

HONG KONG BAPTIST UNIVERSITY

HUMAN RESOURCES POLICIES AND PROCEDURES/OUTSIDE PRACTICE

Regulations governing outside practice

Preamble

While the University has the primary claim on the time and professional abilities of its full-time staff, the University indeed encourages proactive service to the community and welcomes and encourages staff to serve the community through knowledge transfer and participating in activities such as offering consultancy, training, general education and professional service to different sectors of the society and clients in need.

2. “Outside practice” refers to work or official engagement of a staff member undertaken, in personal capacity, for a third party outside the University, with or without remuneration. The University has established regulations on outside practice which aim to provide guidance for full-time staff members to facilitate their engagement in outside practice in so far as such practice:

- (a) is of good intellectual quality and will contribute to the effectiveness of teaching and research or enhance the expertise or professional knowledge of the staff members concerned and is beneficial to the profession and the society at large;
- (b) will not impair a staff member’s performance of his/her duties at the University or distract his/her attention from them;
- (c) will not cause any conflict of interest with, bring discredit or embarrassment to, invoke any damages or liabilities to the University;
- (d) is not frequent and of a prolonged duration; and
- (e) is not meant to supplement income at the University.

3. There are currently four sets of regulations governing different types of outside practice or outside work, as follows:

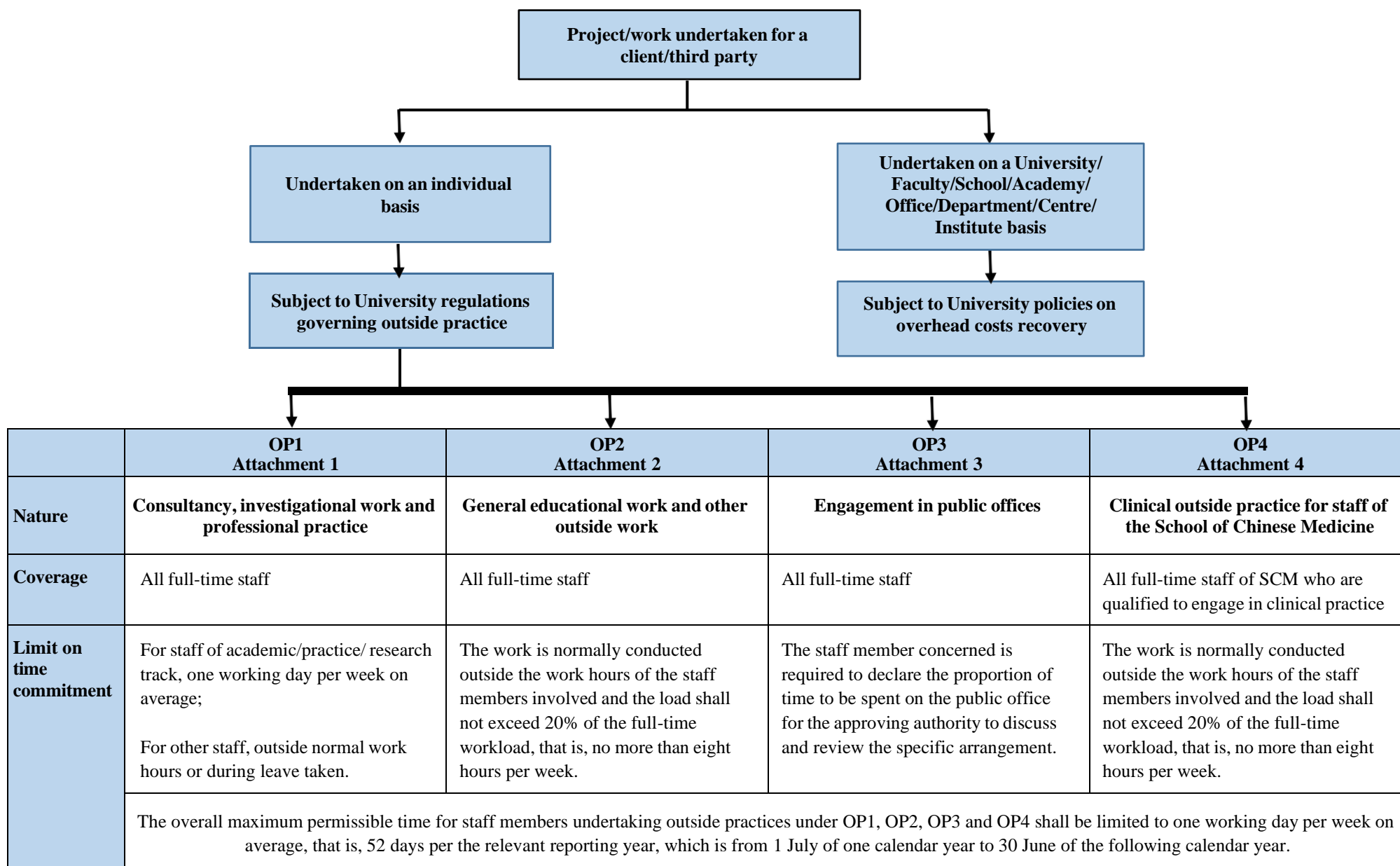
- OP1 Regulations governing outside practice – consultancy, investigational work and professional practice (**Attachment 1**);
- OP2 Regulations governing outside work – general educational work and other outside work (**Attachment 2**);
- OP3 Regulations governing staff engagement in public offices (**Attachment 3**); and
- OP4 Regulations governing clinical outside practice for staff of the School of Chinese Medicine (**Attachment 4**).

