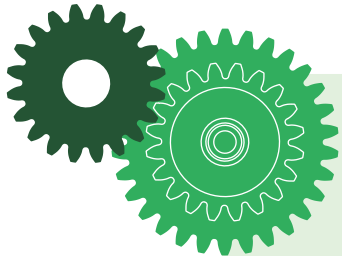


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CHAIRMAN'S FOREWORD



Having retired from the Civil Service in 2022, I feel honoured to be appointed as the Chairman of the Public Service Commission in May 2023. Hong Kong needs a capable Government to lead it to meet challenges ahead and embrace changes for advancement. With the Civil Service being the backbone of the Government, we have to maintain a workforce of civil servants who are loyal, dedicated, diligent and effective. Although we have well-established mechanisms for recruitment, promotion and discipline in the Civil Service, the Commission plays an important role to uphold the impartiality and integrity of the mechanisms, and tender advice to the Civil Service Bureau (CSB) on Civil Service policies, mechanisms and procedures required to maintain a meritorious Civil Service. It is a privilege for me to work on the solid foundation laid by my predecessors and work with the Commission to continue to offer checks and balances that the Civil Service needs.

In the past year, the Commission continued to discharge its statutory responsibilities in advising on individual cases submitted by Bureaux/Departments. In terms of caseload, we recorded a high level of 1 353 in 2023 following the full resumption of normalcy from the COVID-19 epidemic in the Government's operation. We are pleased to see that in general, Bureaux/Departments have been conducting their recruitment and promotion exercises smoothly and effectively as well as observing the stipulated rules and regulations to ensure procedural propriety and fairness. Their efforts in expediting the disciplinary proceedings and upholding a stringent standard are also appreciated. However, we do find that in some cases, there is room for Bureaux/Departments to do better. In various Chapters of this Report, we have included some of these cases as case studies in which we have set out our observations on issues of concerns and advice on areas for improvement.

In addition, the Commission has maintained close collaboration with the Government to pursue initiatives for strengthening the Civil Service management. Particularly, the Commission is in full support of the Government's proposals to update the Civil Service Code and streamline the mechanism for retiring civil servants in the public interest on grounds of persistent sub-standard performance, as announced in the Chief Executive's 2022 Policy Address. We are grateful for the detailed briefings offered by CSB and its thorough discussions with us based on which we tendered our advice. The Commission is pleased to note the launching of the streamlined mechanism for handling persistent sub-standard performers in September last year. The Commission also looks forward to the promulgation of the updated Civil Service Code in 2024.

Another focus of the Commission is to advocate a holistic approach in human resource management to keep up with times and meet rising public expectations. In the course of examining the submissions in 2023, the Commission continued to give advice on human resource practices adopted by Bureaux/Departments when inadequacies were observed. They were encouraged to take a forward-looking approach in formulating their recruitment, promotion as well as staff development and succession strategies with a view to building a robust and sustainable workforce in serving the community.

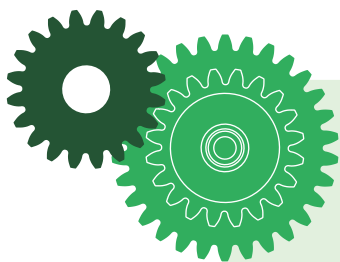
With an account of our work in 2023 as well as some noteworthy cases bearing significant learning points, we hope that the Report could serve as a handy reference for

personnel responsible for human resource management, and the issues of concern raised and case studies given therein would cast light on the key role of the senior management in steering their staff members in the pursuit of excellence and continuous improvement. Looking ahead, we will continue to perform our statutory functions steadfastly and impartially in providing advice to the Government on matters pertaining to appointments, promotion and discipline.

Taking this opportunity, I would like to extend my special thanks to my fellow Commission Members for their unfailing support and wise counsel. Tribute is especially paid to Mrs Rita Lau, who had served as our Chairman for nine years, as well as Mr Lester Huang and Mrs Ava Ng, who retired from the Commission after having served as Members for six years. I would also like to extend a warm welcome to Mr Victor Lam and Mr Adrian Wong, who joined the Commission in February 2024.

My gratitude also goes to the Secretary for the Civil Service and her colleagues for their readiness in taking forward the Commission's suggestions and advice. Last but not least, I would express my appreciation to the Secretary of the Commission and all staff of the Commission Secretariat for their dedicated and hard work in the past year.

Ms Maisie Cheng
Chairman



CHAPTER 1

AN OVERVIEW OF THE PUBLIC SERVICE COMMISSION

1.1 The Public Service Commission is an independent statutory body which advises the Chief Executive (CE) on Civil Service appointments, promotions and discipline. Its mission is to safeguard the impartiality and integrity of the appointment and promotion systems in the Civil Service and to ensure that a high standard of discipline is maintained. The Commission's remit is stipulated in the Public Service Commission Ordinance (PSCO) and its subsidiary regulations (Chapter 93 of the Laws of Hong Kong).

Membership

1.2 In accordance with the PSCO, the Commission comprises a Chairman and not less than two but not more than eight Members. All of them are appointed by the CE and have a record of public or community service. The membership of the Commission during 2023 was as follows –



Chairman and Members of the Public Service Commission with the Secretary for the Civil Service and Permanent Secretary for the Civil Service.



The Public Service Commission at a meeting.



Farewell to the Former Chairman of the Public Service Commission, Mrs Rita LAU.



The Public Service Commission at a meeting.



Chairman	
Ms Maisie CHENG Mei-sze, GBS, JP	since May 2023
Mrs Rita LAU NG Wai-lan, GBS, JP	May 2014 to April 2023
Members	
Mr Lester Garson HUANG, SBS, JP	since February 2018
Mrs Ava NG TSE Suk-ying, SBS	since February 2018
The Honourable Mrs Margaret LEUNG KO May-yee, SBS, JP	since July 2018
Mr Tim LUI Tim-leung, GBS, JP	since July 2018
Dr Clement CHEN Cheng-jen, GBS, JP	since December 2019
Prof Francis LUI Ting-ming, BBS, JP	since June 2021
Ms Agnes CHAN Sui-kuen, BBS	since May 2022
Mrs Ann KUNG YEUNG Yun-chi, BBS, JP	since May 2022
Secretary	
Ms Fontaine CHENG Fung-ying, JP	since October 2018

Curricula vitae of the Chairman and Members are at **Appendix I**.



Secretariat

1.3 The Commission is supported by a small team of civil servants from the Executive Officer, Secretarial and Clerical grades. At the end of 2023, the number of established posts in the Commission Secretariat was 33. An organisation chart of the Commission Secretariat is at **Appendix II**.

Role and Functions

1.4 The Commission's role is advisory. With a few exceptions specified in section (s.) 6(2) of the PSCO¹, the Commission advises on the appointments and promotions of civil servants to posts with a maximum monthly salary at Master Pay Scale Point 26 (\$57,390 as at end of 2023) or above, up to and including Permanent Secretaries and Heads of Department (HoDs). The appointment of the Principal Officials of the executive authorities of the Hong Kong Special Administrative Region (HKSAR) as stipulated under the Basic Law of the HKSAR of the People's Republic of China does not fall under the purview of the Commission. At the end of June 2023, the number

of established Civil Service posts falling under the Commission's purview was about 55 000 out of a total of about 192 000. However, irrespective of rank, the following categories of cases are required to be referred to the Commission for advice. They are –

- (a) cases involving termination (including non-renewal) of agreement and further appointment on agreement terms or new permanent terms under the circumstances as specified in Civil Service Bureau (CSB) Circular No. 8/2003 and the relevant supplementary guidelines issued by CSB;
- (b) termination or extension of probationary or trial service, except for certain extension cases which involve sick leave and light duty as prescribed and promulgated by CSB in November 2023;
- (c) refusal of passage of probation or trial bar; and
- (d) retirement in the public interest under s.12 of the Public Service (Administration) Order (PS(A)O)².



- 1 In accordance with s.6(2) of the PSCO, the post of the Director of Audit as well as posts in the judicial service of the Judiciary, the Independent Commission Against Corruption and the disciplined ranks of the Hong Kong Police Force are outside the Commission's purview. In addition, the Director of Immigration and the Commissioner of Customs and Excise are civil servant Principal Official posts, to which the appointment does not require the Commission's advice.
- 2 The PS(A)O is an executive order made by the CE under Article 48(4) of the Basic Law. It sets out the CE's authority in regard to the management of the Civil Service, including discipline matters.



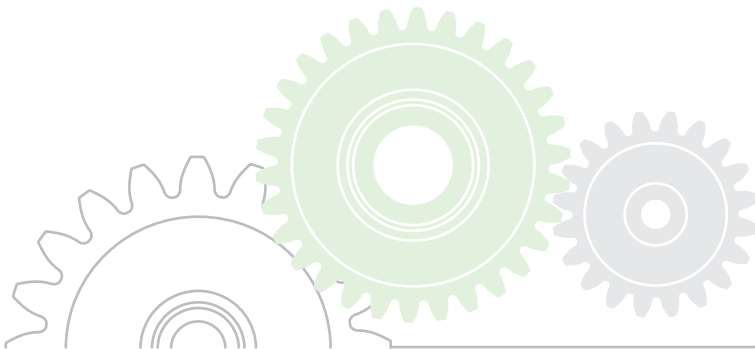
1.5 As regards disciplinary cases, the Administration is required under s.18 of the PS(A)O³ to consult the Commission before inflicting any punishment under s.9, s.10 or s.11 of the PS(A)O upon Category A officers with the exception of the exclusions specified in the PSCO. Category A officers refer to those who are appointed to and confirmed in an established office or are members of the Civil Service Provident Fund (CSPF) Scheme⁴. They include virtually all officers except those on probation, agreement and some who are remunerated on the Model Scale 1 Pay Scale. At the end of June 2023, the number of Category A officers falling under the Commission's purview for disciplinary matters was about 123 000.

1.6 The Commission also handles representations from officers on matters falling within its statutory purview and in which the officers have a direct and definable interest. In addition,

the Commission is required to advise on any matter relating to the Civil Service that may be referred to it by the CE. The Commission also advises the Secretary for the Civil Service on policy and procedural issues pertaining to appointments, promotions and discipline as well as on a wide range of subjects relating to human resource management.

Mode of Operation

1.7 The business of the Commission is normally conducted through circulation of papers. Meetings are held to discuss major policy issues or cases which are complex or involve important points of principle. At such meetings, representatives of CSB and senior managements of Bureaux/Departments (B/Ds) may be invited to apprise the Commission of the background of the issue or case but the Commission forms its views independently.



3 Generally speaking, with the exception of middle-ranking officers or below in disciplined services grades who are subject to the respective disciplined services legislation, civil servants are governed by disciplinary provisions in the PS(A)O. For disciplinary cases processed under the respective disciplined services legislation of which the punishment authority is the CE (or his delegate), the Government will, subject to the exclusions specified in s.6(2) of the PSCO, consult the Commission on the disciplinary punishment under s.6(1)(d) of the PSCO.

4 The CSPF Scheme is the retirement benefits system for civil servants appointed on or after 1 June 2000 and on New Permanent Terms of appointment.



1.8 In examining submissions from B/Ds, the Commission’s primary aim is to ensure that the recommendations are well justified and are arrived at following the laid down procedures and stipulated guidelines. To achieve this, the Commission has devised a meticulous vetting system and, in the process, may require B/Ds to provide clarifications and supplementary information. In some cases, B/Ds would revise their recommendations after taking into account the Commission’s observations. In other cases, the Commission is able to be satisfied with the propriety of the recommendations after examining the elaborations provided. The Commission also tenders suggestions or reminders to B/Ds on areas worthy of management attention. The ultimate objective is to facilitate the pursuit of excellence in the administration of the appointment, promotion and disciplinary systems in the Civil Service.

Confidentiality and Impartiality



1.9 In accordance with s.12(1) of the PSCO, the Chairman or any member of the Commission or any other person is prohibited from publishing or disclosing to any unauthorised person any information which has come to his knowledge in respect of any matter referred to the Commission under the Ordinance. Under s.13 of the PSCO, every person is prohibited from influencing or attempting to influence any decision of the Commission or the Chairman or any member of the Commission. These provisions serve to provide a clear and firm legal basis for safeguarding the confidentiality and impartial conduct of the Commission’s business.





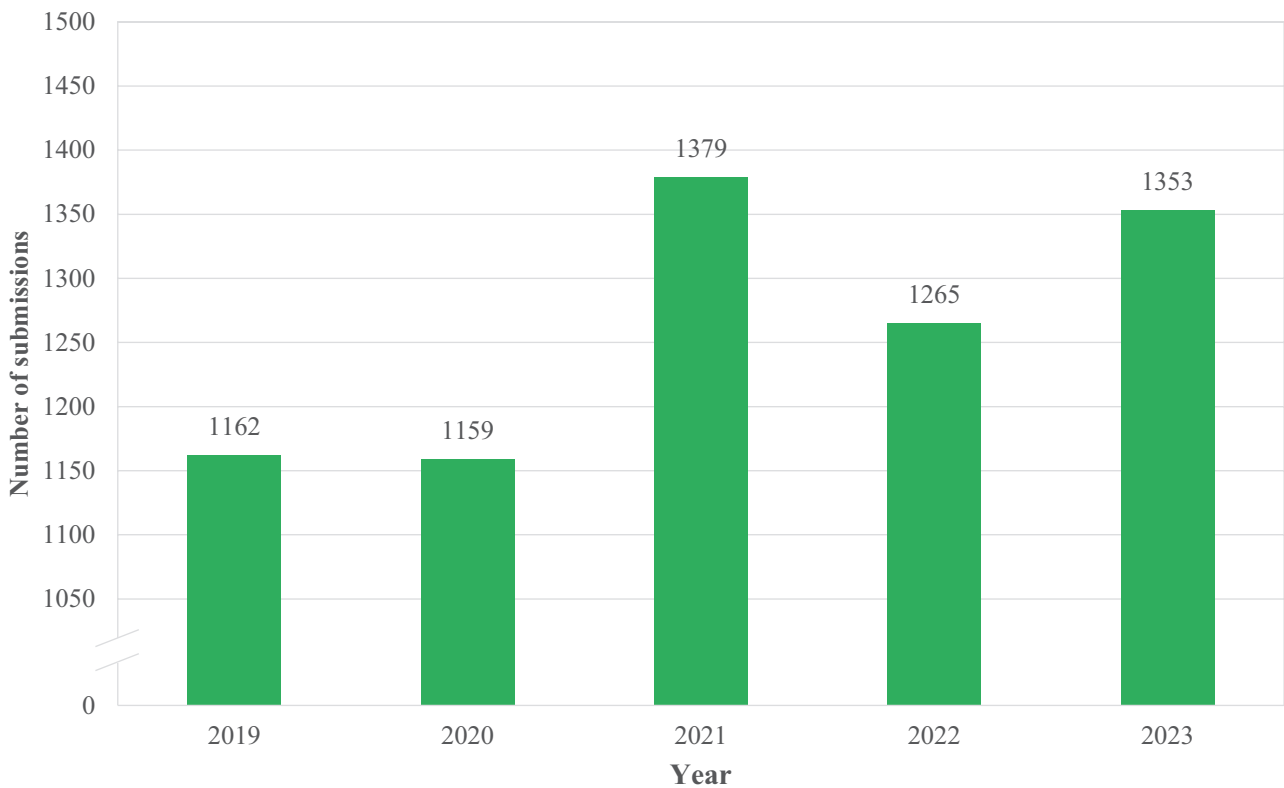
Work in 2023

1.10 In 2023, the Commission advised on 1 353 submissions covering recruitment, promotions and disciplinary cases as well as other appointment-related subjects. Queries were raised in respect of 874 submissions, resulting in 135 re-submissions (15%) with recommendations revised by B/Ds in the light of the Commission’s comments. All submissions in 2023 were completed within the pledged processing time⁵. A statistical breakdown of these cases and a comparison with those in the past four years are provided in **Appendix III**.

1.11 The Commission deals with representations seriously. All representations under the Commission’s purview are replied to following thorough examination. Should inadequacies or irregularities in B/Ds’ work be identified in the process, the Commission would provide advice to B/Ds concerned for rectification.



Number of Submissions advised by the Commission from 2019 to 2023



5 In dealing with promotions and disciplinary cases, the Commission’s target is to tender its advice or respond formally within six weeks upon receipt of the submissions. As for recruitment cases, the Commission’s target is to tender advice or respond within four weeks upon receipt of such submissions.



1.12 In addition to representations, the Commission also receives complaints of various nature. After obtaining the facts and information from the relevant B/Ds, the Commission will deliberate on the substance of the complaints and give replies after careful examination. Where the matters raised fall outside the Commission's purview, the Commission Secretariat will re-direct them to the relevant B/Ds for reply.

