

# Chapter 3

## Common Issues

3.1 Before we go to the detailed analysis on the seven Disciplined Services in Chapters 4 to 10, we set out in this Chapter our views and recommendations on a few common issues that concern all or most of the Disciplined Services.

### Entry Pay and Qualifications

#### *Entry Pay*

3.2 During the GSR, we have received many requests for increasing the entry pay of disciplined services grades. Different arguments have been put forward to support these requests: to improve recruitment and retention, to achieve pay parity with similar ranks and to maintain a specified pay lead over certain grades. Our starting point is to focus on the Government's pay policy to offer sufficient remuneration to attract, retain and motivate staff of a suitable calibre to provide the public with an effective and efficient service. Having examined the recruitment situation of the entry ranks of the Disciplined Services, we notice that none of these entry ranks has recruitment difficulties. The number of applications far exceeds the number of vacancies, and the Disciplined Services are all able to identify sufficient candidates for appointment. A closer look at the profile of the new recruits reveals that the Disciplined Services are able to attract recruits with qualifications above the entry requirements.

3.3 We appreciate that the recruitment and retention situation may vary, depending on the overall economic performance and employment market of Hong Kong at different times. However, statistics from the Departments consistently show that there has been no recruitment difficulty in the disciplined services grades in recent years.

3.4 We note arguments in some quarters that the level of entry pay (and the pay for all ranks) of the Disciplined Services should be set on a par with, or at a certain relativity above, ranks with comparable entry qualifications so as to recognise the job factors and special factors of the Disciplined Services. As mentioned in Chapter 1, the pay of the Disciplined Services should be determined taking into account all relevant considerations, including the job factors and special factors in their totality using an averaging approach. The current levels of entry pay basically reflect the job nature of the Disciplined Services. As the Disciplined Services are able to attract people of suitable calibre at the current entry pay, we do not see any need for adjustment and we recommend that the entry pay should be maintained at the current level. (**Recommendation 3.1**)

### ***Entry Qualifications***

3.5 Another common request from the Disciplined Services is to raise the entry qualifications of certain grades. These proposals are in three main forms: to raise the benchmark entry qualifications; to remove current sub-entry points below the benchmark entry qualifications; and to introduce multiple entry points for higher qualifications in the Rank and File grades. Their major arguments are that the scope and complexity of jobs in the Disciplined Services have grown tremendously in the last two decades. Raising the qualifications would attract candidates with higher qualifications and recognise the higher intellectual capacity and academic ability required of new recruits to undertake the heavier responsibilities.

### **Qualification Benchmarks**

3.6 The concept of qualification benchmark system has its origin dating back to the 1970s, and has formed an important basis of the civil service pay system. At present, civil service salaries at the entry level are set having regard primarily to academic qualifications and the entry pay for comparable academic qualifications in the private sector. The different entry ranks in the civilian grades are grouped into 12 broadbanded academic Qualification Groups (QGs). For each QG, there is one (or two) benchmark pay, which is set having regard to the entry pay in the private sector for similar academic qualification as determined through a Starting Salaries Survey (SSS). When the benchmark pay of a QG is determined, the

starting salaries of the civil service grades in that particular QG are set on a par with, one or more points higher than (where justified for reasons of special job requirements or recruitment difficulties), or one or more points lower than (for example in the case of assistant ranks for professional grades), the said benchmark.

3.7 Whilst the QG system is the cornerstone of the current civil service pay system, it has always been recognised that academic qualifications could not be the only factor in setting pay levels. This is particularly evident in the case of the Disciplined Services, as “...formal educational qualifications, while important for ensuring a satisfactory standard of recruits both to the Rank and File and to the Officer ranks, are nevertheless a secondary consideration in setting the overall pay scales for the Disciplined Services”<sup>7</sup>. Indeed, determination of pay for the Disciplined Services is based on best judgment having regard to all relevant factors, including entry qualifications. Because of the uniqueness of the Disciplined Services, the Officer grades allow multiple entry arrangements and are open to candidates with different academic qualifications. Strictly speaking, the QG system is not directly applicable to the Disciplined Services. It is in the context of the application of an SSS that reference is made against specific QGs. The SSS is conducted for non-directorate civilian grades, and their starting salaries are adjusted based on the SSS results according to their QGs. As it is necessary to devise a practical formula for applying the SSS results to the recruitment ranks in the Disciplined Services, reference is made to a QG so that a link can be established for this purpose.