4. To avoid the excessive use of staff time at the expense of academic pursuits and teaching duties:

- (a) The maximum permissible time for staff members of academic/practice/teaching track to spend on approved outside practice covered under OP1 is limited to one working day per week on average, that is, up to 52 days per the relevant reporting year, which is from 1 July of one calendar year to 30 June of the following calendar year. For other staff, approved outside practice under OP1 should only be undertaken outside normal work hours or during leave taken;

- (b) For outside practice under OP2 and OP4, the work is normally conducted outside the work hours of the staff members involved and the load shall not exceed 20% of the full-time workload, that is not more than eight hours per week;
 - (c) For outside practice under OP3, the staff member concerned is required to declare the proportion of time to be spent on the public office for the approving authority to discuss and review the specific arrangement; and
 - (d) Overall, the maximum permissible time for staff members undertaking outside practices under OP1, OP2, OP3 and OP4 shall be limited to one working day per week, which is mentioned under (a). Special approval from the University Administration is required in the event that the time spent under respective OP and/or in aggregate for all OPs.
5. A copy of the completed and approved application form should be submitted to the Human Resources Office and other relevant offices, in accordance to the requirements stipulated in respective OP guidelines, for record and necessary follow-up actions.
 6. Staff who would like to undertake outside practice should take note of the attached summary (**Annex 1**) and comply with the pertinent regulations (**Attachments 1-4**). Prior approval should be sought for undertaking outside practice. Staff who do not comply with the pertinent regulations will be liable to disciplinary action by the University.
 7. The University Administration will keep these regulations under review and to recommend appropriate revisions/amendments in future whenever necessary.

October 2024



	OP1 Attachment 1	OP2 Attachment 2	OP3 Attachment 3	OP4 Attachment 4
Prior Approval	Required for all. Except for activities and practices that (i) are outside the normal professional roles of staff members or the related income does not exceed \$10,000; or(ii) are performed outside normal work hours and do not attract any kind of pay, staff members should notify the appropriate approving authority within one month of the commencement of OP. (Similar procedure as that for prior approval process applies.)			
Examples (not exhaustive)	<ul style="list-style-type: none"> • Consultancy work • Contract research • Laboratory testing • Professional practice 	<ul style="list-style-type: none"> • General education work or other outside work where the work <ul style="list-style-type: none"> ○ is normally conducted outside the work hours; ○ does not normally involve the use of University resources ○ does not involve money going through the University or involve any contractual agreement between the University and the outside party • Directorship/partnership/ownership of privately owned companies, irrespective of its remuneration status • Speaker/host of talks/classes • Coach; and • Commentary 	<ul style="list-style-type: none"> • Engagement in public offices as elected or appointed membership in the Executive Council, Legislative Council or one of the District Councils • Participation in public and community service other than those defined as “public office” such as directorship and membership and any other forms of engagement in public consultative/advisory bodies or non-profitable charitable organisations 	<ul style="list-style-type: none"> • For clinical work undertaken outside the University or for special sessions of clinical practice as arranged by SCM

HONG KONG BAPTIST UNIVERSITY

**Regulations governing outside practice –
consultancy, investigational work and professional practice (OP1)**

Introduction

The University shall consider and approve consultancy, investigational work and professional practice of good intellectual quality which will contribute to the effectiveness of teaching and research performance of staff at the University and is beneficial to the profession and society at large.

2. Prior to undertaking/approving any kind of consultancy, investigational work and professional practice, due consideration should be given by the staff member and the approving authority to the following **general principles**.

The work/project to be undertaken should be:

- (a) of good intellectual quality, which will contribute to the effectiveness of the teaching and research performance of the staff member, to his or her profession and to the society at large;
- (b) subject to a contractual agreement between the client/third party and the staff member which will indemnify the University against all possible liability and damages, and will not use, or imply use of, the good name, identity, trademark, service mark or reputation of the University;

and on the other hand, should not:

- (c) compete unfairly with other service providers in the market, that is, the proposed charges for the staff member, being a full-time employee remunerated by the University, should not be established below the normal market rate;
- (d) cause any conflict of interest with, bring discredit or embarrassment to, invoke any damages or liabilities to the University; and
- (e) involve, or be related to, any activities that may bring the name of the University into disrepute.

