

HUMAN RESOURCES POLICIES AND PROCEDURES/GENERAL

Declaration of Interest by Staff Members

Since the University is a public body, it is necessary to ensure that the University is seen to be fair, honest and impartial in its dealings with members of the public. All staff members are required to carry out their duties impartially and with due diligence. They must not misuse or abuse their official position for personal gain or for favouring others when carrying out their duties. Examples of misuse include a staff member responsible for the selection of suppliers giving undue favour or leaking tender information to his/her relative's company with a view to awarding the contract to the latter. Steps must be taken at the same time to guard the University against any undue criticism with regard to favouritism, nepotism, jobbery and the like.

2. For such purposes, the Council has adopted the Rules in paragraphs 3 to 8 below, for all staff members of the University to observe.

3. Staff members are reminded that they should make a conscious effort to avoid or declare, as appropriate, any conflict of interest which may arise or has arisen. Such a conflict will arise between a staff member's official duties and his/her private interests if his/her loyalties are divided between the University on the one hand and himself/herself, his/her family and other groups or individuals with whom he/she has social or personal ties on the other hand. A conflict of interest situation arises when the "private interest" of the staff compete or conflict with the interests of the University. "Private interests" means both the *financial and personal* interest of the staff or those of their connections including: (i) family and other relations; (ii) personal friends; (iii) the clubs and societies to which they belong; and (iv) any person to whom they owe a favour or are obligated in any way. While the University has no intention to lessen the many legitimate loyalties that will be felt by a staff member to his/her family and friends, etc., it is also essential to ensure that staff members are honest and impartial in their dealings with members of the public.

4. A staff member is therefore requested to refrain from providing assistance or information to a relative, friend, etc. who is having dealings with the University if such assistance or information would give the recipient an unfair and/or exclusive advantage over other people. All legitimate requests for assistance or information from such persons should be referred to the proper officer to be dealt with in the normal way, and when the staff member approached is himself/herself the proper officer, then the legitimate assistance or information sought may be given and a note should be made on the relevant file that this has been done and of the relationship between the officer and the person involved.

5. Staff members are required to declare any matter in which a conflict of interest would likely occur as a result of their private investments/interests. For example, such a conflict of interest may arise if the staff member (or his/her family) owns or has proprietary interests in a supplier of service or material to the University;

- (a) the nature of the proprietary interests or investment activities;
- (b) the extent of influence he/she expects, directly or indirectly (through his/her family), to be able to exert over the conduct of the enterprise concerned; and
- (c) where the likelihood of a conflict of interest may arise.

The information so received will enable the University to take appropriate measures to avoid possible embarrassment or conflict.

6. Minority interests such as those in publicly quoted limited companies and/or where the staff normally has only minimal influence, directly or indirectly (through his/her family) over the conduct of the day-to-day management or business of the enterprise, may however be excluded from the declarations under paragraph 5.

7. Staff members involved in any part of an exercise of processing applications for employment at the University or the internal promotion of staff, such as shortlisting, interviewing, or final selection, should declare an interest if they have any personal relationship with any individual candidate which may influence their impartiality in the exercise. Such a declaration of interest should be filed with the Director of Human Resources and should normally lead to the exclusion of the staff member concerned from participating in the exercise. Occasions may arise, however, when such exclusion may not be practicable and in such a case the Director of Human Resources should, in consultation with the President and Vice-Chancellor, decide the best course of action having regard to the circumstances in which the exercise is being conducted. A similar procedure also applies to (i) the exercise of processing applications for admission into the courses of the University and; (ii) internal examination of students. In both of these cases, any declaration of interest should be filed with the Academic Registrar or Dean of Graduate School, as appropriate.

8. The reporting line for declaration of interest by staff members are as follows:

Declaration of Interest	Reporting Authority
(a) Relating to staff recruitment matters	Director of Human Resources
(b) Relating to student admission matters	Academic Registrar/Dean of Graduate School, as appropriate
(c) Other Matters by <ul style="list-style-type: none"> – Staff members – Deans/Heads of Offices – Vice-Presidents – President and Vice-Chancellor 	<ul style="list-style-type: none"> – Deans/Heads of Offices, as appropriate – Reporting Vice-President – President and Vice-Chancellor – Council Chairman

Cases where conflict of interest situation exists must be copied to the Human Resources Office for record and necessary follow-up. New appointees are advised to make declaration of interest as necessary immediately upon joining the University.

