

HONG KONG BAPTIST UNIVERSITY

Principles and procedures for handling complaints

1. Background

- 1.1 Like all publicly funded institutions, Hong Kong Baptist University (HKBU) is in the public eye. Members of the general public, while supporting the growth and development of HKBU, also feel obliged to bring to the attention of the University what they perceive as the shortcomings and inadequacies of the University or its students or staff. Internally, students and staff who have reasonable grounds to believe that they might have been treated in an improper manner may lodge complaints against the University and/or the staff member(s) and/or student(s) allegedly responsible for that treatment.
- 1.2 The University has specific procedures for handling complaints relating to (a) discrimination or harassment within the context of the ordinances administered by the Equal Opportunities Commission, in the *Procedures on Handling of Complaints on Discrimination/Harassment (on grounds covered by the Equal Opportunities Ordinances)*; (b) staff grievances, in the *Procedures for Handling Staff Grievances*; (c) students, in the *Student Grievances Procedures* published by the Office of Student Affairs; (d) academic matters, e.g. course-based assessment and academic decisions, in the guidelines stipulated in the *Calendar/Bulletin*; and (e) the provision of Chinese medicine outpatient services, in the procedures of the School of Chinese Medicine (處理意見/投訴/日常信件程序).
- 1.3 In view of the need to handle other complaints not covered by par. 1.2 above, the following principles and procedures should be adopted. Individual Departments/Offices/Units of the University should follow this set of guidelines in handling such complaints.
- 1.4 Views expressed towards the policies of the University that have been approved by the approving authorities through due process will not be considered as complaints *per se*. These views can still be directed via the established channels to the relevant office for a follow-up.

2. Principles

- 2.1 Generally speaking, the University encourages the parties concerned to resolve any disagreement or conflict informally, whenever possible, before the aggrieved party considers lodging a formal complaint.
- 2.2 All complaints, whether major or minor, must be acknowledged expeditiously. Where a complainant cannot be identified (e.g. if the complaint is anonymous or reported in the press without the source of information being named), attention still has to be paid to the complaint, and the result of an investigation or a follow-up might be disseminated to the stakeholder group(s) concerned as appropriate.
- 2.3 The Head of Department/Office/Unit or his/her designate should, in the first place, assess every complaint upon receipt to decide if (a) there is prima facie evidence to pursue an investigation, or (b) although there is prima facie evidence, no investigation is necessary and redress action can be taken on the face of the complaint due to the situations including but not limited to:
 - (a) the complaint is trivial;
 - (b) the complaint is straightforward and can be handled expeditiously;
or
 - (c) the complaint is general and not against any particular complainee(s).
- 2.4 All complaints received must be reported to the Head of Department/Office/Unit unless the Head himself/herself is the subject of the complaint, in which case, a report to the next higher level of the University Administration is required. The progress of the investigation and its outcome, or redress action as the case may be, should also be handled accordingly.
- 2.5 The redress action on, or investigation of, a complaint must be handled by impartial officer(s). Whenever there is any conflict of interest, the supervisor and, in turn, the Head of Department/Office/Unit should be immediately notified and appropriate action taken.

- 2.6 Any complaint received with prima facie evidence should be brought to the attention of the party being complained against (complainee) when the law permits and, in the opinion of the Head of Department/Office/Unit, the investigation will not be jeopardised, and subject to the privacy rights of both complainant and complainee not being compromised (see also par. 3.5 below).
- 2.7 Where a complaint is, even at the initial assessment stage, suspected of involving criminal or other legal implications, legal advice has to be sought as soon as possible on the matter and, if deemed necessary, the appropriate authorities should be notified.
- 2.8 Both the complainant and the complainee are to be kept informed of the findings as well as the action(s) being taken on the case, subject to pars. 2.6 and 2.7 above.
- 2.9 Where a complaint is likely to draw media attention, it should be immediately brought to the attention of the Vice-President (Administration) and Secretary and Associate Vice-President (Engagement).

3. Procedures for handing complaints

- 3.1 When a complaint is received, the Head of Department/Office/Unit concerned must be informed and shall determine which set of procedures should apply, i.e. one of those listed in par. 1.2 above or this set of principles and procedures, then give instructions on how it should be handled. A matrix showing how complaints against various parties are handled is at **Annex 1**.
- 3.2. By way of examples, if a staff member complains that there is unfair allocation of work made by his/her supervisor, this would be dealt with under the *Procedures for Handling Staff Grievances*. If a staff member complains against poor physical environment, this set of principles and procedures should apply. The Head of Department/Office/Unit may consult the higher level of the University Administration in case there is any doubt as to which set of procedures should apply.