Types of consultancy, investigational work and professional practice (“the project”)

3. Given the varied nature of the projects, it would be difficult to draw up an exhaustive list of different types of such work. In general, a project should be classified as “consultancy, investigational work and professional practice” if:

- (a) there is a client/third party involved, which may include the University’s subsidiary and associated companies;
- (b) the project will involve professional remuneration in cash and/or in kind, to the staff member applying to undertake the project (“Investigator”), regardless of his/her position/title/role in the project, apart from expenditure and disbursements;

In addition, the project may involve:

- (c) the use of University resources (e.g. staff time, facilities and/or equipment) and, if so, will be subject to reimbursement of all direct costs involved (e.g. identifiable use of support staff time, premises, equipment, etc.); and
- (d) money going through the University.

The project should also comply with the general principles set out in point (2) above.

4. For illustration, a non-exhaustive list of examples of consultancy, investigational work and professional practice is as follows:

- (a) Consultancy work - Problem-solving consultancy project, surveys and design on a non-routine basis; design includes engineering design, design of education or training courses, and related course or training materials;
- (b) Contract research - Investigational project expected to result in new technology or products commissioned or contracted for by an external body for a fee or cost, other than research supported by internal funding, the University Grants Committee, the Research Grants Council or other non-commercial external funding sources approved by the University;
- (c) Laboratory testing - Project including routine laboratory testing for the purpose of identifying or determining physical and chemical properties or for generating performance data;
- (d) Professional practice - Provision of services as an expert adviser in administrative, legislative or judicial proceedings; musical presentation, etc.

5. In case of doubt, staff concerned should seek necessary confirmation from the Vice-President (Research and Development) via the Knowledge Transfer Office (KTO) as to whether the project concerned should be classified as consultancy, investigational work and professional practice or otherwise.

Limit on staff time to be committed to outside practice

6. To avoid the excessive use of staff time at the expense of academic pursuits and teaching duties, the maximum permissible time for a staff of academic/practice/teaching track to spend on approved outside practice covered under OP1 is limited to one working day per week on average, that is, up to 52 days per the relevant reporting year), which is from 1 July of one calendar year to 30 June of the following calendar year. For other staff, approved outside practice under OP1 should only be undertaken outside normal work hours or during leave taken.

Recovery of all direct costs incurred for outside practice

7. While the approval of such activities is not based upon or motivated by financial considerations, the University does not require sharing of income derived from such projects. However, the University requires reimbursement by the Investigator of all direct costs incurred in carrying out the project. The direct costs include the identifiable use of support staff time, including reviewing and/or preparing of the contract; specialised equipment; computing/photocopying services; consumable materials; University premises; and any item requiring a disbursement or charge by the University.

If the income derived from a project is not in form of cash, but in the form of:

- (a) in-kind products/property or services, these should be owned by the University and the recovery of direct costs shall not apply; in-kind services should be beneficial to the advancement of the University; and
- (b) company shares or options (either of a publicly listed company or otherwise), the recipient of the transferred company shares or options shall pay cash for the recovery of direct costs, which shall be based on a percentage of the equivalent cash value of the received company shares or options, calculated at the date of transfer of the shares or options.

Approving authority

8. Prior approval should be sought for undertaking outside work/activities. The approving authority for outside practice covered under OP1 is as follows:

Applicant	Budget of work project	Approving authority*
Staff in Faculties/Schools and administrative offices	> HK\$1M	P/VC
	HK\$0.5M to HK\$1M	Provost/VP/CIO
	< HK\$0.5M	Dean/Director and Head of administrative office
Deans/ Heads of administrative offices	> HK\$1M	P/VC after endorsement of Provost/VP/CIO
	≤ HK\$1M	Provost/VP/CIO
Provost/Vice-Presidents (VPs)/Chief Innovation Officer (CIO)/Associate Vice-Presidents (AVPs)	Any value	P/VC
President and Vice-Chancellor (P/VC)	Any value	Council Chairman

* In accordance with the reporting relationship

Application procedures and criteria for approving outside practice

9. The procedures for seeking the necessary approval for undertaking outside practice under OP1 are set out below:

- (a) In making an application for undertaking outside practice, the Investigator must provide clear and complete information in respect of the following:
 - (i) the name of the client/third party;
 - (ii) the nature of the outside practice;
 - (iii) the estimated time and duration to be spent on the project in terms of working hours/days and number of months/years to complete it (including commencement and completion dates), and the number of working days per week (on average) to be spent on the project. The Investigator must also provide the number of days he/she has worked on other outside practice projects within the relevant reporting year, which is from 1 July of one calendar year to 30 June of the following calendar year;

- (iv) the fee/income to be derived from the project, and the proposed budget;
- (v) the reason for undertaking the project, in terms of how it will contribute to the Investigator's effectiveness in teaching and research work at the University or in the promotion of knowledge transfer by the University;
- (vi) a declaration of any actual, potential or perceived conflict of interest arising from the Investigator's participation in the project;
- (vii) a project proposal highlighting:
 - the nature of the work and expected deliverables;
 - the expected commencement date and completion date;
 - the manpower deployment plan (e.g. whether other staff members will be involved in the project);
 - the use of University resources (e.g. laboratory, equipment), if any; and
 - the ownership of the intellectual property rights, if any, created in the project;
- (viii) an undertaking signed by the Investigator that:
 - his or her normal duties will not be greatly disrupted or adversely affected when conducting the project;
 - he/she will act as an individual in his or her own capacity and no liability whatsoever arising from or in connection with the project will be attached to the University under any circumstances; and
 - he/she fully understands the University's guidelines on outside practice and the information provided in the application is true and correct; and
- (ix) any supporting documents from the client/third party (e.g. an invitation letter).

