil service performance management system is highly important not only for maintaining overall work efficiency, but also for ensuring smooth succession to directorate civil service posts.

29. The Government has all along strived to maintain an effective performance management system in the civil service. Civil servants at all levels are subject to annual performance appraisals, in order to enable the management to monitor and assess staff performance. Under the appraisal mechanism, the appraisers (i.e. appraising officers, countersigning officers and reviewing officers) are all required to make candid and independent assessment of appraisees' job performance based on facts and observations.

30. In respect of middle and senior-level civil servants, the performance appraisal normally sets out a list of major responsibilities of the appraisee during the period covered by the appraisal report. The appraising officer (normally the direct supervisor of the appraisee) is required to make narrative assessment and give ratings in respect of (i) how effective each of these responsibilities / objectives has been achieved and (ii) the appraisee's overall performance. In addition, the appraising officer is also required to give ratings to the appraisee's (i) competencies in different aspects and (ii) potential for promotion. Performance rating scales with clear definitions are adopted in the appraisal form to enable the appraisee to understand the level of performance represented by the rating given to him / her, and to achieve better objectivity and consistency in performance assessment. Under the above framework, the competencies subject to assessment and the assessment standards may vary among different ranks and grades in view of the different nature of work. For some civil servants of junior ranks, given their job nature, their appraisal reports mainly require the appraising officers to give ratings to the appraisees' major job duties and personal attributes, and make assessments on the overall performance.

31. After completion of the appraisal reports, the appraising officers should have a frank discussion with the appraisees on the latter's job performance, areas for improvement, potential, training needs, future posting arrangements, etc. The appraising officers should record in the appraisal reports the content of such discussion and the feedback of the appraisees (including any different views of the appraisees towards the assessments and ratings given in the appraisal). The majority of appraisal reports also require the assessments of the grade management.

32. Pursuant to the performance management system of civil service, throughout the appraisal period, the management should regularly monitor the work progress and the major issues of concerns of staff, and provide ongoing feedback to the staff to address the issues of concerns. If there are any aspects in which the staff have fallen short of the required standards, the management should not hold up raising their concerns to the staff until the year-end appraisal.

33. The promotion prospect of a civil servant will definitely be affected if he / she has put up a sub-standard performance. The salary increment of a civil servant may be stopped or deferred in serious cases. For a civil servant on probationary terms with sub-standard performance, he / she will not be appointed on permanent terms upon the end of his / her probationary period and, under such circumstances, has to leave the civil service. Besides, for persistent sub-standard performers, if they remain unable to show any improvement in performance during a specified observation period, the Government may require them to retire from the service under section 12 of the Public Service (Administration) Order in the public interest. On the other hand, the Government has made use of various commendation schemes (such as the Civil Service Outstanding Service Award Scheme, the Secretary for the Civil Service's Commendation Award Scheme and the Commendation Letter Scheme) to recognise exemplary performance of civil servants, motivate and encourage them to continue to excel, and provide quality service to members of the public with dedication.

34. CSB will keep the civil service performance management system under review from time to time, with a view to enhancing the relevant arrangements and practices as appropriate. In reviewing the selection and appointment mechanism for the senior levels of the civil service, CSB will review the appraisal arrangement for directorate civil servants, with a view to enabling a more comprehensive and detailed reflection of the competencies and potential of directorate civil servants in their appraisal reports. CSB will set up a working group to follow up on this aspect of work, formulate feasible proposals, and consult the PSC as well as the management and staff sides of the grades concerned.

35. In respect of the overall performance of a government department, all departments have drawn up performance pledges and targets as appropriate for their services directly provided to the public, and promulgated their actual performance regularly through different channels such as websites, annual reports, and/or other publications, with a view to upholding the quality of services provided. Government departments also set out in their annual estimates their performance indicators and the percentage of targets achieved. It remains, however, that some areas of work performed by government

departments, such as planning and policy formulation, are not related to direct delivery of services. The evaluation of the departments' performance and effectiveness in these areas of work cannot simply be reflected by quantitative targets. In addition, some public administration work including safeguarding public interest and procedural justice could hardly be quantified or measured by cost-effectiveness.

Advice Sought

36. Members are invited to note the content of this paper.

Civil Service Bureau
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