

THE KARATEDO FEDERATION OF HONG KONG, CHINA LIMITED

COMPLAINTS POLICY

Preamble

1. The Karatedo Federation of Hong Kong, China Limited (the “Federation”) is committed to continuous improvement in its corporate governance and its day to day administration so as to achieve fairness as well as excellence in both efficiency and effectiveness. To this end, it welcomes feedback from all members, including both compliments and complaints.
2. In return, the Federation expects all members to behave responsibly, and complaints should be made in good faith, taking into account not just the self-interest of individual members but also the general interest of the Federation.
3. Accordingly, and bearing in mind the limited administrative resources under the disposal of the Federation, frivolous and vexatious complaints are discouraged and members engaged in such activities may be charged with non-compliance with the Federation’s Code of Conduct.
4. This Complaints Policy was approved by General Committee (“GC”) of the Federation on [31-08-2020](#). The GC of the Federation has the authority to refine and make minor adjustment to this Complaints Policy to suit changes in circumstances.

Scope and Application of this Policy

5. Any member¹ of the Federation will have the right to complain against members of the General Committee, Sub-committees, staff of the Federation or anybody or individual who has acted on behalf of the Federation for maladministration on grounds of efficiency, effectiveness, economy and fairness.
6. This Policy will only apply to complaints lodged in respect of maladministration.
7. As regards issues related to the selection of athletes such as:
 - (i) eligibility and selection of athletes for joining the Federation’s Feeder System Scheme² and the Hong Kong Sports Institute’s elite training programmes, and
 - (ii) eligibility and selection of athletes for participation in overseas tournaments;

¹ The members of KFHKCL had been defined in the Memorandum and Article of Association (“M&A”) of KFHKCL

² The Feeder System Scheme is including Pre-squad and Pre-preliminary Training Programme of Federation.

the Selection Policy should apply.

Lodging a Complaint

8. Members making a complaint are encouraged to do so in writing and identify themselves. Anonymous complaints or complaint from public will be handled provided that they have sufficient information to enable the complaint to be addressed by proving relevant matter and can be investigated.
9. All complaints should be made promptly (we will study case by case if the complaint occurred long time ago) and addressed to the General Secretary of the Federation. They should include:
 - (a) background to the complaint;
 - (b) reasons for the complaint;
 - (c) relevant facts and documents to support the complaint;
 - (d) the remedy or remedies requested;
 - (e) the name, contact details and signature of the complainant.

Handling a Complaint

10. The Honorary Secretary or his/her authorised representative, comprise of a panel with two GC members, will handle all administrative complaints with a positive and open mind and with a view to:
 - (a) addressing the complainant's grievances, and
 - (b) identifying areas for improving corporate governance and enhancing the efficiency and effectiveness of the Federation.
 - (c) declaring any conflict of interest in that case.
11. Except for complaints which are straightforward and can be dealt with expeditiously, all complaints should be acknowledged by Honorary Secretary within 7 days of receipt.
12. The panel will decide on the most appropriate approach or combination of approaches to resolve a complaint, including but not limited to:

- (a) mediation;
 - (b) investigation into the complaint to ascertain if it is justified;
 - (c) admitting mistakes and offer of apology to the complainant;
 - (d) entertaining the complaint's request for remedies;
 - (e) offer of explanation to the complaint why his complaint is considered unfounded;
 - (f) offer of explanation to the complaint why his/her request for remedies cannot be entertained;
 - (g) containing damage; and
 - (h) taking preventative measures to prevent a recurrence of the same mistake(s) identified in the complaint.
13. Complaints should be handled promptly. If a substantive reply cannot be made to the complainant within a month of receipt of the complaint, an interim reply should be given.
 14. If the complaint can be substantiated with the relevant proof or evidence, GC will consider to execute the discipline based on the Code of Conduct.
 15. The steps of disciplinary action is listed at Code of Conduct.
 16. Federation will notify the complainant by email as well as copying to related organizations [such as Sports Federation & Olympic Committee ("SF&OC") and LCSD].
 17. If the complainant is not satisfied with the reply provided by the panel, he/she may appeal to the GC of the Federation whose decision on the matter is final.
 18. If SF&OC or Government Department disagree with the final decision, GC will consult the Advisory Group (*Re. Appendix-1*) before making the verdict. The members are not the members of KFHKCL and they will make the advice and recommendation to the GC after review. The verdict will be passed by GC majority base on the advice and recommendation of the Advisory Group.
 19. Document and Classification the result of investigation details to ensure efficient retrieval of information for subsequent referencing in the improvement of Management and Preventive action in the future.