The application should be thoroughly discussed and considered at the Faculty/School/Office level before it is recommended by the Dean of Faculty/School or Head of Office concerned to the approving authority in accordance with paragraph 8 above.

- (b) In considering the application from the Investigator, the general principles and criteria as set above will need to be met before approval is granted.

A checklist of criteria is set out in **Annex 1** for easy reference.

- (c) The file on a case of outside practice approved under OP1 shall be copied to the Finance Office, KTO and the Human Resources Office for information and any necessary follow-up action.

Monitoring of outside practice

10. Subsequent to the approval of the outside practice, the relevant stakeholders should carry out their respective responsibilities as set out in **Annex 2**. Staff undertaking approved outside practice should keep a clear record of such activities for periodic disclosure as required by the University from time to time.

Intellectual property management

11. Intellectual property (IP) created in the process or as a result of OP1 activities shall be governed by the terms of the contracts concerned and will be administered in accordance with the regulations governing IP generally at the University. In the absence of express provision in the contracts, the IP created shall belong to the University, and its disposition shall be subject to the final decision of the Knowledge Transfer Committee.

Non-compliance

12. Staff members who do not comply with the above regulations will be liable to disciplinary action by the University.

Knowledge Transfer Office/Human Resources Office
October 2024

Annex 1**Checklist of criteria for considering applications for outside practice under OP1**

Criteria for consideration by the approving authority	Responses likely to lead to approval
1. Will the intellectual quality of the proposed project contribute to the effectiveness of the staff member's teaching and research work performance at the University; and bring benefits to his/her Department/Office, his/her profession and the community as a whole?	Yes
2. Will the staff member's engagement in the proposed work fulfil at least one of the following objectives: <ul style="list-style-type: none"> • Provide high-level and advanced work or service to help the community, or specialised expertise or knowledge to support business, industry, the community or the Government; • Provide professional development opportunities for faculty members through offering real-life solutions to real-life problems. The experience should enrich the applicant's teaching and research; and • Promote and facilitate knowledge transfer. 	Yes
3. Will the time scheduled to be committed to the project fall within the prescribed limit and not interfere with the Investigator's normal University duties?	Yes
4. Will the proposed project cause any conflict of interest with the Investigator's duties and work at the University?	No
5. Are the budgeted costs and duration of the project reasonable?	Yes
6. Can the Department/Office make available the resources and equipment required to support the project without affecting normal operations?	Yes
7. Are there any missing cost items that should be charged to the project?	No
8. As a general reference, staff under academic track, practice track and teaching track undertaking the proposed project normally should not exceed the limit of an average of one working day per week during the relevant year (from 1 July of one calendar year to 30 June of the following calendar year), and for other staff, the proposed project should be undertaken outside normal work hours or during leave taken. Has this limit been exceeded? (Justification by the Investigator is required if approval is sought for involvement in activities beyond the time limit.)	No

Roles and responsibilities of stakeholders for OP1 activities

Stakeholder	Roles and responsibilities
Applicant	<ul style="list-style-type: none"> (a) To carry out the agreed project; (b) To ensure that no liability should be attached to the University for the outside practice to be undertaken; (c) To consider taking out insurance cover to protect himself or herself from possible claims arising from the project; (d) To keep a record of his or her total days worked on the project per reporting year; (e) To reimburse the University properly for all costs incurred in the use of equipment and facilities, and staff time or legal fee for reviewing and/or preparing contract, if any, for the purpose of the project; (f) To ensure the client/third party will sign the “Acknowledgement Declaration” (see below, under Knowledge Transfer Office (KTO)) as described in the OP1 policy; (g) To ensure the client/third party will indemnify and pay the University for any loss and damage whatsoever and howsoever arising as a result of or in the course of the project; (h) To contact KTO, upon the successful grant of the outside practice covered under OP1, to <ul style="list-style-type: none"> (i) seek comments on a contractual agreement with the client/third party or acquire opinions/legal services from a law firm, the legal cost of which is borne by the applicant/Investigator; (ii) submit a copy of the approved OP1 application with all supporting documentation for project records and administration; and (iii) submit a signed original copy of the “Acknowledgement Declaration” by the client/third party for records and administration; (i) To inform KTO of any variation (e.g. project duration, manpower, approved budget) to the approved project within two weeks after approval by the approving authority; (j) To inform the Dean/Head of Office and KTO of the successful completion of the approved project within two weeks of its completion; (k) To inform the Dean/Head of Office and KTO of the status of the project (e.g. ongoing, completed or terminated) in every year, on the anniversary of a project lasting for more than one year; and (l) To keep a clear record of approved OP1 activities undertaken for periodic disclosure as required by the University.

