

Such difficulties are sometimes, but not always, reflected in the private sector and pay levels may be adjusted in accordance with the principle of fair comparison.

(k) Job Content

There are certain jobs, the duties of which are generally recognised as being of a complex nature or as involving the exercise of a greater than usual responsibility or a supervisory role. This factor is extremely difficult to measure and its recognition cannot be dealt with by any simple formula of incremental credit or allowance.

(l) Qualifications Over and Above the Minimum

In a few grades qualifications over and above those required for entry to the grade may be regarded as enhancing an officer's value to government.

VI Career Prospects

25. The key principle affecting career prospects in the civil service is the principle that posts are created only on the basis of a functional need. This means that ranks, their size, and thus promotion opportunities within a grade, depend on the number of jobs which can be clearly identified as having different duties and levels of responsibility. It further means that an officer's career prospects may vary considerably depending on the grade to which he belongs and the number and size of the promotion ranks within that grade. Even when two grades have an identical number of promotion posts, prospects may vary due to differences in the age patterns of the occupants of the promotion ranks.

26. The representations received by the Commission are virtually unanimous in urging improved or more equal career prospects although many recognise that within an organisation such as the civil service, with a very wide range of jobs, the extent to which equality of opportunity can be achieved is very limited. While recognising the difficulties involved and that not all civil servants can expect promotion, the Commission is considering a number of suggestions which might help to reduce some of the inequalities which presently exist. The Commission would welcome comments on these suggestions, details of which are given below, and any other proposals which staff or management may have for improving career prospects in the civil service.

Widening the promotion field

27. One suggestion put to the Commission is to extend the field from which promotion ranks within a grade are filled to all ranks within all grades requiring similar qualifications and the job content of which has at least some similarity. For example, occupants of ranks the duties of which include work of a clerical nature would all be eligible for consideration for promotion to ranks within the clerical grade, and vice-versa, irrespective of whether or not they belonged to that grade.

28. The advantages of this suggestion are :-

- (a) more equal promotion prospects could be provided;
- (b) the knowledge that promotion outside the grade was freely available could reduce difficulties in filling some "dead end" jobs and improve the morale and the efficiency of civil servants occupying such jobs.

29. The disadvantages are :-

- (a) the number of ranks where the qualifications required and the job content are similar will be limited and grades would remain where career prospects were poor or non-existent;
- (b) inter-departmental transfers would be increased and it has been argued that this results in a reduction in the efficiency of departments;
- (c) the improved promotion prospects provided for some grades would lead to a corresponding dilution of promotion prospects in other grades.

Creation of Non-functional Promotion Ranks

30. At present there are a few grades where ranks have been created on a fixed ratio basis and where promotion to these ranks involves little or no change in duties. The existence of these ranks is contrary to the principle that posts should only be created on the basis of functional need and the Commission has been advised that recent practice has been to dispense with them as and when opportunity permits. Representations have been received that rather than dispense with fixed ratio promotion ranks, more should be created to provide promotion opportunities in grades where none or few such opportunities presently exist.

31. The advantages of creating fixed ratio promotion posts are :-

- (a) promotion ranks would be provided for practically all grades and thus the morale and efficiency of staff in grades with few or no career prospects would be improved;
- (b) the existence of more than one rank with the same job content within a grade can assist in overcoming recruitment and retention difficulties in that grade.

32. The disadvantages are :-

- (a) to create ranks for no other reason than to provide civil servants with a career is difficult to justify publicly and financially and, if it were to involve higher pay rather than the simple division of a long scale into two ranks, conflicts with the concept of paying "the rate for the job";
- (b) civil servants in grades with fixed ratio promotion posts could enjoy the same benefits as civil servants in other grades without accepting a higher level of responsibility;
- (c) the decision as to what the ratio should be is inevitably arbitrary and so open to dispute.

Entry Rank Careers

33. Another suggestion put to the Commission is to re-structure entry rank pay scales so that they form a limited career in themselves. It accepts that no officer has a right to promotion and that even where promotion opportunities do exist there will be those who will not progress beyond the entry rank. Thus, to enable all officers to reach a reasonable salary level without promotion, it has been proposed that where the maximum of an entry rank scale is depressed by the existence of a promotion rank, the scale should be extended, and, in grades with no or few promotion prospects, provision should be made for the grant of long service increments.

