

Hong Kong Phlebotomy and Intravenous Infusion Association

Manual of Compliant management Framework

Handling of Complaints

Introduction

This order is to lay down the procedures for handling complaints from the public. Any complaints in relation to criminal offence or corruption allegedly committed by a member or cadet shall be referred to the law enforcement agencies, e.g. Hong Kong Police Force and the Independent Commission Against Corruption through HKPIVA Head Office with a copy to the Director.

Definitions

1. Complaint means an expression of dissatisfaction and/or grievances through any channels or means by a member of the public, against the HKPIVA's policy, administration, operations and training, or against the attitude, behaviour and conduct of individual members.
2. Complainant means a person from whom a written or verbal complaint has been received by the HKPIVA.
3. Complainees means a person or a body relating to the HKPIVA being complained of.

Confidentiality

All information related to complaints shall, save disclosure required by laws and/or governmental or statutory bodies and/or professional advisers, be kept confidential by the handling parties concerned throughout and after the investigation.

Conflict of Interest

All personnel involved in the investigation shall make their declarations as to whether he/she has any actual or potential conflict of interest in the subject matter. If he/she has such conflict of interest, he/she shall not be involved in the matter.

Complaints Handling Procedures

A flow chart of Complaints Handling Procedures is in Appendix 1.

Preliminary Assessment of Complaints by the Handling Officers

1. When HKPIVA head office receives a complaint, the receiving officer shall give an acknowledgement reply to the complainant in 2 weeks, then conduct a preliminary study and examine the nature and context of the complaint.
2. A Complaint Report Form, in Appendix 3, shall be completed by the receiving officer and submitted to Director, HKPIVA. A Control Sheet in Appendix 4 should be made use of for monitoring the progress and process of the complaint handling.
3. Complaints relating to HKPIVA policies, administration, operations and training. For complaint related to the department of HKPIVA and its staff, it should be referred to Departmental Secretary, HKPIVA.
4. Upon receipt of the Written Complaint, the Head office concerned or should first consider whether mediation is suitable for and could be a means to settling the matter and if so, he/she should assign member(s) of the Service to be the mediator(s) for handling complaints and the mediation process should start in 2 weeks of the assignment.
5. Any party concerned may also request for mediation and such request be made to the HKPIVA. If the complaint is settled satisfactorily by mediation, a brief report should be submitted by the mediator(s) within 2 weeks of the settlement. However, if the matter cannot be settled through mediation, an investigation into the complaint should follow or be resumed in accordance with the handling procedure prescribed under this order.

Handling of Complaints Demanding Special Attention

Special attention is required in handling the following types of complaints:

- (a) Anonymous Complaint is a complaint which is, in the reasonable opinion of the Chairman of the Preliminary Investigation Committee (PIC) of the Board for consideration, untraceable with the complainant. However, he/she will study and examine the context of the complaint to see if it is justified and has any genuine need of further investigation. Subject to the endorsement by Chairman of PIC, the case will only be placed for record.
- (b) Abusive Complaint is a complaint which is, in the reasonable opinion of the Chairman of the Preliminary Investigation Committee (PIC) of the Board for consideration, threatening, racist, sexist, profane, or employing violent or sexual imagery within the context of the complaint. Such complaints may distort the facts and not disclose

the truth. Subject to the endorsement by Chairman of PIC, he/she will place it for records and inform the complainant that there will not be any further investigation.

(c) Persistent Complaint is a complaint which is, in the reasonable opinion of the Chairman of the Preliminary Investigation Committee (PIC) of the Board for consideration, repeating the same context without justified fresh grounds, and has been concluded and endorsed by Chairman of PIC. Subject to endorsement by Chairman of PIC, he/she will place it for records and inform the complainant that there will not be any further investigation.

(d) Vexatious Complaint is a complaint which is, in the reasonable opinion of the Chairman of the Preliminary Investigation Committee (PIC) of the Board for consideration, aimed at pursuing personal interest or satisfying personal needs. He/she may recommend that formal investigation should not be initiated in view of administrative efficiency and resources available. Subject to endorsement by Chairman of PIC, the case will be placed for records and the Chairman of PIC would inform the complainant that there will not be any further investigation.

6. For the kind of complaints mentioned above, the Chairman of PIC will finally submit the documents to (Adm) for record purpose.

In general, the HKPIVA will not proceed with investigation into any cases :

- (a) involving legal proceedings in progress; and/or
- (b) being trivial, frivolous or made in bad faith.

Replies to Complaints

Acknowledgement reply – The investigating officer will acknowledge receipt of the complaint either by phone (with records) or in writing (through e-mail, fax or mail) where appropriate within 2 weeks after receiving the complaint.

Interim reply – If it is anticipated that the investigation cannot be completed within 8 weeks after receiving the complaint, the investigating officer should send an interim reply in writing (through e-mail, fax or mail) to the complainant even though the case is still under investigation.

Investigation of Complaints

The nature and complexity of cases, and the number of cases being handled by the investigating officer may affect the length of the investigation period. Normally, the investigation into less complex cases will be completed within 8 weeks after receiving the

complaint. Prior approval for extending the time required for investigation should be sought from HKPIVA(Adm) and the complainant should be informed of the extension accordingly.

Submission of Investigation Report

The investigating officer will submit an investigation report to Chairman of PIC concerned within 6 weeks after completion of the investigation. The investigation report including recommendations of remedial measure(s) to Chairman of PIC for endorsement within 2 weeks after receipt of the investigation report from the investigating officer.

Chairman of PIC will forward his endorsement and conclusion of the case within 2 weeks to Head of director with copy to Chief Staff Officer (CSO) for reference and records.

Concluding Reply

The Investigating Officer will send by hand or registered post a concluding reply to the complainant informing him/her the result of the investigation within 2 weeks after the endorsement of the report by Chairman of PIC.

Review and Appeal Procedures

If the complainant is not satisfied with the conclusion, he/she may refer to commissioner requesting for review, within 2 weeks after the issue of the concluding reply.

Upon the request for review, the case will be reviewed by an ad hoc panel to consider if it is justified. Normally, Staff Officer (Adm) will chair the panel and the Commissioner's Office will have the discretion to appoint any senior officers as members of the panel.

If the complainant is not satisfied with the review concluded by the panel, he/she may appeal to the Commissioner. The Commissioner will reassess the appeal and inform the complainant of his/her decision.