3.8 For the purpose of applying the results of the SSS in 1999 and 2006, QG7 (matriculation or 2A3O) and QG2 (five passes in the Hong Kong Certificate of Education Examination (HKCEE)) were adopted as the reference benchmarks for the Officer grades and Rank and File grades of the Disciplined Services respectively.

### Raising Entry Qualifications

3.9 We have received proposals to raise the present reference qualification benchmarks of six grades in the Officer cadre from matriculation to degree level, namely the ranks of Ambulance Officer,

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<sup>7</sup> Paragraph 6.10, Standing Commission on Civil Service Salaries and Conditions of Service Report No. 2 (1979): First Report on Civil Service Pay.

Commission Against Corruption Officer (Lower), Immigration Officer, Inspector of Customs and Excise, Inspector of Police and Station Officer. In addition, the FSD has also proposed to raise the entry qualification of the recruitment rank of Senior Fireman (Control) (SFn(C)) from school certificate to matriculation level.

3.10 In considering entry requirements, we are guided by the following considerations –

- (a) The minimum entry qualification should not be raised above the level necessary for the competent performance of the job concerned.
- (b) We should be mindful not to debar suitable people from joining the grades as a direct recruit by unnecessarily raising the academic qualification requirements, particularly because the job nature in the Disciplined Services is such that personal qualities like physical fitness, maturity and integrity are no less important than academic qualification.
- (c) As a matter of principle, the entry qualifications for in-service recruits should be on a par with that for open recruitment. This is particularly relevant in the case of the Disciplined Services, which have well-established schemes to identify capable and aspiring officers from the Rank and File grades for appointment to the Officer grades.

3.11 Having examined the situation of each of the Disciplined Services, we note that their recruitment statistics in recent years reflect rising percentages of new recruits with higher qualifications. In some cases, 90% to 100% of the recruits joining the Officer grades through open recruitment are degree-holders. The encouraging response is partly the fruit of the dedicated efforts of the Disciplined Services in promoting their services and corporate image over the years. This trend is also facilitated by an abundant supply of better-qualified candidates, as a result of the continuous development of the education system in Hong Kong. This might also be a reflection of the less favourable employment situation due to the economic downturn and the general recruitment freeze in the civil service a few years ago. It also demonstrates that the current entry

pay levels, coupled with the multiple entry arrangements, have been working well in attracting suitable staff to replenish the disciplined services workforce.

3.12 The profile of the in-service appointees to the Officer ranks presents a different picture. We note that a significant number of those Rank and File officers selected for appointment to the Officer grades do not possess a degree qualification.

3.13 At the macro level, the imminent implementation of the 3-3-4 education system by 2012 would render the matriculation and HKCEE qualifications obsolete for new graduates. We also notice the emergence of many different post-secondary qualifications (e.g. associate degree) and education opportunities beyond matriculation level, as well as the recent implementation of a new Qualification Framework<sup>8</sup>. There are more avenues for continuing education at the post-secondary (including degree) level, resulting in a significant increase in the number and ratio of people with higher qualifications. With the above developments, both the education system and the overall profile of the working population are undergoing fundamental changes with far-reaching implications. This calls for a careful and comprehensive re-assessment of the qualification benchmark system as a whole.

3.14 Balancing various factors, we consider it prudent not to introduce any changes to the present entry qualification arrangements of the Disciplined Services at this juncture. Instead of pursuing changes for the Disciplined Services in a piece-meal manner, we urge the Administration to conduct an overall review of the QG system in the coming years, taking into account all new developments and implications on the civil service and the society as a whole.  
**(Recommendation 3.2)**

3.15 In making the above recommendation, we would also like to put down a marker here. We echo the views of the management and staff that the responsibilities of the Officer grades in the Disciplined Services have grown tremendously in terms of scope and complexity. The Officer cadre is expected to have higher intellectual capacity, leadership, and breadth and depth of knowledge to face the

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<sup>8</sup> The Qualification Framework is a cross-sectoral hierarchy launched in May 2008, covering both academic and vocational qualifications required by various industries.

greater challenges in enforcement duties and to lead the Disciplined Services to deliver world-class services in the years to come. We trust that these factors will be taken into account in considering the appropriate reference benchmark entry qualifications for the ranks in the Disciplined Services.

3.16 We appreciate that the Disciplined Services would be concerned about the implications of the above recommendation on the application of the results of the next SSS scheduled for 2009-10. As in the case of the 1999 and 2006 SSS, the Standing Committee would be pleased to consider this issue in the appropriate context when our advice is sought in this regard.