- 3.3 A written notice to the complainant, if applicable, by the Department/Office/Unit concerned acknowledging the receipt of the complaint should be issued within two working days. Whenever possible, the reply should mention the approximate time required for follow-up action(s) to be taken.
- 3.4 Depending on the nature and/or seriousness of the complaint, the Head of Department/Office/Unit shall decide whether the complaint should be reported to the next higher level of the University Administration, i.e. supervising Dean, Provost, Vice-President, or the President and Vice-Chancellor (the senior management) in the first instance, according to the following guidelines:
- (a) If the complaint is on a level equivalent to tasks that are normally handled within the Department/Office/Unit without the need to report to the senior management, then the complaint should be handled internally within the Department/Office/Unit;
 - (b) If the complaint is on a level equivalent to tasks that are usually handled within the Department/Office/Unit first, and then reported to the senior management, the complaint should be handled internally first and then reported to the senior management; and
 - (c) If the complaint is on a level equivalent to tasks that require consultation with the senior management before being carried out, then the complaint should first be reported to the senior management for advice before it is handled.
- 3.5 All measures taken in handling complaints must be carried out in strict compliance with all relevant legislation, including the Personal Data (Privacy) Ordinance, equal opportunities ordinances and Employment Ordinance. Where the Head of Department/Office/Unit cannot ascertain the legality of the measures it will take, the Vice-President (Administration) and Secretary must be consulted.
- 3.6 At the conclusion of the investigation or after redress action has been taken, a formal reply should be provided to the complainant, if applicable. A report should be submitted to the Head of Department/Office/Unit concerned, with a copy to the respective member(s) of the senior management. The complaine, if any, should be notified of the outcome of investigation or redress action taken.

- 3.7 If the investigation of the complaint is expected to take a considerable period of time, the complaint handler should issue interim update(s) to the complainant and, wherever applicable, the complainee.
- 3.8 Depending on the nature of the case, necessary follow-up actions may have to be taken, such as revising the work procedure concerned or advising the complainee how to avoid the occurrence of similar complaints. The follow-up actions should, whenever appropriate, form a part of the report and the reply to the complainant mentioned in par. 3.6.
- 3.9 In case the complainant is not satisfied with the result of the investigation and/or follow-up actions taken, he/she may appeal in writing, with reasonable grounds provided, to the relevant person at the next higher level of the University Administration, who will decide if there are sufficient grounds for further consideration and, if so, what follow-up action(s) should be required.
- 3.10 The data and evidence collected for handling the complaint and the report referred to in par. 3.6 should be kept for seven years after the submission of the report or according to the legal requirements, as appropriate.
- 3.11 Any handling of complaints should comply with the principles set out in pars. 2.1 to 2.9 above.
- 3.12 Each Department/Office/Unit should submit a summary report to the supervising member of the senior management on all the complaints it has handled within the past six months.
- 3.13 A flow chart outlining the broad procedures for handling complaints is at **Annex 2** for reference.

27 January 2017

Matrix of parties responsible for handling complaints

| Complaint against Complainant | University | Staff | Student(s) | Remarks |
|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Staff | Head of respective Department/Office | <ul style="list-style-type: none"> Complaint against ordinary staff member(s): Head of respective Department/Office Complaint against Head/Dean/Associate Vice-President/Provost/Vice-President: One level up respectively Complaint against President and Vice-Chancellor: Council Chairman | <ul style="list-style-type: none"> Head of respective Department Programme Director Office of Student Affairs | For complaints related to discrimination or harassment, please refer to the <i>Procedures on Handling of Complaints on Discrimination/Harassment (on grounds covered by the Equal Opportunities Ordinances)</i> . For staff grievances, please refer to the <i>Procedures for Handling Staff Grievances</i> . Both guidelines can be found at the website of the Human Resources Office . |
| Student(s) | Head of respective Department/Office | <ul style="list-style-type: none"> Complaint against ordinary staff member(s): Head of respective Department/Office Complaint against Head/Dean/Associate Vice-President/Provost/Vice-President: One level up respectively Complaint against President and Vice-Chancellor: Council Chairman | <ul style="list-style-type: none"> Office of Student Affairs | <p>For complaints about academic matters, e.g. course-based assessment or academic decisions, please refer to the pertinent regulations stipulated in the <i>Calendar/Bulletin</i>.</p> <p>Students are encouraged to refer to the <i>Student Grievances Procedures</i> published by the Office of Student Affairs for information on lodging complaints and how grievances are handled. (http://sa.hkbu.edu.hk/home/campus-life-support/guidelines-procedures/student-grievance-procedures)</p> <p>For complaints on incidents concerning Chinese medicine outpatient services, the procedures of the School of Chinese Medicine (處理意見/投訴/日常信件程序) apply.</p> |
| External party | Complaints addressed to a Department/Office should be dealt with in the first instance by the unit concerned. If the complaints are not addressed to any unit, the Vice-President (Administration) and Secretary should refer to the appropriate unit for follow-up. | | | |

Procedures for handling complaints

Annex 2

