

香港理工大學教職員協會

Hong Kong Polytechnic University Staff Association

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Hon. Cyd Ho
Chairman
Education Panel
Legislative Council of HKSAR

31 March 2009

Dear Hon Cyd Ho,

We acknowledge Miss Odelia Leung's letter to our Vice-chairman Dr. Joseph Lee dated February 11 and we would like to express our sincere thanks for the opportunity to present our position regarding the establishment of an independent inter-institutional redress mechanism for the higher education sector. The Hong Kong Polytechnic University Staff Association (PUSA) welcomes this initiative from the Legislative Council (LegCo) and we fully support the establishment of such a mechanism¹. In fact, we endorse the views from the Federation of Hong Kong Higher Education Staff Associations on this issue. This document serves to summarize our views on the objectives, power and authority, and the membership composition of the committee.

In our opinion, the proposed redress mechanism should achieve the following objectives:

- 1) Promote fairness and academic autonomy for academic and administrative staff working in higher education institutions.
- 2) Provide an external channel, characterized by its independent and unbiased nature, to supplement the existing grievance mechanisms in higher education institutions.
- 3) Enhance the governance and accountability of the higher education institutions through this additional external monitoring mechanism.
- 4) Handle grievances and appeal cases efficiently and effectively with the minimal disruptions to the job of the staff concerned.

We expect the cross-institutional appeal body to have functions very similar to those of the Office of the Ombudsman, and thus, we make the following proposal:

¹ From our recent survey to our members regarding the proposed setup of an independent inter-institution redress mechanism for higher education sector, over 95% of the respondents indicated their support towards this proposal.

The cross-institution appeal body should have the authority to investigate, whether upon complaint or of its own initiative, administrative actions taken on behalf of UGC, or management and/or Council of any UGC funded institution, and for purposes connected therewith.

Thus, the cross-institutional appeal body could take actions if

- (i) a complaint is made by a staff member, employed under any UGC funded institution, who claims to have sustained injustice in consequence of maladministration in connection with that action; or
- (ii) notwithstanding that no complaint has been made to the Committee, it is of the opinion that any person may have sustained injustice in consequence of maladministration in connection with that action.

In order to ensure that the proposed redress mechanism can achieve the abovementioned objectives, an appropriate membership composition for the redress mechanism is vital. The members involved in the proposed redress mechanism should possess the following characteristics:

- 1) Be mature, and independent, both in appearance and in fact, from the senior administrators of the higher education institutions.
- 2) Understand the background of the higher education institutions.
- 3) Possess legal knowledge in order to handle the legal issues related to staff appeals and grievances.

Please feel free to contact us if you need our further inputs in relation to this matter. We hope that you find our views useful in further pursuing this initiative for the betterment of the Hong Kong higher education sector.

Yours sincerely,

Dr Gillian M. Humphreys
Chairman
PUSA