#### Removing Sub-entry Level(s)

3.17 We have received proposals to remove sub-entry level(s) below five passes in the HKCEE for six Rank and File grades namely, Ambulanceman (Ambn), Assistant Commission Against Corruption Officer (ACACO), Commission Against Corruption Investigator (Main Stream) (CACI(M)), Customs Officer (CO), Fireman (Fn) and Police Constable (PC). Sub-entry is a special arrangement to allow more flexibility for the Disciplined Services to widen the pool of candidates for recruitment. Since academic qualification is not considered an overriding consideration for recruitment in the Disciplined Services, sub-entry enables the department to recruit candidates whose maturity, aptitude, skills, etc. render them suitable for appointment despite their marginally lower academic qualification. Information on recruitment exercises in the Rank and File grades in recent years show very few intakes of this category. Furthermore, new programmes such as Project Yi Jin have emerged to provide ready avenues for able and aspiring people to obtain qualifications equivalent to five passes in the HKCEE. The usefulness of sub-entry levels has therefore diminished. Indeed, these proposals are consistent with similar initiatives to delete lower entry qualifications during the past two decades. As this proposal has no bearing on, or interface with, the macro developments mentioned in paragraph 3.13, we are open to the requests for removing sub-entry level(s) for the six Rank and File grades. **(Recommendation 3.3)**

### Multiple Entry Points for Higher Qualifications

3.18 We have also received requests for introducing multiple entry points for higher qualifications (e.g. matriculation and degree levels) for six Rank and File grades, namely Ambn, CO, Fn, Immigration Assistant (IA), PC and SFn(C). We note that recruitment statistics for these Rank and File grades in recent years reflect rising percentages of new recruits with higher qualifications, for similar reasons highlighted in paragraph 3.11.

3.19 For the Rank and File grades, we would like to put down words of concern. As a matter of principle, the rate for a job should be set on the basis of the job weight, working conditions and other relevant factors. The salary should not be set above the level necessary for the competent performance of the job concerned, purely to recognise higher qualification of the job-holder. The arrangement of multiple entry above reference entry qualifications for the Officer grades was designed to widen the pool of candidates for appointment. At the Rank and File level, recruitment statistics show that there is no lack of supply of candidates based on the prevailing entry requirements and pay. Furthermore, the Disciplined Services are generally content with the current demarcation between the Officer cadre and the Rank and File cadre. The two groups have distinct roles and are expected to have different competencies and skill sets. The proposal to introduce multiple entry points for matriculation and degree levels for the Rank and File grades would render the two groups less distinct. From human resource management perspectives, it is also prudent to resist the temptation to recruit over-qualified candidates whose expectations might be higher than what their grades can offer in terms of job satisfaction and career progression, as this might have negative impact on staff morale and retention in the medium to long term. This risk is reflected in recent statistics which show that early wastage in the Disciplined Services, particularly for the Rank and File grades, are predominantly those recruits with qualifications above the entry requirements.

3.20 In addition to the above considerations, we are also mindful of the macro developments as mentioned in paragraph 3.13, which would render the HKCEE and matriculation qualifications obsolescent. Having considered all factors, we are unable to support the proposals to add multiple entry points for higher qualifications for the Rank and File grades. **(Recommendation 3.4)**

## **Special Increments**

### ***Long Service Increments***

3.21 Long Service Increments (LSI) are increments added beyond the top of a rank scale and payable after a specified long period of service. First introduced in 1959, they are a unique feature in the Disciplined Services, designed to recognise the service of capable, loyal and long serving officers who have to remain at the first ranks of the Rank and File grades. The latter phenomenon is largely rooted in the special command structures in the Disciplined Services, which render a significant portion of these officers unlikely to have promotion beyond the first rank despite long and meritorious service. At present, two LSI, one each payable upon completion of 18 years and 25 years of satisfactory service are available to six basic ranks of the Rank and File grades in the Disciplined Services, namely the Assistant Officer II (AO II), Ambn, CO, Fn, IA and PC ranks.

3.22 We have received submissions proposing additional LSI or extension to other grades/ranks, to tackle retention and career progression issues as well as to provide recognition and motivation for long serving officers.

3.23 In the GSR, we have reviewed the retention, morale and career progression of all the grades and ranks. As evident in the written submissions and exchanges with frontline staff and the management, there is a universal concern on the less-than-satisfactory career progression in the Rank and File grades. Because of the command structure, most Rank and File officers have to retire at the basic ranks for want of promotion opportunities. At present, they reach the maximum of the pay scale after seven to eight years given the existing incremental jumps in the ranks (paragraph 3.25 below). They have to complete 18 years of service to receive the first LSI and 25 years of service to receive the other one, subject to satisfactory performance. There is also the concern that, with the replacement of pension benefits by the Civil Service Provident Fund for officers appointed after June 2000, more officers with ten or more years of service might choose to explore employment opportunities elsewhere after taking the portable retirement benefits, resulting in potential retention problems.



