

CHAPTER 6 : ALLOWANCES

6.1 This chapter gives an account of proposals submitted to us concerning allowances for the disciplined services.

General Principles on Job-related Allowances for the Disciplined Services

6.2 Soon after the Standing Committee was set up, we decided to establish a set of general principles on job-related allowances for the disciplined services, the rates of allowance, and the effective date of payment.

6.3 Having considered the principles on job-related allowances adopted by the Administration for the general civil service and those adopted by the Rennie Committee as a basis for its recommendations, we concluded that these principles were soundly based and generally could be applied to the disciplined services. Accordingly, we decided in June, 1989 to adopt the following general principles when considering requests concerning job-related allowances for disciplined service staff -

- (a) job-related allowances should be paid if the extra duties are more demanding or valuable than normal duties (e.g. more dangerous, stressful or riskier) and are not a substitute for normal duties;
- (b) eligibility for job-related allowances should normally be confined to operational staff only and may be extended to officers up to PPS 49* or GDS(O) 29* (Chief Inspector of Police or equivalent). Allowances may be paid to officers above these points only in very special circumstances;
- (c) job-related allowances should be paid to officers where extra or unusual duties take up a substantial part of their time;
- (d) job-related allowances should be paid for inherent duties only where the pay structure of the grade concerned is such that these duties cannot be reflected in the pay scale;

* The pay points were adjusted to PPS 47 and GDS(O) 31 as a result of the renumbering of the Police Pay Scale on 1 October, 1989 following the introduction of new education benchmarks and a pay revision to Officer ranks on 1 October, 1990.

- (e) consideration may be given to the payment of an allowance where an officer is called upon to make use of an extra skill or qualification reasonably often in the course of his work. Job-related allowances should not be paid merely for the acquisition or possession of a skill or qualification;
- (f) where job-related allowances are justified, they should be paid to officers on a continuing basis if the adjustment of their pay scales is not cost-effective and the regrading of posts or the rotation of staff to fill the posts is not practicable;
- (g) job-related allowances should not be paid for changes in duties resulting from the introduction of new technology or improvements in operational methods;
- (h) where officers are regularly required to spend more than 50% of their time on extra duties for which allowances are paid, the posts concerned should be reviewed to determine whether it would be appropriate and practicable to regrade them, to revise the job descriptions of the posts to include the extra duties, to schedule staff to fill these posts in rotation or to continue to pay allowances;
- (i) multiple allowances should only be paid where each of the individual allowances can be justified independently as being in accordance with the principles and criteria applicable to that allowance; and
- (j) where factors for the payment of allowances apply to at least 75% of staff in the rank, adjustments should be made to the pay scale of the rank instead of paying allowances to individuals.

6.4 These principles have been cast deliberately in general terms and we are mindful of the need to be more specific and to apply them sensibly and flexibly when dealing with individual submissions from the disciplined services.

6.5 We also adopted the following guidelines for setting rates for job-related allowances -

- (a) the same allowance should be paid for the same extra duties regardless of the rank and basic salary of the officers concerned;
- (b) in order to keep the allowance system simple and easy to administer, it would be best to continue to broadband the rates of standard

allowances and to relate them to a specific point on a pay scale;

- (c) the rates of non-standard allowances should, wherever practicable, be linked to a specific point on a pay scale instead of being expressed in the form of a fixed sum; and
- (d) the rates should be regularly reviewed.

6.6 We concluded that all job-related allowances should be paid from a current date and that this principle should be breached only in special circumstances.

6.7 The disciplined services and the Administration were informed of these principles and guidelines in June, 1989.

Extra Duties Allowance for the Disciplined Services

6.8 Prior to 1989, disciplined service staff were eligible for a number of job-related allowances, such as Extraneous Duties Allowances and Hardship Allowances. The Rennie Committee adopted an averaging approach in dealing with the wide range of disciplined service duties and incorporated many allowances into the basic pay scales. As a result, with effect from 1 February, 1989, a number of Extraneous Duties Allowances were withdrawn because they had been incorporated into pay or replaced by an Extra Duties Allowance for the Disciplined Services (EDADS). The new EDADS was sub-divided into two categories -

- (i) **EDADS (General)**, set at 5% of GDS(R) point 1 per month and payable to officers carrying out extra duties involving the use of breathing apparatus, handling of dogs, diving (using pure oxygen) and driving duties (heavy vehicles or advanced driving); and
- (ii) **EDADS (Marine)**, payable to sea-going members of the disciplined services holding certificates in navigation and/or marine engineering, at rates ranging from \$205 to \$683 per month, depending on the type and level of certificates acquired by the recipients (there had been no change in these rates as a result of the Rennie Committee recommendations).