1.13 The Commission has a key role to ensure compliance and uniformity in the application of policies and procedures pertaining to appointments, promotions

and discipline in the Civil Service. While staff training and development are the fundamental responsibilities of departmental and grade managements (GMs), the Commission has been working with CSB to promote a holistic approach in developing a comprehensive Human Resource Management strategy which best serves the interest of the Civil Service. Specifically, we would like to see B/Ds create and engender an optimum environment to manage, develop and motivate staff, thus enabling them to embrace the opportunities and challenges of developing Hong Kong and upkeeping our good governance.



Mr Oscar KWOK, Head of the Civil Service College (CSC), and Ms Janice TAM, Director of School of Public Sector Leadership of CSC, conducted a presentation to the Commission.



1.14 In 2023, the Commission continued to field officers from the Commission Secretariat to participate in training sessions and workshops organised for officers of the Executive Officer Grade and GMs. Equipping them with the necessary knowledge and expertise to discharge their human resource management function is imperative in ensuring that the recruitment, management of probationers, promotion and performance management systems are administered properly and in full compliance with Civil Service policies and rules. We were delighted with the positive feedback gauged. These forums have also helped to enhance communication between the Commission and B/Ds. Officers responsible for preparing submissions to the Commission are better acquainted with the Commission's standard and requirements which in turn has helped to enhance our mutual efficiency. Separately, the Commission will continue to visit B/Ds to discuss areas and matters of mutual interest.



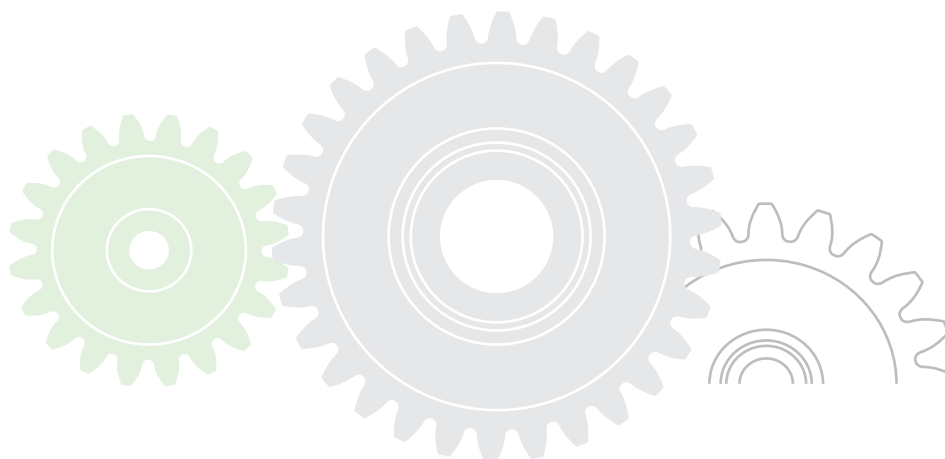
Homepage on the Internet

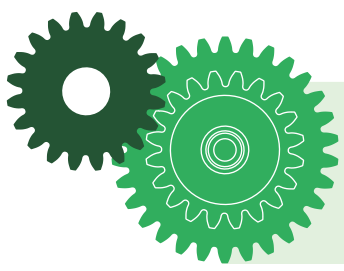
1.15 The Commission's homepage can be accessed at the following address –

<https://www.psc.gov.hk>

The homepage provides information on the Commission's role and functions, its current membership, the way the Commission conducts its business and the organisation of the Commission Secretariat. Our Annual Reports (from 2001 onwards) can also be viewed on the homepage and can be downloaded.

1.16 An Index of the advice and observations of the Commission on Civil Service recruitment, appointment, discipline and other human resource management issues cited in the Commission's Annual Reports since 2001 is provided on the homepage. The objective is to provide human resource management practitioners in B/Ds and general readers with a ready guide for quick searches of the required information.





CHAPTER 2

CIVIL SERVICE APPOINTMENTS

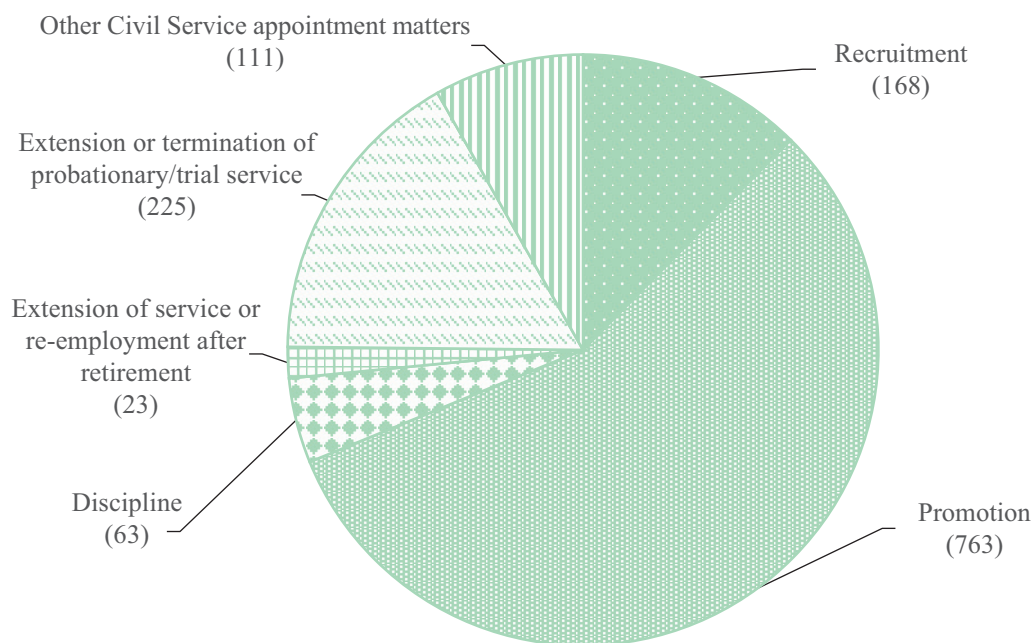
2.1 Civil servants, who are the backbone of the HKSAR Government, are duty-bound to observe and implement the principle of “One Country, Two Systems”, safeguard national security as well as uphold the Basic Law and the rule of law. Maintaining a workforce of civil servants, who are loyal to the Government, dedicated to their duties, committed to serving the community and at the same time objective and impartial in the discharge of duties, is of vital importance to the effective governance of the Government.



In view of the foregoing, Civil Service appointment has to be highly selective to ensure that only the most suitable and meritorious are recruited and appointed into the Civil Service.

2.2 In 2023, the Commission considered and tendered advice on 1 353 case-specific submissions with breakdown below –

Breakdown of 1 353 Submissions advised by the Commission in 2023

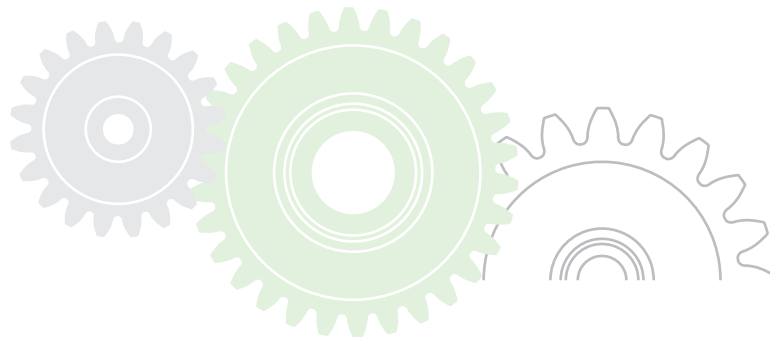




Civil Service Recruitment

2.3 Apart from tendering advice and observations on case-specific submissions, the Commission also works closely with CSB to provide views on new appointment policies, improve and streamline appointment procedures as well as propose subjects for review, where appropriate, for a better and more efficient appointment system. In particular, pursuant to the initiative of strengthening the Civil Service management system as announced in the CE's 2022 Policy Address, CSB consulted the Commission in 2023 on its proposals to streamline the prevailing mechanism of retiring civil servants with persistent sub-standard performance under s. 12 of the PS(A)O. An overall account of the Commission's work is detailed in this Chapter.

2.4 Recruitment to the Civil Service is undertaken by CSB and individual B/Ds which may take the form of an open recruitment or in-service appointment or both. Where submissions are required to be made to the Commission⁶, we need to be satisfied that objective selection standards and proper procedures are adopted in the process. B/Ds are required to consult the Commission in advance on the introduction of any new shortlisting criteria in a recruitment exercise to ensure that they are appropriate and fair. We also advise B/Ds on measures to enhance the efficiency and effectiveness of the recruitment process so that offers can be made to successful candidates as early as possible.



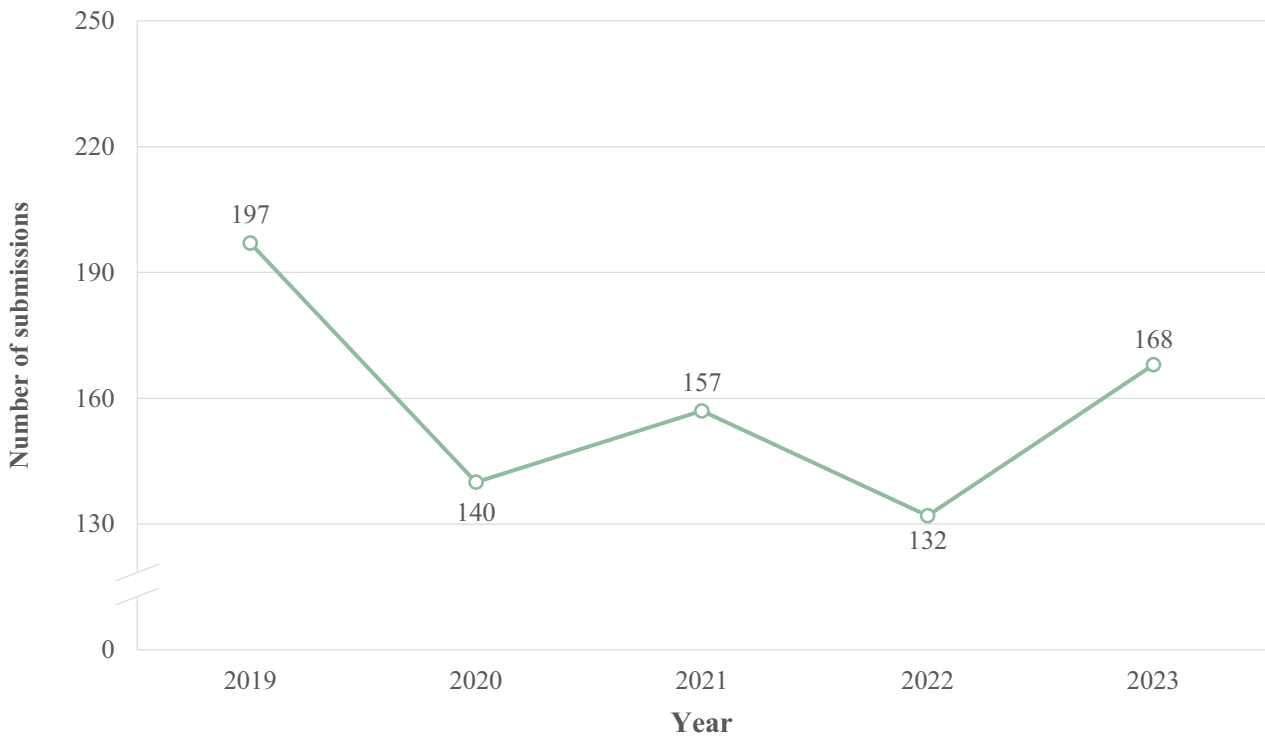
6 They refer, for the purpose of recruitment, to ranks attracting a maximum monthly salary not less than the amount specified at Master Pay Scale Point 26 (\$57,390 as at end-2023) or equivalent, but exclude (a) the basic ranks of non-degree entry and non-professional grades; and (b) judicial service, the Independent Commission Against Corruption and the disciplined ranks of the Hong Kong Police Force which are specifically outside the purview of the Commission.



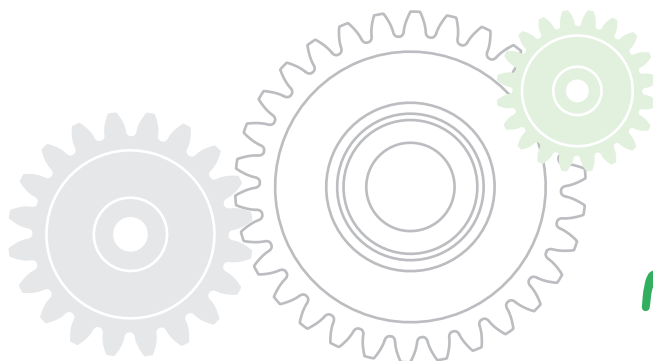
2.5 In 2023, the Commission advised on 168 recruitment submissions involving the filling of 1 887 posts, of which 1 800 posts (in 159 submissions) were through open recruitment and 87 posts (in nine submissions) by

in-service appointment. A statistical breakdown of these appointments is provided at **Appendix IV**. The number of recruitment submissions advised by the Commission in the past five years is shown below –

Number of Recruitment Submissions advised by the Commission from 2019 to 2023



More observations made by the Commission in the year relating to recruitment are provided in Chapter 3.





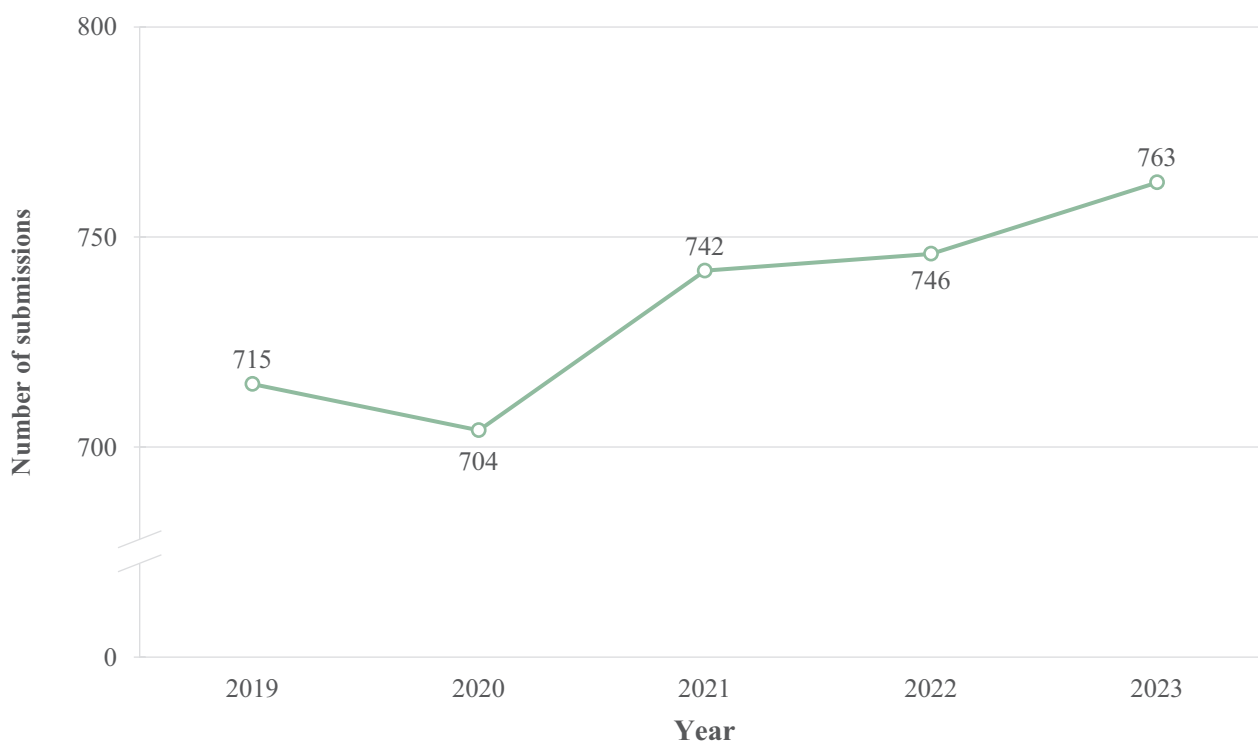
Civil Service Promotion

2.6 The role of the Commission in advising the Government on promotions⁷ in the Civil Service is to ensure that only the most suitable and meritorious officers are selected to undertake the higher rank responsibilities through a fair and equitable promotion system. In examining promotion submissions from B/Ds, the Commission will need to be satisfied that proper procedures have been followed and that the fair claims of all eligible officers have been considered on an equal basis, regardless of their terms of appointment, against the objective criteria of ability, experience, performance, character and prescribed

qualifications, if any. The Commission also makes observations on the conduct of promotion exercises and matters relating to performance management with a view to bringing about improvements where inadequacies are identified as well as enhancing the efficiency and quality of the overall Civil Service promotion system as a whole.