Stakeholder	Roles and responsibilities
Dean of Faculty/School and Head of Office	<p>(a) To ensure that</p> <ul style="list-style-type: none"> i. all direct and indirect costs involved, including administrative charges and support staff time, have been properly accounted for in the budget for the project prepared by the Investigator for the client/third party. Any missing cost items the Department/Office considers it appropriate to be charged to the project shall be added; and that the budgeted costs and duration of the project are reasonable; ii. the proposed project is of such intellectual quality that it will contribute to the effectiveness of the Investigator's teaching and research work performance at the University and is beneficial to the profession and the community as a whole; iii. the time scheduled to be committed for the project will fall within the prescribed limit and that the project will not interfere with the Investigator's normal University duties; iv. the proposed project will not cause any conflict of interest with the Investigator's duties and work at the University; v. the Department/Office can make available the resources and equipment required to support the project without affecting its operations; vi. the staff member undertaking the proposed project should not spend more than an average of one working day per week during the relevant year (from 1 July of one calendar year to 30 June of the following calendar year); and <p>(b) To identify any other benefits that the project can bring to the Department/Office.</p>
Finance Office	<p>(a) To advise and assist staff members in handling all financial and accounting matters related to outside practice projects under OP1, where applicable; and</p> <p>(b) To ensure that all costs incurred by the University for the projects are properly recovered from the fees charged to the client/third party in accordance with the regulations of the University.</p>

Stakeholder	Roles and responsibilities
Knowledge Transfer Office	<p>(a) To advise and assist staff with enquiries about the University's policies on OP1 activities;</p> <p>(b) To administer the records and documentation of staff applications under OP1, to ensure that the Investigator concerned will:</p> <ul style="list-style-type: none"> i. provide all documentation required for the application for outside practice under OP1; ii. indemnify the University against any liability, loss, claims or proceedings arising out of or in the course of carrying out the consultancy, investigational work or professional practice by signing a declaration form; iii. provide the client/third party's completed acknowledgement (the "Acknowledgement Declaration") set out below, as required by the University before commencement of work: <p><i>"The Undersigned acknowledge that one of your staff <name of the Investigator> (the appointee) who may from time to time be requested to perform certain consultancy, investigational or professional work for us will not be considered by us as our employee but as an independent contractor, to the intent that you will be under no vicarious liability to us or anyone else in respect of anything done, omitted or suffered by the appointee in the course of such work and we understand that in consideration of this acknowledgement you will permit him/her to undertake any suitable work requested by us.";</i></p> <p>(c) To coordinate the submission of outside practice applications under OP1 to the senior management for approval;</p> <p>(d) To provide a certain level of support to applicants/Investigators by making comments on contractual agreements with clients/third parties or assisting applicants/Investigators in getting legal advice, the legal cost of which is borne by the applicants/Investigators;</p> <p>(e) To assist the Vice-President (Research and Development) and the approving authority in looking into the project work related to intellectual property belonging to the University in cases of suspected malpractice and/or disputes during the course of the approved consultancy, investigational work or professional practice; and</p> <p>(f) To prepare summary statistical reports on outside practice cases under OP1 for consideration by the senior management.</p>
Office of the Vice-President (Research and Development)	<p>(a) To oversee the policy and regulations governing outside practice covered under OP1; and</p> <p>(b) To advise on the handling of special cases of outside practice covered under OP1.</p>

HONG KONG BAPTIST UNIVERSITY

**Regulations governing outside work –
general educational work and other outside work (OP2)**

Introduction

Full-time staff members are advised that it is always prudent to consult their Head of Department/Office in the first instance prior to undertaking any kind of outside work, whether paid or unpaid, and that due consideration should be given to the following **general principles** where the outside work:

- (a) is related to general educational work or community service;
- (b) will not impair a staff member's performance of his or her duties at the University or distract his or her attention from them;
- (c) will not cause any actual, potential or perceived conflict of interest with their capacity in the University, bring discredit or embarrassment to, invoke any damages or liabilities to the University;
- (d) is not meant to supplement income at the University; and
- (e) will not affect their work performance at the University.

In case of doubt, staff members should seek advice from their Head of Department/Office.

Types of outside work covered

2. While there is a separate policy to deal with outside practice in the form of consultancy, investigational work and professional practice (please refer to Regulations governing outside practice (OP1)), OP2 covers general educational work and other outside work, where the work:

- (a) is normally conducted outside the work hours of the staff members involved;
- (b) does not normally involve the use of University resources (e.g. staff time, facilities and/or equipment); and
- (c) does not involve money going through the University or involve any contractual agreement between the University and the outside party.

