

LCQ21: Performance management of civil servants

Following is a question by the Hon Chan Han-pan and a written reply by the Secretary for the Civil Service, Mrs Ingrid Yeung, in the Legislative Council today (March 27):

Question:

It is learnt that the Government has all along been placing emphasis on enhancing the performance management of civil servants, with a streamlined mechanism for retiring civil servants in the public interest on grounds of persistent substandard performance under section 12 of the Public Service (Administration) Order (the streamlined mechanism) promulgated on September 4 last year. In this connection, will the Government inform this Council:

(1) of the respective numbers of civil servants who were (i) not granted increments or (ii) required to retire from the service as a result of substandard performance in each of the three years prior to the implementation of the streamlined mechanism, together with a breakdown by government department, rank and year of service; whether it has estimated the average reduction in the time taken under the streamlined mechanism as compared with the old mechanism in respect of the procedures for processing cases involving civil servants mentioned in (i) and (ii) above;

(2) of the time taken by the Civil Service Bureau (CSB) to process cases involving civil servants being required to retire from the service as mentioned in (1) (counting from the time when the civil servants concerned received a fifth-level or sixth-level overall rating on a six-level performance scale in their appraisal reports, or two fourth-level overall ratings in two consecutive appraisal reports) (broken down by periods of within one year, more than one year and within two years, and more than two years); whether it has estimated the average reduction in the time taken under the streamlined mechanism as compared with the old mechanism in respect of CSB's procedures for processing such cases;

(3) whether, after the implementation of the streamlined mechanism, there are civil servants in respect of whom the procedures under the old mechanism are still being used to require them to retire from the service; if so, of the relevant number, as well as the longest and average time that have been taken to process such cases; whether the Government will consider completing the processing of such cases as soon as possible, so as to meet public expectation; and

(4) whether it will introduce new measures to reward civil servants with better performance; if so, of the specific plan and timetable; if not, the reasons for that?

Reply:

President,

The Government attaches great importance to the performance management of civil servants and has a well-established system to manage civil servants' performance. The Chief Executive announced in his 2022 Policy Address the strengthening of the civil service management system. For officers whose performance remains persistently sub-standard despite supervision and assistance, their appointments should be terminated in a timely manner. In September 2023, the Civil Service Bureau (CSB) promulgated and implemented a streamlined mechanism (the streamlined mechanism) for retiring civil servants on grounds of persistent sub-standard performance under section 12 of the Public Service (Administration) Order (PS(A)O) (section 12 action) to strengthen the management of staff with sub-standard performance.

Our consolidated reply to the various parts of the question is as follows:

(1) and (2) From 2020 to end-August 2023, a total of 11 officers were issued with Section 12 Notification under the old mechanism due to sub-standard performance. As of end-August 2023, the procedures of section 12 action were suspended in three of the cases due to various reasons (e.g. performance improved to an acceptable level or department was taking disciplinary action against the officer). Four officers left the Government for various reasons (e.g. resignation or removal punishment imposed as a result of disciplinary action). The remaining four cases were being handled at different stages. During the said period, two more officers, who were issued with Section 12 Notification before 2020, were retired under section 12 of PS(A)O in 2020 and 2021 respectively. As the number of officers involved is limited and to safeguard the privacy of the officers, detailed information on the officers concerned would not be disclosed.

The average processing time of the above two completed cases was two years and 10 months, counting from the time when the Section 12 Notification was issued to the officer concerned notifying him of commencing the pre-section 12 action (i.e. the observation period) to the time when the decision of retiring the officer was made (Note 1).

Separately, under Civil Service Regulation 451(1), an officer may be granted an increment only if his/her work performance (including conduct, diligence and efficiency) has been satisfactory during the appraisal period. In the three financial years from 2020-21 to 2022-23, around 60 per cent of civil servants did not reach the maximum pay points of their respective ranks, among which, a total of 32 civil servants were not granted an increment due to unsatisfactory performance. The number of the officers in question, broken down by bureau/department and pay point, is at Annex. The CSB does not keep information on the length of service of civil servants not granted an increment.

(3) Since the implementation of the streamlined mechanism in September 2023,

a total of six officers were issued with Section 12 Notification. Section 12 action was suspended (Note 2) in one of the cases due to the officer's improved performance during the specified observation period. One officer has resigned, and one will soon be issued with the Letter-of-Intent since the officer's performance during the specified observation period remained sub-standard. The remaining three officers are still under the specified observation period. There has been no case which reaches the stage of termination of appointment at present. Hence, the average processing time of cases is not available. The streamlined mechanism enhances the efficiency of departments in handling cases of section 12 action through measures such as removing unnecessary procedures. The CSB will continue to oversee and encourage departments to make good use of the streamlined mechanism to terminate the appointment of civil servants with persistent sub-standard performance in a timely manner.

Since September 2023, one officer has been retired in the public interest under the old mechanism. The processing time of that case was about two years and seven months. The CSB will continue to oversee departments to make good use of the streamlined mechanism and step up efforts to monitor their handling of cases, as well as monitoring potential and ongoing cases of section 12 action through departments' quarterly returns. Moreover, the CSB will check with departments proactively the progress of cases which remain outstanding for a prolonged period of time and offer advice.

(4) Subject to satisfactory performance, including conduct, diligence and efficiency, officers normally advance one increment a year within their respective pay scales of their ranks until they reach the maximum point of the scales. Civil servants displaying excellent and outstanding performance will be considered for promotion. For those with remarkable performance and dedication to serving the community, due recognition will be given through various existing commendation schemes for civil servants, including the Chief Executive's Award for Exemplary Performance, the Secretary for the Civil Service's Commendation Award Scheme, the Civil Service Outstanding Service Award Scheme, the Long and Meritorious Service Travel Award Scheme, etc. Bureaux/departments (B/Ds) also give recognition to officers with consistently outstanding service, substantial contributions to B/Ds, etc, through the Commendation Letter Scheme.

The Government maintains a clear and well-structured career development system for civil servants to attract, nurture and retain talents. The Government has put greater emphasis on identifying as early as possible civil servants with potential, commitment and outstanding performance. For officers with shorter years of service, we will enhance training and career management (e.g. arrange appropriate postings, professional and management trainings, Mainland and overseas visits, and secretariat attachments) for them in order to prepare them for effective performance and for taking up higher responsibilities.

Note 1: Under section 12 action, when an officer obtains an overall rating of 4 (and shows signs of further deterioration) on a six-level rating scale in his/her appraisal report, the management should call for an Observation

Appraisal in a specified period of six months. For an overall rating of 5 or worse, the management should call for an Observation Appraisal in a specified period of three months. The processing time of a case of section 12 action counts from the time when the department notifies the officer concerned of the commencement of the observation period to the time when the case is completed.

Note 2: There is a three-year monitoring period in place under the mechanism. Should the officer's performance deteriorate again within the monitoring period resulting in an appraisal with an overall rating of 5 or 6 for a period not less than three months, the Head of Department or Head of Grade may proceed to issue Letter-of-Intent to him without having to go through the observation process.