

HUMAN RESOURCES POLICIES & PROCEDURES/REMOVAL FROM APPOINTMENT**Policy Guidelines & Procedures on Termination of Appointment
(other than Staff on Substantiated Appointment)**

Removal from appointment is a serious matter. However, under certain circumstances where removal from appointment is unavoidable, this document sets out the policy guidelines & procedures on removal from appointment of the following groups of staff :

- (a) Staff on fixed-term contracts;
- (b) Staff on non-substantiated appointment;
- (c) Staff on Continuous Contract Appointment (CCA) (including teaching staff on the Lecturer/Instructor Grade and Non-teaching Staff on Managerial/Senior Professional Category (i.e. Band F & above); and
- (d) Staff on Open-ended Continuous Appointment (OCA) / Confirmed Appointment (CA) (including Non-teaching Staff on General/Executive/Professional Categories (i.e. Band A – E).

For policy guidelines and procedures on removal from appointment of staff on substantiated appointment, please refer to another set of policy document (P1299/REM1).

2. For all staff groups listed in par. 1(a) to (d) above, the appointment can be terminated by the University by giving the requisite period of notice, or salary in lieu of notice, as specified in the Letter of Appointment. Usually, when service termination is initiated by the University, it may be due to one or more of the following reasons :

- (a) Poor performance – The Dean/Head of Office may recommend termination of appointment of a staff member if he/she fails persistently to perform his/her duties up to the expectation of the Faculty/Department/Office, and that opportunity has been given for him/her to improve.
- (b) Misconduct – the Dean/Head of Office may recommend termination of appointment of a staff member if the staff member concerned has committed an act of “misconduct”, which may include, but not limited to, the following situations : where the staff member could be involved in dishonesty, breach of terms of and conditions of service, breach of regulations and conditions governing fringe benefits, convicted criminal offence, conduct of an immoral, scandalous and disgraceful nature, continued unauthorized absence, wilful damage to the University property, physical violence, wilful negligence of duties or refusal to perform any of his/her duties, wilful non-compliance with University regulations and/or any lawful/reasonable request from the University or from any authorized officers acted on behalf of the University, and actions which bring disrepute to the University or other staff members.
- (c) Redundancy / financial stringency – The Dean/Head of Office may recommend termination of appointment of a staff member if there no longer exists the relevant service need for such a position and/or there is financial difficulty in retaining the position. For termination of appointment on the ground of redundancy/financial stringency, the relevant Faculty/Department/Office should not seek for replacement of the same position.

3. Upon receipt of a recommendation for termination of appointment with supporting evidences, Human Resources Office shall forward to the relevant review/approving authorities for consideration and approval. The relevant review/approving authorities may decide to interview the staff concerned and/or other staff in the same Faculty/Department/Office to ascertain certain facts in the recommendation and may decide on measures other than termination of appointment.

Staff Grades	Types of Appointment ^(a)	Recommendation → Approval of Termination
Academic Staff	Non-substantiated Appointment / Fixed-term Contract ^(b)	Faculty/School Review Panel → University Review Panel for Academic/Teaching Staff → Approval by P/VC
Teaching Staff	Continuous Contract Appointment (CCA) / Fixed-term Contract ^(b) <ul style="list-style-type: none"> Principal Lecturer /Senior Lecturer Senior Instructor (PL/SL/SI) Lecturer II/I / Assistant Lecturer Instructor II/I (LII/I / AL/ InstrII/I) 	Faculty/School Review Panel → University Review Panel for Academic/Teaching Staff → Approval by P/VC Faculty/School Review Panel → Approval by Provost
Non-teaching Staff – Managerial / Senior Professional Staff (i.e. Band F & above)	Continuous Contract Appointment / Fixed-term Contract ^(b)	University Review Panel for Non-teaching Staff → Approval by P/VC
Non-teaching Staff – Executive / Professional/ General Staff (i.e. Band A - E)	Open Continuous Appointment/ Confirmed Appointment / Fixed-term Contract	Dean/Head of Office → Approval by VPAS

[Note:

- (a) For staff on substantiated appointment, removal from appointment will follow a different set of policies and procedures.
- (b) For staff appointed on fixed-term contract of two years or less and is dependent on funding availability and service needs, the recommendation for termination of appointment from the Dean/Head of Office will be forwarded to the Provost [in the case of Academic Staff & Teaching Staff (PL/SL/SI)] or VPAS (in the case of Non-teaching Staff) for endorsement and P/VC for approval. In the case of Teaching Staff (LII/I / AL/InstrII/I), the recommendation from the Dean will be presented to the Provost for approval].

APPEAL

4. A staff member who is terminated from his/her appointment may appeal to the appropriate appeal authority as below :

Staff Grades	Appeal Authority
<ul style="list-style-type: none">• Academic Staff• Teaching Staff (PL/SL/SI)• Non-teaching Staff – Managerial / Senior Professional Staff (Band F & above)	Chairman of the Personnel Committee of Council
<ul style="list-style-type: none">• Teaching Staff (AL/LI/LII & Instr I/II)• Non-teaching Staff – Executive / Professional / General Staff (Band A – E)	President & Vice-Chancellor

5. The appeal authority may dismiss the case, authorize the same University Review Panel to re-consider the case, or set up an Appeal Committee to consider the case, or adopt any other measures as deemed appropriate. The Appeal Committee, as constituted by the appeal authority, will comprise 3 independent members including :

- (a) 2 senior academic/teaching and senior non-teaching staff member(s) who are at least of the same rank/grade as the staff under review; and
- (b) a lay Council member or, as considered necessary by the appeal authority, an external member.

The appeal authority will appoint one of the above 3 members to be the Chairman of the Appeal Committee. The Appeal Committee will make a recommendation to the appeal authority, whose decision shall be final.

Human Resources Office

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Termination Policy-Other Staff.Doc

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