Processes

20. Complaint Investigation Process (*Re. Appendix-2*)

21. Appeal Process (*Re. Appendix-3*)

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Advisory Group

- (1) Nature of Group: external
- (2) Tenure: 01 January 2019 until 2022 AGM
- (3) Estimate meeting frequency: as-and-when-required basis

(4) List of consultants

Membersⁱ: (1) To be confirmed

(2) To be confirmed

(3) To be confirmed

(4) To be confirmed

(5) To be confirmed

Secretary: Mr. James Lee (Legal Advisor of the Federation)

(5) Terms of Reference

- 1. To advise the Management of the Federation based on the Policies, and Articles of Association of the Federation.
- 2. To set up the Final Appeal Panelⁱⁱ (if necessary) for making advice after review the objection to the decision of Complaint or Appeals Panel of the Federation.
- 3. To provide a written report with advice and recommendation to the GC of the Federation.

Note:

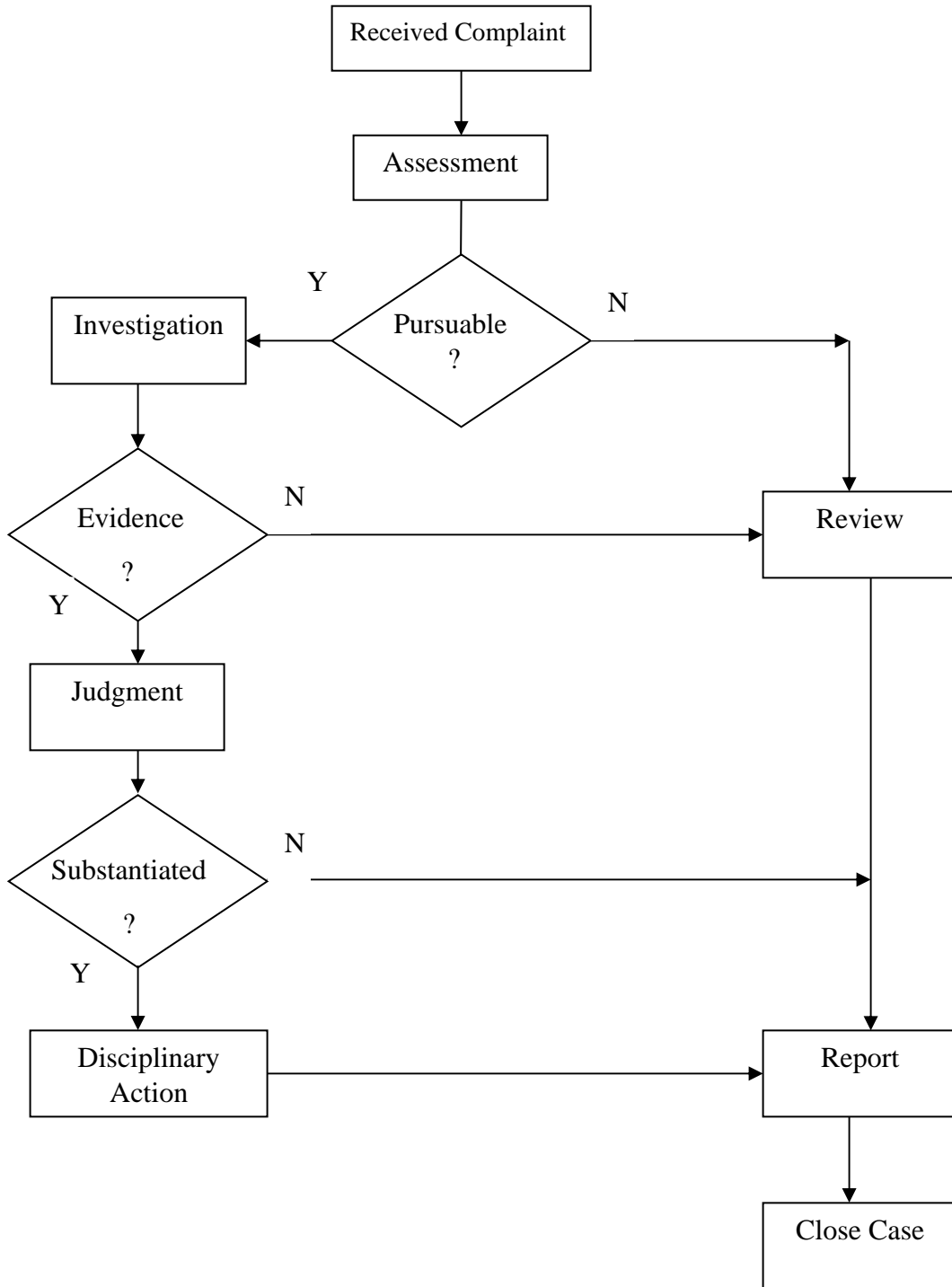
- i. Two Observers should be included in this Advisory Group.*
- ii. When the General Committee receives an objection to the decision of Complaint or Appeals Panel of the Federation, the GC shall consult three persons from the above list to hear the appeal, having regard to their availability and conflict of interest.*