2.7 In 2023, the Commission advised on 763 promotion submissions involving the recommendations of 10 407 officers for promotion or acting appointment. The number of promotion submissions advised by the Commission in the past five years is shown below –

Number of Promotion Submissions advised by the Commission from 2019 to 2023



7 Under the purview of the Commission, recommendations on promotion to middle and senior ranks, i.e. those attracting a maximum monthly salary not less than the amount specified at Master Pay Scale Point 26 or equivalent, are required to be submitted to the Commission for scrutiny and advice. The judicial service, the Independent Commission Against Corruption and the disciplined ranks of the Hong Kong Police Force are outside the purview of the Commission.



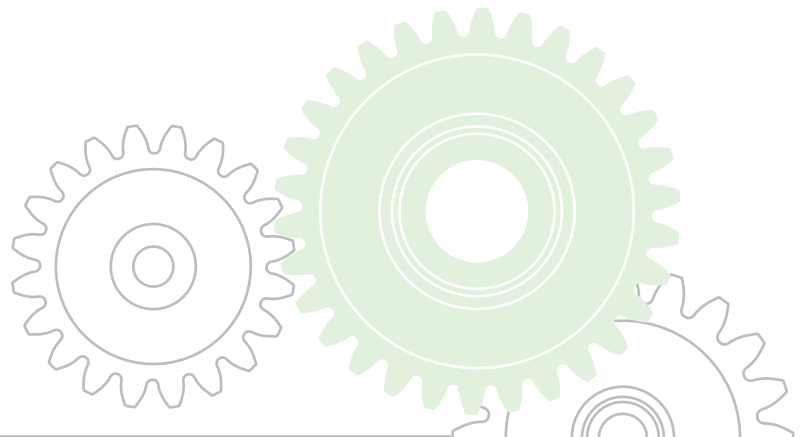
2.8 Promotions have to be earned on the basis of merits, and hence are competitive. The recommendations of a promotion board have to stand up to scrutiny and the relevant board has to answer the queries raised by the Commission and provide justifications and objective evidence to support them. A numerical breakdown of these submissions and a comparison with those in the past four years are provided at **Appendix V**. Some specific observations made by the Commission on these submissions are provided in Chapter 4.

Extension of Service of Civil Servants

2.9 Pursuant to the Government's policy decision announced in January 2015 to extend the service of civil servants, an adjusted mechanism for further employment beyond retirement age for a longer duration than final extension of service⁸ (hereafter referred to as "FE") was fully implemented from June 2017 after consulting the Commission.

The FE scheme

2.10 Under the FE scheme, eligible officers may be considered for FE through a selection process, which has been institutionalised by making reference to the modus operandi of promotion and recruitment boards. The Commission's advice is required for FE if the posts concerned are under our purview. In 2023, the Commission considered 23 FE submissions and supported the extension of service of 75 officers for a period ranging from four months to five years in aggregate. A breakdown of the number of submissions involving extension of service or re-employment after retirement advised by the Commission in 2023 and a comparison with those in the past four years are provided at **Appendix VI**.



8 A civil servant on permanent terms may apply for a final extension of service for a maximum period of 120 days on operational or personal grounds beyond his prescribed retirement age subject to any applicable arrangements and criteria prevailing at the time of the application as may be promulgated from time to time by the Government.



Management of Officers on Probation/Trial

2.11 Requiring an appointee to undergo a probationary/trial period serves manifold purposes, including –

- (a) providing an opportunity for the officer to demonstrate his suitability for further appointment in the Civil Service;
- (b) allowing the appointment authority to assess the performance and conduct of the appointee and be satisfied that he/she is fit for continuous employment; and
- (c) giving the appointee time to acquire the necessary qualifications or pass the prescribed tests for further appointment in respect of specific Civil Service jobs.

To uphold the proper administration of the probation/trial system, HoDs/ Heads of Grade (HoGs) have the overall responsibility of overseeing the management of officers on probation/trial including the provision of necessary training, coaching and counselling to help them fit into their jobs. Continual monitoring and regular feedback on their performance aside, B/Ds have to be mindful and be prepared to take decisive action to address any problems that may surface during the probationary or trial period.

2.12 To maintain a high quality Civil Service, it is vital for HoDs/HoGs to adopt stringent suitability standards in assessing the performance and conduct of officers on probation/trial to ensure that only those who are suitable in all respects are allowed to pass the probation/trial bar for continued appointment. According to the guidelines promulgated by CSB and as provided for under Civil Service Regulations (CSRs), termination of an officer's probationary/trial service is not a punishment. If at any time during the probationary/trial period, an officer on probation/trial is found to have failed to measure up to the required standards of performance/conduct or has shown attitude problems and displayed little progress despite having been given guidance and advice by their supervising officers and/or GMs, the HoD/HoG concerned should take early and resolute action to terminate his service under CSR 186/200 without the need to wait until the end of the probationary/trial period or recourse to disciplinary proceedings.

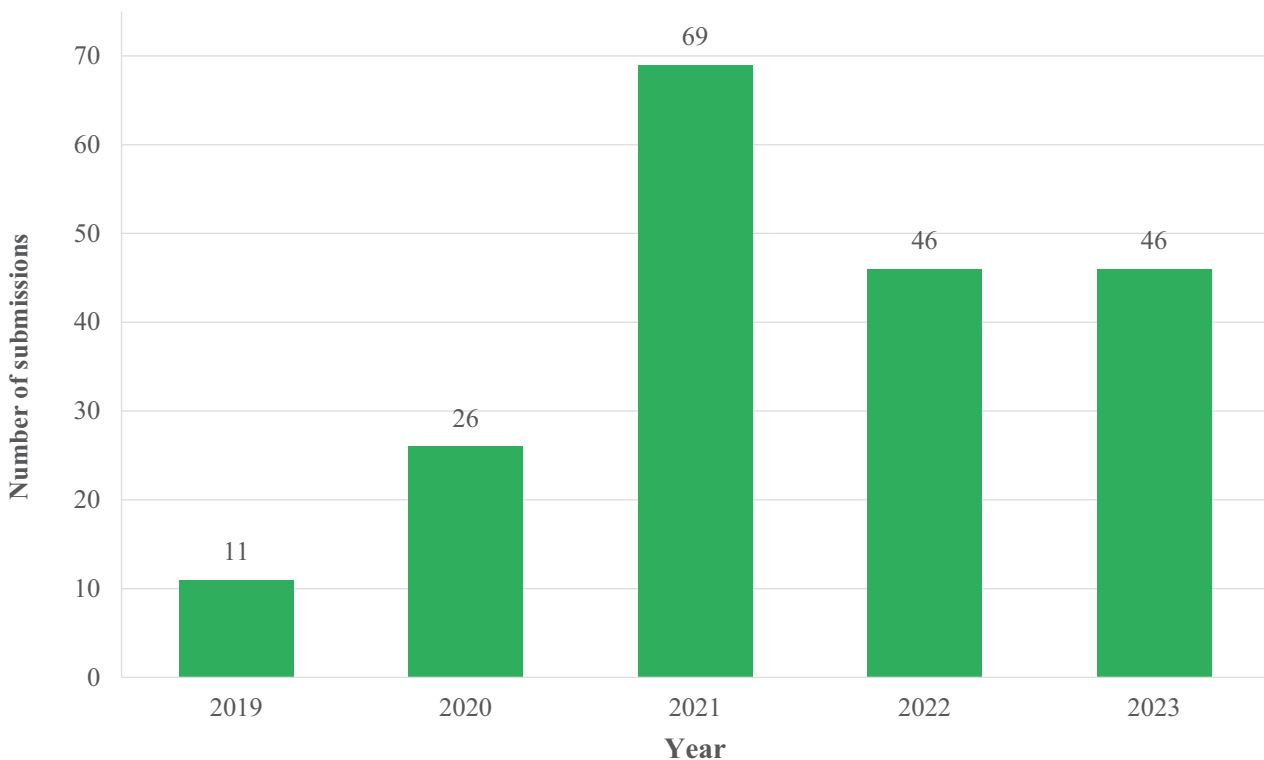


2.13 While fair opportunities should be given to new appointees to pursue a long-term career in the Government, extension of probationary/trial period should not be used as a substitute for termination of service or solely for the purpose of giving an appointee more time to prove his suitability. In accordance with CSR 183(5)/199(3), a probationary/trial period should normally be extended only when there have not been adequate opportunities to assess the officer's suitability for passage of the probation/trial bar because of his absence from duty on account of illness or study leave; or when there is a temporary setback on the part of the officer in attaining the suitability standards or acquiring the prescribed qualifications for passage of the probation/trial bar beyond his control. It is only in very exceptional circumstances where the officer, though

not yet fully meeting the suitability standards, has shown positive and strong indication to be able to achieve the standards within the extension period that an extension of his probationary/trial period should be granted. Besides, the period of an extension should not be decided arbitrarily. Rather, B/Ds should fully consider the circumstances and merits of each case and assess the time required by the management to come to a view on whether the officer concerned should be allowed to pass the probation/trial bar.

2.14 In 2023, the Commission recorded a total of 46 submissions requiring the termination of probationary/trial service of the officers concerned. Most of these submissions were related to unsatisfactory performance and/or conduct.

Number of Submissions of Termination of Probationary/Trial Service advised by the Commission from 2019 to 2023

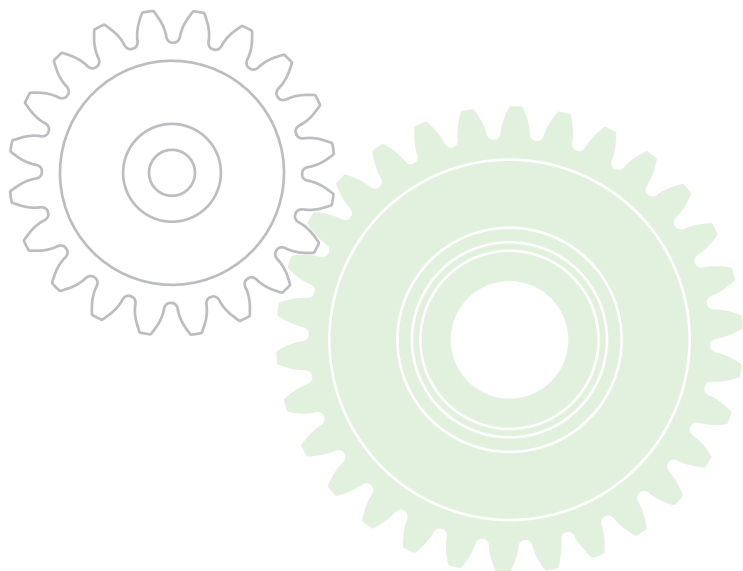




2.15 There were another 179 submissions involving extension of probationary/trial service in the year. Most of these extensions were needed to allow time for the officers concerned to demonstrate their suitability for permanent appointment/passage of trial bar on grounds of a temporary setback in performance, minor lapses in conduct or absence from duty for a prolonged period due to the officers' health conditions, or pending the acquisition of requisite qualifications prescribed for continued appointment. A statistical breakdown of these submissions and a comparison with those in the past four years are provided at **Appendix VII**.

Pilot scheme on strengthening departments' monitoring of summary disciplinary actions against officers on probationary or trial terms

2.16 Summary disciplinary actions⁹ taken by B/Ds are outside the purview of the Commission (i.e. the Commission's advice is not required before a verbal or written warning is administered). However, the Commission is concerned about the inconsistency in standards adopted by B/Ds in the issue of the warnings to some officers on probation/trial who have misconducted themselves. At the request of the Commission, CSB launched a pilot scheme in April 2023 to strengthen the monitoring of summary disciplinary actions against officers on probationary or trial terms, particularly the standards applied by the departments. A total of four departments were selected to participate in the pilot scheme, i.e. the Department of Health, the Fire Services Department, the Food and Environmental Hygiene Department, and the Leisure and Cultural Services Department. CSB will review the effectiveness of the pilot scheme and consider the way forward taking into account the operational experience one year after its implementation. The Commission appreciates CSB's efforts in implementing the pilot scheme and gauging periodic feedback from the pilot departments in the interim.



9 Summary disciplinary actions which comprise verbal and written warnings are aimed at enabling departmental managers and frontline supervisors to correct and deter minor acts of misconduct swiftly to achieve the desired deterrent effect. A verbal or written warning will normally debar an officer from promotion and appointment for six months or one year respectively from the date of the issue of the warning. During the debarring period, the officer should not normally be considered for promotion and appointment.



Other Civil Service Appointment Matters

2.17 In 2023, the Commission advised on 111 other appointment submissions. They cover cases of non-renewal or extension of agreement; secondment¹⁰; opening-up arrangement¹¹; review of acting appointment and updating of Guide to Appointment (G/A)¹². A statistical breakdown of these submissions and a comparison with those in the past four years are provided at Appendix VIII.

Retirement in the public interest under s.12 of the PS(A)O

2.18 Retirement in the public interest under s.12 of the PS(A)O is not a form of disciplinary action or punishment but pursued as an administrative measure in the public interest on the grounds of –

- (a) persistent sub-standard performance when an officer fails to reach the requisite level of performance despite having been given an opportunity to demonstrate his worth; or
- (b) loss of confidence when the management has lost confidence in an officer and cannot entrust him with public duties.

An officer who is required to retire in the public interest may be granted retirement benefits. In the case of a pensionable officer, a deferred pension may be granted when he reaches his statutory retirement age. In the case of an officer under the CSPF Scheme, the accrued benefits attributable to the Government's Voluntary Contributions will be payable in accordance with the rules of the relevant scheme.

- 10 Secondment is an arrangement to temporarily relieve an officer from the duties of his substantive appointment and appoint him to fill another office not in his grade on a time-limited and non-substantive basis. Normally, a department will consider a secondment to fill an office under its charge if it needs skills or expertise for a short period of time and such skills or expertise are only available from another Civil Service grade.
- 11 Under the opening-up arrangement, positions in promotion ranks occupied by agreement officers are opened up for competition between the incumbent officers and eligible officers one rank below. This arrangement applies to both overseas agreement officers who are permanent residents and are seeking a further agreement on locally modelled conditions, and other agreement officers applying for a further agreement on existing terms.
- 12 The G/A is an official document prepared by departments for individual ranks to specify the qualification, requirements and the terms of appointment for recruitment or promotion to respective ranks. B/Ds are required to update the entry requirements, terms of appointment, and job description of grades under their purview in the respective G/As on an on-going basis for CSB's approval.



2.19 As an initiative to strengthen the management of persistent sub-standard performers and expedite the process for taking the necessary actions as announced in the CE's 2022 Policy Address, CSB had reviewed and streamlined the s.12 procedures in the year. Having consulted the Commission and collected views from the management and staff sides, the streamlined mechanism was

promulgated in September 2023. While maintaining the same threshold for invoking s.12 action¹³, a number of enhancements were introduced under the streamlined mechanism with a view to achieving timely termination of the service of civil servants whose performance persistently fails to meet the required standard of their ranks despite assistance and counselling provided by their B/Ds.



Key measures under the streamlined s. 12 mechanism include –

- (a) cutting down multiple representations to be sought from the officer concerned;*
- (b) waiving the requirement for establishing an independent panel to advise HoD on a s.12 case;*
- (c) simplifying the procedures for the observation period; and*
- (d) making it mandatory to stop/defer increment for the officer concerned in accordance with the prevailing procedures and practices.*



13 The Government can initiate the s.12 mechanism when efforts to help an officer improve have not achieved the desired results, and when the unsatisfactory performance [defined as an overall rating of “5” (i.e. unsatisfactory performance) or “6” (i.e. poor performance) on a six-level rating scale] has made up a total of not less than six months.



2.20 In addition to organising briefings and devising a procedural guide to facilitate the effective implementation, CSB has reiterated to B/Ds that supervising officers should adopt honest reporting with zero tolerance towards persistent sub-standard performers and encouraged B/Ds to make good use of the streamlined mechanism. HoDs/HoGs have also been reminded to pay personal attention to potential and on-going s.12 cases to ensure that these cases should be handled under the streamlined procedures with reasonable progress. To facilitate the enforcement of s.12 action and to achieve consistency in performance assessment within the Government, CSB has taken on board the Commission's suggestion in urging those B/Ds, which have yet to use the standard six-tier rating scale for overall grading, to adopt it in their appraisal forms.

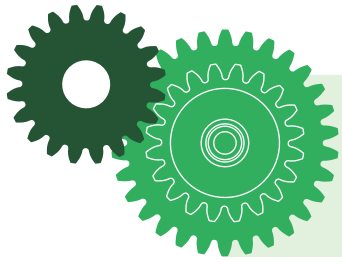
2.21 During the year, a total of nine officers from nine B/Ds were put under close observation due to their persistent

sub-standard performance¹⁴ and the Commission's advice was sought on one case. The officer of that case was retired in January 2024. One officer had resigned out of his own accord after the observation period but before his case was put forward for consultation with the Commission. As at the end of 2023, seven officers remained under close observation.