34. The advantages of this proposal are :-

- (a) recognition is given to the loyal long-serving officer who performs his job capably but who may lack the ability or opportunity to advance beyond his entry rank;

- (b) internal relativity problems arising from differences in grade rank structures may be reduced;
- (c) the length of time which an officer must spend at the top of a pay scale could be reduced.

35. The disadvantages are :-

- (a) the present inequalities of opportunity for promotion to higher ranks would remain;
- (b) in some cases it may result in paying more than the rate for the job;
- (c) genuine differences in job content may not be reflected in pay scales.

In addition the extension of entry rank scales would result in overlapping scales but whether this is a disadvantage or advantage is open to argument.

VII Incremental Progression

36. Fixed annual increments are a feature of pay in the civil service. The level of increase is not related to rises in the cost of living or to any other factor normally giving rise to pay awards. Within the private sector regular fixed level increments are less common.

37. Beyond a general agreement that increments should be significant, that is to say of an amount which an employee considers to be a meaningful addition to his pay, representations received regarding the size of increments vary widely. In the circumstances, and since any more than minor changes would involve restructuring pay scales generally, the Commission has decided to defer detailed consideration of this subject until it conducts its overall examination of the structure of the Master Pay Scale as part of its second review. However, there are three existing practices affecting incremental progression which the Commission feels can be considered separately and on which it would appreciate further views.

Efficiency Bars

38. Efficiency bars are points in an incremental scale beyond which an officer cannot progress unless certified as

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efficient by his Head of Department. They usually appear in long entry rank scales but there is at present some inconsistency in their pattern of use.

39. Efficiency bars have the following advantages : -

- (a) they require management to think carefully about an officer's performance and to make a conscious decision on whether an employee is fully capable of fulfilling the duties of his rank;
- (b) they induce an awareness in civil servants themselves that their incremental progression may be halted if they fail to maintain a satisfactory standard of efficiency.

The problems with efficiency bars are :-

- (a) they do not appear in all recruitment ranks nor is there consistency in the point in the scale at which they exist;
- (b) since they appear only once, or at the most twice, in a long scale, an inefficient civil servant can still receive increases in salary for a number of years;
- (c) in practice reporting officers are reluctant to use efficiency bars to hold back an officer's progress.

40. A majority of the representations received by the Commission recommend the abolition of efficiency bars. A number expressed indifference to their continuation or otherwise and a few favoured their retention. The Commission would now appreciate views on whether, if efficiency bars were to be abolished, other satisfactory means of halting the progress of an inefficient officer should be introduced. For example, according to Civil Service Regulations, increments are awarded for conduct and diligence. It could be argued that efficiency should also be taken into account and that a Head of Department should be able to recommend that any increment be withheld where he is satisfied that an officer is inefficient.

Bracketed Points

41. Most recruitment ranks provide for an officer to receive an extra increment, or exceptionally two extra increments, on confirmation to the permanent and pensionable establishment. It has been suggested to the Commission that this practice should be discontinued since an officer who is confirmed in his appointment has only established his ability to perform the basic duties of his rank and confirmation should be a sufficient reward in itself. The Commission would therefore appreciate views on the value or otherwise of the grant of additional increments on confirmation.

Omitted Points

42. A small number of civil service salary scales include provision for an officer to jump incremental points in the scale. The 1971 Salaries Commission introduced these jumps for reasons which they did not explain.

43. The advantage of omitted points is that they reduce the length of a scale for particular professions where a long scale may be considered inappropriate. The disadvantage is that the provision of omitted points in some scales and not in others leads to a degree of unfairness in treatment and therefore to resentment among civil servants who do not benefit from them.

44. The question of the continuation or otherwise of omitted points has not been raised in any of the representations received by the Commission and it would now appreciate comments on this issue.

VIII Conversion Arrangements

45. The Commission has received a suggestion that there is a need to revise the existing administrative rules for "converting" officers from old to new pay scales.