3.24 Having revisited the objectives and rationale of awarding LSI, we agree that LSI is an effective motivation tool in sustaining morale. Taking into account the training investment involved and the staff's valuable solid experience, we consider it justified and important to provide timed incentives, through the award of LSI, to recognise the continued satisfactory service of the Rank and File frontline staff and motivate these experienced officers to continue to offer their best in their long careers at the base of the disciplined services hierarchies. We recommend that an LSI be added upon completion of 12 years of service, around half way between the time when an officer reaches the maximum pay point and the current LSI after year 18. We further propose to advance the existing LSI from year 25 to year 24 and add another one in year 30. With these proposals, the number of LSI will be increased from two to four for the six Rank and File basic ranks, one each to be awarded upon satisfactory completion of 12, 18, 24 and 30 years of service. As with current practices, the grant of LSI will continue to be based on merit as represented by the satisfactory completion of the specified years of service and other relevant criteria. (**Recommendation 3.5**)

### ***Incremental Jumps***

3.25 Another unique type of special increments in the Disciplined Services is incremental jumps. Incremental jumps aim to alleviate recruitment and retention problems, minimise early career wastage, retain experienced hands and recognise the staff in achieving a significant milestone in the career. At present, incremental jumps are available in specific ranks in most of the Disciplined Services. They include incremental jumps awarded on passing out<sup>9</sup>, completion of the first/second year of service<sup>10</sup>, passing relevant qualifying examination for promotion in the Rank and File first tier ranks with

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<sup>9</sup> PC will receive one incremental jump on passing out from the Police College.

<sup>10</sup> For the Rank and File (first tier), PC will receive one incremental jump after completion of 12 months of service and another incremental jump after a further 12 months of service, whereas AO II, Fn, Ambn, CO, IA will receive one incremental jump on completion of 12 months of service. For the Officer grades (first tier), Police Inspectors at present receive two incremental jumps after completion of 12 month of service followed by one incremental jump at the end of second year of service, whereas Correctional Services Officers and Industrial Officers, Customs and Excise Inspectors, Station Officers, Ambulance Officers and Immigration Officers receive one incremental jump on completion of 12 months of service.

not less than five years of service<sup>11</sup>, or attaining specific technical qualifications.

3.26 In examining the proposals for introducing additional incremental jumps, we are mindful that incremental jumps are awarded for specific reasons and are not generally available to all recruitment ranks in the Disciplined Services. Hence, they cannot be claimed as a matter of right. Indeed, the continued existence of the incremental jumps should be kept under review to see whether the circumstances have changed such that the original reasons for their introduction are no longer valid. We are also conscious that while incremental jumps may relieve wastage in early years, they will accelerate the time taken for officers to reach the maximum point of the pay scale and hence generate morale issues later. A fine balance has to be struck.

3.27 For the Rank and File grades, we support granting one incremental jump to the recruitment ranks of CO and SFn(C) on completion of not less than five years of service in the rank and having passed the qualifying examination for promotion. This is in line with the same arrangement for Ambn, AO II, Fn and PC ranks as recommended by the Rennie Review back in 1988 (**Recommendation 3.6**). In the case of the IA rank which currently does not have promotion examination, we are open to extending the same arrangement and would revisit this when a case is made to us in the future.

3.28 Other recommendations on incremental jumps in respect of the Officer grades or specific ranks in the Government Flying Service and the ICAC are covered in Chapters 7 and 10 respectively.

## **Through Scale**

3.29 Through scale is one of the most widely discussed issues in the GSR. Under through scale arrangements, officers in a junior rank will immediately advance to the next higher rank upon passing the qualifying examination for promotion and having completed a

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<sup>11</sup> Ambn, AO II, Fn and PC in the Rank and File grades will receive one incremental jump on completion of five years of service and passing the relevant qualifying examination for promotion.

specified period of in-rank service. As the establishment of the two ranks is combined and inter-changeable, advancement is not subject to availability of established posts or vacancies in the higher rank. Furthermore, the rank scale of the junior rank is structured in such a way to cover the whole rank scale of the senior rank. In other words, those officers in the junior rank not having passed the promotion examination can still progress along the long pay scale and reach the same maximum pay point for the senior rank, although at a slower pace when compared to those who enjoy immediate advancement after passing the examination.

