

LCQ16: Moderation Committees of Hong Kong Examinations and Assessment Authority

Following is a question by the Hon Elizabeth Quat and a written reply by the Secretary for Education, Mr Kevin Yeung, in the Legislative Council today (June 10):

Question:

A question in Paper 1 of the History subject of this year's Hong Kong Diploma of Secondary Education (HKDSE) Examination requested candidates to make reference to two pieces of information and then answer the following question: "Japan did more good than harm to China in the period 1900-45. Do you agree?" There are comments that the question was inappropriate in the selection of topic and was ill-intended, downplaying the painful historical facts of Japan's invasion of China, thereby leading candidates to reach a conclusion which turns the truth upside down. In this connection, will the Government inform this Council:

(1) given that moderation committees (MCs) has been set up separately for Category A subjects of HKDSE Examination, which are responsible for setting examination questions and drafting marking schemes, and that the Hong Kong Examinations and Assessment Authority (HKEAA) appoints members to MCs through various channels (e.g. nominations from schools and subject committees), whether it knows the relevant selection criteria and the weightings attached to the various criteria;

(2) given that the work nature of MCs is highly confidential, and that a staff member who had been nominated by the Education Bureau (EDB) in 2019 was eventually not invited to join the MC of the History subject of HKEAA, whether the EDB will request HKEAA to review the composition of MCs and require that each MC should comprise a member appointed by the EDB in order to strengthen the EDB's monitoring role on the HKDSE Examination;

(3) whether the EDB will explore taking part in the work of setting and moderating questions for the HKDSE Examination in order to ensure that examination questions are objective and neutral; if so, of the details; if not, the reasons for that;

(4) as it has been reported that a member of the MC relating to the aforesaid incident has repeatedly made biased remarks on social media, whether it knows if HKEAA has assessed the effectiveness of the monitoring mechanism established to ensure that the acts of MC members meet the codes of professional conduct, and the mechanism put in place by HKEAA for imposing punishments on those members who have breached the codes of professional conduct; and

(5) given that HKEAA publishes, every year after the HKDSE Examination, question papers for the various Category A subjects, in which information such as marking schemes are set out for the reference of the relevant parties, whether it knows if HKEAA will, in view of the grave public concerns aroused by and the invalidation of the aforesaid question, immediately make public the marking scheme of the question, so as to facilitate the public to have a better understanding of the process of setting the question; if HKEAA will, of the details; if not, the reasons for that?

Reply:

President,

Question 2(c) of History Paper 1 of the Hong Kong Diploma of Secondary Education (HKDSE) Examination this year has aroused great controversy in society. When there are problems in the implementation of curriculum and assessment, especially those involving education and examination and assessment organisations, the Education Bureau (EDB) has the responsibility to safeguard the education profession, take corresponding rectifying actions in the interests of students and the public, as well as address the public concern. The EDB has explained the relevant reasoning in its statement dated May 14, at the press conference on May 15 and in the paper for the Legislative Council Panel on Education on May 25. Currently, the Hong Kong Examinations and Assessment Authority (HKEAA) takes full responsibility for the work of the Moderation Committee (MC). The EDB has no knowledge of the relevant duties (including the list of members) as they are confidential. The EDB has referred Parts (1), (2), (4) and (5) of the question which involve confidential information on assessment and staff conduct to the HKEAA. The consolidated reply is as follows:

(1) According to the HKEAA, MC members are appointed through various channels, including inviting nominations from subject committee members and chief/assistant examiners, and writing to schools for nominations from principals on a regular basis. MC members should meet the following criteria:

- currently teaching the relevant subject or have taught the subject in recent years;
- being experienced and innovative in teaching or setting examination questions;
- being up-to-date on the subject area and able to contribute to the process of question setting;
- having significant professional responsibilities (e.g. being a panel chairperson)

All members of MCs are required to declare interest in order to avoid any potential conflicts of interest. This declaration requirement covers the spouse, immediate family members, as well as persons who are residing in the home of the declarant concerned. Persons with potential conflicts of interest will not be appointed as MC members.

MCs comprise academics from tertiary institutions, secondary school

teachers, curriculum officers and subject experts and an appropriate mix will be maintained based on the members' academic knowledge, teaching experience, and expertise and experience in question setting or moderation. The HKEAA has laid down guidelines to ensure a healthy turnover of MC members and to provide opportunities for new examination personnel to take up assessment development work.