3. For illustration, a non-exhaustive list of OP2 examples is as follows:

- (a) Directorship/partnership/ownership of privately owned companies, irrespective of its remuneration status;
- (b) Speaker/host of talks/classes;
- (c) Coach; and
- (d) Commentary.

4. A non-exhaustive list of work which does not fall within the scope of OP2 is as follows:
- (a) Teaching in self-funded programmes, arranged by Faculties/Schools of the University in addition to the normal teaching load; and
 - (b) Support from non-teaching staff to any external research/projects of other University staff members.

For avoidance of doubt, relevant approval process in respective Faculties/Schools should be observed and followed.

Approval and Application procedures

5. Prior approval should be sought for undertaking outside work under OP2 according to the general principles stated in paragraphs 1-3 above, except for activities and practices that are outside the normal professional roles of staff members or the related income does not exceed \$10,000 where paragraph 7 will then apply. Staff should seek advice from their supervisors, heads or deans if in doubt.

6. A staff member who would like to apply for approval to undertake outside work covered under OP2 with pay should complete the appropriate application form and forward his/her application – together with written documents and/or a letter of appointment from the employing institution or organisation indicating the nature of the work involved, the number of working hours expected per week or month, and the remuneration – to the appropriate approving authority, as set out below:

Applicant	Approving authority *
Staff in Faculties/Schools	Dean of Faculty/School
Staff in administrative offices	Head of administrative office
Deans and Heads of administrative offices	P/VC/Provost/VP/CIO
Provost/Vice-Presidents (VPs)/Chief Innovation Officer (CIO)/Associate Vice-Presidents (AVPs)	P/VC
President and Vice-Chancellor (P/VC)	Council Chairman

* in accordance with the reporting relationship

Staff members should take annual leave for outside work taking place during normal work hours, except for serving as external examiners or in similar positions as a form of mutual assistance among tertiary institutions. Approval should be obtained before commencement of the outside work concerned.

7. For outside works which do not require prior approval, namely activities and practices that:
- (a) are outside the normal professional roles of staff members or the related income does not exceed \$10,000 (stated in paragraph 4 above); or
 - (b) are performed outside normal work hours and do not attract any kind of pay,

the same procedures as outlined in paragraph 5 above should be followed for notifying the appropriate approving authority within one month of the commencement of work.

Criteria for approving outside work

8. In considering applications from staff, the approving authority shall take into consideration the following factors in additions the general principles mentioned in paragraph (1) above. The outside work:

- (a) will be conducted entirely outside the full-time work hours of or during leave taken by the staff member, except for serving as an external examiner or in a similar position;
- (b) shall not exceed 20% of the staff member's full-time workload at the University (i.e. not more than eight hours per week including serving as an external examiner). The overall maximum permissible time for staff members undertaking to spend on all approved outside practices (including other types of outside practice) is limited to one working day per week on average, that is, up to 52 days per the relevant reporting year), which is from 1 July of one calendar year to 30 June of the following calendar year;
- (c) will not be of a frequent nature and will usually last for a limited duration; and
- (d) will not attract a remuneration package which is so considerable in proportion to the staff member's salary as to possibly result in the staff member losing focus and/or interest in his or her full-time appointment at the University.

9. Staff members who have been granted approval to undertake outside work are advised that:

- (a) they are acting as individuals in undertaking the proposed outside work and not on behalf of the University, and the University shall accept no responsibility for opinion or advice given in this respect; and
- (b) it is their responsibility to ensure that the University be properly reimbursed for all the costs incurred in the use of University equipment and facilities, if any.

Monitoring of approved outside work

10. For approved outside work under OP2, the relevant stakeholders should carry out their respective responsibilities, as set out in **Annex 1**. Staff members undertaking approved outside work under OP2 should keep a clear record of such work for periodic disclosure as required by the University.

Non-compliance

11. Staff who do not comply with the above regulations will be liable to disciplinary actions by the University.

*(formerly P696/OP2)***Annex 1****Roles and responsibilities of stakeholders for OP2 activities**

Stakeholders	Roles and responsibilities
Applicant	<ul style="list-style-type: none"> (a) To carry out the approved outside work on an individual basis outside normal work hours or during leave taken; (b) To ensure that no liability can be attached to the University for the outside work; (c) To keep a record of his or her outside work undertaken including total hours worked per reporting academic year for periodic disclosure as required by the University; and (d) To inform the approving authority should there be any variation from the approved arrangements (e.g. work duration).
Dean/Head of Office	<ul style="list-style-type: none"> (a) To ensure that the time to be committed to the outside work will fall within the prescribed limit and will not interfere with the staff member's normal University duties; and (b) To ensure the proposed work will not cause any conflict of interest with the applicant's duties and work at the University.
Finance Office	<ul style="list-style-type: none"> (a) To ensure that all costs incurred by the University, if any, for the work are properly recovered from the applicant
Human Resources Office	<ul style="list-style-type: none"> (a) To advise and assist staff with enquiries about the University policies on outside practice (enquiries about outside practice covered by OP1 should be redirected to the Knowledge Transfer Office); and (b) To prepare summary/statistical reports on outside practice cases under OP2 for consideration by the senior management.
Office of the Vice-President (Administration) and Secretary	<ul style="list-style-type: none"> (a) To oversee the policy and regulations governing outside practice covered under OP2; and (b) To advise on the handling of special cases of outside practice covered under OP2.

