



# SPORTS FEDERATION & OLYMPIC COMMITTEE OF HONG KONG, CHINA

## Basic Procedures for Handling Complaints against National Sports Associations

### Purpose

In order to handle the complaints received against National Sports Associations (NSAs) from the general public in a more professional and efficient manner, the Federation has set out the mechanism and procedures for handling complaints. These procedures are also circulated to NSAs for their reference and preparation of similar guidelines.

### Background

The Federation has always upheld equal opportunities and fair play as its core values. We actively cooperate with various government departments to promote the importance of corporate governance to NSAs and to encourage them to lay down suitable and appropriate mechanism for handling complaints. While respecting the professional domains, administrative management and operational autonomy of NSAs, the Federation will refer complaints received from the general public to the respective NSAs for investigation and follow-up. We expect NSAs to handle the complaints in an open, fair and transparent manner, and to report the findings of the investigation to the Federation on time.

### Principles for handling complaints

The complainant must be identifiable and complaints may be filed by post, by fax or by email. If the complaint may amount to violation of any Hong Kong law, it is recommended that the complainant should report it to the relevant law enforcement department/organization for investigation.

The Federation may receive complaints in the following scenarios:

- Complaint letter sent to the Federation directly;
- Complaint letter issued to various department(s) including the Federation and other government departments at the same time; and
- Complaint letter copied to the Federation <sup>1</sup>.

The Federation will not process the following complaints:

- Anonymous complaints <sup>2</sup>;
- Oral complaints;
- Complaints not filed by the persons involved in the incidents or their guardians;
- Complaints that are under legal proceedings;
- Complaints that may amount to violation of Hong Kong laws;
- Complaints relating to incidents that occurred a considerable period ago (e.g. more than two years);
- Complaints where no contact information is given; or
- Complaints with incomplete information.

<sup>1</sup> The Federation will only note the related complaint and request the relevant NSA to submit the investigation report/ the reply to the complainant in a timely manner.

<sup>2</sup> If the complaint is particularly serious, the Federation may consider requesting the NSA to submit an investigation report.



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### **Mechanism for handling complaints**

In general, the Federation will open a case file after receiving a complaint and give an acknowledgment to the complainant within **10 days**. Since the Federation does not have the capacity and capability to conduct an investigation, the Federation will forward the complaint to the relevant NSA for investigation and follow-up. In addition, in consideration of the privacy of the complainant's personal data, the Federation will obtain the complainant's consent before forwarding the complaint details (including the complainant's personal data, etc.) to the NSA for investigation and follow-up<sup>3</sup>.

After obtaining the consent from the complainant<sup>4</sup>, the Federation will forward the complaint to the NSA concerned for its follow up and request the NSA to submit to the Federation within **one month** an investigation report intended for the complainant's view. If the NSA cannot submit the investigation report before the deadline due to any reasons, the relevant NSA should notify the Federation and apply for an extension or submit an interim report. The Federation will grant approval as appropriate according to the actual situation.

After the NSA has submitted the report, the Federation will review it (The NSA may be requested to submit supplementary information or resubmit the report). The Federation will then reply to the complainant with the report. If the complainant is dissatisfied with the result of the investigation, the complainant may continue to write to the Federation, and the Federation will forward the relevant complaint again to the NSA for further investigation.

In general, if the complainant does not write to the Federation again within a period of time (around 6 months), the Federation will terminate the follow-up of the complaint (to be reviewed every six months). Please refer to the Appendix for the workflow for handling complaints.

### **Precautions**

- All contents and information of complaints should be kept strictly confidential and restricted to relevant staff only.
- The responsible staff should not disclose or discuss in public any contents or information relating to the case without authorization.
- When it is necessary for the Federation to collect personal data during the process, the relevant staff should observe the regulations and recommendations laid down in the Personal Data (Privacy) Ordinance. These include clearly stating the purpose and method of collection of personal data, and that the data will only be used for handling the complaint. The responsible staff may refer to the relevant provisions in the Personal Data (Privacy) Ordinance (Cap.486) and on the website of the Office of the Privacy Commissioner for Personal Data at <http://www.pcpd.org.hk/>.

