

Special Meeting of LegCo Panel on Education held on July 6, 2009

Submission from The University of Hong Kong

The University of Hong Kong (HKU) agrees with the rationale behind the stance of the Heads of Universities Committees (HUCOM) of maintaining institutional autonomy in handling and resolving staff complaints, and of not supporting the proposed establishment of an independent inter-institutional complaints committee.

2. HKU has a set of mechanisms in place for resolving staff complaints and grievances, built upon the basic principles of (a) equity to both the complainant and the respondent, (b) transparency of proceedings and (c) impartiality in dealing with complaints, amongst others. The current Procedures for the Resolution of Staff Grievances (“the Procedures”) were established in 2004, after reviewing and enhancing our governance structures, to make them fit for purpose. The University studied the best practices adopted by certain local and overseas universities and paid due regard to its own traditions, culture and practices in coming up with mechanisms which could work. The Procedures are easily accessible from the printed copies of the Staff Handbook and from its e-version on the Human Resources website.

3. The Procedures comprise three parts. First, it calls for an informal resolution of disputes by the supervisor/Head/Dean whose role is to clarify and understand the cause of the complaint and to attempt to resolve it through dialogue and discussion. If such efforts fail, the second and formal phase commences: the Grievances Panel (“the Panel”) will consider the complaint and if it is judged that the cause for investigation exists, the Panel Chairman will set up a Committee of Enquiry (“the Committee”), thus commencing the third phase of investigation. The Committee is empowered by the Council to take the necessary action subject to a report to the Council.

4. The Panel and the Committee are chaired by a lay Council member and comprise some lay Council members, all being respected and prominent members of society.

5. The Procedures confer on the complainant the right to be heard by referring his/her complaint to the Grievances Panel. The complainant is also permitted to be accompanied by a friend and call witnesses during the investigation. The Procedures provide for both parties (the complainant and the respondent) to be sent the written report on the investigation and allow them to comment and make a written response. All such features were designed to ensure fairness, transparency and impartiality.

6. Whilst the Procedures are operating well, HKU reviews and refines the Procedures for greater operational efficacy each time an investigation is completed, and makes amendments as and when necessary, for the better protection of its staff.

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