6.9 Between April and July, 1989, the disciplined services submitted proposals to us for the reinstatement of certain allowances which had been abolished or for the revision of the rates of certain allowances which had been reduced following the Rennie Committee recommendations. These proposals are discussed in paragraphs 6.10 to 6.43 below.

Driving Allowance

6.10 Between April and May, 1989, the Commissioner of Correctional Services, the Commissioner of Customs and Excise, the Commissioner of Police, the Director of Fire Services and the Director of Immigration submitted proposals to us for the reinstatement of a driving allowance to staff undertaking driving duties or to those who had obtained special driving qualifications. The Commissioner of Correctional Services also sought an allowance for officers who have passed the advanced driving test or driving instructors test conducted by the Police Force. The Commissioner of Police also proposed that a one-off bonus should be paid to Police officers who have successfully completed an advanced motorcycling course.

6.11 We examined the various kinds of driving duties in the disciplined services and visited the Customs and Excise and Fire Services Departments on 6 June, 1989 and the Police Driving School on 12 June, 1989 to see for ourselves the various types of vehicles driven by disciplined service staff, observe driving techniques displayed by the staff and to see drivers under training. Based on our observations and the representations made to us during our discussions with the staff concerned, we concluded that driving duties could be grouped under two broad categories -

- (a) **General driving duties** : these could normally be performed by non-disciplined staff but, for security or other reasons, disciplined service staff are used. This type of driving normally does not involve special qualifications or skills and requires only a Government Driving Licence appropriate to the class of vehicle involved. Officers normally undertake such driving duties in lieu of their normal duties; and
- (b) **Operational driving duties** : these are duties which disciplined service staff have to perform in addition to, and not in lieu of, their normal duties for operational reasons. This category of driving could be further sub-divided into -
 - (i) driving which does not require special training or the acquisition of additional qualifications;
 - (ii) driving which requires completion of a Specialist Vehicle Course; and
 - (iii) driving which requires special training or the completion of an advanced driving course.

6.12 Using our general principles on job-related allowances as a yardstick, we concluded that the payment of an allowance for "general driving duties" was unjustified, but that "operational driving duties" constituted an addition to normal duties for which an allowance should be paid.

6.13 To recognise the level of skill required to undertake different types of operational driving duties, we concluded that a new allowance, EDADS (Driving), should be introduced at two levels -

- (a) **EDADS (Driving - Level 1)** at 4% of GDS(R) point 1 per month for normal operational driving e.g. of vans, Ambulancemen driving ambulances, Firemen driving Group I vehicles (smaller fire appliances) and for Police operational driving which requires completion of a basic course and/or Heavy Vehicle Course e.g. motorcyclists, rank and file officers driving saloon cars, vans, landrovers, medium-sized buses and lorries; and
- (b) **EDADS (Driving - Level 2)** at 5% of GDS(R) point 1 per month for driving which requires additional training e.g. Firemen driving Group II vehicles (heavy fire appliances such as turntable ladders) and Assistant Officers (Correctional Services) driving specially adapted buses; and for the Police, driving which requires additional training (including Specialist Vehicle and Advanced Driver Courses) e.g. officers driving tow trucks, armoured personnel carriers, specially adapted buses for carrying prisoners, 999 emergency cars and drivers deployed on high speed highway patrols. Officers who drive specialist vehicles should also be eligible for the higher rate.

6.14 In considering whether allowances should be paid for driving duties, we proposed that the following eligibility criteria should be adopted -

- (a) allowances should normally be paid to the rank and file and, in the case of the Police Force, officers up to and including the rank of Chief Inspector, on operational driving duties only;
- (b) allowances may be paid only in respect of regular driving duties which are in addition to, and not in lieu of the officer's normal duties;
- (c) allowances should not be paid merely for the acquisition or possession of a skill or qualification; and

- (d) the number of eligible claimants should be related to the number of vehicles involved and the shift pattern, if applicable.

