

LCQ22: Manpower wastage of the Office of the Privacy Commissioner for Personal Data

Following is a question by the Hon Kenneth Leung and a written reply by the Secretary for Constitutional and Mainland Affairs, Mr Patrick Nip, in the Legislative Council today (June 20):

Question:

It has been reported that a number of staff members, including those at the rank of Division Heads, of the Office of the Privacy Commissioner for Personal Data (PCPD) departed in recent years. Some members of the public worry about the impact of manpower wastage on the daily operation of and the handling of cases by PCPD. In this connection, will the Government inform this Council:

- (1) whether it knows the current staffing establishment of PCPD, with a breakdown by (i) whether the posts are at the managerial level and (ii) the mode of employment;
- (2) whether it knows the respective numbers and percentages of the staff members of each of the divisions under PCPD who departed each year since 2012, broken down by the mode of employment; and
- (3) whether the authorities requested, in the past five years, PCPD to review its mode of employment, remuneration packages and workflow, with a view to boosting staff morale and reducing staff wastage?

Reply:

President,

Having consulted the Office of the Privacy Commissioner for Personal Data (PCPD), our consolidated reply to the question raised by the Hon Kenneth Leung is as follows:

At present, all PCPD staff (including directorate staff) are employed on a contract basis. As at May 31, 2018, the staff structure of PCPD is set out below:

Rank	Number of Staff
Directorate	4
Non-directorate	73
Total	77

Since 2012, the number and percentage of staff departed from PCPD are set out below:

	The number of staff departed	The total number of staff of that year (as of December 31 of that year)	The percentage of staff departed
2012	19	70	27%
2013	10	75	13%
2014	14	80	18%
2015	9	85	11%
2016	17	78	22%
2017	9	74	12%

The PCPD is an independent statutory body. Under the "Memorandum of Administrative Arrangements" between the Government and the PCPD, the PCPD is autonomous in the employment of its staff and the determination of the remuneration as well as terms and conditions of services of its staff while observing the need to ensure sound corporate governance and good internal management, and exercise prudent budgetary practices with a view to ensuring that public funds are used properly and cost effectively. In light of the keen demand for talents acquainted with protection of personal data, the PCPD has been conducting reviews on its operations and management from time to time in the past few years and making improvements with a view to retaining talents. The relevant improvement measures include, with regard to the remuneration packages, offering gratuity and cash allowance in new contracts where appropriate to staff fulfilling the requirements of contract renewal; in respect of promotion, encouraging internal promotion and avoiding external recruitment of senior officers as far as practicable; as regards the workflow, redesigning and streamlining the workflows of the Complaints and Compliance Divisions, and through revising the complaints handling procedures and the forms of providing information to reduce the number of complaints that are irrelevant to personal data privacy, frivolous in nature or in lack of evidence; devoting more resources in personnel training and increasing the opportunities of training and practical experiences, such as arranging staff from various divisions to participate in local and overseas seminars and international conferences to keep them abreast of the global development trend of personal data protection. The relevant improvement measures have helped boost staff morale. The PCPD was also acknowledged as "Manpower Developer" under the category of "Government Department, Public Body and NGO" by the Employees Retraining Board in May 2018.