46. At present, two different (and rather complicated) methods of pay conversion are in use depending upon whether the change is a salary "revision" or a "restructuring" of the grade. In practice, the distinction between the two is sometimes difficult to make. The main rule is that an officer transfers to the equivalent point in the new scale. That is to say, if he is on the third point of his existing scale, he transfers to the third point in the new scale.

47. The Commission would welcome comments on the suggestion put to it that a simpler set of rules should be devised, subject to the over-riding provision that no officer should receive less as a result of a change in a pay scale, but that immediate increases on conversion should be limited to those justified by the circumstances.

IX Model Scale 1

48. The 1971 Salaries Commission intended that officers on Model Scale 1 should form the base for a non-pensionable industrial civil service to be established at a later date. The principles and practices to be applied to Model Scale 1 officers, other than those applicable to the civil service as

a whole, were, therefore, to be the principles and practices appropriate to an industrial civil service. Subsequently, in 1973, a Government Committee, which was appointed to examine the proposal for an industrial civil service, recommended that it should not be created. Instead the Committee proposed that Model Scale 1 officers should be brought within a unified civil service and attached to the occupational classes established by the 1971 Commission. In the event, neither the 1971 Commission's proposal for an industrial civil service nor the Government Committee's proposal for a unified civil service was implemented.

49. While a comprehensive examination of the civil service salary structure must await its second review, the Commission would be grateful for views on what, if any, special principles and practices should be applied to Model Scale 1 officers. For example in recent years steps have been taken to reduce the differences in the conditions of service of Model Scale 1 officers and Master Pay Scale officers. The question arises, therefore, whether the long term objective should be to eliminate such differences altogether, or whether the work of Model Scale 1 officers and the circumstances of their employment are such as to justify their remaining a completely separate group within the civil service with their own salary scale and conditions of service. It has been suggested that many Model Scale 1 staff are not particularly interested in the existing kinds of pension and Widows and Children's pension schemes and might be more attracted by a Provident Fund Scheme.

X The Disciplined Services

50. The "Disciplined Services" (The Customs and Excise Services, the Fire and Ambulance Services, the Immigration Services, the Royal Hong Kong Police Force and the Prisons Service) are a separate group within the civil service. Officer ranks serve on the Master Pay Scale but the rank and file have their own pay scales unrelated to the Master Pay Scale. Because the principle of fair comparison and other criteria governing civil service pay have only limited relevance to this group their salary structure is determined by other means.

51. Pay scales for the disciplined services are based on a formula, commonly referred to as the "Willink Formula", which provides that the minimum and maximum pay for recruitment ranks should be set by taking the minimum of Model Scale 1 and the maximum of segment 3 of Model Scale 1 and applying percentage increases to take account of the special nature of duty in a disciplined service. The factors presently recognised by the "Willink formula" include :-

- (a) long, irregular and unsocial hours
- (b) ineligibility for overtime pay
- (c) danger
- (d) subjection to discipline
- (e) social segregation

The effect of the "Willink formula" is that starting rates of pay in the disciplined services may be some 50% higher than those for other civil servants with the same or higher educational qualifications.

52. The Commission has had the recent report of the Committee of Inquiry into the United Kingdom Police drawn to its attention. This Committee concluded that the correct level of police pay could not be determined on any precise formula. Instead the Committee considered that the only satisfactory way to proceed was to review all the relevant factors and to make the best judgement it could. The Commission would therefore welcome comments on whether or not the Willink formula should continue to be used to determine the pay of the Hong Kong disciplined services and if so whether there should be any additions to or deletions from the factors taken into account by the formula, or whether the formula should be abandoned and disciplined services pay left to the Commission's judgement.

XI General

53. The Commission would like to take this opportunity to thank all those who have submitted representations on key principles and practices. It is clear that a great deal of thought has gone into their preparation and they have played a valuable part in the Commission's deliberations. In the final analysis the Commission must exercise its judgement on the principles and practices which should be applied to the civil service but in doing so it will attach considerable weight to the views expressed in the representations which it has received.

Commission Secretariat
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