6.15 We were not satisfied that members of the Fire Services Department and the Police Force who are engaged in driving instruction duties should be granted a driving allowance because -

- (a) the staff undertaking driving instruction duties are full-time driving instructors who are not required to perform normal fire-fighting/rescue or constabulary duties;
- (b) the need for the staff to undertake instruction duties had already been recognised by the higher level of posts at which they are pitched; and
- (c) driving instruction duties could not be regarded as more demanding than fire-fighting or normal constabulary duties.

6.16 We concluded that the payment of driving allowances should be back-dated to 1 February, 1989, because the issue in question involved not the payment of a new allowance, but the reinstatement of an allowance which was abolished with effect from 1 February, 1989 on the recommendation of the Rennie Committee. However, we considered that, as a result of the application of the revised eligibility criteria, the cessation of allowances to drivers undertaking general driving duties should take effect from a current date.

6.17 Taking into account the general principles governing job-related allowances and the eligibility criteria for the payment of EDADS (Driving), we recommended that the Commissioner of Correctional Services' request for the payment of an allowance to officers who have passed the advanced driving or driving instructors tests and the Commissioner of Police's request for the payment of a one-off bonus to motorcyclists on completion of an advanced motorcycling course, should not be supported.

6.18 We advised the Governor along these lines in July, 1989 and the disciplined services were informed of our advice to the Governor later the same month.

Diving Allowance

6.19 Between April and May, 1989, the Commissioner of Customs and Excise and the Director of Fire Services requested the reinstatement of an allowance to officers on regular diving duties who have passed the Fire Services Department's course in scuba diving using compressed air.



Visit to Tsim Sha Tsui Fire Station in June, 1989.

6.20 In May, 1989, the Commissioner of Police requested a review of the rate of the EDADS (General) payable to Police divers because it had been reduced, on the recommendation of the Rennie Committee, from 10% of MPS point 1 (or \$273) per month to 5% of GDS(R) point 1 (or \$218) per month.

6.21 We were informed that diving is not a duty expected of every member of the Customs and Excise or Fire Services Departments or the Police Force; it requires special training, places extra demands on the physique of the divers and exposes them to additional risks and danger. Moreover, diving operations often have to be carried out at very short notice in polluted water and under stressful conditions. Despite precautionary measures, divers are susceptible to accidents (which can be fatal) and occupational diseases such as decompression sickness, divers colic and oxygen poisoning.

6.22 We visited the Police Force on 27 May, 1989 and the Customs and Excise and Fire Services Departments on 6 June, 1989 to observe staff engaged in diving duties. Based on our observations and the representations made to us during our discussions with the staff concerned, we concluded that diving duties were more demanding and intrinsically more valuable than general duties. We were satisfied also that there were two distinct levels of diving, differing in technique, danger and level of training. We concluded that a new allowance, namely EDADS (Diving), should be introduced at two levels -

- (a) **Level 1** for rank and file officers who have passed the Fire Services Department's course in scuba diving (or equivalent courses approved by the Administration) and are regularly engaged in diving duties, at a rate of 5% of GDS(R) point 1 per month; and
- (b) **Level 2** for advanced divers who, in addition to the diving course using compressed air, have passed a higher-standard diving course using pure oxygen and are engaged in regular diving duties, at a rate of 10% of GDS(R) point 1 per month.

6.23 We also concluded that implementation should be backdated to 1 February, 1989, because the issue in question involved not the payment of a new allowance, but the reinstatement of an allowance which was either abolished or reduced with effect from 1 February, 1989, on the recommendation of the Rennie Committee.

6.24 We advised the Governor along these lines in July, 1989 and informed the disciplined services of our advice to the Governor later the same month.

**Extra Duties Allowance for the Disciplined Services
(General) for Correctional Services Staff**

6.25 In June, 1989, the Commissioner of Correctional Services submitted a request to us for the payment of an allowance to Assistant Officers I/II undertaking physical education duties, instructing and supervising inmates on construction and maintenance work, or undertaking general nursing duties.

