

For information

## **LEGISLATIVE COUNCIL PANEL ON PUBLIC SERVICE**

### **Mechanism for Handling Staff Complaints**

#### **Background**

At the Panel meeting on 15 May 2006, when discussing Agenda Item V on the mechanism for handling staff complaints, Members noted (from paragraph 12 of LC Paper No. CB(1)1440/05-06(05)) that the Civil Service Bureau (“CSB”) was examining an account provided by the Social Welfare Department (“SWD”), with a view to ascertaining whether the complaint from the Medical Social Worker in relation to a medical fee waiver case quoted in the Ombudsman’s Report of 6 April 2006 had been handled in accordance with the guidelines prescribed in CSB Circular No. 20/91.

2. At the meeting, CSB undertook to revert to the Panel after the Bureau has taken a view on the SWD case, and inform Members whether and if so what improvement measures would be introduced to enhance the effectiveness of the existing mechanism for handling staff complaints.

3. The information requested by Members in the preceding paragraph is set out in this paper.

#### **Consideration of the case**

4. In examining the case in question, in addition to studying the account provided by SWD, the processing officer in CSB has provided a chronology of events surrounding the case to the Medical Social Worker in question, and invited the officer to provide any response/points that the officer may wish to make. The Medical Social Worker has also been informed that a report on the case will be submitted to the Secretary for the Civil Service (“SCS”), taking into account SWD’s account and the officer’s representations if made. In the event, the representations put in by the officer in June have been duly put before SCS for consideration.

## **Findings**

5. Having completed our examination of SWD's case, we have drawn the following conclusions :

- (a) there is no evidence to suggest that the guidelines and procedures set out in CSB Circular No. 20/91 are less than adequate for meeting the intended purposes, i.e. to ensure that staff complaints are handled in a fair and equitable manner; and
- (b) there is no evidence to suggest that the primary guideline in the Circular, namely, that an officer would not be penalized for a complaint made in good faith, has been breached.

## **Concluding remarks**

6. The public attention thrown up by this case underlines the importance of fairness and equity in handling staff complaints, including the need to ensure that fairness is seen to be done to the person making the complaint, without losing sight of the importance of ensuring fairness to the party against whom the complaint is directed.

7. With a view to ensuring that the guidelines enshrined in CSB Circular No. 20/91 are strictly adhered to, CSB will see to it that the subject of how best to handle a staff complaint is given suitable prominence in the Human Resource Management training sessions arranged for managers in the civil service.