

LCQ2: Management of sick leave in civil service

Following is a question by the Hon Kenneth Fok and a reply by the Secretary for the Civil Service, Mrs Ingrid Yeung, in the Legislative Council today (May 28):

Question:

The 2024 Policy Address proposed to strengthen civil service management. However, there are views pointing out that the figure of over 100 suspected cases of sick leave abuse by civil servants every year reflects that there is room for improvement in the fairness and transparency of the relevant sick leave management mechanism. In this connection, will the Government inform this Council:

(1) whether it has conducted a comprehensive and systematic assessment of the management of sick leave in the civil service, and set out in a table the relevant data on sick leave taken by civil servants in each government department in the past three years, including the number of civil servants who took sick leave and the total number of days of sick leave taken by them, as well as the details of the management methods concerning frequent sick leave and prolonged sick leave; if not, of the reasons for that;

(2) whether it will consider amending the Civil Service Regulations in a timely manner to introduce a more rigorous audit mechanism for sick leave, such as requiring that a civil servant who has taken sick leave in excess of a certain number of days must receive an independent medical assessment by a Medical Board, and conducting in-depth investigations into suspected cases of sick leave abuse and taking more stringent disciplinary actions; and

(3) of the number of cases of prolonged sick leave taken by civil servants due to injuries sustained while on duty which eventually turned out to be suspected cases of sick leave abuse in each of the past five years; how the authorities assessed the relevant circumstances of such cases?

Reply:

President,

The civil service is a vital force for the Government to achieve good governance and maintain high-quality public services. As a good employer, the Government attaches great importance to the physical and mental well-being of its employees and protects their occupational safety. According to the terms and conditions of service, civil servants who are injured on duty, sick, unwell, or in need of medical treatment may apply for sick leave to help them recover and return to work as soon as possible. The Civil Service Bureau (CSB) has a comprehensive and stringent sick leave management mechanism, which provides clear guidelines for all bureaux and departments (B/Ds) to

manage sick leave applications from civil servants under their purview. This ensures that sick or injured employees are given the necessary time to recover and rest, while achieving effective and fair sick leave management and handling suspected abuse of sick leave cases in a serious manner. The sick leave management mechanism is clearly and thoroughly stipulated in the Civil Service Regulations (CSRs) which are highly transparent and accessible by all civil servants at all times.

The replies to the respective parts of the question are as follows:

(1) and (2) To comprehensively and systematically understand the overall situation on the taking of sick leave by civil servants, the CSB regularly collects and analyses civil service sick leave data from all B/Ds. If it is observed that the number of sick leave days taken by civil servants or the number of staff having taken prolonged sick leave in a particular B/D shows a noticeable upward trend, we will require the departmental management to strengthen supervision, examine the reasons behind, review the effectiveness of its internal sick leave management arrangements and enhance the measures in sick leave management.

Civil servants' sick leave is categorised into duty-related sick leave and non-duty related sick leave. In 2022, the total number of duty-related sick leave days taken by civil servants was about 100 000 days, while in 2023 and 2024, it was about 80 000 days per year. As for non-duty related sick leave, the total number of non-duty related sick leave days taken by civil servants in 2022 was about 0.9 million days. During the COVID-19 pandemic that year, civil servants who were issued with isolation orders for being tested positive were granted authorised absence without taking sick leave. From early 2023 onwards, as the Government ceased issuing isolation orders, civil servants who are tested positive for COVID-19 have to apply for sick leave according to the normal procedures. Against this backdrop, the total numbers of non-duty related sick leave days taken by civil servants in 2023 and 2024 were about 1.2 million days and 1.1 million days respectively.

Regarding the number of civil servants taking sick leave, the 2024 figures show that out of about 173 000 civil servants, about 30 per cent did not take any sick leave throughout the year, about 40 per cent took between half a day to five days of sick leave; about 15 per cent took between five and a half to 10 days; and those who took more than 10 days of sick leave accounted for only 15 per cent of the total civil service strength. Civil servants who took a relatively long period of sick leave include cases of serious injury on duty and serious illnesses which require medical treatment for tens of days to even several months. The distribution of sick leave days in 2023 is largely similar.

It is incumbent upon the departmental management to closely monitor the sick leave taken by their staff and identify cases of suspected abuse at an early stage so that appropriate actions can be taken promptly. According to the CSRs, if a staff member is suspected of abusing sick leave, the departmental management may require him/her to attend before a Government or the Hospital Authority (HA) medical officer or clinic. In such cases, regardless of the duration of the sick leave, the staff member must produce a

medical certificate issued by the Government or the HA medical officer or clinic to be granted sick leave.

For prolonged sick leave cases, the CSRs stipulate that departmental management is generally required to convene a Medical Board consisting of three medical officers to independently assess the health condition of any civil servant who has taken more than 91 consecutive days of sick leave that are not related to injury on duty. B/Ds may withhold the grant of sick leave to the officer unless with the Board's recommendation to grant sick leave to the officer. If the grant of sick leave is withheld from the officer, the officer should immediately apply for vacation leave or unpaid leave to cover the period of absence, otherwise the case may be regarded as unauthorised absence. If an investigation reveals abuse, falsification or other breach of regulations, the departmental management may take disciplinary action accordingly. If a case involves criminal elements, the departmental management will also report it to the relevant law enforcement agencies. Therefore, the existing mechanism has in fact incorporated the arrangements suggested in part (2) of the question.

(3) A civil servant who is injured while on duty for reason not owing to his own serious and wilful misconduct may apply for sick leave on full pay. Most civil servants injured while on duty will seek treatment from medical officers or clinics of the Government or the HA. In case a department has any doubt over whether the sick leave applied for is related to injury on duty, it will collect relevant information and conduct an investigation, such as requesting relevant medical reports and police investigation reports (if applicable), obtaining details of the case from witness, and arranging the officer concerned to undergo medical assessment, so as to prevent false declaration of injury on duty cases. The Government does not keep the statistics requested in the question.