6.26 We could not support the request for the payment of an allowance for Assistant Officers I/II undertaking physical education duties, because of the low level of extra skill required. Physical education duties were formerly only classified as a Level I Extraneous Duty and the Rennie Committee made it clear that it had incorporated such lower levels of allowances into the basic pay. We were satisfied that the officers concerned are subject to no more danger or stress than their counterparts on normal custodial duties.

6.27 We concluded that the payment of an allowance to Assistant Officers I/II instructing and supervising inmates on construction and maintenance works should not be supported, because these duties should normally be undertaken by Instructors (Correctional Services) and the higher pay of Assistant Officers I adequately compensated them for carrying out these duties. We noted that none of the Assistant Officers II undertaking these duties had passed the relevant trade test conducted by the

Architectural Services Department. We did not consider, therefore, that the level of extra skill required of these officers is high enough to justify the payment of an allowance.

6.28 We also could not support the proposal for the payment of an allowance to Assistant Officers I on general nursing duties, since we were not satisfied that nursing duties could be regarded as extra duties for the staff concerned, because -

- (a) Assistant Officer I (nursing stream) is a promotion rank for Assistant Officers II who have obtained the Enrolled Nurse qualification or equivalent;
- (b) the requirement to perform nursing duties is expressly stipulated in the Guide to Appointment for Assistant Officers I; and
- (c) the need to undertake nursing duties has already been recognised by the higher ranking of nursing posts which are all ranked as Assistant Officers I.

6.29 However, we noted that some Assistant Officers II who did not have an Enrolled Nurse qualification were occupying Assistant Officer I posts when they were deployed on nursing duties. We were advised that Civil Service Regulations (CSR) provide for the payment of an acting allowance to an officer undertaking the full duties of the office in which he acted or which he is required to perform in addition to his own, or, where he undertakes only a percentage of the duties of the office. We concluded that it would be more appropriate to grant these officers an acting allowance, under CSR 172, for carrying out these duties.

6.30 We advised the Governor along these lines in September, 1989. The Commissioner of Correctional Services was informed of our advice to the Governor later the same month.

Hardship Allowance for Correctional Services Staff

6.31 In June, 1989, the Commissioner of Correctional Services submitted a request to us for the reinstatement of a hardship allowance to Assistant Officers I/II in his Special Search Squads.

6.32 As a result of the Rennie Committee recommendations, the payment of a hardship allowance to Correctional Services Department staff undertaking search duties ceased and the allowance was incorporated into salary with effect from 1 February, 1989. We considered

the Commissioner's submission and concluded that -

- (a) searching is an integral part of the normal duties of Correctional Services Department staff. The need to search inmates as and when necessary is expressly stated in the Prison Rules and the Standing Orders of the Department;
- (b) the elements of hardship and danger had already been taken into account by the Rennie Committee in the determination of the basic pay of the officers concerned; and
- (c) apart from the occasions when the staff concerned are required to conduct intimate body searches or to examine the excrement of inmates, we were not satisfied that the duties of the Special Search Squad are more unpleasant or obnoxious than normal custodial duties.

6.33 We advised the Governor in October, 1989 that the Commissioner's request should not be supported. The Commissioner was informed of our advice to the Governor later the same month.

**Special Allowance for Correctional Services Staff
working in contact with mentally-ill inmates**

6.34 In June, 1989, the Commissioner of Correctional Services submitted a request to us for the payment of an allowance to staff who worked in close contact with mentally-ill inmates in the Siu Lam Psychiatric Centre and the Psychiatric Observation Unit of the Lai Chi Kok Reception Centre.

6.35 We considered the Commissioner's submission and concluded that it should be supported because -

- (a) mentally-ill inmates are inevitably more unpredictable and more prone to violence than other prisoners. We agreed that, in general, staff working with this category of inmates are subject to a higher degree of hardship, potential danger and stress;
- (b) all civilian staff (except medical grades, such as Medical & Health Officers, Nurses, Clinical Psychologists and Occupational Therapy Assistants) working in the Correctional Services Department or other departments who come into contact with mentally-ill patients receive an allowance;
- (c) in recognition of the special job factor,