2.22 The Commission is in support of the Government's proactive move in stepping up efforts to tighten the management of persistent sub-standard performers. Moving forward, CSB is committed to working closely with the departmental managements in order to better monitor potential and on-going cases of s. 12 action. Additionally, we will continue to draw B/Ds' attention to potential s.12 cases in the course of processing promotion submissions, aiming to uphold the high standard of the Civil Service and ensure that cases involving persistent sub-standard performers are appropriately addressed.



14 Of these nine cases, five were processed under the mechanism for handling civil servants with persistent sub-standard performance under s.12 of PS(A)O modified in 2005, and four under the streamlined mechanism promulgated in 2023.



CHAPTER 3

RECRUITMENT

3.1 Recruiting new talents and injecting new blood into the Civil Service is vital in sustaining a stable and robust workforce to achieve the aim of effective and efficient delivery of public service with high quality. B/Ds need to conduct regular recruitment exercises to meet their manpower requirements and service needs. The process of selection is rigorous and competition is keen. The Commission supports the conduct of recruitment based on merit and fair competition so as to select the best-suited candidates for the Civil Service jobs. Apart from ensuring the proper conduct of the recruitment process, we also attach importance to administrative efficiency in order that the Government can compete with the market for talents and good candidates.

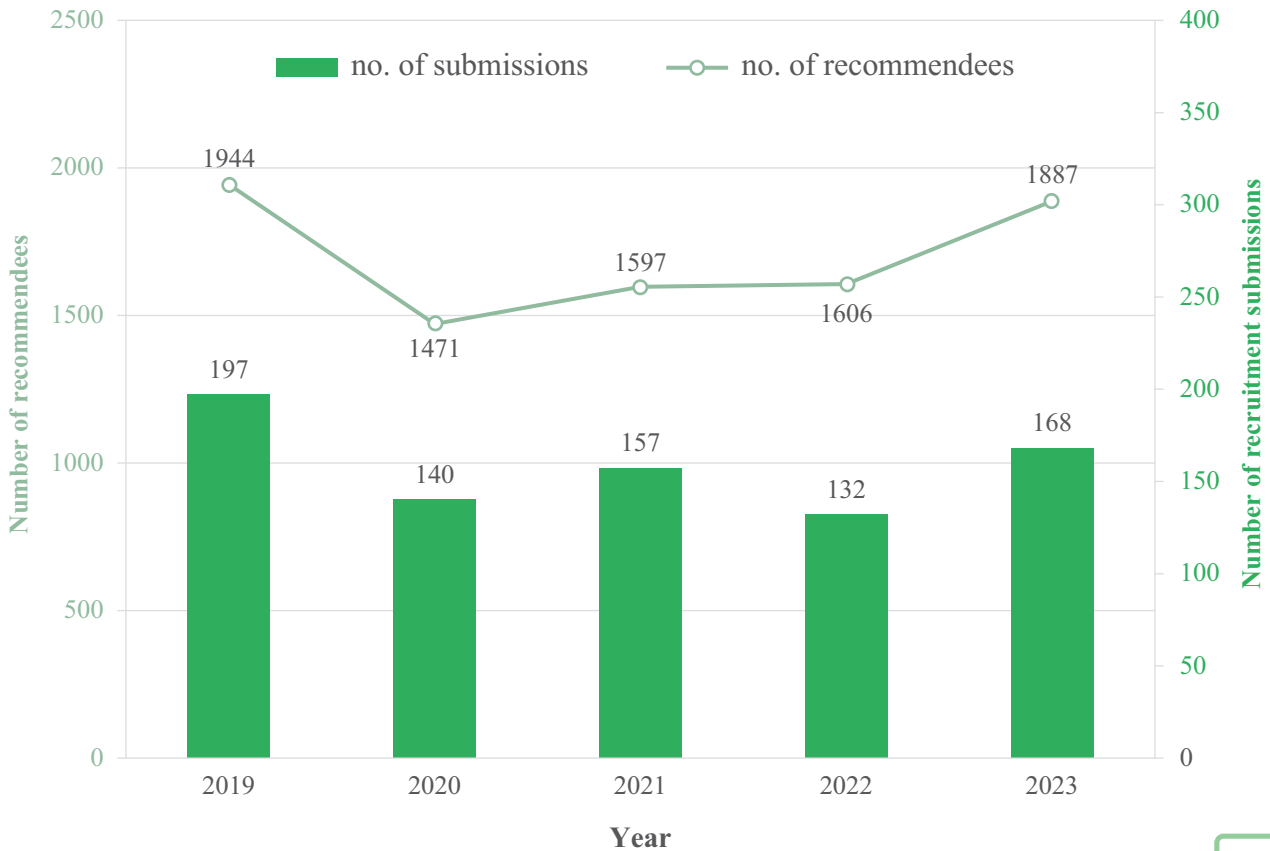
Recruitment Submissions Advised in 2023

3.2 In 2023, the Commission advised on 168 recruitment submissions. With full resumption of normalcy from the COVID-19 epidemic, the Commission was pleased to note that B/Ds had been expediting the recruitment process in general, and recruitment exercises had been conducted in a largely smooth and effective manner. They had also adhered to Civil Service policies and rules in conducting the recruitment exercises, making appropriate preparations by planning and conducting recruitment exercises in advance of anticipated wastage. The number of recruitment submissions advised by the Commission in the past five years is shown below –





Recruitment Submissions advised by the Commission from 2019 to 2023



3.3 During the year, the Commission was also delighted to see the outstanding quality of board reports submitted by a number of Departments. In each of their submissions, the recruitment boards concerned had provided relevant information and cogent assessments on the performance of individual candidates, together with a clear and succinct account of the boards' considerations. The Commission's scrutiny of the recommendations was greatly facilitated and efficiency enhanced.

- (a) the write-ups made by the boards were too brief and general which made it difficult for readers to differentiate the performance of the interviewees; and
- (b) the comments on individual candidates interviewed were highly similar or not clear enough to support the boards' recommendations.

3.4 For some Departments, the quality of their boards' write-ups on the interviewees remained wanting mainly in two areas –

Although the ratings and scores given were clear and the results unaffected, the Commission has advised the relevant Departments to remind future recruitment boards to provide more specific comments in the written assessments to clearly reflect the performance of candidates so as to support the boards' recommendations.



Expanding the Pool of Eligible Candidates in Recruitment to Undergraduate and Postgraduate Students in Penultimate Year of Study

- 3.5 The ability to recruit talents in the dynamic and competitive labour market is crucial for the Government to provide high quality public service. The Commission supports the Government to adopt a multi-pronged approach to attract more job seekers, in particular young people, to join the Civil Service. It is essential to cast a wider net in the trawl for top-notch young candidates.
- 3.6 With effect from 1 June 2023, B/Ds, having regard to their manpower resources and operational needs, are allowed to expand the pool of eligible candidates to undergraduate or postgraduate students in their penultimate year of study so that they may apply for Civil Service jobs requiring an undergraduate or a postgraduate qualification. Under this new arrangement, conditional advance offers will be made to successful penultimate year students, allowing them to join the Civil Service upon graduation, subject to their fulfilment of specified conditions, including the attainment of the required academic qualification within a stipulated period. Regardless of the year of intake of the selected candidates, recruiting B/Ds should assess all candidates equally.

- 3.7 The Commission fully supports this initiative, which does not only provide job security to those with aspirations to serve the community, but also enable young people to better plan their career path. More importantly, it facilitates B/Ds to secure high-performing candidates at an earlier stage.

Targeted Approach to Achieve Recruitment Targets

- 3.8 Despite resumption of normalcy, the Commission noted that a small number of Departments could not meet the recruitment targets in the past year. There are grades which face recruitment difficulty. Despite the efforts of the employing B/Ds to conduct recruitment exercises in a timely manner, they are still unable to recruit a sufficient number of suitable candidates to fill all vacancies over a prolonged period. It is neither desirable nor conducive to the smooth operation and succession of the Departments concerned.
- 3.9 Appreciating that various factors can affect the number of intakes, such as competitive labour market and shortage of skilled talents with the specific requirements of the jobs concerned, the Commission advocates that B/Ds should identify the contributing factors and develop effective measures to achieve their recruitment targets. In the past year, the Commission was pleased to see the proactive and flexible strategies adopted by three Departments to overcome their recruitment difficulties. Their cases are outlined below.



Case 3A

Seeing the room for adjusting the physical fitness test for recruitment, a Department, which has experienced recruitment difficulties, has revised the entry requirements for specified disciplined services grades to help attract a greater number of capable applicants. On the other hand, the GM concerned has not lost sight of the importance of upkeeping the physical fitness of new appointees by monitoring them closely and making necessary enhancement to the induction training so that they are physically fit to perform their operational duties.

Case 3B

Over the years, the public healthcare system in Hong Kong has encountered numerous challenges, with manpower shortage being a prominent issue. In order to ensure a stable and sufficient supply of medical professionals, the Government has introduced a new pathway for admission of qualified non-locally trained medical professionals to practise in Hong Kong. They can now apply for a new form of registration and work in local public healthcare institutions.

To trawl a wider pool of candidates, a Department has allowed those eligible non-locally trained medical professionals who are permanent residents of Hong Kong to apply for Civil Service jobs. If selected and appointed, they would be offered the same terms and conditions as locally trained personnel.



Case 3C

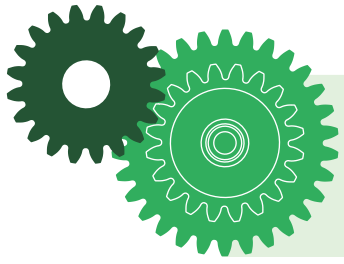
Taking heed of the Commission's advice, a Department, facing with the challenge of filling all vacancies for four consecutive years, had actively pursued targeted strategies to overcome its recruitment difficulty. Recognising that the limited number of eligible candidates in the market is due to the acquisition of certain post-qualification experience, the Department has made concerted efforts to build a greater pool of potential candidates. In addition to extending the cut-off date for counting the required experience to a later date, the Department has increased the training places for graduates, facilitating their acquisition of the necessary experience for qualifying in the field and providing them with a better understanding of the operation of the Government.

3.10 We appreciate the diligent efforts of the relevant Departments in addressing their persistent manpower concerns, while maintaining the professional standards, as well as upholding objectivity and impartiality in recruitment and

appointment processes. In keeping with the Government's endeavours to attract talents, HoGs/HoDs are encouraged to take bold steps in formulating their recruitment strategies.



“Bureaux/Departments, which have been facing different degree of difficulties in achieving their recruitment targets, should consider adopting a forward-thinking approach to critically assess the prevailing circumstances and modify their recruitment strategies, where appropriate, to ensure a steady influx of talents.”



CHAPTER 4

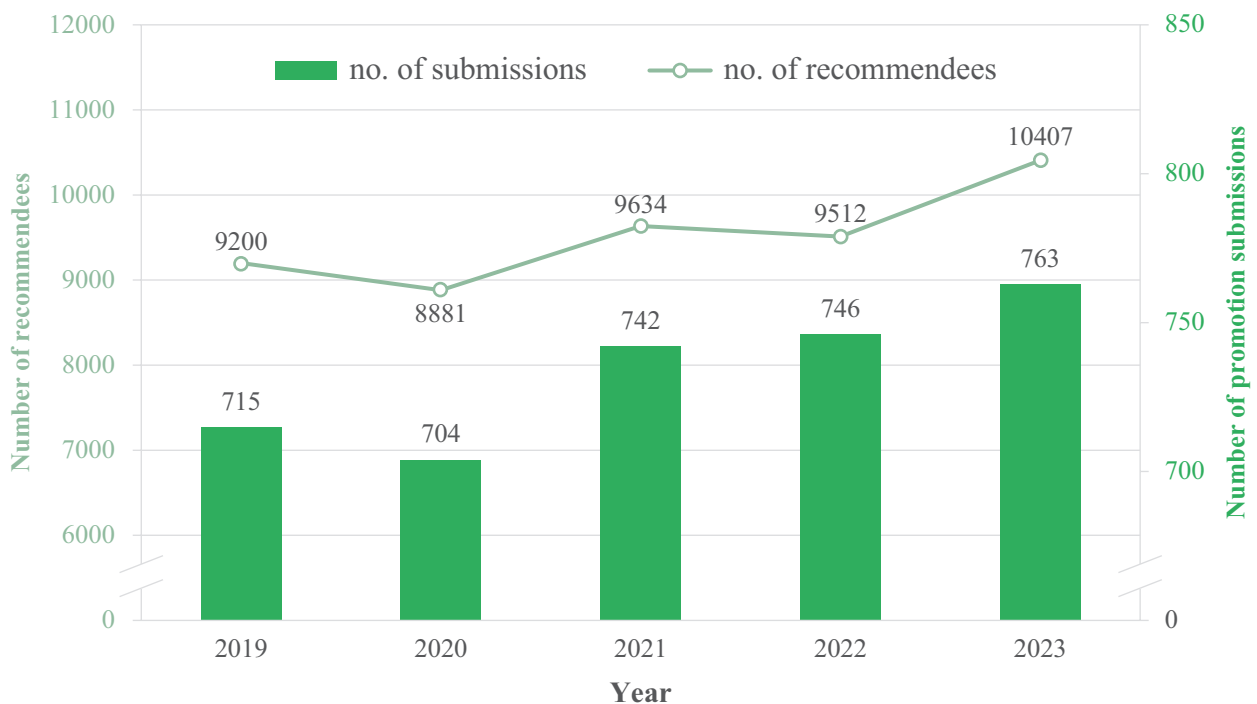
PROMOTION AND HUMAN RESOURCE MANAGEMENT

4.1 Promotion is a well-established mechanism for filling vacancies at the higher ranks in the Civil Service. It also provides opportunities for civil servants to develop their career and make advancement which is conducive to staff succession and smooth operation in their B/Ds. Premised on the principles of meritocracy and fair competition, promotion has to be earned. It is neither an entitlement nor a reward for long service. The Commission advises and assists the Government to ensure that deserving officers are promoted through a transparent and fair selection process.

Promotion Submissions Advised in 2023

4.2 In 2023, the Commission advised on 763 promotion submissions which was a new high level in recent years. The promotion submissions were largely clear and well-written. The Commission was also pleased to note the continued maintenance of general compliance with the relevant CSRs, as well as prescribed rules and procedures by B/Ds. The number of promotion submissions advised by the Commission in the past five years is shown below –

Promotion Submissions advised by the Commission from 2019 to 2023





Human Resource Management

4.3 Human Resource Management (HRM) is a planned and strategic approach to managing staff performance. Good HRM practices are instrumental in helping achieve corporate goals as well as enhance service productivity and quality. In the process of examining promotion submissions, the Commission will give advice on HRM practices adopted by B/Ds when inadequacies are observed. In this Chapter, some specific observations made by the Commission are provided as a reference for B/Ds.

Optimal use of available vacancies

4.4 Promotion is a recognition given to deserving officers who have demonstrated their capability and suitability in all respects for assuming more demanding responsibilities at the higher ranks. It also serves as an incentive for officers with aspiration to strive for continuous improvement. To realise the potential of capable officers and to meet staff expectations, it is imperative that promotion boards should make optimal use of the available vacancies to promote deserving officers at the earliest possible opportunity.

4.5 The Commission appreciates that in some promotion exercises, a small number of vacancies might remain unfilled due to valid reasons, such as the lack of sufficient suitable candidates. However, we will follow up with those Departments not having sound justifications for not filling up all promotable vacancies in a timely manner or leaving a marked portion of promotable vacancies unfilled in their promotion exercises. For example, the Commission noted that there had been confusion in a Department in determining appropriately the effective date of promotion. As a result, the promotable vacancy was left unfilled for a prolonged period and the recommended promotee was kept waiting unnecessarily. Upon the Commission Secretariat's enquiry, the recommendee concerned was ultimately promoted on an earlier date. The Commission has asked the Department concerned to remind subject officers to fully familiarise themselves with the policy and rules governing the conduct of promotion exercises in future.

4.6 In some other cases, the Commission was particularly concerned about the considerable number of vacancies left unfilled at the promotion ranks in consecutive promotion exercises despite the availability of eligible and capable candidates. Cases 4A and 4B illustrate the relevant issues which need to be resolved by the relevant departmental managements.

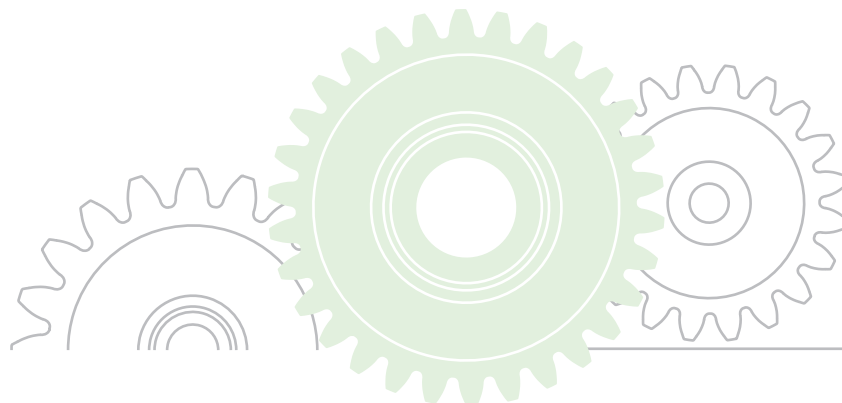


Case 4A

The promotion boards for two ranks of a grade had not identified an adequate number of officers to fill all available vacancies in the past few years. The problem persisted in 2023, with more than half of the higher rank vacancies left unfilled in both promotion exercises of the two ranks.