3.30 In the civil service, through scale arrangement is an exception rather than the rule. In the civilian grades, it mostly exists in grades with Student, Trainee and assistant professional ranks where there is a conscious policy and practical need to attract people at an early stage, with a view to retaining them when they have acquired the technical or professional qualifications to deliver the full range of duties at the higher level. The junior rank is normally a transitional stage, and their continued stay in the grade will hinge on the officers' ability to pass/obtain the requisite training or qualifications. Furthermore, it is common to have direct recruitment to the second rank.

3.31 In the case of the Disciplined Services, through scale arrangement was introduced, for unique historical reasons, to the Senior Inspector/Inspector (SIP/IP) ranks of the Police Force in 1971, having regard to the staff profile and prevailing circumstances at the time. It was later extended to two other Officer grades, namely the Senior Station Officer/Station Officer (SStnO/StnO) ranks of the FSD and the Commission Against Corruption Officer (Middle/Lower) (CACO(M/L)) ranks of the ICAC.

3.32 We appreciate the sentiments behind the strong requests in seeking extension of through scale to the Correctional Services, the Customs and Excise, the Immigration and the Fire Services' Ambulance Stream, primarily on claims of parity and arguments that such would bring benefits to staff morale and succession in the long run.

3.33 Whilst noting these sentiments, the through scale arrangements for the three disciplined services grades were introduced for historical reasons which were no longer relevant nowadays with the lapse of time and changed circumstances. As a matter of principle, the roles and responsibilities of each rank should be clearly defined, and the posts for each rank should be established based on functional justifications. Advancement or promotion from one rank to another rank should be founded on merit and functional needs. The remuneration level of the two ranks should be commensurate with their different levels of responsibilities.

3.34 We have carefully examined the command structure as well as the roles and responsibilities of the first two ranks of the Officer grades and observe distinct functional differences between the two levels. The second tier officers are required to deliver a wider range of complex functions. Indeed, the voluminous training materials and rigorous examinations of the Disciplined Services point to the fact that the second tier officers are expected to possess a higher level of competence and leadership, and greater breadth and depth of knowledge, in handling more complex situations.

3.35 We noted the Rennie Committee's view that the through scale arrangement should not be extended to other Disciplined Services.<sup>12</sup> We echo this view. (**Recommendation 3.7**)

3.36 The through scale arrangement has already existed in the three grades for decades, and any change should be considered with caution. As a longer-term objective, we encourage the relevant departments to review those grades with through scale arrangements to explore the possibility of having clear demarcation of the ranking of the posts based on functional needs. This would bring the arrangement more aligned with human resource practices, meritocracy in particular.

3.37 We have explored ways to refine the current arrangement to better reflect meritocracy and functional differentiation. In this connection, we are encouraged to note the initiative and leadership of the ICAC management and its staff in proposing refinements to their through scale to foster a stronger sense of meritocracy and good

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<sup>12</sup> Paragraph 5.19, Review Committee on Disciplined Services Pay and Conditions of Service, Final Report (October 1988) (commonly known as the Rennie Review Final Report).

governance within the Commission. Building on their initiatives, we support that for those ranks with through scale, there should be a distinction in pay between officers who pass the qualifying examination for promotion and those who do not. To this effect, we recommend that the pay scale of the IP, StnO and CACO(L) ranks be re-structured with their maximum pay point capped below the rank scale of their second tier. Only officers who have passed the promotion examination and fulfilled the requisite in-rank service requirement can advance to the pay scale of the second tier under the through scale. In other words, those who have yet to pass the qualifying examination for promotion shall remain on the re-structured pay scale of the tier one rank. The proposed change is in line with the principle of meritocracy while retaining the element of “combined establishment” in the through scale. In view of reasonable expectations of serving staff, we recommend that grandfathering arrangement be made in implementation. **(Recommendation 3.8)**

3.38 As for those Officer grades without through scale arrangement (i.e. the first tier ranks of Officer and Industrial Officer of the Correctional Services, Inspector of Customs & Excise, Ambulance Officer and Immigration Officer), we note the strong sentiments and serious concern on their career progression. To recognise and motivate competent officers in their mid-career, we recommend granting two additional incremental jumps to these officers. Officers in these ranks who have passed the qualifying examination for promotion will be eligible for one incremental jump each upon completion of five years and eight years of service in the rank respectively. **(Recommendation 3.9)**

## **Job-Related Allowances**

3.39 Job-related allowances (JRAs) are additional payments to compensate staff for aspects of their work which are not normally expected of a particular grade or rank and which have not been taken into account in the determination of the pay scales of the relevant grade and rank. JRAs are only payable when justified on operational grounds and subject to a set of governing principles.

