



中華人民共和國香港特別行政區政府總部教育局
Education Bureau
Government Secretariat, The Government of the Hong Kong Special Administrative Region
The People's Republic of China

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13 July 2016


Clerk to Panel on Education
Legislative Council
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn.: Mr Kwong Kam-fai)

Dear Mr Kwong,

**Legislative Council Panel on Education
Issues arising from special meeting on 18 June 2016**

I refer to your letter of 20 June 2016. Please find enclosed at Annex the University Grants Committee's response to the three issues arising from the special meeting of the Panel on Education of the Legislative Council on 18 June 2016.

Yours sincerely,


(Miss Sharon Ko)
for Secretary for Education

c.c. Secretary-General, University Grants Committee (Attn: Ms Winnie Wong)
(Attn: Ms Sharon Ho)

Panel on Education
Issues arising from special meeting on 18 June 2016

**Item 1 – Issues related to the governance of
University Grants Committee-funded institutions**

The University Grants Committee (UGC)'s response to the three issues arising from the special meeting of the Panel on Education of the Legislative Council on 18 June 2016 is set out as follows.

1. The Research Grants Council (RGC) operates under the aegis of the University Grants Committee and is responsible for administering competitive research funding schemes.

Universities have the primary responsibility for prevention, detection and investigation of research misconduct. Under the RGC, a standing Disciplinary Committee (DC) has been in place to oversee disciplinary matters, including advising on policies on handling alleged improprieties, nominating experts to investigate into alleged / appeal cases, considering the investigation findings and recommending follow up action and level of penalty to the RGC. Legal advice is sought on a need basis. In an effort to further improve oversight of research misconduct, the RGC has recently decided to restructure the DC and replace the existing one with three DCs. The first is to oversee the conduct of investigations of cases arising from allegations; the second is to determine the level of penalty for substantiated cases; and the third is to handle appeal cases.

The RGC has received HKU's investigation report disclosing that the work in question involved some RGC-funded projects. The Secretariat will liaise with HKU for further details of the projects concerned. The DCs will follow up as appropriate.

2. Each of the three DCs will be composed of five members, including three who either have experience in the operation of the RGC and its Panels / Committees or being conversant with the operation of overseas funding agencies, but who are not current RGC / Panel / Committee members; as well as two non-local RGC or RGC lay members who are conversant with the current RGC operation. The latter group of members will help convey the DCs' deliberations to the RGC during the Council meetings. It is RGC's plan that, when handling disciplinary cases, DC members who have

affiliations with the universities concerned or who have been involved in the assessment work of the cases concerned, will be excluded and be replaced by co-opted members who have no interest in the cases concerned.

Membership of the DCs will be published on the RGC's website (<http://www.ugc.edu.hk/eng/rgc>) once ready.

3. With regard to the request for a copy of the original version of the Report on Governance in UGC-funded Higher Education Institutions in Hong Kong (the Report), we would like to point out that a draft of the Report only became the Governance Report after it was endorsed by the UGC and published. Like most consultancy reports, the formulation of the Report by Sir Howard Newby underwent an iterative process whereby the UGC and its Secretariat as clients responded to the consultant's invitations to provide views on his ideas and suggestions for his consideration and it would be up to the consultant to decide how to take account of those comments during the various drafting stages. This process repeated itself to ensure that the final draft meets the terms of reference of the study. Minor editorial and typographical changes have also been suggested by the UGC Secretariat for the purpose of publication of the Report after approval and these minor improvements were agreed by Sir Howard. We believe that it would not be meaningful and might even be quite misleading to present any one of the evolving versions of the draft Report to Members. We are also mindful that releasing any earlier versions of the draft Report without the consent of the author may constitute a breach of the implicit understanding between the UGC and the consultant that only the final version of the report will be in the public domain and not one of many drafts.

Members may wish to be assured that the findings, assessment and recommendations in the Report are as Sir Howard drafted them. As confirmed with Sir Howard, the report that "[he] submitted to the UGC was approved without any alteration and that in particular the recommendations were accepted as drafted by [him] and were not changed in any way".