It is especially important that MC members should be well experienced and innovative in setting examination questions, and be up-to-date on the knowledge and development of the subject area. In the selection of members for a MC, priority will be given to members who can provide constructive and insightful comments and suggestions from the stages of question setting to moderation, and refine the draft questions up to the required standard for public examination.

(2) and (3) The HKEAA points out that it has been appointing members of MCs based on the criteria mentioned above. Apart from the Manager of Assessment Development of the HKEAA and frontline teachers and principals, some of the curriculum specialists invited by the HKEAA to join the MCs of some subjects include employees of the EDB. These curriculum specialists participate in the work of MCs in their personal capacities. They have to seek prior approval from the EDB for taking up outside work but are forbidden to disclose the relevant work to their supervisors in the EDB. With the EDB's request in recent years for greater participation of its curriculum specialists to enhance the alignment of curriculum and assessment, the EDB will recommend experienced personnel conversant with the curriculum requirement to the HKEAA for consideration. The number of personnel invited by the HKEAA to join the MCs has increased. However, not all the MCs of the 24 Category A subjects in the 2020 HKDSE have invited the personnel recommended by the EDB to join the MCs. Furthermore, their posts in the MCs and the stages they are going to participate are entirely the decision of the HKEAA.

In view of the grave public concern over the History examination question in the HKDSE Examination, the EDB and the representatives of the education sector and the HKEAA will set up a task force to review the issue. The EDB has requested the HKEAA to investigate the incident, review the question setting and moderation mechanism of the HKDSE, and whether the mechanism has been strictly complied with in the question setting and moderation of the History examination paper. The EDB will also review the existing mechanism to fulfil its monitoring role in the HKDSE Examination, with a view to ensuring the sustained quality of the HKDSE Examination and examination questions. As the review has not completed yet, it is difficult at this stage to comment on future improvement measures.

(4) According to the information provided by the HKEAA, regardless of their personal background and beliefs, MC members have to comply with the HKEAA's established procedures and follow the curriculum and assessment requirements in a professional manner when setting examination questions to ensure that candidates are assessed by the examination papers in an effective and fair manner.

Concerning the controversies caused by recent media's disclosure of

messages posted by HKEAA staff in their personal social media accounts, the HKEAA reiterates that all HKEAA employees are bound by the HKEAA's relevant regulations, procedures, rules and policies when performing their duties. The HKEAA has a mechanism to follow up staff discipline issues. It will follow up the incident fairly and impartially having regard to the relevant facts and the Employee Code of Conduct and regulations. An employee who is found to have committed negligence when performing his duties or compromised professional ethics, integrity and professionalism will be subject to disciplinary actions in accordance with the gravity of the case and the responsibility to be borne. For the sake of procedural justice, the HKEAA will not make further comment at this stage.

(5) The HKEAA Council is actively considering the request for releasing the marking scheme of the examination question concerned.

According to the information provided by the HKEAA, a marking scheme, which specifies the requirements of individual questions, mark allocation and the range of acceptable responses, is prepared for markers as an important reference but should not be regarded as a model answer. The draft marking scheme has to go through a standardisation process. After examination, sample scripts will be selected by the Chief Examiner and Assistant Examiners, who will then review and compare the sample scripts, in order to reach an agreement on the marking principles and standards among markers. Revisions would be made to the marking scheme if necessary. Markers will then be briefed on the assessment objectives and requirements of individual questions in the markers' meeting. Sample scripts will be trial marked by markers to facilitate better understanding of the principles of the marking scheme, so as to ensure the consistency of the marking principles. Teachers and other readers who were not involved in the marking process are advised to interpret the contents of the marking scheme with caution.