3.40 The Administration completed a comprehensive review of the JRAs in October 2007 after lengthy consultation with the management and staff, and the recommendations were supported by the Standing Committee. Against this background, it is the intention that the GSR would not cover the various JRAs unless it is absolutely necessary. Nonetheless, a few important issues concerning individual allowances have come to our attention which we consider necessary to revisit in the context of the Review. Our observations are set out in the following paragraphs.

### ***Diving Allowance***

3.41 At present, the C&ED, FSD and Police Force have diving teams in support of their enforcement and rescue operations. In the case of the FSD, it has taken over the responsibilities of diving and rescue operations in Hong Kong from the military since 1997, and it is now required to dive up to a depth of 42 metres. Diving work covers a range of cases, including underwater search and rescue, submerged vessels and vehicles, flooded buildings, wells and caissons, sewer and drains. Given the demanding nature of diving duties, divers must pass physical and medical examinations and undergo rigorous training on a continuous basis. Diving duties invariably involve adverse working environment with poor visibility in all-weather conditions, exposure to danger and health hazard, particularly due to rapid water currents and pollution in recent years. We received representations that the current levels of JRA for diving duties were insufficient to recognise the increased hardship, workload and complexity of such duties or to attract sufficient people of suitable calibre to join the diving teams. Having considered these requests, we recommend enhancing the rates of the Diving Allowance to recognise the risk involved, the professional competence required and the strenuous physical demand of diving duties. We propose that the Level 1 Diving Allowance be increased from 5% (\$674) to 6% (\$809) of GDS(R) 1 and the Level 2 Diving Allowance from 10% (\$1,348) to 15% (\$2,022) of GDS(R) 1. The above recommendations on Diving Allowance are applicable to officers in the C&ED, FSD and Police Force performing diving duties. (**Recommendation 3.10**)

### *New Allowance for Undercover Duties*

3.42 In reviewing written submissions and meetings with the staff, it is apparent to us that undercover duty is a necessary and useful part of detective duties that warrants exceptional recognition. Officers performing undercover duties are directed under an authorised investigation to use false identities to infiltrate a criminal syndicate in order to collect intelligence and secure necessary and sufficient evidence leading to arrest and prosecution of criminals. These duties involve concealment of identities, close association with criminals, long and irregular hours and social segregation, resulting in exceptional stress, danger, risk to personal safety and hardship to the staff concerned. These duties are not part of the normal duties expected of all officers, and are performed by selected officers with suitable attributes and skills. In recognition of the unique factors, we recommend that a new JRA be introduced for undercover duties. We consider it appropriate to set the new JRA at the rate of 18% of PPS 1 (\$2,824), which is the prevailing highest rate among the existing JRAs. At present, the Police Force has the most undercover operations among the Disciplined Services. The new allowance should cover staff up to the Chief Inspector of Police rank performing undercover duties for a period of not less than 30 days, and staff in equivalent ranks in the Disciplined Services who are required to perform undercover duties, notably in the Customs and Excise, Immigration and ICAC, should also be eligible for the allowance if they meet the payment criteria. We leave it to the Administration to work out the appropriate accounting arrangements in consultation with the relevant Disciplined Services, bearing in mind the importance of maintaining the confidentiality of such operations and protecting the safety of the officers concerned. (**Recommendation 3.11**)

### *Detective Allowance*

3.43 In exploring the case for introducing a new JRA on undercover duties, we have also looked into the existing Detective Allowance, which serves to compensate, or more accurately to “reimburse”, the staff on small frequent out-of-pocket expenditure<sup>13</sup> incurred in delivering detective duties, such as entertainment and travelling. The Detective Allowance was covered in the

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<sup>13</sup> Staff in receipt of the Detective Allowance can also claim reimbursement if the amount of the claim for each occasion exceeds the prescribed thresholds.

Administration's comprehensive review on JRAs and we agree that its ambit, purpose, rate, adjustment mechanism etc. should be maintained. Nevertheless, we see scope for further improvement in that the frequency of rate adjustment could be increased from once every two years to annually in order to maintain its adequacy in the current fast-changing economic climate. Also, the name of the Detective Allowance should be suitably revised to better reflect its nature. **(Recommendation 3.12)**

## **Conditioned Hours**

3.44 It is a long-standing principle that the entire time of public officers is at the disposal of the Government, and this principle is reflected in Civil Service Regulation (CSR) 545<sup>14</sup> and the terms of appointment. "Conditioned hours" are defined as hours of duty which salary is calculated to cover and the hours which must be worked before overtime work is counted for. Conditioned hours may be expressed as gross (i.e. including lunch breaks) or net (i.e. excluding lunch breaks).

