

**The Hong Kong Psychological Society**  
**The Procedures for the Handling of Complaints**  
**An Explanatory Guide**

**1) Introduction**

- a) The fundamental objectives of the Hong Kong Psychological Society (the Society) are to maintain the ethical conduct of members in accordance with the Society's Code of Professional Conduct to protect the public and to enable the Society to achieve its scientific and professional objectives.
- b) This Guide aims to explain how the Society seeks to protect the public by implementing a system of complaint procedures as laid down in the By-Laws of the Society (2021). This Guide also aims to help the public understand how to make complaints against members of the Society when the members are suspected to have committed unethical behaviours violating the Society's Code of Professional Conduct.

**2) The principles upheld in the Procedures for Handling Complaints**

**a) Confidentiality**

- i) All information in a complaint is treated as confidential. The complaint is handled by only a few people authorized by the Council of the Society. Details of the complaint, including the name of the complainant or any witness will not be publicized. In case the complaint is substantiated, the complainees' name, the Code violated and the sanction(s) will be publicized.

All parties involved in the complaint have to sign a Confidentiality Undertaking and promise:-

1. to treat all information received from the Society for handling of the complaint (the "Confidential Information") strictly confidential and to not disclose its contents to anyone without permission from the Society;
2. not to use the Confidential Information other than for the purposes of the handling of the complaint;
3. to destroy Confidential Information following the conclusion of the complaint and any appeal; and
4. if the Confidential Information is leaked to others, to notify

immediately the Society with full details of that leakage.

**b) Impartiality**

All persons handling the complaint and all members of the Discipline Board are required to make declaration of and to avoid potential conflict of interest to ensure that they are impartial in their investigation and judgement.

**c) Transparency and accountability**

i) All the complaint procedures are clearly described in the By-Laws of the Society and followed.

ii) The complainee may appeal against the recommendations of the Discipline Board or the Final Decision of the Council. The complainant may renew a complaint when new evidence of professional misconduct is available.

**3) The complaint and conditions under which a complaint may be lodged**

a) A complaint may be lodged against a member of the Society when the member has allegedly committed misconduct or unethical behaviour.

b) The complainant may be a member of the public, another member of the Society or the Council itself.

c) The complainee **must be** a member of the Society at the time the alleged misconduct or unethical behaviour occurred.

d) The alleged misconduct or unethical behaviour must have occurred **within the past 6 years** when the complaint is lodged.

e) Anonymous complaints will not be accepted.

**4) How a complaint should be made**

a) A complaint must be submitted in the prescribed Complaint Form of the HKPS which can be downloaded via <https://www.hkps.org.hk/en/faq/>

b) The complainant has to make a statutory declaration with the Home Affairs Department to declare that the information supplied in the Complaint Form as well as the evidence provided are truthful. This public service is

free of charge. The details of making the declaration are available on the Complaint Form. For complainants who are not residing in Hong Kong, a declaration with a public notary in their place of residence is required.

- c) The Complaint Form should be submitted by post to the General Secretary of the Society with:
  - i) All and any evidence (e.g. documents, reports, photos, videos, and receipts, etc.) to substantiate the complaint.
  - ii) A prescribed Confidentiality Undertaking which can be downloaded via <https://www.hkps.org.hk/en/faq/>

## **5) The Complaint Handling Procedures**

- a) Upon receipt of a complaint, the General Secretary (GS) of the Society will acknowledge receipt of the complaint and may seek clarification with the complainant, where necessary. The Council of HKPS may appoint a Complaint Officer (CO), instead of the GS, to personally handle the complaint. The GS/CO will be the liaison person throughout the complaint handling procedures and will maintain a neutral stance over the complaint.
- b) The GS/CO will send the complaint to the complaineé to ask for a written response within 28 days.
- c) **Preliminary Investigation by the Ethics Committee**
  - i) GS/CO will forward all received information to the Society's Ethics Committee for Preliminary Investigation. If necessary, the Ethics Committee may request, via the GS/CO, further clarification from both the Complainant and the Complaineé.
  - ii) After due considerations of the presented facts and information, the Ethics Committee will make the following recommendation to the Council of the Society:
    1. Whether there is initial evidence that there has been a breach of the Code by the complaineé, and if so,
    2. The specific code breached, and
    3. Whether the complaint merits Full Investigation.
  - iii) Upon examining the Ethics Committee's recommendation, the Council may:

1. Dismiss the complaint, or
  2. Adopt an appropriate course of action to dispose the case, or
  3. Set up a Discipline Board to conduct Full Investigation of the complaint.
- d) Both the complainant and the complainees will be informed of the Council's decision.
- e) **Full Investigation by a Discipline Board**
- i) The Discipline Board (DB) will consist of a chairperson, 2 members and a secretary. One of the members will be from another profession or learned society.
  - ii) The DB will examine all information received.
  - iii) If necessary, DB can invite the complainant or the complainees to supply more information in writing or in an interview.
  - iv) If DB found there is no breach of the Code, it will advise the Council to dismiss the complaint. Both the complainant and complainees will be informed of the Council's decision. The DB will be dissolved.
  - v) If DB found there is a breach of the Code, it will send a *Notice of Proposed Disciplinary Action (NPDA)* to the complainees with:
    1. Findings of the Full Investigation, and
    2. Proposed sanctions (for example: warning, reprimand, requirement to take specific continuing professional education courses, suspension from the Society's Professional Register for a set duration of time, or expulsion from The Society)
  - vi) The complainees will have 28 days to make written response to DB about the NPDA.
  - vii) DB will review the written response of the complainees and submit a report to the Council with findings and recommendation for sanction. The DB will be dissolved.
  - viii) The Council will make a Final Decision whether to accept, reject or vary the recommendation of DB.
  - ix) GS/CO will send a *Notice of Final Decision (NOFD)* of the Council to the complainant and the complainees.
- f) **Appeal Against Final Decision of The Council**
- i) Within 28 days of receiving the NOFD, the complainees may make a written appeal against the Final Decision.

- ii) Within 60 days of receiving the appeal, the Council will set up an Appeal Board to review the Final Decision, without hearing. Both the complainant and the complaine e will be informed.
- iii) The Appeal Board will consist of a chairperson, 2 members of the HKPS, 2 members invited from other professions or learned societies. There will be no overlap of members between the Appeal Board and the Disciplinary Board that conducted the Full Investigation.
- iv) The Appeal Board can maintain or vary the Final Decision. The Appeal Board's decision will be final. The Appeal Board will be dismissed after reporting to the Council.
- v) GS/CO will inform both the complainant and the complaine e the Appeal Board's decision.

**6) Documentation of the complaint and publication of findings**

- a) The Council will update the Confidential Register of Complaints and the complaine e's record if substantiated.
- b) If substantiated, the Council will announce to public via HKPS website the outcome of the complaint, with name of the complaine e. Whether the public announcement will remain on the website after 6 years is subject to review by the Council.
- c) Case materials will be kept confidential in HKPS office for 6 years, after which shall be destroyed.

**7) Further inquiries**

If you have more questions about the procedures for handling of complaints, please email the General Secretary of the Hong Kong Psychological Society ([admin@hkps.org.hk](mailto:admin@hkps.org.hk))

Council of The Hong Kong Psychological Society  
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