LCQ4: Concrete batching plant in Yau Tong

Following is a question by the Hon Wilson Or and a reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (June 10):

Question:

In 1998, the Government changed the planned uses of the sites in the Yau Tong Industrial Area (YTIA) from Industrial to Comprehensive Development Area, Residential and Commercial zones. With the completion of and intake of residents for a number of residential projects in that area in recent years, its population has been increasing incessantly. Some residents have relayed

that currently a concrete batching plant is still in operation in the area, causing environmental pollution and affecting the daily living and health of the residents in the vicinity. In this connection, will the Government inform this Council:

(1) whether it has assessed the impacts caused by the aforesaid concrete batching plant to the environment and the residents in the vicinity; of the number of complaints received by the Government in the past three years about the air, noise or other environmental pollution caused by the concrete batching plant;

(2) whether the Government had forecast the timing for the concrete batching plant to move out of the area when it changed the planned uses of the sites in YTIA; whether the Government has in recent years discussed with the person-in-charge of the plant the plan and timetable for relocating the plant; and

(3) of the measures in place to resolve the conflicts between the operation of the concrete batching plant and the development projects implemented according to the new planned uses?

Reply:

President,

Concrete is extensively used in building and infrastructure construction in Hong Kong and reliable concrete supply is very important. As fresh concrete will harden with time, the locations of concrete batching plants (CBPs) entail a geographical consideration so that concrete could be delivered timely to construction sites in various regions. Excessive transportation distance may affect the quality of concrete. There are currently three CBPs in the Yau Tong Industrial Area (YTIA) with Specified Process Licences (SPLs) issued by the Environmental Protection Department (EPD), accounting for about 30 per cent of the total concrete supply in Hong Kong. These CBPs supply concrete for building and infrastructure projects in East Kowloon, Tseung Kwan O, etc. including the Kai Tai Sports Park under construction.

After consultation with the Environmental Bureau, I provide responses to the various parts of the question as follows:

(1) There are currently three CBPs in the YTIA, which are subject to statutory control in the environmental, public hygiene and road traffic aspects. According to the Air Pollution Control Ordinance, when these three CBPs applied for SPLs, they had submitted an air pollution control plan to the EPD to confirm that the CBPs would adopt the best practicable measures to control pollutants emission in order to meet the air quality objectives and to avoid impact on the nearby residents. After obtaining the licences issued by the EPD, the CBPs have to comply with the requirements of the licences, including proper operation of the plants and strict compliance with the measures for controlling air pollution. The EPD will inspect the CBPs from

time to time and also follow up on-site upon receipt of complaints, ensuring that the plants have taken practicable measures to minimise air pollution impact of dust caused by CBPs on the nearby environment in accordance with the requirements of the licences.

From 2017 to date, the EPD has received 68 complaints related to environmental impacts by the CBPs in YTIA. These complaints are mainly related to air, noise and water quality pollution and other types of environmental pollution, among which air pollution is the most concerned. The EPD has carried out 141 inspections and issued 11 written warnings and three notices of prosecution to CBPs under the Air Pollution Control Ordinance, with two cases of successful prosecution; the Food and Environmental Hygiene Department (FEHD) has carried out 85 inspections in the YTIA under the Public Cleansing and Prevention of Nuisances Regulation and made 10 successful prosecutions against concrete delivery vehicles for bringing mud and concrete onto roads; the Hong Kong Police Force has carried out inspection in the vicinity of the CBPs under the Road Traffic Ordinance, including Ko Fai Road, Tung Yuen Street, Shung Tak Wai, and Shung Shun Street, and issued 7 876 Fixed Penalty Tickets, and will intensify inspection and prosecution for illegal parking. In view of the concern of nearby residents, the Government has just set up an inter-departmental working group to co-ordinate the pollution monitoring and implement mitigation measures to the CBPs in Yau Tong, where concerned departments will intensify inspection and law enforcement.

(2) and (3) The industrial sites in Yau Tong Industrial Area were rezoned from Industrial to Comprehensive Development Area (CDA), Residential (Group E) and Commercial by the Town Planning Board (TPB) in 1998. Through the change in land use zonings, land owners can redevelop the original industrial buildings and sites for private residential and/or commercial uses, which will gradually change the land uses of the area through market forces, and hence maximise the development potential and meet the development need of the society. As the industrial sites in YTIA is privately owned, future development and use of the land, and the time-table of redevelopment programme are subject to commercial decision of land owners. While the Government may not have control over the pace of these market-led redevelopment projects and the original use at these sites continues to exist before redevelopment, we consider this as a necessary process of urban renewal to replace old with new. We can discuss how to expedite the process but should not see this as a contradiction within the town planning system.