Notably, there was a pool of eligible candidates who had demonstrated meritorious performance during the review period but were not even recommended for testing at the respective higher ranks. Moreover, the Department had previously arranged a number of these unrecommended candidates to take up short-term acting appointments intermittently, lasting for six months on each occasion, to meet the manpower gaps. It was unclear why these candidates did not earn a positive recommendation from the promotion boards.

With the Commission's concerns raised, the promotion boards, having revisited the claims of the unrecommended officers, had subsequently recommended additional candidates to be tested for undertaking the higher rank duties. Although the number of unfilled vacancies was reduced, the Commission has asked the departmental management to seriously review its HRM practices and avoid, as far as possible, arranging intermittent acting appointments without going through a proper selection process as required under CSRs. The future promotion boards should also review the selection standard such that more meritorious candidates with potential should be recommended for testing at the higher ranks so as to fill up the vacancies as early as possible.





Case 4B

In several promotion exercises of another Department, the number of unfilled vacancies remained substantial in 2023, reaching as high as 50% of the total number of available vacancies, despite the availability of meritorious eligible candidates. The Commission noted that one of the reasons for this situation is a considerable proportion of these unfilled vacancies were posts newly created for implementing various initiatives in the past few years, and hence the Department concerned might not be able to fill up all vacancies in one single promotion exercise. However, the Commission also noted that the Department had imposed a training requirement as one of the promotion criteria. As a result, more than 50% of officers at the lower ranks were not able to meet such a requirement and hence restricting the pool of candidates eligible for consideration for advancement and worsening the problem.

Similar to Case 4A, the Department in this case had arranged the unrecommended candidates to take up acting appointments to fill the unfilled promotable vacancies so as to meet operational needs of individual offices. The Commission noted that for operational reasons, such acting appointments would usually last for a rather long period, i.e. until the conclusion of the promotion exercises to be held next year.

Upon the Commission's advice, the relevant promotion boards had recommended additional eligible candidates deserving for long-term acting after reviewing their claims. This would help reduce the need of arranging a large number of unrecommended officers to act up the unfilled vacancies for an unduly long period of time.

Taking heed of the Commission's advice, the senior management of the Department has responded positively by enhancing its HRM practices and undertaking to reduce the percentage of unfilled vacancies progressively in the upcoming promotion exercises. It has also augmented measures to encourage and facilitate its grade members to attain the requisite training requirements in order to enlarge the pool of eligible candidates. The Commission has commended the good efforts made by the Department.



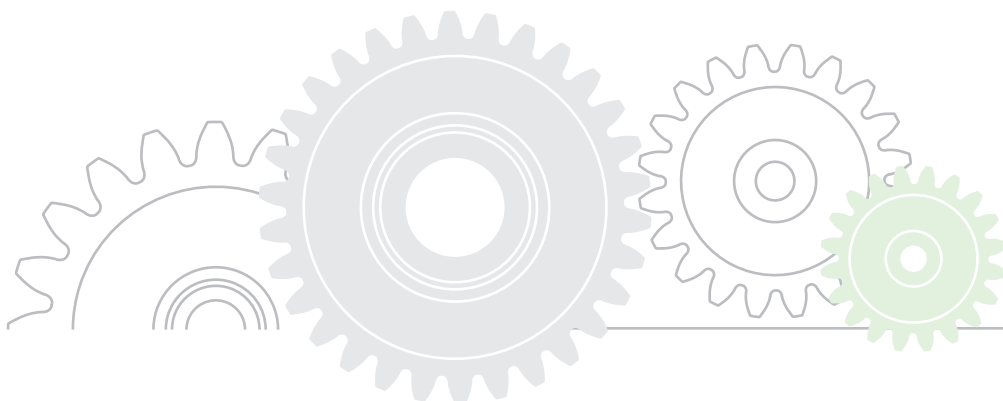
“Senior management should not lose sight of the far-reaching consequences of leaving vacancies unfilled in the promotion process which is not conducive to staff development, succession planning and staff morale.”

”

Staff development

4.7 Staff development is an integral part of HRM. The Commission has been advocating a holistic approach to staff development that encompasses a structured career posting policy and a systematic training plan for staff at all levels. A robust staff development plan could help enhance the performance and competencies of staff, prepare them for a wider spectrum of responsibilities as well as build up a pool of talents for succession purpose.

4.8 In 2023, the Commission observed that some promotion boards had quoted the lack of work exposure or challenges in their postings as the reason for not recommending candidates for advancement despite their good potential and capabilities. Notwithstanding that operational needs may occasionally impede timely career postings, it is incumbent upon the GMs to strive for a good balance between individual officers' career development needs and the operational expediency of the Departments. As illustrated in Cases 4C and 4D, promotion boards should not put undue emphasis on posting history of a candidate when assessing his claim.





Case 4C

The promotion board recognised the outstanding potential of a candidate to discharge higher responsibilities. However, the board did not recommend him based on the reason that he had not been tested fully on the aspect of staff management due to the lack of subordinates in his current posting.

As posting to enhance the exposure of an officer is a management responsibility, the promotion board should not put excessive emphasis on the lack of assessment on untested aspects of an officer in considering his claim for advancement. At the request of the Commission, the promotion board had revised its recommendation for the candidate to be tested at the higher rank in which his staff management skills could be assessed whilst acting.

Case 4D

In another promotion submission, the Commission noted that a group of close contenders were not recommended on grounds of their limited exposure or less demanding job responsibilities despite the availability of vacancies.

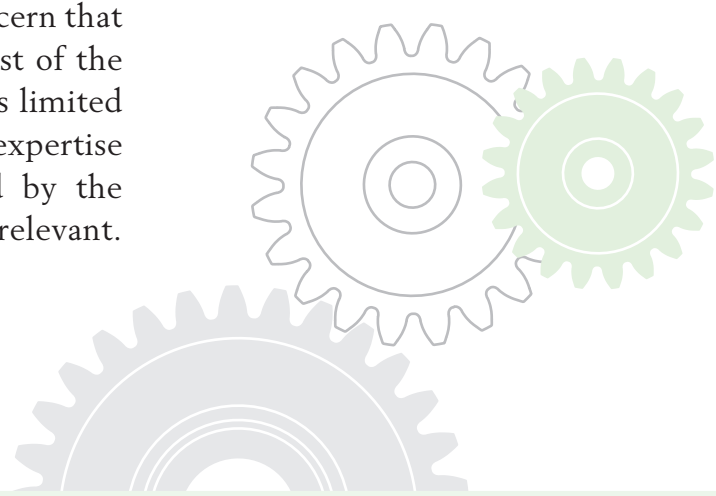
Same as in Case 4C, the Commission holds the view that an officer's eligibility for advancement should not be unduly affected by insufficient work exposure or less demanding duties, which is within the control of the management rather than the concerned staff. Following the Commission's invitation, the promotion board reviewed these officers' claims and subsequently gave them positive recommendations for testing at the higher rank.



“ Grade managements should draw up comprehensive posting plans to provide their grade members with fair and equal opportunities for gaining exposure to various areas of work and different job settings so as to groom sufficient talents for advancement. ”



4.9 In the course of scrutinising another submission, we noted with concern that the promotion prospect of most of the officers in a particular rank was limited by their lack of the required expertise and competencies as assessed by the promotion boards. Case 4E is relevant.



Case 4E

Given the high level of responsibilities and competencies required of a grade, the promotion board concerned considered that only officers with clear potential and the required attributes should be selected for trying out at a promotion rank of the grade. As assessed by the supervising officers, many eligible officers needed consolidation at the substantive rank despite their meritorious performance, scoring an overall performance rating of “outstanding” or “very effective” (i.e. the first two tiers of a six-rating scale) in their latest appraisals. Without disputing the assessment, the promotion board concerned did not recommend any of them for long-term acting resulting in a large portion of vacancies unfilled.

The Commission also noted that the percentage of unfilled vacancies at the promotion rank concerned rose from about 30% in 2020 to a high level of 70% in 2023. While we did not dispute the professional expertise and competencies required of the grade, the Commission was concerned why eligible candidates with meritorious performance were not offered the opportunity to test their capabilities at the higher rank given the availability of vacancies.

The phenomenon of leaving a marked portion of vacancies unfilled at lower promotion ranks in consecutive years will have an adverse impact on succession planning for the higher ranks, underscoring the inadequacy of the concerned Department’s grooming efforts. While appreciating that the Department has been providing potential officers with intensive coaching, suitable posting or more challenging tasks so as to enhance their readiness for higher responsibilities, the Commission has advised the Department to closely monitor its manpower situation and follow through the measures undertaken to meet its succession needs.



4.10 Occasionally, we have observed instances of individuals opting out in promotion exercises, leading to a reduced number of eligible candidates for consideration. The Commission considers that the GMs concerned should not underestimate the impact of such opt-out cases. They should proactively ascertain the reasons behind the lack of aspiration of the concerned staff and strive to motivate them for personal and career progression.

Succession planning

4.11 Succession planning is another integral part of a comprehensive HRM strategy. Good succession planning is imperative to ensure smooth succession, in particular, at the directorate levels of B/Ds. High percentage of eligible officers approaching their prescribed retirement age and having insufficient time to demonstrate their suitability for higher positions limit the selection of capable officers in promotion exercises. We noted the acute succession predicament encountered at the directorate levels in Case 4F.

Case 4F

A severe succession problem was observed in a Department where five out of six serving officers at Directorate 1 level and above would retire within a mere ten months, thus limiting the pool of eligible candidates for consideration for succeeding at the senior directorate levels. Upon the fruitless result in one relevant promotion exercise and the impending retirement of the directorate officers concerned, the Department was compelled to conduct an FE exercise expeditiously to consider extending the service of officers approaching retirement so as to meet operational and succession needs.

Such a situation is highly undesirable which could have been avoided if the Department concerned had taken heed of the Appointment Authority's repeated advice to conduct its promotion exercises in a timely manner. The acute succession problem also reflected that there was room for improvement in planning for the directorate succession.

The Commission has advised the senior management of the Department concerned to work out a vigorous training and career development plan to speed up the grooming of more junior officers with potential. The Commission has also reminded the relevant housekeeping Bureau to closely monitor the Department's directorate situation.



“ *As grooming talents takes time, senior management should exercise good foresight and take early steps in planning staff succession.* ”

Performance management

4.12 Performance management is an essential element in HRM. HoDs/HoGs have the overall responsibility to ensure that the performance management system for the staff/grades under their purview functions effectively, and there is timely, accurate, comprehensive, candid and objective reporting of staff performance. Both over-generous and over-stringent reporting distort the performance management objectives.

4.13 During the year, the Commission noted from the promotion submissions of a few grades that the percentage of appraisal reports with an overall rating at the top level had remained on the high side as in the previous years. In some other B/Ds, the tendency of rating the performance of a great majority of eligible officers at the same level still persisted.

4.14 The Commission appreciates that performance ratings should not be taken and read in isolation but in totality with the detailed written assessment. However, ranking the performance of almost all eligible officers at the same level will make it very difficult for a promotion board to identify the real performers and justify

its recommendations on the basis of the officers' performance records. Appraisees should be evaluated on an incremental basis by making good use of a multiple-level rating scale in order to commend distinctive accomplishments and identify gaps in performance. In this way, officers can better know where they stand at the rank and strive for improvement. The Commission has, therefore, asked the relevant B/Ds to impress upon the supervising officers the virtue of comprehensive and candid reporting.

4.15 The appraisal system in the Civil Service is a three-tier structure under which the Appraising Officers (AOs), Countersigning Officers (COs) and Reviewing Officers (ROs) are required to make their timely, candid and independent assessment based on facts and observations. Onus is on the HoD/HoGs to ensure that AOs/COs/ROs are clear with the set appraisal standards and apply them consistently in making, countersigning or reviewing performance assessment as given in the appraisal reports. During the year, the Commission, however, noted some incidences of inadequacies as illustrated in Cases 4G and 4H.



Case 4G

In examining the submission of a promotion exercise in which only one promotable vacancy was available, the Commission noted that the RO had only rated one appraisee “Ready for shouldering the next higher rank duties” in his latest appraisal, while all others were rated “Not yet ready”, including two other officers who had been awarded top ratings on all assessment items by their AOs and COs. With such inexplicable assessment on these two top-notch performers without any shortcomings revealed, one might feel perplexed on what was still required for their advancement.

The assessment on fitness for promotion should be based solely on the performance, core competencies and potential of an officer. It should be a true reflection of his level of attainments in the appraisal period to enable B/D’s proper implementation of various HRM strategies including talent grooming and succession planning. Other irrelevant factors, such as the seniority of appraisees and the lack of vacancies, should not be factored in rendering a top performer under-assessed.

Case 4H

In another case, an officer had been supported by his AO and CO as “Displays clear potential for responsibility at next higher rank” for a few years, whereas the RO considered him “Not yet ready to perform duties at the next higher rank” consecutively. The appraisee had, however, not been made known of the RO’s view all along and became much aggrieved for not being recommended in the annual promotion exercises.

A transparent appraisal system requires the RO or the management to put across their alternative views, if any, to the appraisees. Had this been done in the first place, unnecessary suspicions and contentions could have been avoided by far.

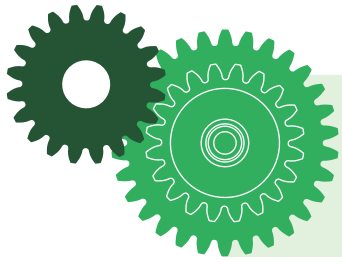


“ Frank communication is pivotal to the success of staff management. By providing timely feedback, officers can be steered for development and growth. ”

4.16 Upon the Commission’s request, CSB wrote to all B/Ds in January 2024 impressing upon them, among others, the important role of ROs in performance management and the proper way in handling disagreement in assessment by ROs. ROs are best-placed

and duty-bound to administer the appraisal system in an effective manner. We trust that B/Ds will continue to work in tandem with CSB on fostering a culture of meritocracy in the Civil Service.





CHAPTER 5

CIVIL SERVICE DISCIPLINE

- 5.1 It is the duty of all civil servants to work with dedication and diligence, and spare no effort in delivering quality service to the community. To maintain the integrity and efficiency of the public service, and sustain the community's trust in the Government, civil servants have to uphold the highest standard of conduct and discipline at all times. To this end, the Government has put in place a well-established disciplinary system ensuring any civil servant who violates Government rules and regulations is disciplined and those breaking the law are brought to justice.
- 5.2 The Commission collaborates with the Government to maintain the highest standard of conduct in the Civil Service. With the exception of exclusions specified in the PSCO¹⁵, the Administration is required under s.18 of the PS(A)O¹⁶ to consult the Commission before inflicting any punishment under s.9, s.10 or s.11 of the PS(A)O upon a Category A officer.



This covers virtually all officers except those on probation or agreement and some who are remunerated on the Model Scale 1 Pay Scale. At the end of June 2023, the number of Category A officers falling within the Commission's purview for disciplinary matters was about 123 000.

- 5.3 The Commission's advice on disciplinary cases is based on facts and objective evidence, supported by full investigations conducted by the relevant B/Ds. While the nature and gravity of the misconduct or offence are our primary consideration, we are also mindful of the need to maintain broad service-wide consistency in disciplinary standards, protect the right of the representations by the accused and at the same time respond to changing times and public expectations.