HONG KONG BAPTIST UNIVERSITY**Regulations governing staff engagement in public offices (OP3)****Introduction**

As a public institution of higher education, the University will support and facilitate staff participation in public services insofar as the University's missions and the obligation to maintain full accountability to the public in the use of public fund are not compromised. Towards these ends, this document will set out policy guidelines for reference of staff who wish to engage in public offices.

2. For the purpose of these regulations, "public office" is defined as elected or appointed membership in the Executive Council, Legislative Council, or one of the District Councils.

Approval procedures

3. Staff members who wish to engage in public offices should follow the required procedures for seeking the necessary approval from the appropriate authority set out in (4) below. He/she should provide clear and complete information in respect of the following areas:

- (a) The name, nature and function of the public office;
- (b) The estimated amount of time to be spent on the public office - the staff member concerned should declare the proportion of time which he/she will spend on discharging University duties vis-à-vis his/her commitment to the public office, to be supported by a clearly presented time schedule;
- (c) Clear breakdown of the types of allowances received for the public office; and
- (d) The reason for engaging in the public office.

4. The above information should be presented, in the first instance, to the respective Head of Department/Office of the staff member concerned for recommendation before it is passed to the appropriate approving authority for consideration.

Applicant	Approving authority *
Staff in Faculties/Schools	Dean of Faculty/School
Deans	Provost
All Staff, including Heads, in administrative offices	P/VC/Provost/VP/CIO
Provost/Vice-Presidents (VPs)/Chief Innovation Officer (CIO)/Associate Vice-Presidents (AVPs)	P/VC
President and Vice-Chancellor (P/VC)	Council Chairman

* in accordance with the reporting relationship

Time commitment to the public office

5. Based upon the declaration by the staff member concerned on the proportion of time to be spent on the public office, approval may be granted for the staff member concerned to engage in the public office in accordance with the below:

I. Less than 50% of time committed

In the case where a staff member is given approval to assume a public office which is expected to take up less than 50% of the time he/she should be spending on his/her appointment at the University:

- (a) He/she will need to contribute to the University 20% of the non-accountable allowance he/she receives for the office. This contribution will be used at the discretion of the University Administration, in consultation with his/her Dean and Head of Department/Office as appropriate, and could be used for employing temporary staff to take up some of his/her duties;
- (b) There will be no reduction in his/her salary/benefits;
- (c) He/she may apply for leave to attend official functions/meetings related to the public office. Such leave will be treated as absence on duty (or official leave) and be subject to the existing regulations for official leave as below:

Duration of leave	Approving authority
In any one year, for duration of leave up to : <ul style="list-style-type: none"> • one week • eight days up to three weeks 	<ul style="list-style-type: none"> • Head of Department/Office • Dean/Vice-President concerned
<u>Exceptionally</u> , for leave exceeding three weeks in a year <ul style="list-style-type: none"> • Staff of academic/practice/teaching • Non-teaching staff 	<ul style="list-style-type: none"> • Provost • Vice-President (Administration) and Secretary

II. Time commitment of 50% or more

In the case where a staff member intends to assume a public office which is expected to take up 50% or more of the time he/she should be spending on his/her appointment at the University:

- (a) He/she may apply for no-pay leave, normally of up to 3 years to take up the office.
- (b) Alternatively, the University may require him/her to take no-pay leave, normally of up to 3 years, to take up the office; or, if the circumstances so warrant, to change his/her appointment at the University to a part-time appointment during the tenure of his/her public office.

Scenario	Approving authority *
For all staff, request to grant no-pay leave; or to change the appointment status	P/VC/Provost/VP/CIO

* in accordance with the reporting relationship

6. As the proportion of time to be spent by a staff member concerned on the public office will affect how his/her application will be dealt with under the above guidelines, the staff member's declared time schedule will be subject to monitoring by the approving authority. The staff member should also take the initiative to inform the approving authority of any change in the proportion of time declared.

Participation in public and community service other than those defined as “public office”

7. For participation in public and community service other than those defined as “public office” such as directorship, membership and any other forms of engagement in public consultative/advisory bodies or non-profitable charitable organisations, the staff member concerned is normally not expected to contribute a percentage of the honorarium/non-accountable allowance arising thereof, if any, to the University. However, Deans/Heads should be informed of the involvement, and the staff concerned is expected to apply for leave to attend to the related meetings/functions.

8. In the event that in the judgment of the Dean or Head of Office, the participation in any public/community service is expected to take up a substantial portion of time that the staff member should be spending on his/her University duties, the case should be referred to one of the Vice-Presidents, Provost or the President and Vice-Chancellor (as in accordance with the reporting relationship) for consideration and approval.