9. Failure to make a declaration under paragraphs 5 to 8 will be construed as a serious act of misconduct which may render the staff member liable to disciplinary action.

Human Resources Office

December 2012

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(Approved by Council in December 1984. Revised 6/94, 3/97, 9/02, 7/05, 3/09/ 12/12)

人力資源政策及程序/一般指引

申報利益

1. 大學作為公共機構，必須以公平、誠實及無私的態度處理與公眾人士有關的事務，以確保不會受到偏私、裙帶關係、濫用權力或其他類似的批評。大學所有的僱員都應以公平無私的態度，用心執行在大學的職務，亦不能濫用大學僱員的身份或權力，以換取個人的好處或在執行職務時優待他人。濫用權力的例子，如一名負責挑選供應商僱員，不當地優待親友所屬的公司，或向其洩露其他參與競投的供應商的資料，以使其可以成功競投該項合約。
2. 基於以上原因，大學僱員必須遵守由大學校董會所訂立的守則(載於以下第 3 至第 8 段)。
3. 僱員必須避免引致利益衝突的情況，並要向大學申報任何可能發生或已發生的利益衝突。如僱員因個人/親屬/友誼關係或其他的聯繫，而影響其不能忠誠地執行在大學的職務，其「私人利益」與大學整體的利益便會發生衝突。「私人利益」是指僱員或以下與僱員有關係的人士的經濟及個人利益，包括：(i) 僱員的家人及其他親屬；(ii) 僱員的朋友；(iii) 僱員參與的會所或機構；(iv) 任何對僱員有恩惠或情義，或僱員對其有責任的人士。大學無意令僱員對家庭與朋友失去應有的誠信，然而，大學必須確保僱員在處理與公眾人士有關的事務時保持誠實及無私。
4. 僱員應避免協助跟大學業務有往來的親友，或向他/她們提供資料，以致他/她們享有特別的優待，而對其他人士不公平。該等人士如向僱員要求提供合理的協助或資料，僱員應將他/她轉介到負責的同事按正常程序處理。如僱員正是該項職務的負責人，在提供協助/資料後，須在有關的檔案內記下所提供的協助以及與該名人士的關係。
5. 僱員如擁有任何可能會導致與大學利益有衝突的私人投資/股權，須向大學申報。舉例，若僱員(或其家人)擁有為大學提供服務或供應產品公司的股權，便會引起利益衝突。如此，他/她必須向校長申報：
 - (a) 該股權或投資活動的性質；
 - (b) 他/她預期這個投資會直接或間接(透過他/她的家人)對他/她在大學的職務構成什麼程度的影響；
 - (c) 可發生利益衝突的情況。

大學會按所收到的資料，採取適當的措施，以防產生利益衝突或尷尬的情況。

6. 如僱員擁有某間公司(包括上市公司)的少量股權，但對該公司的日常運作並無太大直接或間接的影響力，則毋須作出如第 5 段所述的申報。

7. 負責處理大學招聘程序或內部升遷如篩選、面試、或甄選等程序的僱員，若與個別候選人有私人關係，以致有可能影響其未能公平地處理該程序，須向人力資源處處長作出申報。正常情況下，該名僱員將會豁免參與該程序。然而，如該僱員在某些情況下未能豁免參與該程序，人力資源處處長會與校長商討，再按情況決定最恰當的處理方法。這項安排亦適用於其他的程序如：(a) 大學收生程序；及(b) 學生的校內考試。僱員如遇到上述兩種利益衝突的情況，須向教務長或研究院院長作出申報。
8. 僱員須按照以下所列作出申報：

申報利益	批核申報的人士
(a) 關於招聘的事宜	人力資源處處長
(b) 關於收生的事宜	教務長或研究院院長
(c) 以下同事就其他事宜： － 教職員 － 學院院長/部門主任 － 副校長 － 校長	－ 學院院長/部門主任 － 直屬的副校長 － 校長 － 校董會主席

如有涉及利益衝突的申報個案，應將副本交予人力資源處作記錄及跟進。新入職的同事在加入大學時，亦應按情況申報利益。

9. 僱員如未能按第5至第8段作出利益申報，會視為嚴重的行為不當，並可能面對紀律處分。

人力資源處

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