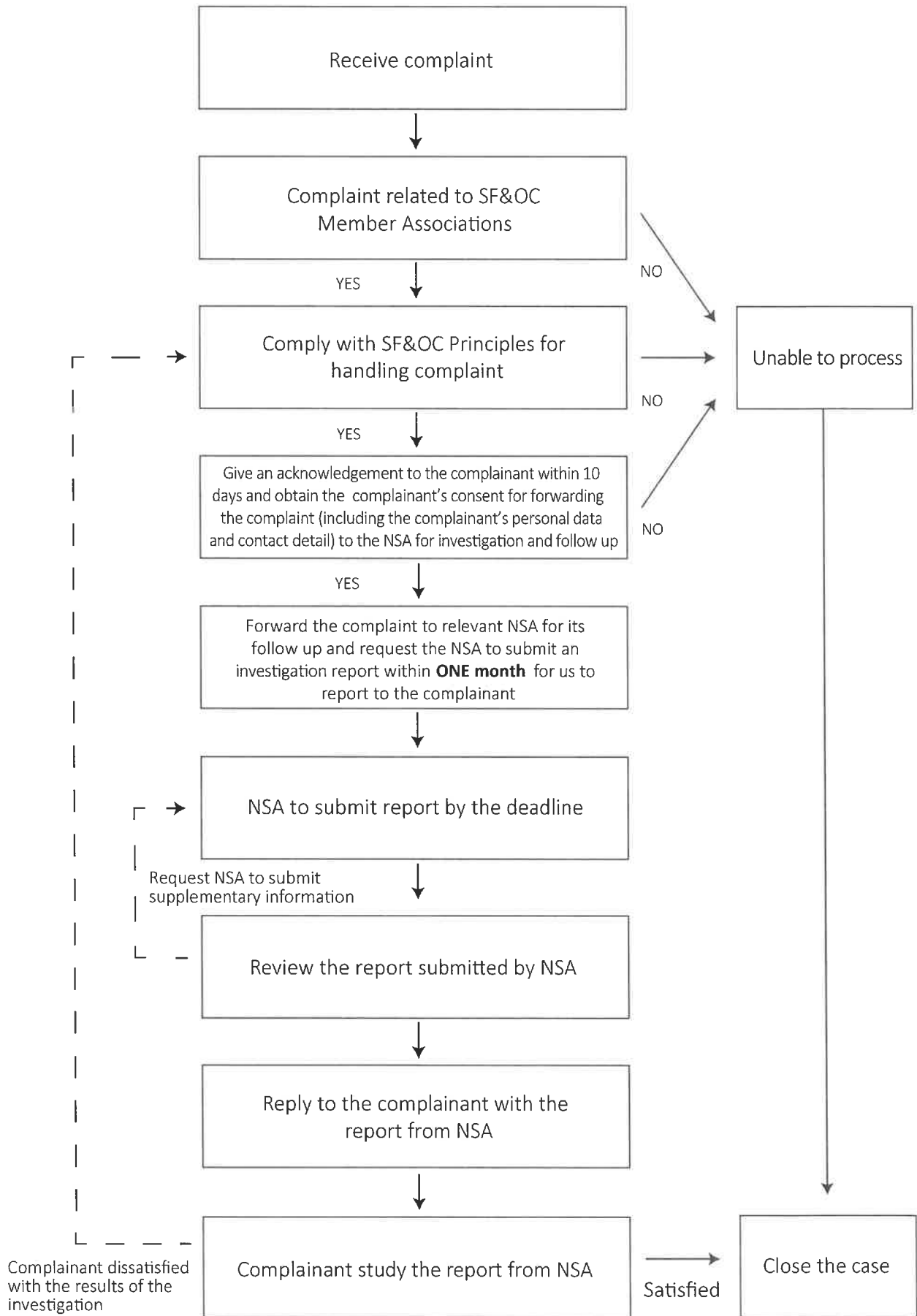
\*This document will be reviewed every two years.

3 The Federation may delete/cover the name or relevant information of the complainant in response to individual circumstances.

4 If the complainant objects to the transfer of the case to the relevant NSA, the Federation will terminate the follow-up of the complaint.

