

# CITY UNIVERSITY OF HONG KONG

## Procedures for Handling Complaints against the President or the Deputy President

Approved by the Council at its 41st Meeting held on the 31st October 2006 and  
modified by the Council at its 42nd Meeting held on the 27th November 2006

### 1. Lodging a Complaint

- 1.1 Any complaint against the President or the Deputy President shall be:
  - (a) made in writing;
  - (b) signed by the Complainant; and
  - (c) lodged with the Chairman of the Council.
- 1.2 The Chairman shall inform the President or the Deputy President as the case may be, of the complaint and bring details of the complaint to the next available meeting of the Executive Committee.
- 1.3 In the case of complaints against the President, the Executive Committee of the Council will require the President to withdraw from any meeting at which the complaint is discussed.
- 1.4 Notwithstanding that there is no signed Complaint, the Executive Committee may, on its own initiative and in circumstances it deems fit, consider any matter relating to the actions of the President or Deputy President which it considers may warrant investigation.

### 2. Initial Assessment of the Complaint

- 2.1 The Executive Committee will consider the complaint, or any matter arising from the application of 1.4 above, and decide whether there is a *prima facie* case for undertaking a further investigation. If the Committee decides there is no substance to the complaint, the matter will be dismissed and the complainant informed of the decision of the Committee.
- 2.2 If the Committee decides that there may be substance to the complaint, it will appoint one of the members of the Committee as the investigator to undertake an investigation.

### 3. The Investigation

- 3.1 The investigator, with the assistance of the Secretary to Council, will undertake an investigation of the complaint. The investigator will have complete discretion in undertaking the investigation and may interview

both the complainant and the President/Deputy President to ascertain the facts relating to the complaint. He may also seek legal advice if necessary.

- 3.2 The investigator will submit a written report of the result of his investigation to the Executive Committee. After considering the report, the Committee will decide whether any further action is necessary or whether the complaint can be dismissed. If it considers that further action is necessary, the complainant and the President/Deputy President may be requested to appear before the Committee before the Committee makes a decision on the complaint.

#### **4. Disciplinary Action**

- 4.1 Following the investigation and its consideration of the investigator's report there are three possible decisions the Committee can take:
  - (a) the complaint is found to be groundless and is dismissed;
  - (b) the complaint is upheld but is considered not to be a serious breach of the standards of behaviour expected of the President/Deputy President; and
  - (c) the complaint is upheld and is believed to be a serious breach of the standards of behaviour expected of the President/Deputy President.
- 4.2 In the case of (a) no action will be taken. For (b) it is recommended that the President/Deputy President be issued with a warning. In the case of (c) consideration of possible dismissal arises and the matter will be referred to the full Council in accordance with the University Ordinance.
- 4.3 In the case of (a) or (b), a summary report prepared by the Committee on the complaint against the President/Deputy President will be reported to Council for information.

#### **5. The Complainant**

- 5.1 If the complainant is a member of staff of the University and has lodged the complaint without justifiable cause the Committee may recommend that he/she should be subject to disciplinary action under the University staff disciplinary procedures.