3.45 At present, roughly half of the civil servants are conditioned to work 44 hours gross per week, whilst many others are working 45 hours net or 48 hours gross per week. There are no standard conditioned hours across the civil service. Any direct comparison of conditioned hours is not appropriate, as it is also necessary to take into account the operational nature of different grades, including the intensity of efforts during the conditioned hours.

3.46 The conditioned hours for members of the Disciplined Services are governed by their operational needs and are determined in relation to the total responsibilities of each Service, its complement, and the actual manpower situation at any time. The conditioned hours for the Disciplined Services vary as summarised in *Table 3.1*.

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<sup>14</sup> CSR 545 provides that "with the exception of officers whose terms of service provide otherwise, the entire time of public officers is at the disposal of the Government and it is within the discretion of a Head of Department (or a senior officer nominated by him personally) to require the attendance of his staff on such days and for such hours as he considers necessary."



*Table 3.1: Conditioned hours of work in the Disciplined Services*

<b>Department</b>	<b>Present Conditioned Hours</b>	
Correctional Services	49 hours gross	
Customs and Excise	51 hours gross	
Fire Services	Fireman / Station Officer grades (Operational / Marine Stream)	54 hours gross
	Fireman / Station Officer grades (Control Stream)	48 hours gross
	Ambulanceman grade	48 hours gross
	Ambulance Officer grade	44 hours gross
Government Flying Service	44 hours gross	
Immigration	44 hours gross	
ICAC	44 hours gross	
Police Force	48 hours gross	

3.47 Over the years, the Standing Committee has considered proposals to reduce conditioned hours of certain disciplined services grades. These proposals have been approved subject to the fulfillment of three pre-requisites: being cost-neutral, not involving additional manpower, and maintaining the same level of service to the public. As we shall elaborate in subsequent Chapters, we would adhere to these three parameters in considering requests for reduction in conditioned hours for individual departments or grades.

### **General Disciplined Services Pay Scales**

3.48 There are requests in some of the GSR submissions that the present separate Rank and File, Officer and Commander Pay Scales of the General Disciplined Services applicable to the five Disciplined Services other than the Police and the ICAC, viz. GDS(R), GDS(O) and GDS(C), should be merged into one single pay scale. There are also voices for re-calibrating the GDS(R) Pay Scale for bigger increments.

3.49 We have studied the matter, taking account of the history and existing features of the various pay scales in the Disciplined

Services, including the PPS and IPS in addition to the GDS Pay Scales. The three GDS Pay Scales are premised on the command structure of the Disciplined Services. With a separate scale for each of the three tiers, i.e. Commander, Officer and Rank and File grades, the Pay Scales are set to suit the structure, career progression and uniqueness of the respective tiers. There is an overlapping area between the top region of the GDS(R) and the lower region of the GDS(O) Pay Scales to recognise the experience level and contribution of senior Rank and File officers (vis-à-vis junior members of the Officer cadre). The Pay Scales have been functioning well and we do not see strong reasons for any change. (**Recommendation 3.13**)

## **Medical Benefits**

3.50 During our exchange sessions with the staff, particularly with the frontline staff, it is evident to us that there are grave concerns in the Disciplined Services on the current provision of civil service medical and dental benefits. Apart from a common perception that the services are inadequate and deteriorating, many in the Disciplined Services consider they are hardest hit because of their higher risks of fatality, injury and chronic medical problems incurred on duty. The staff are particularly dissatisfied that colleagues injured on duty are not given adequate priority treatment and some have to resort to private medical services and hence bear high medical insurance premiums or bills as a result. We are sympathetic to the staff's sentiments and feel obliged to bring the matter to the attention of the Administration for suitable action.

