

**CONTROLLING OFFICER'S REPLY**

**FHB(FE)329**

**(Question Serial No. 3941)**

Head: (49) Food and Environmental Hygiene Department  
Subhead (No. & title): (-) Not specified  
Programme: (2) Environmental Hygiene and Related Services  
Controlling Officer: Director of Food and Environmental Hygiene (Miss Vivian LAU)  
Director of Bureau: Secretary for Food and Health

Question:

Please advise whether the Food and Environmental Hygiene Department has specified in the tender document for each cleansing service contract and the signed contract the minimum staffing requirement for each service item, the protective equipment in the required quantities with the requirement of regular updates, the number of training courses on occupational safety and health and regular training courses, the provision of drinking water facilities, and the regular provision of changing and locker facilities. If yes, please provide the details. If not, what are the reason(s)? Will any review be conducted and relevant arrangements be made in the future?

Asked by: Hon CHEUNG Chiu-hung, Fernando (Member Question No. (LegCo use): 2539)

Reply:

The Food and Environmental Hygiene Department (FEHD) has generally adopted an “outcome-based” approach in outsourcing cleansing services. Clear and precise performance-based service requirements including the scope of the services required, level of cleanliness expected, response time for rectification of unsatisfactory performance, etc. are incorporated in the tender document. Minimum requirements relating to manpower, work shift, and cleansing frequency may be stipulated in the tender document based on operational needs. The tenderers are required to apply their expertise and experience in devising the staff deployment plan and the mode of operation to provide cleansing services up to the performance standard as required by FEHD. Tender proposals are binding once the relevant tender is accepted and will form the basis for monitoring the contractor’s performance.

Under the service contracts entered between FEHD and its contractors, it is stipulated that contractors shall comply with all legislation in relation to the execution of the service contracts. Specifically, the Occupational Safety and Health Regulation (Cap. 509A) (OSHR) provides that employers have a duty to ensure, as far as reasonably practicable, their employees’ safety and health at work, which includes, inter alia, providing sufficient drinking water and toilets for employees. If FEHD finds that any contractor fails to comply with the requirements for providing its employees with sufficient drinking water,

FEHD will issue a notice of blatant default to the contractor without prior warning. FEHD will also refer the case to the Labour Department for investigation on any contravention under the OSHR.

In addition, it is also part of the contractual requirements that the contractors undertake that contractor personnel shall have the necessary training which includes training in occupational safety and health to provide the services, and the contractors should ensure that all their employees wear tidy and clean uniforms or special protective clothing which the Government may consider necessary or appropriate while they are providing the services. This includes the replacement of the face mask at least once at the beginning of a work shift or immediately after the mask is damaged. The contractors are obliged to provide and replace uniforms and special protective clothing for their staff. FEHD has added a clause to newly awarded contracts to require the contractor to submit a uniform supply and allocation plan within two weeks after the commencement of contract for approval. The contractor is also required to keep a record of allocation of such items to each employee with his/her acknowledgement of receipt, and produce the record at FEHD's request for inspection. There is no specific statutory or contractual requirement on the provision of changing and locker facilities. Nevertheless, many FEHD venues with contractors engaged have resting/changing facilities which can be used by employees of the contractors. As for newly completed facilities including refuse collection points (RCPs), changing and storage facilities are provided for both in-house staff and contractors' employees. FEHD is planning to launch a pilot scheme to carry out improvement works in existing roll call points, including RCPs, where feasible, for provision of changing and storage facilities.

- End -