Last update: 01/2021

## Workflow for Handling Complaint against NSAs by SF&OC





## 中國香港體育協會暨奧林匹克委員會

### 港協暨奧委會處理涉及體育總會投訴的基本程序

#### 目的

為了更專業及有效地處理日常接獲公眾對體育總會的投訴，本會因應需要，建立了一套處理投訴機制及程序，並提供各體育總會予以參考及制定其相關處理投訴政策。

#### 背景

本會一直以平等機會及公平競爭為核心價值，並積極與政府各部門合作，向各體育總會宣傳企業管治的重要性及鼓勵制定適當的投訴處理機制。在尊重各體育總會的專業範疇、行政管理及運作自主下，本會在收到公眾投訴時，一般會轉交給總會作出調查及跟進，同時會要求該體育總會以公開、公平及具透明度的方式去處理各投訴，並在有調查結果後，適時知會本會。

#### 處理投訴原則

公眾人士投訴必須具名，可以以郵遞、傳真或電郵方式提出與體育總會有關的投訴。若投訴內容可能涉及觸犯香港法例，建議投訴人應向相關執法部門/機構提出。

本會可能收到的投訴情況：

- 投訴文件直接寄至本會；
- 投訴文件同時發放本會及其他政府機構；或
- 投訴文件副本抄送本會<sup>1</sup>。

本會不會受理以下投訴類別：

- 匿名投訴<sup>2</sup>；
- 口頭投訴；
- 並非由當事人或監護人親自提出的投訴；
- 已展開法律程序的投訴；
- 涉嫌違反香港法例；
- 投訴事件已發生相當時間(如超過兩年或以上)；
- 欠缺聯絡方法；或
- 資料不全。

<sup>1</sup> 本會只會備悉相關投訴，並適時向被投訴之體育總會索取有關的調查報告/投訴人之回覆。

<sup>2</sup> 若投訴情節特別嚴重，本會亦可能會要求體育總會提交調查報告。



## 中國香港體育協會暨奧林匹克委員會

### 處理方法

一般情況下，本會會於接獲投訴後開立檔案，並會在**10天內**回覆投訴人。由於本會對體育總會沒有相關調查的資源和能力，故本會會將相關投訴轉交給體育總會調查及跟進。此外，在處理投訴時，亦會考慮到投訴人的個人私隱問題，本會會先徵得其同意，才會把投訴資料(包括投訴人的個人資料等)轉交至體育總會作調查跟進<sup>3</sup>。

得到投訴人同意後<sup>4</sup>，本會會轉交相關投訴與該體育總會跟進，並要求相關體育總會於**一個月內**向本會提交一份可供本會轉交投訴人參閱的報告。體育總會若因任何原因，而未能於限期前提交調查報告，相關體育總會須通知本會申請延期或提交中期報告，本會會按實際情況酌情處理。

體育總會提交報告後，需經本會審閱(體育總會可能需要提交更多補充資料或重新提交報告)，隨後本會會將報告回覆投訴人。投訴人若對調查結果有任何不滿，投訴人可繼續致函向本會提出，本會會再次將相關投訴轉交體育總會要求繼續進行調查。

一般情況下，若投訴人在一段時間內(約六個月)未有再致函本會，本會會終止跟進相關投訴(每六個月審核一次)。有關處理投訴流程請參見附件。

### 注意事項

- 所有投訴內容及資料絕對保密，只供相關職員查閱。
- 在未獲授權的情況下，負責職員不得披露及不應公開談論有關個案的內容及資料。
- 在處理投訴時需要收集個人資料，須遵守《個人資料(私隱)條例》的有關規定及建議，包括清晰說明收集個人資料的目的及方式，及有關資料只用於處理投訴。有關職員可參考香港法例第486章《個人資料私隱條例》有關條文及個人資料私隱專員公署網頁 <http://www.pcpd.org.hk/>。

\*此文件每兩年檢討一次

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<sup>3</sup> 本會會因應個別情況，或會刪除/遮蓋有關投訴人的名稱或相關資料。

<sup>4</sup> 若投訴人反對將個案轉交相關體育總會，本會會終止跟進相關投訴。

最後更新日期:01/2021

### 港協暨奧委會處理體育總會投訴流程