9. In the case where participation in a “public consultative/advisory body” is considered to attract a remuneration which is comparable to that of participating in a “public office” as defined above, and to demand similar commitment and involvement of the staff concerned, a recommendation could be made by the University Administration to the Council to classify a particular public consultative/advisory body as “public office” such that the regulations governing staff engagement in public offices shall apply.

Limit on staff time to be committed to outside practices

10. As a general guideline, the overall maximum permissible time for staff members undertaking to spend on all approved outside practices (including other types of outside practice) is limited to one working day per week on average, that is, up to 52 days per the relevant reporting year), which is from 1 July of one calendar year to 30 June of the following calendar year.

Non-compliance

11. Staff members who do not comply with the above regulations will be liable to disciplinary action by the University.

HONG KONG BAPTIST UNIVERSITY

**Regulations governing clinical outside practice for
staff of the School of Chinese Medicine (OP4)**

Introduction

It is the expectation of the University that all full-time staff members will devote their full attention to the service of the University and discharge their duties diligently and faithfully. In the consideration of undertaking any kind of outside practice (whether paid or unpaid), it is expected that staff should give due consideration to the following **general principles** where the outside work:

- (a) is related to general educational work or community service;
- (b) will not impair a staff member's performance of his or her duties at the University or distract his or her attention from them;
- (c) will not cause any conflict of interest with, bring discredit or embarrassment to, invoke any damages or liabilities to the University; and
- (d) is not meant to supplement income at the University.

Clinical outside practice

2. "Clinical outside practice" refers to consultation outside of the regular teaching, research and clinical instruction work of the University as provided by full-time staff members of the School of Chinese Medicine (SCM) who are qualified to engage in clinical practice. Staff of SCM may apply for approval from the Dean of SCM to undertake clinical outside practice which meet the general principles described above, and in accordance with the pertinent regulations. In view of the fact that clinical outside practice could potentially cause conflict of interest with the clinical services already provided by the University to the public, it is expected that such approval will only be granted under exceptional circumstances.

3. The University's prevailing regulations restrict the time to be spent by staff on approved outside practice conducted outside normal working hours to be not more than 20% of the full-time workload (i.e. not more than 8 hours per week). This also applies to clinical outside practice. The overall maximum permissible time for staff members undertaking to spend on all approved outside practices (including other types of outside practice) is limited to one working day per week on average, that is, up to 52 days per the relevant reporting year, which is from 1 July of one calendar year to 30 June of the following calendar year.

4. Under the existing policy of the Immigration Department of the Hong Kong Special Administrative Region, staff requiring an employment visa to work in Hong Kong are NOT allowed to practise as consulting Chinese medicine practitioners except in relation to his/her teaching, research and clinical duties at the University. These staff members are reminded that they cannot undertake "clinical outside practice" in Hong Kong other than the clinical duties assigned by the University.

Special sessions of clinical practice

5. In view of the fact that some staff members who are specialists in certain areas could be very much sought after by patients in Hong Kong and that the number of such patients

seeking consultation from these staff members may exceed the level which cannot be accommodated within the regular clinical sessions already assigned in the University-operated Chinese medicine clinics. Subject to the approval of the Dean of SCM, special sessions of clinical practice may be arranged by the School.

6. These special sessions will be conducted at the University premises and patients should be channelled and registered through the SCM Secretariat. A standard consultation fee will be charged and all payments should be made to the University in the first instance.

Income sharing

7. To avoid abuse and to ensure that the income derived from “clinical outside practice” or “special sessions of clinical practice” would not constitute a significant source of income for the staff member concerned in comparison with those derived from his/her full-time employment with the University, the income derived from both practices is subject to income-sharing between the University and the staff concerned as follows:

- (a) for regular teaching staff of SCM, there will be a 40% levy on the earnings, of which 75% will be given to SCM and 25% to the University central; and
- (b) for visiting staff of SCM, there will be a 15% levy on earnings, of which 75% will be given to SCM and 25% to the University central.

8. For staff undertaking clinical outside practice, they should forward a cheque payable to “Hong Kong Baptist University” of the amount to be shared with the University from income derived from undertaking clinical outside practice in accordance with paragraph 7(a) or (b) above, on a monthly basis.

9. In the case of special sessions of clinical practice, all payments by the clients shall be made in the form of a cheque payable to “Hong Kong Baptist University” and be forwarded to the SCM Secretariat for bank-in arrangements. After receipt of the payments by the clients, the Finance Office will arrange to credit the 60% or 85% earnings, as appropriate, back to the bank account of the staff concerned on a monthly basis.

Professional liability

10. Staff undertaking “clinical outside practice” outside of their normal teaching, research and clinical duties at the University are reminded that they are undertaking these practices on a personal basis and will NOT be covered by the University’s insurance arrangement when undertaking these outside practices.

Non-compliance

11. Staff who do not comply with the above regulations will be liable to disciplinary actions by the University.

Human Resources Office
March 2021

(formerly P201/OP4)