

CHAPTER 3

DEPARTMENTAL CONSULTATIVE MACHINERY

Existing consultative machinery

3.1 At present, 33 out of a total of 48 departments are known to have some form of joint consultative machinery. In 21 departments these take the form of consultative councils or committees, while in the remainder consultation is organised on a regional or grade-representative basis. In some departments, formal consultative councils are supplemented by informal 'office discussion groups' or other forums for the exchange of views.

Objects and functions

3.2 The general objects of a departmental consultative council are to secure co-operation between the Government, in its capacity as employer, and the general body of the staff as employees, in matters affecting the department, with a view to increasing efficiency and promoting the well-being of those employed; to provide machinery for dealing with grievances, and generally to bring together the experience of various staff and different points of view on conditions of service.

3.3 At present staff councils deal with matters which affect the conditions of service of the staff, and their functions generally include consideration of the following :-

- (a) The best means of utilising the ideas and experience of the staff.
- (b) Means for encouraging greater staff participation in determining their conditions of service.
- (c) The encouragement of the further education and training of staff, to improve their specialised knowledge and ability to manage.
- (d) Improvement of office methods and organisation and the provision of opportunities for the full consideration of suggestions by the staff on this subject.
- (e) The consideration of proposed legislation insofar as it has a bearing upon the position of members of the staff in relation to their employment in the department.

- (f) Consideration of the general principles governing certain conditions of service insofar as these matters are particular to members of the staff of the department, for example :-
- (i) The structure of individual grade salary scales and internal relativities.
 - (ii) Appointment and promotion qualifications for individual grades.
 - (iii) Detailed conditions of service for individual departmental grades e.g. duties, hours of work, overtime arrangements.
 - (iv) Leave arrangements (excluding leave rates).
 - (v) Departmental welfare arrangements.
 - (vi) The application of redundancy arrangements.
 - (vii) Departmental quarters.
 - (viii) Office accommodation and working conditions.
 - (ix) Uniforms.

3.4 Any recommendations arising from items (f)(i) and (ii) above are referred by the head of department to the Civil Service Branch for consideration. Salary levels and requests for salary adjustments are not discussed at the departmental level as they are matters for the central consultative machinery. Furthermore, staff consultation on departmental councils is restricted to general principles only, while individual cases are taken up directly by the officers with their department or the staff association concerned.

Structure and general practice

3.5 We note that departmental consultative councils generally take one of the following forms :-

- (a) Consultation is conducted at two levels, namely, a senior consultative council and a junior consultative council, for instance, in the Labour Department, Royal Hong Kong Police Force, and Prisons Department.
- (b) Some departments have a unified departmental consultative council which comprises staff representatives 'across-the-board'. Examples are the Urban Services Department, Registrar General's Department, Civil Aviation Department, Fire Services Department and the Inland Revenue Department.

- (c) In some departments, separate machinery exists for staff of departmental grades and for those of general grades, while others have separate councils for their disciplined and civilian staff.

3.6 The composition of these councils varies from department to department, but generally speaking, the staff side comprises grade representatives and, in some cases, representatives of staff associations and of certain groups of staff. While some councils have formal constitutions, others are informally structured. In larger departments such as the Public Works Department and Marine Department, the consultative councils at the departmental level are supplemented by 'office discussion groups', 'briefing sub-committees', 'divisional welfare committees', and so on.

3.7 The frequency of council meetings and the practice of circulating the minutes of meetings also vary from one department to another. While English is normally the medium used during meetings with the more senior staff, meetings of most junior staff councils are conducted in Cantonese.

Recommendations

3.8 Many heads of department and staff associations have told us that their departmental machinery is an effective forum for consultation between management and staff. We endorse this, and recommend that as a general rule, joint consultative councils should be established in all departments with a large establishment. Though it is both unnecessary and undesirable to dictate any hard and fast rule, we consider that formal machinery should exist in all departments with a staff of 100 or more. Departments with fewer staff may, of course, adopt the same arrangements. We further consider that the departmental councils should be established according to certain basic guidelines laid down by the Administration. However, because situations and requirements vary from one department to another, we suggest that detailed arrangements for each departmental council should be left to the discretion of heads of department.

3.9 In organising departmental consultative councils there are certain areas which merit special attention, and we have the following recommendations to make :

- (a) Representation of Civil Service Branch at departmental councils

It has been suggested to us that the operation of departmental consultative machinery is less effective when problems of pay scales and gradings are raised by the staff, since these issues need to be referred to the Civil Service Branch for consideration. The general view of both management and staff is that a

representative of the Civil Service Branch should attend departmental consultative council meetings to facilitate two-way communication. We endorse this idea, and recommend that it should be tried out on an experimental basis in a few departments with established departmental councils, so that its usefulness can be assessed.

(b) Representation on departmental councils

Certain staff associations have drawn our attention to the fact that they have not been given a seat on departmental consultative councils. We recommend that as far as possible all staff groups should be accommodated, and that the departmental consultative machinery should be sufficiently broad-based to enable the interests of all staff groups to be represented. We also recommend that the staff side representatives should be elected by the staff themselves, and should not be appointed by the departmental management.

(c) Councils to be of appropriate size

Some departmental consultative councils have been regarded by the staff concerned to be too unwieldy, especially in large departments where different ranks and grades are represented on the same council. We therefore recommend that where a departmental council becomes too large and unwieldy, the forum for consultation should be split into smaller groups to enable more effective communication, and to afford adequate opportunities for individual grades to express their views. This can either be in the form of sub-committees of the departmental council, or one or more separate councils (e.g. one for Model Scale 1 staff), depending on the requirement of each department.

(d) Implementation of agreements

Certain staff associations have informed us that there have been delays in implementing the resolutions of staff council meetings. In this respect, we recommend that where the matter falls within the jurisdiction and competence of the heads of department concerned, any agreement reached in consultative councils should be acted upon expeditiously.

(e) Frequency of meetings

We recommend that consultative council meetings should be held regularly at reasonable intervals, say quarterly, and, in case of emergency, at the request of either side. However, we envisage at the

formative stage that it might be necessary to have more frequent meetings. The staff side should have ample opportunity to comment on the minutes, preferably in draft, prior to confirmation at formal meetings.

(f) Language used at meetings

We recommend that to permit effective communication, Cantonese should normally be used in meetings with junior staff. If necessary, minutes should be circulated in both English and Chinese. Translation and interpretation facilities should be provided by the department whenever necessary.

(g) Attendance at meetings

We recommend that elected staff side representatives of departmental councils should be released from their normal duties to attend council meetings and other staff-side activities. In our opinion, arrangements similar to the general directive promulgated in Civil Service Branch Circular No. 45/74 (attached at Appendix V) concerning the granting of time-off for essential staff-side business should be made for departmental councils and central consultation.

3.10 In addition to the above recommendations, we consider it to be of vital importance that heads of department or their deputies should take a personal interest in matters discussed at departmental consultative council meetings. This will not only inspire confidence in the system, but also ensure that the departmental consultative machinery is properly developed and monitored. Furthermore, we consider that the model constitution for departmental consultative councils issued by the Civil Service Branch in 1976 still provides useful guidance for the establishment of staff councils at the departmental level, and recommend that it should be brought up to date and republished for general information. A copy of the model constitution is attached at Appendix VI.