In fact, since the rezoning in 1998, YTIA has been gradually transformed from a traditional industrial area in the past to a residential and commercial area where industrial uses of some sites were ceased operation for residential development. To expedite the urban renewal process more efficiently, TPB sub-divided the CDA zone in Tung Yuen Street and Yan Yue Wai into five smaller CDA zones in 2014 to allow land owner to apply for comprehensive residential development at individual CDA zone. Since 2016, TPB approved four planning applications for proposed comprehensive residential development in CDA zones, including planning applications for CDA(1) zone in Tung Yuen Street originally partly occupied by a CBP. The CBP has ceased

operation, and land exchange for residential development has been completed. TPB is processing another planning application for proposed comprehensive residential development in CDA(4) zone covering another CBP in Tung Yuen Street, which has recently ceased operation. The applicant is required to submit an environment assessment report and propose appropriate mitigation measures to address environmental problems such as air pollution and noise arising from industrial and residential interface. The application will be submitted to TPB for consideration within this month tentatively.

In sum, concrete is an important construction material, and it is necessary to set up CBP in each major region to support the construction works within the region from an operational point of view. In planning term, CBP should be set up in an appropriate land use zoning in the long run to minimise the impacts on the surrounding. To this end, and in order to meet the needs of the construction industry and future development projects of both public and private sectors, the Government is proactively studying the feasibility to identify a suitable site in Tseung Kwan O Area 137 for market to set up a CBP, preferably a waterfront site to allow transporting raw materials for concrete production by waterborne transport to avoid increasing pressure on road traffic and minimise the impacts on residents from production and transportation of concrete.

Thank you, President.

Woman fined for operating unlicensed guesthouse

A woman was fined \$3,000 at the Kowloon City Magistrates' Courts today (June 10) for contravening the Hotel and Guesthouse Accommodation Ordinance.

The courts heard that in September last year, officers of the Office of the Licensing Authority (OLA), Home Affairs Department, inspected a suspected unlicensed guesthouse on Hankow Road in Tsim Sha Tsui. During the inspection, the OLA officers posed as lodgers and successfully rented a room in the guesthouse on a daily basis.

According to the OLA's records, the guesthouse did not possess a licence under the Ordinance on the day of inspection. The woman responsible for operating the premises was charged with contravening section 5(1) of the Ordinance.

A department spokesman stressed that operating or managing an unlicensed guesthouse is a criminal offence and can lead to a criminal record. Upon conviction, the offender is liable to a maximum fine of \$200,000 and two years' imprisonment.

The spokesman appealed to anyone with information about suspected unlicensed guesthouses to report it to the OLA through the hotline (Tel: 2881 7498), by email (hadlaeng@had.gov.hk), by fax (2504 5805) using the report form downloaded from the OLA website (www.hadla.gov.hk), or through the mobile application "Hong Kong Licensed Hotels and Guesthouses".

Public hospitals daily update on COVID-19 cases

The following is issued on behalf of the Hospital Authority:

As at noon today (June 10), one COVID-19 confirmed patient (case number: 1080) was discharged from hospital in the past 24 hours. So far, a total of 1 051 patients with confirmed or probable infection have been discharged.

At present, there are 644 negative pressure rooms in public hospitals with 1 199 negative pressure beds activated. A total of 53 confirmed patients are currently hospitalised in nine hospitals, among which four patients are in critical condition (case numbers: 595, 1084, 1092 and 1100), and the remaining 49 patients are in stable condition.

The Hospital Authority will maintain close contact with the Centre for Health Protection to monitor the latest developments and to inform the public and healthcare workers on the latest information in a timely manner.

Operator fined for illegal club operation

A man was fined \$4,000 at the Kowloon City Magistrates' Courts today (June 10) for contravening the Clubs (Safety of Premises) Ordinance.

The courts heard that in November last year, officers from the Office of the Licensing Authority (OLA) of the Home Affairs Department conducted an inspection at a club on Dundas Street in Yau Ma Tei, which had been operating with a certificate of compliance (CoC).

OLA officers posed as customers and patronised the club for food and

drinks without being asked to show their membership status or being invited to join the club as members. Moreover, the OLA officers found that the club had a layout that deviated from the registered drawing. Conditions 3 and 12 of the CoC were breached. The man, being the operator of the club, was charged with contravening section 21(1) (a) of the Ordinance.

A spokesman for the department reminded all CoC holders to comply with the conditions as stipulated therein. Enforcement actions will continue to be taken against illegal club operations.