15 Please refer to paragraph 1.4 of Chapter 1.

16 Please refer to paragraph 1.5 of Chapter 1.



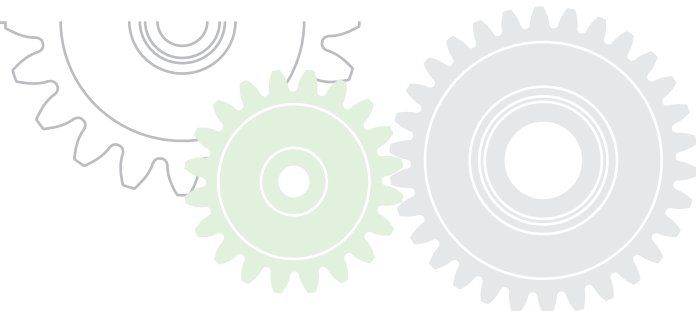
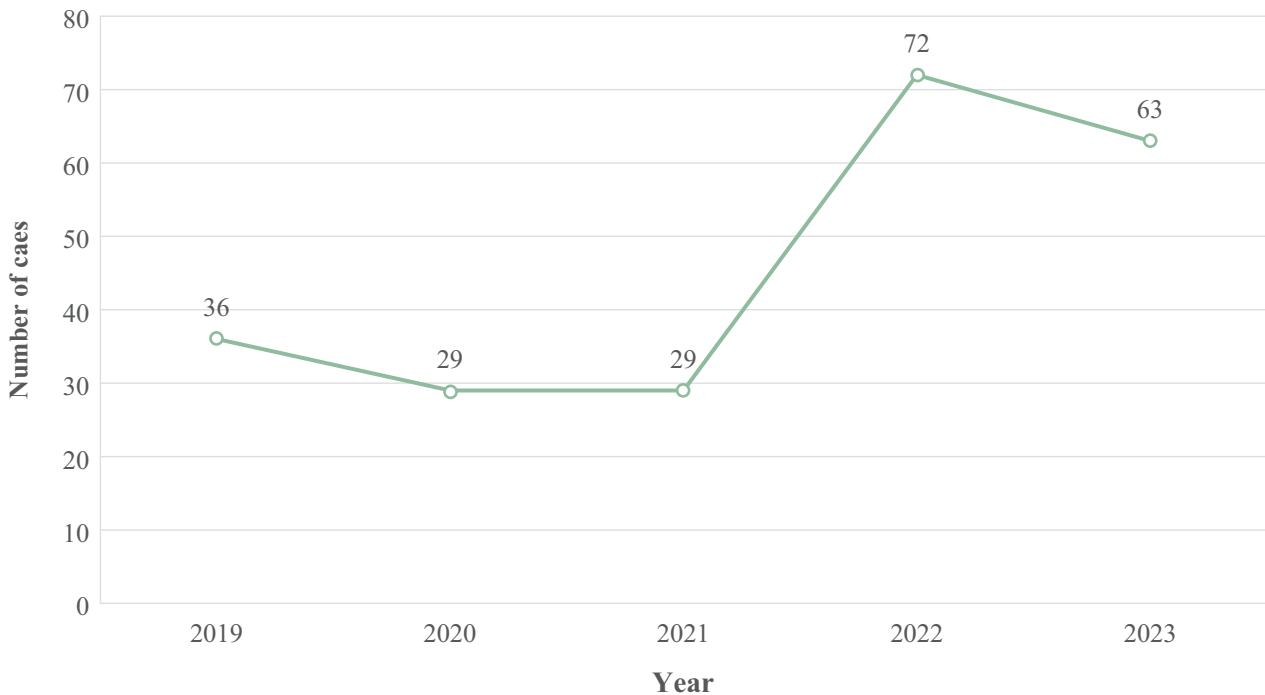
Disciplinary Cases Advised in 2023



5.4 In 2023, the Commission advised on 63 disciplinary cases which had gone through the formal disciplinary procedures prescribed under the PS(A)O. As shown in the following line graph, the figure has come down slightly as compared with 2022, representing about 0.05% of the 123 000 Category A officers within the Commission’s purview. The percentage has remained low indicating that the great majority

of our civil servants have continued to measure up to the very high standard of conduct and discipline required of them. CSB has assured the Commission that it will sustain its efforts in promoting good standards of conduct and integrity through training, seminars as well as the promulgation and updating of rules and guidelines.

Number of Disciplinary Cases advised by the Commission from 2019 to 2023

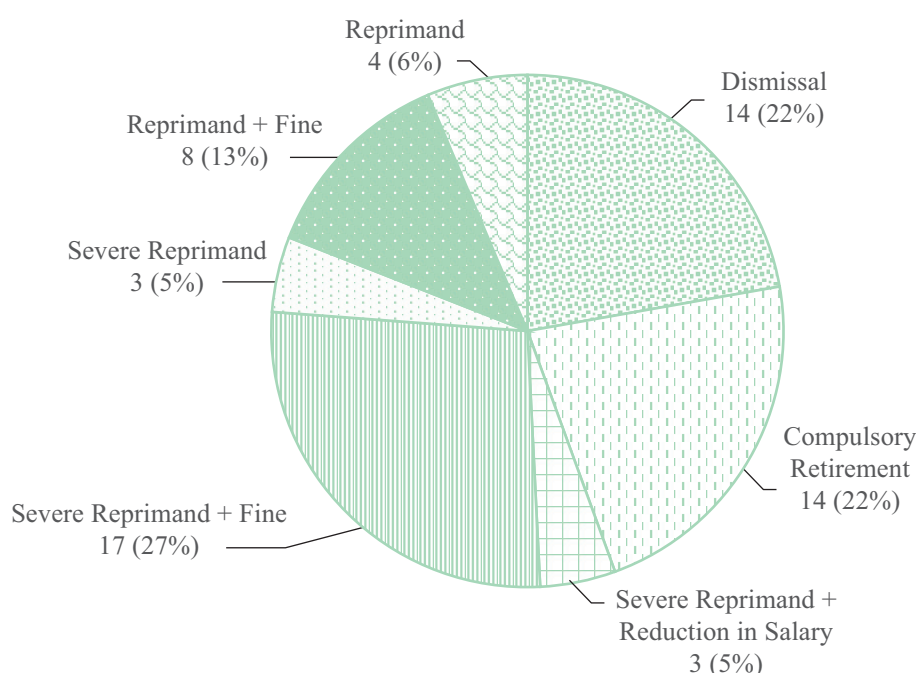




5.5 A breakdown of the 63 cases advised by the Commission in 2023 by category of criminal offence/misconduct and salary group is at **Appendix IX**. As depicted in the pie chart below, nearly half of the cases had resulted in the removal of the civil servants concerned from the service by “compulsory retirement”¹⁷ or “dismissal”¹⁸, while more than one third

had resulted in the officers receiving the punishment of “severe reprimand”¹⁹. In about 45% of the cases, a financial penalty was added in the form of a “fine”²⁰ or a “reduction in salary”²¹. These figures bear testimony to the resolute stance that the Government has taken against civil servants who have committed acts of misconduct or criminal offences.

Breakdown of Disciplinary Cases advised by the Commission in 2023 by Form of Punishment



- 17 An officer who is compulsorily retired may be granted retirement benefits in full or in part, and in the case of a pensionable officer, a deferred pension when he reaches his statutory retirement age.
- 18 Dismissal is the most severe form of punishment as the officer forfeits his claims to retirement benefits (except the accrued benefits attributed to the Government’s and the officer’s mandatory contribution under the Mandatory Provident Fund Scheme or the Civil Service Provident Fund Scheme).
- 19 A severe reprimand will normally debar an officer from promotion or appointment for three to five years. This punishment is usually recommended for more serious misconduct/criminal offence or for repeated minor misconduct/criminal offences.
- 20 A fine is the most common form of financial penalty in use. On the basis of the salary-based approach, which has become operative since 1 September 2009, the level of fine is capped at an amount equivalent to one month’s substantive salary of the defaulting officer.
- 21 Reduction in salary is a form of financial penalty by reducing an officer’s salary by one or two pay points. When an officer is punished by reduction in salary, salary-linked allowance or benefits originally enjoyed by the officer would be adjusted or suspended in the case where after the reduction in salary the officer is no longer on the required pay point for entitlement to such allowance or benefits. The defaulting officer can “earn back” the lost pay point(s) through satisfactory performance and conduct, which is to be assessed through the usual performance appraisal mechanism. In comparison with a “fine”, reduction in salary offers a more substantive and punitive effect. It also contains a greater “corrective” capability in that it puts pressure on the officer to consistently perform and conduct himself up to the standard required of him in order to “earn back” his lost pay point(s).



Reviews and Observations on Disciplinary Issues

5.6 The Commission has been working in close partnership with the Government to identify, develop and promote good practices in the management of the Civil Service. As the expectations and demands of the community towards the Government and civil servants have continuously grown, the Government sees the need to update the Civil Service Code, as proposed in the Chief Executive's 2022 Policy Address, to clearly spell out the constitutional roles and responsibilities of civil servants, as well as the core values and standards of conduct that they should uphold nowadays. The Commission fully supports this initiative. Having consulted the Commission's views on the updated Code in December 2023, CSB has proceeded to conduct staff consultation and brief the Legislative Council Panel on Public Service. We look forward to the promulgation of the updated Code in 2024.

5.7 The Commission has also been working closely with CSB to pursue the initiative in the Chief Executive's 2022 Policy Address to enhance the Civil Service disciplinary mechanism. We have requested CSB to keep the disciplinary punishment standard under regular review to align with the expectations of the community. As early and swift action is just as important to achieve the desired punitive and deterrent effects, we consider it necessary for CSB to take the lead to review and identify

measures to improve the efficiency and effectiveness of handling disciplinary cases. We are pleased to note CSB has responded positively to our views.

5.8 Separately, we are glad to see the Secretariat on Civil Service Discipline (SCSD) has maintained its out-reach visits to B/Ds to explore scope to enhance mutual efficiency in processing disciplinary cases. Recognising that personnel assigned and the investigation techniques they possess are pivotal to the successful conclusion of disciplinary cases, SCSD has responded positively to the Commission's suggestion and launched in the year capacity building workshops for investigation work on disciplinary cases. Such workshops are not just targeted to appointment practitioners but also extended to departmental managers who are responsible for day-to-day staff management. The Commission will continue to collaborate with CSB and provide feedback and suggestions to facilitate its pursuit of the training initiatives.

5.9 Apart from deliberating and advising on the appropriate level of punishment for the cases it received for advice, the Commission also makes observations on them and initiates discussions with CSB to explore scope for improvement in handling disciplinary cases or staff management. In the ensuing paragraphs, we will highlight some of the observations and recommendations we have tendered in the year.



Staff deployment and interdiction

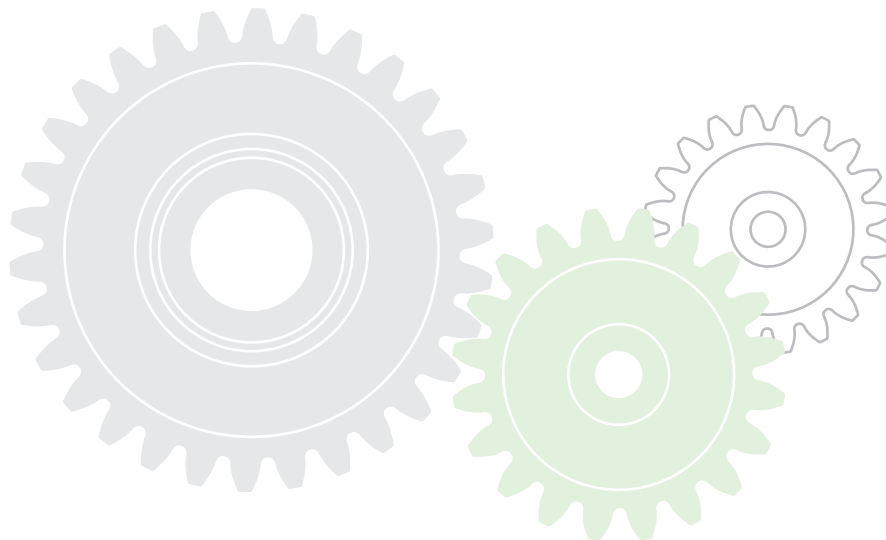
5.10 In accordance with the established mechanism, pending criminal and disciplinary investigation/proceedings, the B/D concerned is empowered to invoke s.13 of the PS(A)O²² to interdict an officer from duties and exercising the powers and functions of his public office. While interdiction is only an administrative measure carrying no presumption of guilt, the management should take into account all relevant factors in totality to evaluate the risk involved in allowing an officer to continue to work. An interdicted officer should not be re-instated if disciplinary action is likely to be taken with a view to removing him from the service.

5.11 In deciding whether an officer should be interdicted from or re-instated to duty, B/Ds should –



- (a) duly consider the key parameters such as the nature and gravity of the alleged criminal offence/misconduct laid against the officer and the possible conflict with his official duties, the likely harm/risk posed to the general public, as well as the public reaction and perception to the officer remaining in office; and
- (b) be decisive and critical in the process, particularly when job-related misdeeds are revealed.

Case 5A illustrates the importance for a Department to be decisive and swift in action to interdict a defaulting officer.



- 22 Having regard to all relevant factors, an officer may be interdicted from duty –
- (a) under PS(A)O s.13(1)(a) if disciplinary proceedings under s.10 of the PS(A)O have been, or are to be, taken against him, which may lead to his removal from service;
 - (b) under PS(A)O s.13(1)(b) if criminal proceedings have been, or are likely to be, instituted against him which may lead to his removal from service under s.11 of the PS(A)O if convicted; or
 - (c) under PS(A)O s.13(1)(c) if inquiry of his conduct is being undertaken and it is contrary to the public interest for him to continue to exercise the powers and functions of his office.



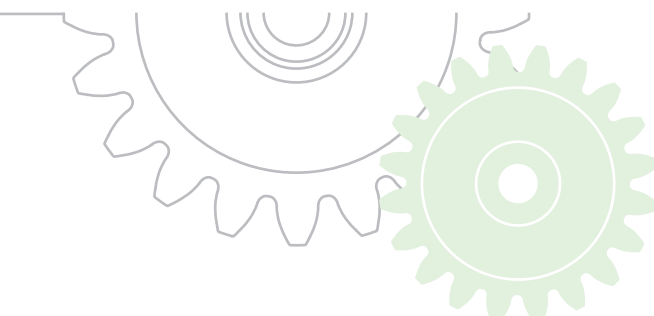
Case 5A

In handling his counter duties, a staff member had the chance to deal with members of the public and get access to their personal data. As he was facing insolvency and unable to borrow money, he abused the personal data of his clients to help himself take out loans. His misdeeds were unearthed when a victim complained to his Department, and the case was reported to the Police. During the on-going criminal investigation on his alleged offence, the officer was allowed to continue to assume his counter duties for over two years, and was only interdicted from duty after being charged with “Misconduct in public office”. The officer was eventually punished by dismissal for his conviction of the offence.

Without doubt, the staff member’s then alleged offence was serious, as it had invited a public complaint, and involved direct conflict with his counter duties as well as abuses of his official position. Allowing a bankrupt officer to have access to personal data continuously through their frequent contact with the public during the criminal investigation was apparently inappropriate, as it would run the risk of recurrence of the same offence. In fact, as revealed in the case, his insolvency and unsuccessful attempts to borrow money from colleagues were already known by his supervisors before his committing the offence. Had the Department disallowed him to handle sensitive information at that point in time according to the rules for tackling staff insolvency, he might not have the chance to commit the current offence.

5.12 Even though the gravity of some alleged criminal offences/misconduct may not be so severe that warrants a removal disciplinary punishment, B/Ds should still critically review the suitability for the officers concerned to stay in their original posts/offices continuously

when he is re-instated to duty, having regard to various factors such as their rank and job nature. Case 5B shows that a Department should carefully consider posting for a defaulting officer to avoid adverse impact on the operation of an office.





Case 5B

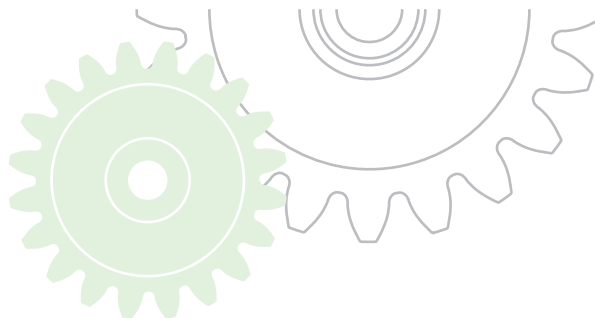
An officer was convicted of a non-duty related offence in the district where he was working and entrusted with law enforcement duties. He was re-instated to his original post when the Disciplinary Authority came up with the recommendation of imposing a non-removal punishment on him.

As a middle-ranking officer occupying a supervisory position, the officer had to work closely with other law enforcement agencies to carry out his law enforcement duties in the same district again after he was re-instated to his original post.

Due to his criminal offence, we could not rule out that there might be negative perception cast on the officer's continuous discharge of official duties in the same post and the same district. On the Commission's advice, the Department subsequently transferred the officer to another district office.

5.13 As noted, some criminal offences/misconduct acts could be nipped in the bud if the supervising officers were vigilant enough to detect anomalies in workplace and take appropriate staff management/deployment measures at an early stage to mitigate any possible risks. Admittedly, some inconvenience/difficulties in office operation may be brought about by staff re-deployment or interdiction, particularly when

the related criminal/disciplinary proceedings are lengthy. However, public interest must always prevail. B/Ds have to give sufficient weight on those key parameters and exercise due sensitivity whilst deciding on staff interdiction or re-instatement. The departmental or grade management should intervene proactively to give steer and support as necessary. CSB should be consulted if in doubt.