3.51 Whilst we note that the Administration has been spending much effort in sustaining and improving the service level of civil service medical benefits, as evidenced by the increasing annual expenditure<sup>15</sup> and new initiatives, the existing provision is unable to meet the demand. We consider that the Administration should pay special attention to medical services for staff injured on duty. As an employer, the Administration has a heavier responsibility and obligation towards its employees injured on duty, on top of its role as

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<sup>15</sup> According to a Paper of the Legislative Council Panel on Public Service in May 2008, the Administration's provision for civil service medical benefits (under the Department of Health's relevant programme area) in 2008-09 is \$581.7 million, representing over 10% increase over the previous year's provision.

the overall public healthcare provider for the community as a whole. It is important for the Administration to lead by example as a caring employer who values its staff. We therefore strongly urge the Administration to consider making special provisions to cater for the need of colleagues injured on duty, by capitalising on the current review on healthcare financing and other initiatives.

3.52 Reforming the healthcare system is a long-term and mammoth task. As such, practicable interim measures should be introduced for prompt enhancement of medical care for staff injured on duty. Initial ideas for further thought may include (but are not limited to) administrative arrangements to accord priority in public hospitals and clinics to staff injured on duty (particularly in relation to their follow-up treatment), or arrange tailor-made group medical insurance coverage to underwrite medical treatment for these staff. **(Recommendation 3.14)**

## **Retirement Age**

3.53 We notice some concerns on retirement related issues, mainly requests for extending the prescribed retirement age<sup>16</sup> in the Disciplined Services and additional provisions for voluntary early retirement for individual ranks.

3.54 It is a conscious policy that in view of the physical demands of the jobs, specific earlier retirement age with enhancement factors in the respective retirement benefits have been prescribed for different ranks in the Disciplined Services. The authority to prescribe retirement age for non-directorate ranks rests with the respective Heads of Disciplined Services, or the Administration in the case of directorate ranks. In view of the requests, we encourage the authorities to review, if considered appropriate and necessary, the prescribed retirement age, having regard to all relevant factors, including operational needs, changing nature of the jobs, life

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<sup>16</sup> Normal retirement age for directorate officers in the Disciplined Services is prescribed at age 57, or 55 for some specific ranks at the base of the directorate cadre (save for those serving under the Old Pension Scheme of which the normal retirement age for all civil servants is 55). Officers on normal retirement at the prescribed age in the Disciplined Services is entitled to enhanced pension benefits in view of the shorter length of maximum pensionable service attainable.

expectancy of people, as well as possible implications on promotion opportunities.

3.55 As regards additional provisions for voluntary early retirement, we do not find the proposal justified. There are already special provisions in the various retirement legislation/system for premature retirement of Disciplined Services staff (a fact also related to operational requirements) and any change will involve significant implications on pension benefits service-wide as well as impact on retention of expertise in the Disciplined Services.

3.56 Also, there is no conclusive evidence that premature retirement in the Disciplined Services is serious or unusual when compared with major grades in the civil service. After all, early retirement is a personal choice. While the Disciplined Services have no recruitment difficulty in replenishing a sustainable workforce, they should also embark on more proactive succession planning for early identification and grooming of high quality staff for advancement.

3.57 Overall, we do not see any need for the GSR to recommend changes on retirement issues in respect of the Disciplined Services.

## **Implementation and Conversion**

3.58 There are requests that the GSR recommendations should take retrospective effect. There are also concerns about conversion arrangement. In this respect, we defer it to the Administration to work out the implementation details, having regard to all relevant factors, including prevailing policies and conversion rules, precedent cases, any special circumstances of the Disciplined Services. The matter involves complicated issues, such as eligibility for housing and fringe benefits. In any case, no officer should receive less pay or become worse off on conversion. Similarly, in introducing new measures, we are open-minded on the need for grandfathering arrangement where it is considered appropriate and necessary.

## **Regular Grade Structure Reviews**

3.59 During our meetings with the Disciplined Services, we have been told from time to time that they have waited for 20 years for this GSR, and they have no idea when the next one would take place. We share the view of the staff that the gap is too long given the fast evolving changes in the past two decades. The long gap has heightened staff expectations on the current GSR. Looking to the future, we strongly advise that the Administration should initiate timely grade reviews on the Disciplined Services at regular intervals in tandem with relevant developments on various fronts.

3.60 The Chief Executive-in-Council has already endorsed an improved civil service pay adjustment mechanism including, among other things, the conduct of a Pay Level Survey every six years for the civilian grades. As mentioned in Chapter 1, we believe that the Disciplined Services are a unique group without ready comparators in the private sector and civilian grades. We therefore consider it reasonable to put in place a system for reviewing the Disciplined Services' grade structure and pay levels on a regular basis to ensure that their remuneration continues to be sufficient to attract, recruit, retain and motivate people of suitable calibre. It is therefore not unreasonable to carry out a regular review say, around every six years or so. (**Recommendation 3.15**)