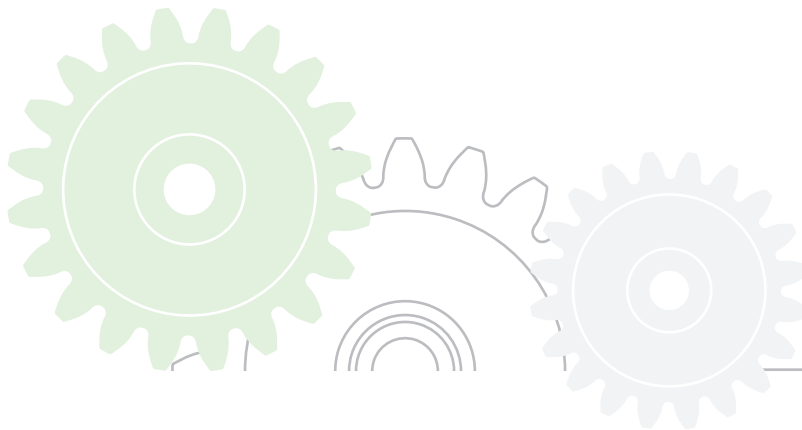




Staff awareness

5.14 Pursuant to section 13(1) of the Public Service (Disciplinary) Regulation, civil servants are required to report to their B/Ds if criminal proceedings are being instituted against them, except for certain non-duty-related traffic offences for which the reporting requirement is exempted²³. The Commission has noted with concern that time and again civil servants were found to have failed to comply with the reporting requirement, with the usual claim that they are not aware of such requirement or that they have interpreted it as not applicable to their own case, as shown in a number of disciplinary cases received by the Commission last year. Such reporting failure delays the B/Ds' considerations and actions as required. In a serious case, the defaulter, who had not been disciplined for his earlier unreported conviction in a timely manner, had committed the same offence a year later and was removed from the service subsequently.

5.15 The Commission is thus pleased with CSB's positive response in reviewing the matter. With the promulgation of CSB Circular No. 4/2023 on 28 July 2023, the reporting requirement has been tightened up, whereby civil servants have to report their arrest by a law enforcement agency irrespective of whether criminal proceedings are eventually instituted against them. In this way, B/Ds concerned could consider the need for staff interdiction or other administrative arrangement as appropriate at an earlier stage. To take on board the Commission's suggestions, CSB also issued in November 2023 guidelines and reminders to B/Ds on the conduct of briefing/refresher sessions for all new recruits and serving staff to heighten their awareness and understanding of the reporting requirements, failing which would be subject to disciplinary punishment to be meted out on a stringent standard. The Commission welcomes the introduction of the above measures and guidelines, and hopes that they would be helpful in bringing down the incidence rate of non-compliance.



23 CSB Circular No. 2/2009 on "Reporting of Non-Duty Related Traffic Offences under the Public Service (Disciplinary) Regulation" sets out that the reporting requirement is applicable to all cases in which an officer has been charged with a criminal offence or summonsed to appear as a defendant before a court of criminal jurisdiction, except criminal proceedings and convictions of the minor non-duty related traffic offences.



5.16 Apart from the reporting of criminal proceedings, the Acceptance of Advantages (Chief Executive's Permission) Notice has been another common area of breaches that is often attributed by staff to their unawareness of the rules in spite of the mandatory re-circulation of the relevant guidelines to all staff at regular intervals. In a case advised by the Commission last year, the supervisor and several colleagues of the offending officer had made loans to him that exceeded the prescribed limit repeatedly over a long period. Whether or not the case had indeed reflected a collective lack of knowledge of the relevant statutory requirements, the Commission has invited the Department to review the need to improve the circulation arrangement of the rules and offer assistance/counselling to its staff, especially those at junior ranks, to understand their responsibility of full compliance.

5.17 For departments that are responsible for delivery of public services, they have usually formulated more detailed rules and systems in order to ensure the fairness and openness of the provision of such services to the public as well as to prevent public complaints or fraudulent activities. While foul play by staff is rare, the Commission noted with concern that abuses had been found repeatedly in a Department in the past year. All the defaulting officers were punished for misconduct of abusing their official positions to help other people acquire public services without adhering to the rules stipulated

by the Department. While it is basic to equip the handling staff with good work knowledge, it is as important to instil in them a proper sense of fair play in allocating limited public resources and the alertness to uphold a high level of probity required of a civil servant. In this connection, the Commission has requested the Department to review its existing control mechanism and enhance its staff training with a view to avoiding further recurrence of abuse.

Staff management and improvement measures

5.18 It is beyond doubt that defaulting officers are held personally accountable for their misconduct acts. At the same time, B/Ds should be on constant alert to ensure the robustness of the control/monitoring mechanism of their departmental operation/systems. If job-related offence/misconduct happens, supervising officers and the management have the duty to identify any breeding grounds or circumstantial factors and to take remedial action immediately to avoid recurrence of similar misconduct. In tendering its advice on a case in which the defaulting officer had entered his office outside working hours to embezzle the public's lost properties found and kept by the Department, the Commission has asked the Department concerned to review the related procedures holistically with a view to plugging any loophole therein in light of the responsibilities it placed on frontline staff and the involvement of public properties.



5.19 Cases 5C and 5D show that effective daily staff management is key to the maintenance of a high standard of staff conduct and discipline.

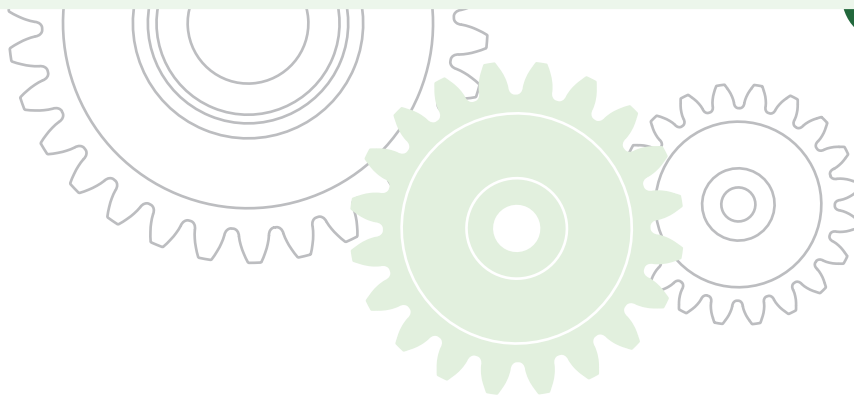


Case 5C

In a Department, an officer had called in sick consecutively for various types of minor illnesses without diagnostic details. Even when he exhausted his vacation leave and failed to provide valid medical certificates to cover all days of absence, his supervisors had maintained a compassionate approach and refrained from initiating formal proceedings to tackle his unauthorised absence given his previous medical history of leg disease. Instead, the supervisors only reminded him repeatedly of the need to support his sick leave applications with valid medical certificates, as well as the dire consequences of unauthorised absence. However, the officer ignored the reminders and even refused to respond to his supervisors at the later stage.

Even though the case was escalated to the headquarters, the departmental management had not intervened to steer the taking of more robust actions. With the delay in action, the situation of unauthorised absence had dragged on for another two months before the Department proceeded to take formal disciplinary action against the officer and punished him by dismissal.

The Commission considers that the officer's suspected abuse of sick leave could have been deterred had the Department instituted appropriate management action at the outset as provided by the stipulated guidelines.





Case 5D

In another case, a junior rank officer was found having dumped a file of his office in the rubbish bin of another department located on another floor of the same office building. While he confessed his unauthorised destruction of an official file, he did not see the seriousness of his misconduct. Not only did he insist his good intent to assist his office in disposing old files, he even blamed his supervisors for not agreeing to his act. He further revealed that he had previously shredded some other files. Taking into account all relevant factors of the case, the Government subsequently punished the officer by a reprimand and a fine.

On closer scrutiny of the case, it was noted that the officer had already received 11 verbal/written advice over the years for various types of failings, omissions, insubordination or misconduct in discharging his duties, many of which were related to his disregard of office procedures and/or defiance against supervisors' instructions. However, the supervisors/divisional management had never taken disciplinary actions, not even summary ones, but only resorted to administrative actions all along despite seeing such not taken seriously by the officer.

The Commission had raised its serious concern to the Department about its excessively tolerant attitude and lax approach adopted towards the repeated misdeeds of the defaulting officer. The Department's attitude in handling the misconduct of the officer was also called into question. Had heavier punishments and stern disapproval been meted out earlier, the officer should have been impressed on the standard of discipline expected of him and might not have committed the current misconduct act repeatedly.

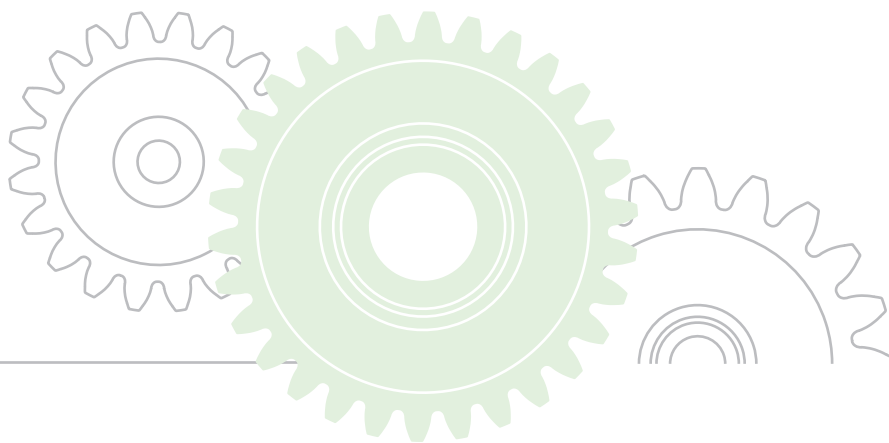


5.20 The wilful disregard of discipline and blatant breaches of rules in these cases reflect poorly not only on the defaulters but the management capability of their supervisors and the management as well. B/Ds should conduct regular reviews and surprise checks to ensure effective running of their staff

management mechanisms. Frontline supervisors should be reminded to adopt a responsible attitude to handle misconduct cases and be equipped with the know-how to deal with repeated misconduct acts. Senior management directions should be given for decisive actions, where necessary.



“Effective daily staff management is key to the maintenance of a high standard of staff conduct and discipline.”



CHAPTER 6

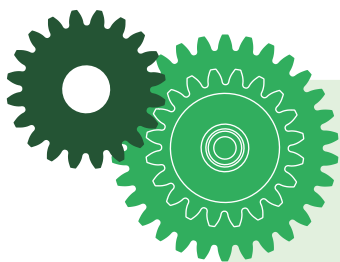
VISIT

6.1 The Chairman and Members of the Commission visited the Education Bureau in November 2023. The visit has facilitated useful exchanges on various issues pertaining to Civil Service appointments, performance management and staff development of the Bureau. The briefing on the work of the Bureau and the guided tour to the Kowloon Tong Education Services Centre, the Kowloon Tong Government Primary School and the

Sir Ellis Kadoorie Secondary School (West Kowloon) have greatly enhanced the Commission's understanding of the Bureau's work on both policy and operation fronts, as well as the vital role it plays in providing quality school education for our students, promoting their holistic development and unleashing their potential.



Visit to the Education Bureau in November 2023.

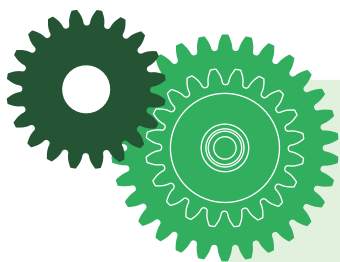


CHAPTER 7

ACKNOWLEDGEMENTS

- 7.1 The Commission would like to express our sincere gratitude to Mrs Ingrid YEUNG, the Secretary for the Civil Service, and her colleagues for their continued support and assistance in all areas of the Commission's work. The Commission also warmly acknowledges the ready cooperation and understanding shown by Permanent Secretaries, Heads of Departments and their senior staff in responding to the Commission's enquiries and suggestions during 2023.





APPENDIX I

Curricula Vitae of the Chairman and Members of the Public Service Commission



Ms Maisie CHENG Mei-sze, GBS, JP

BA(Hons) (HKU)

Chairman, Public Service Commission

(appointed on 1 May 2023)

Ms Cheng was a veteran civil servant. She joined the Administrative Service in September 1987 and had served in various Policy Bureaux and Departments during her 34 years of service. Senior positions held by Ms Cheng prior to her retirement included Director of Government Logistics (2013 – 2015), Director of Marine (2015 – 2019), and Permanent Secretary for the Environment / Director of Environmental Protection (2019 – 2021).



Mrs Rita LAU NG Wai-lan, GBS, JP

BA(Hons) (HKU)

Chairman, Public Service Commission

(appointed from 1 May 2014 to 30 April 2023)

Mrs Lau joined the Government as an Administrative Officer in October 1976 and had served in various Policy Bureaux and Departments during her 34 years of service. Senior positions held by Mrs Lau included Director of Food and Environmental Hygiene (2000 – 2002), Permanent Secretary for the Environment, Transport and Works (Environment) (2002 – 2004), Permanent Secretary for Housing, Planning and Lands (Planning and Lands) (2004 – 2007) and Permanent Secretary for Commerce and Economic Development (Communications and Technology) (2007 – 2008). She was appointed as Secretary for Commerce and Economic Development in July 2008 and left the position in April 2011.



Mr Lester Garson HUANG, SBS, JP

LL.B. (HKU), M. Ed (CUHK), Solicitor, Notary Public,
China-Appointed Attesting Officer
Member, Public Service Commission
(appointed on 1 February 2018)

Mr Huang is a Partner and Co-Chairman of P C Woo & Co. Currently, he is the Chairman of the Council of the City University of Hong Kong and the Social Welfare Advisory Committee. He is also a Council Member of the Hong Kong Federation of Youth Groups and a Steward of the Hong Kong Jockey Club. Previously, he was President of the Law Society of Hong Kong and the Chairman of the Standing Committee on Language Education and Research, a Non-Executive Director of the Urban Renewal Authority and the Securities and Futures Commission. He was also a member of the Hong Kong Monetary Authority's Exchange Fund Advisory Committee and the Standing Committee on Judicial Salaries and Conditions of Service and an ex-officio member of the Education Commission.



Mrs Ava NG TSE Suk-ying, SBS

BSocSc (CUHK), LLB (LondonU), MUP (McGill U),
LLM (Arb & DR) (HKU), FHKIP, MCI Arb
Member, Public Service Commission
(appointed on 1 February 2018)

Mrs Ng joined the Civil Service as an Assistant Planning Officer (later retitled as Assistant Town Planner) in February 1977. She retired from the post of Director of Planning in June 2010. Previously, she was a Member of the Advisory Committee on Post-service Employment of Civil Servants.



The Honourable Mrs Margaret LEUNG KO May-ye, SBS, JP

Honorary Fellow (HKU), BSocSc (HKU)

Member, Public Service Commission

(appointed on 1 July 2018)

Mrs Leung started her banking career in 1975. She had been a Director and General Manager of The Hongkong and Shanghai Banking Corporation, the Deputy Chairman and Chief Executive of Hang Seng Bank, and Deputy Chairman and Chief Executive of Chong Hing Bank. She retired in 2018. She previously served as a member of the National Committee of the Chinese People's Political Consultative Conference. Currently, she is a non-official member of the Executive Council. Besides, she is an Independent Non-Executive Director of the Agricultural Bank of China Limited, China Mobile Limited, First Pacific Company Limited and Sun Hung Kai Properties Limited. She is also the chairman of the Advisory Committee on Arts Development, a member of the Advisory Committee on Post-office Employment for Former Chief Executives and Politically Appointed Officials, a member of the Culture Commission, an Honorary Steward of the Hong Kong Jockey Club, the Treasurer and a member of the Council of the University of Hong Kong, a member of the Business School Advisory Council of the Hong Kong University of Science and Technology and a non ex-officio member of the Law Reform Commission of Hong Kong.





Mr Tim LUI Tim-leung, GBS, JP

Fellow Member of The Hong Kong Institute of Certified Public Accountants

Member, Public Service Commission
(appointed on 1 July 2018)

Mr Lui joined PricewaterhouseCoopers in 1978 and retired as a Senior Advisor in 2018. He is a Past President of the Hong Kong Institute of Certified Public Accountants. Currently, he is the Chairman of the Securities and Futures Commission and the University Grants Committee. Over the years, he has served as the Chairman of the Education Commission, the Committee on Self-financing Post-secondary Education, the Joint Committee on Student Finance, the Standing Commission on Directorate Salaries and Conditions of Service and the Employees' Compensation Insurance Levies Management Board. Mr Lui is a Deputy of the National People's Congress of the People's Republic of China.



Dr Clement CHEN Cheng-jen, GBS, JP

Member, Public Service Commission
(appointed on 1 December 2019)

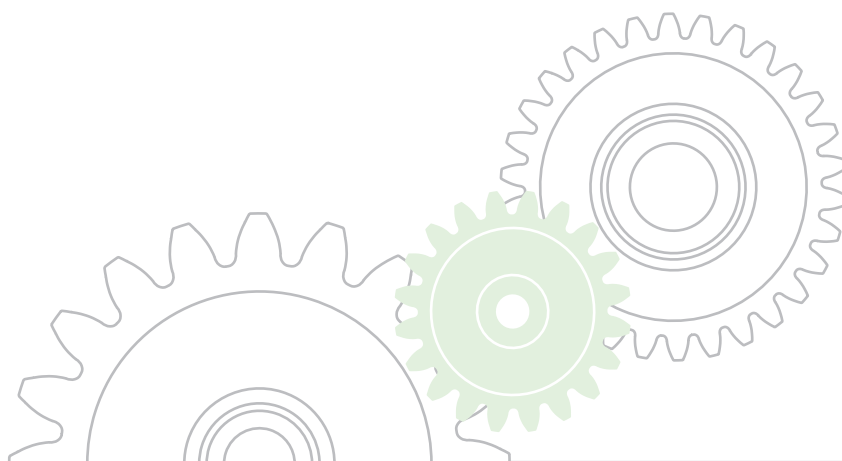
Dr Chen is the Managing Director of Tai Hing Cotton Mill Limited. Currently, he is the Chairman of the Council and the Court of the Hong Kong Baptist University, the Chairman of Standing Committee on Judicial Salaries and Conditions of Service, a Non-Executive Director of the Insurance Authority, Vice-President of Executive Committee of Hong Kong Professionals and Senior Executives Association and Honorary President of the Federation of Hong Kong Industries. Previously, he was the Chairman of Standing Committee on Youth Skills Competition of Hong Kong, the Vocational Training Council, and the Hong Kong Productivity Council.



Prof Francis LUI Ting-ming, BBS, JP

Bachelor of Arts (Economics), University of Chicago
Doctor of Philosophy (Economics), University of Minnesota
Member, Public Service Commission
(appointed on 1 June 2021)

Prof Lui is Professor Emeritus, Adjunct Professor and Honorary Fellow of the Hong Kong University of Science and Technology; and Chair Professor and Director of Institute of Development Economics of the Macau University of Science and Technology. Currently, he is a member of the Chief Executive's Policy Unit Expert Group and a non-official member of the Board of Governors of the Hong Kong Arts Centre. Over the years, he has served as a member of different government boards and committees covering the areas of education, employment, housing strategy, land supply, population policy and fiscal planning, poverty alleviation and retirement protection.





Ms Agnes CHAN Sui-kuen, BBS

Bachelor of Economics, University of Sydney
Fellow Member of The Hong Kong Institute of Certified
Public Accountants
Member, Public Service Commission
(appointed on 1 May 2022)

Ms Chan is the Senior Advisor of Chairman's Office of Ernst & Young Greater China (EY). Prior to this position, she was the Managing Partner for EY Hong Kong and Macau. Currently, she is a member of the National Committee of the Chinese People's Political Consultative Conference, Hong Kong SAR delegate of the All-China Women's Federation and Deputy Chairman of the General Committee of the Hong Kong General Chamber of Commerce. She is also a Non-Executive Director of the Securities and Futures Commission, a member of the Users' Committee of the Inland Revenue Department and a member of the HKSAR Government's Advisory Panel on Base Erosion and Profit Shifting 2.0. Previously, she was a member of the Exchange Fund Advisory Committee of the Hong Kong Monetary Authority, a member of the Competition Commission of Hong Kong, the Mandatory Provident Fund Schemes Appeal Board, the Environment and Conservation Fund Committee of Hong Kong, and the Telecommunications Users and Consumers Advisory Committee of the Office of the Communications Authority.



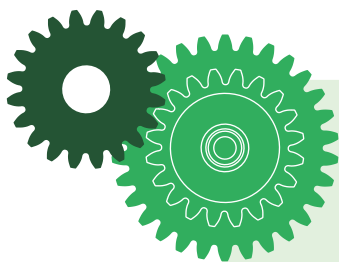


Mrs Ann KUNG YEUNG Yun-chi, BBS, JP

Bachelor of Sciences in Business Administration (Accounting),
University of Southern California
Member, Public Service Commission
(appointed on 1 May 2022)

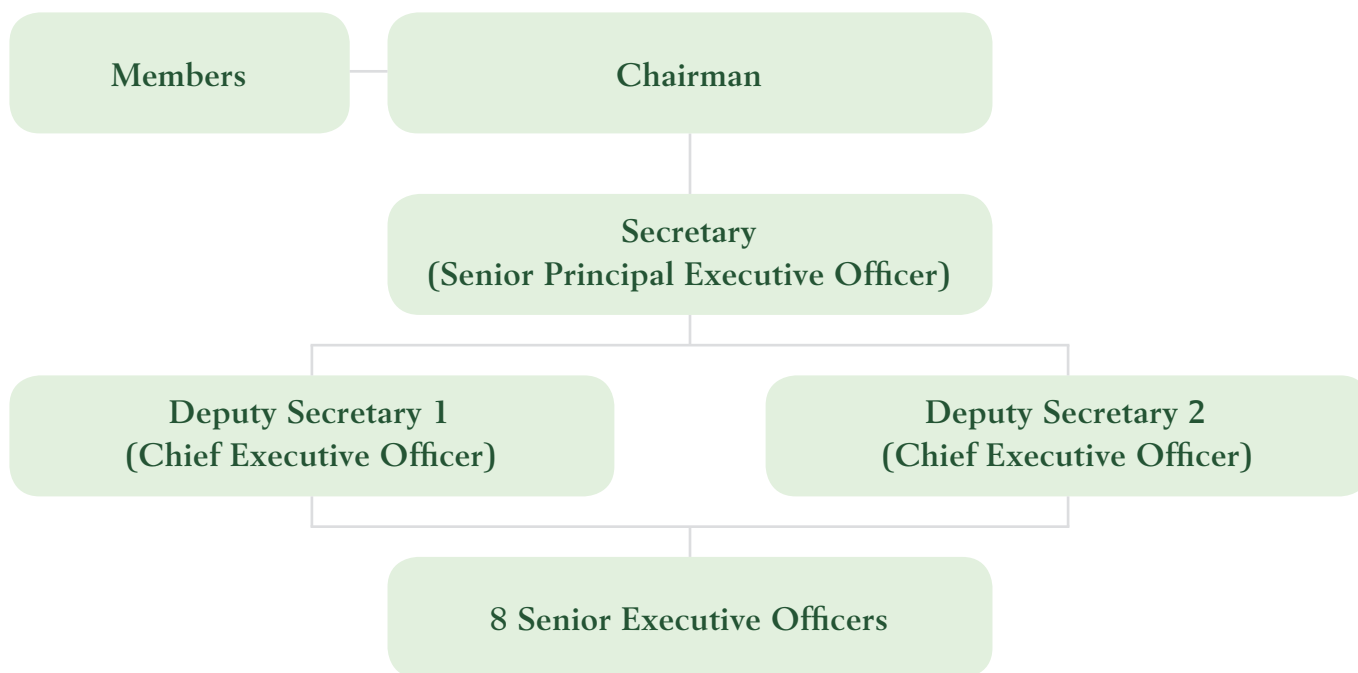
Mrs Kung served as Deputy Chief Executive of Bank of China (Hong Kong) Limited (BOCHK) until her retirement in July 2022, and was appointed as an Advisor as at August 2022. She is also a Director of BOCHK Charitable Foundation, and a board member of the Community Chest. She is currently the Chairman of the HKSAR Government Standing Committee on Directorate Salaries and Conditions of Service; a member of the Hong Kong Tourism Board, the board of Hong Kong Palace Museum, the Hospital Governing Committee of Hong Kong Children's Hospital, the Hospital Authority GBA Advisory Committee, the Anti-Money Laundering and Counter-Terrorist Financing Review Tribunal, the Council of the Chinese University of Hong Kong; and a Steward of the Hong Kong Jockey Club. In the financial sector, she is Chairman of the Banking and Financial Services Group of the Employers' Federation of Hong Kong. She was previously a member of the Advisory Committee of the Securities and Futures Commission, and the Financial Infrastructure and Market Development Sub-Committee of the Exchange Fund Advisory Committee under the Hong Kong Monetary Authority.





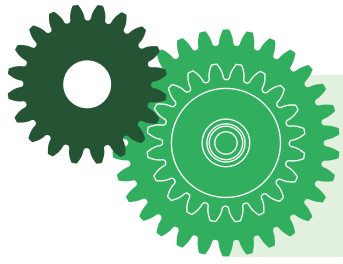
APPENDIX II

Organisation Chart of the Public Service Commission Secretariat



Establishment

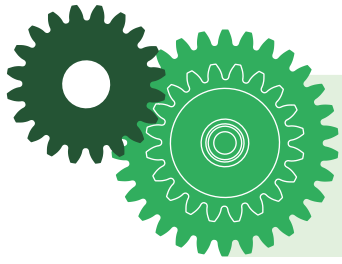
Directorate Executive Officer	1
Executive Officer Grade	10
Clerical Grade	18
Secretarial Grade	3
Chauffeur Grade	1



APPENDIX III

Submissions Advised by the Commission

Category	Number of Submissions Advised				
	2019	2020	2021	2022	2023
Recruitment	197	140	157	132	168
Promotion/Acting appointment	715	704	742	746	763
Extension of service or re-employment after retirement	26	22	26	23	23
Extension or termination of probationary/trial service	148	173	247	196	225
Other Civil Service appointment matters	40	91	178	96	111
Discipline	36	29	29	72	63
Total number of submissions advised	1 162	1 159	1 379	1 265	1 353
<i>(a) Number of submissions queried</i>	887	853	886	812	874
<i>(b) Number of submissions with revised recommendations following queries</i>	156	162	158	162	135
<i>(b) / (a)</i>	18%	19%	18%	20%	15%

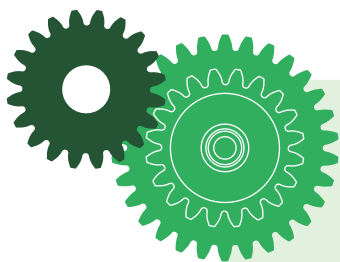


APPENDIX IV

Recruitment Submissions Advised by the Commission

Terms of Appointment	Number of Recommended Candidates in 2023	
	Open Recruitment	In-service Appointment
Probation	1 605	0
Agreement	39	2
Trial	156	85
Sub total	1 800	87
Total	1 887	

	Comparison with Previous Years				
	2019	2020	2021	2022	2023
Number of recruitment submissions involved	197	140	157	132	168
Number of candidates recommended (all local candidates)	1 944	1 471	1 597	1 606	1 887

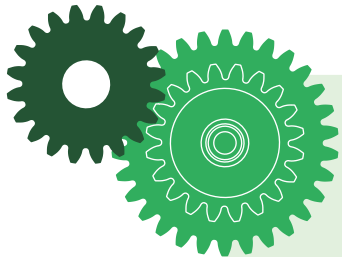


APPENDIX V

Promotion Submissions Advised by the Commission

Category	Number of Recommended Officers				
	2019	2020	2021	2022	2023
Promotion	2 830	2 601	3 178	2 968	3 310
Waitlisted for promotion	330	450	272	381	316
Acting with a view to substantive promotion (AWAV) or waitlisted for AWAV	412	322	325	313	349
Acting for administrative convenience (AFAC) or waitlisted for AFAC	5 628	5 508	5 859	5 850	6 432
Total	9 200	8 881	9 634	9 512	10 407





APPENDIX VI

Extension of Service and Re-employment after Retirement Submissions Advised by the Commission

Category	Number of Recommended Officers in 2023		
	Directorate	Non-directorate	Total
Submissions under the adjusted mechanism for further employment beyond retirement age for a longer duration than final extension of service from 1 June 2017	9	66	75

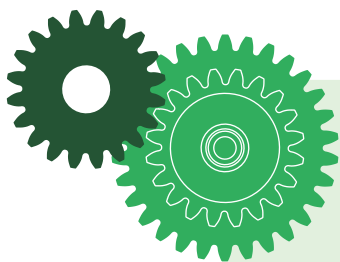
	Comparison with Previous Years				
	2019	2020	2021	2022	2023
Number of extension of service or re-employment after retirement submissions advised	26	22	26	23	23
<i>Number of submissions involving directorate ranks</i>	9	10	9	10	7
<i>Number of submissions involving non-directorate ranks</i>	17	12	17	13	16



APPENDIX VII

Extension/Termination of Probationary/Trial Service Submissions Advised by the Commission

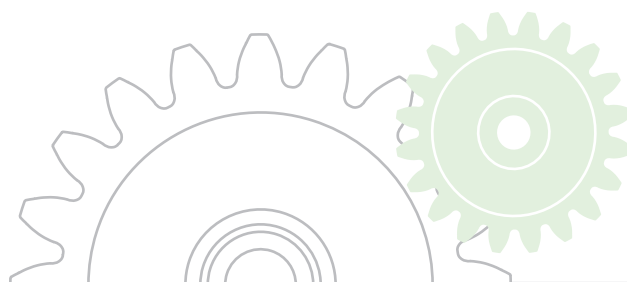
Category	Number of Submissions Advised				
	2019	2020	2021	2022	2023
Termination of trial service	4	1	3	6	1
Termination of probationary service	7	25	66	40	45
<i>Sub total</i>	11	26	69	46	46
Extension of trial service	17	11	10	7	15
Extension of probationary service	120	136	168	143	164
<i>Sub total</i>	137	147	178	150	179
Total	148	173	247	196	225

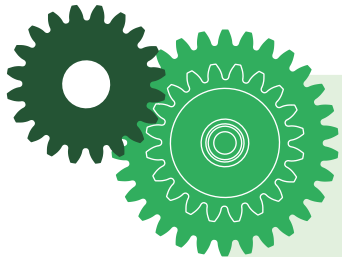


APPENDIX VIII

Other Civil Service Appointment Matters Advised by the Commission

Category	Number of Submissions Advised				
	2019	2020	2021	2022	2023
Non-renewal of agreement	1	0	3	2	2
Renewal or extension of agreement	1	4	3	1	0
Retirement under section 12 of the Public Service (Administration) Order	0	1	73	0	1
Secondment	3	4	2	1	1
Opening-up arrangement	2	0	0	0	0
Review of acting appointment	5	8	5	4	11
Updating of Guide to Appointment	28	74	92	88	95
Lateral appointment	0	0	0	0	1
Total	40	91	178	96	111





APPENDIX IX

Disciplinary Submissions Advised by the Commission

(a) Breakdown of Submissions in 2023 by Salary Group

Punishment	Number of Submissions Advised			
	Salary Group			Total
	Master Pay Scale Pt. 13 and below or equivalent	Master Pay Scale Pt. 14 to 33 or equivalent	Master Pay Scale Pt. 34 and above or equivalent	
Dismissal	5	6	3	14
Compulsory Retirement + Reduced Pension	0	0	0	0
Compulsory Retirement + Fine	0	0	0	0
Compulsory Retirement	8	6	0	14
Reduction in Rank	0	0	0	0
Severe Reprimand + Reduction in Salary	0	2	1	3
Severe Reprimand + Fine	5	9	3	17
Severe Reprimand	2	0	1	3
Reprimand + Fine	6	1	1	8
Reprimand	3	1	0	4
Total	29	25	9	63



(b) Breakdown of Submissions in 2023 by Category of Criminal Offence/Misconduct

Punishment	Number of Submissions Advised				
	Criminal Offence			Misconduct ²⁴	Total
	Traffic related	Theft	Others ²⁵		
Dismissal	0	2	6	6	14
Compulsory Retirement	0	0	7	7	14
Lesser Punishment	6	3	10	16	35
Total	6	5	23	29	63

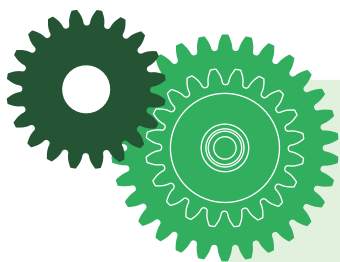
(c) Comparison with Previous Years

Punishment	2019	2020	2021	2022	2023
Dismissal	4	4	9	32	14
Compulsory Retirement	6	8	6	5	14
Lesser Punishment	26	17	14	35	35
Total	36	29	29	72	63



24 Including unauthorised absence, unauthorised loans, unauthorised outside work, abuse of official power, etc.

25 Including fraud, assault, sex-related offences, possession of dangerous drugs, soliciting/accepting advantages without permission, etc.



ABBREVIATIONS USED IN THIS ANNUAL REPORT (English version only)

AOs	Appraising Officers
B/Ds	Bureaux/Departments
CE	Chief Executive
COs	Countersigning Officers
CSB	Civil Service Bureau
CSPF	Civil Service Provident Fund
CSRs	Civil Service Regulations
FE	Further employment beyond retirement age for a longer duration than final extension of service
G/A	Guide to Appointment
GMs	Grade managements
HKSAR	The Hong Kong Special Administrative Region
HoDs	Heads of Department
HoGs	Heads of Grade
HRM	Human Resource Management
PS(A)O	Public Service (Administration) Order
PSCO	Public Service Commission Ordinance
ROs	Reviewing Officers
SCSD	Secretariat on Civil Service Discipline