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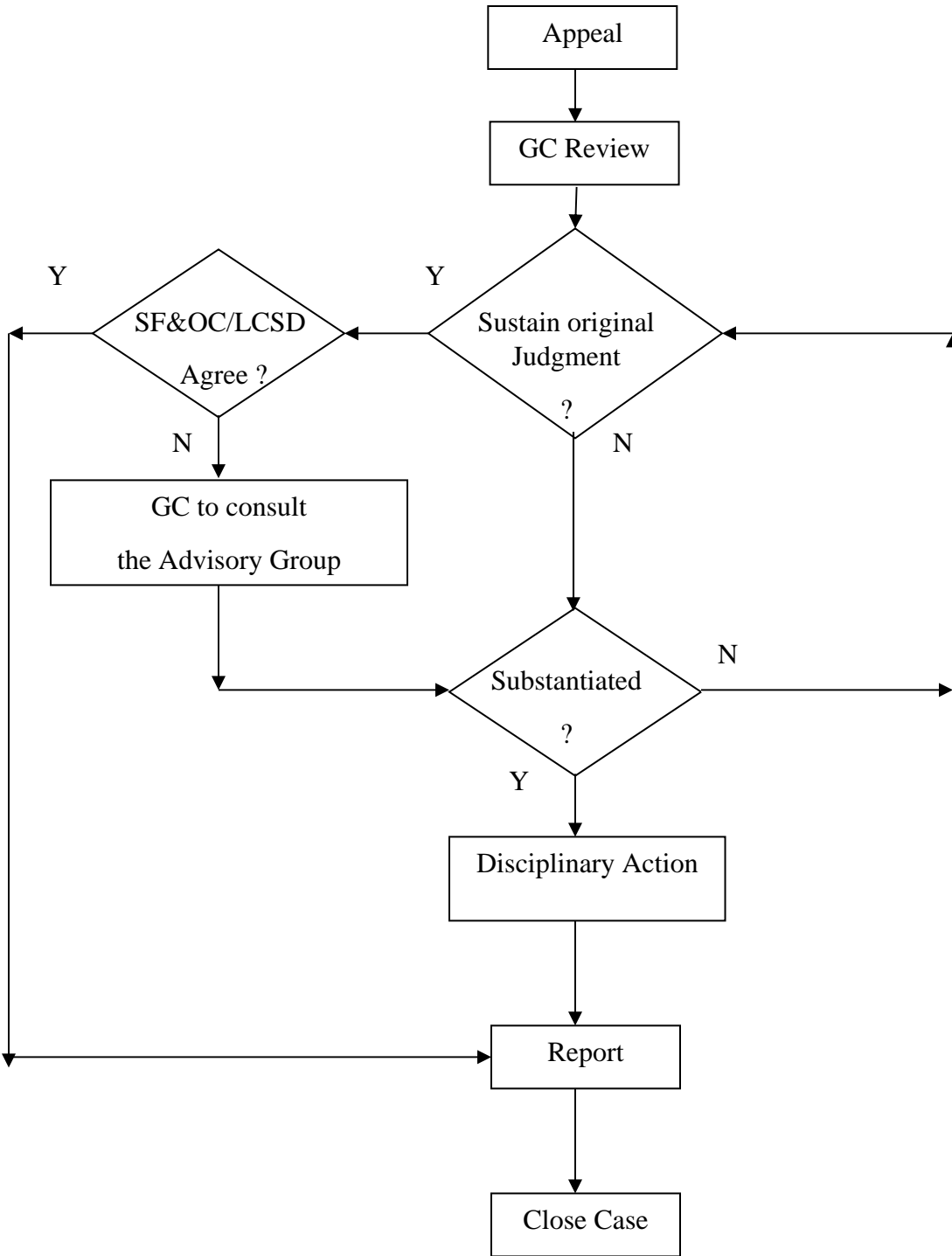
Observers

- (1) Nature: Independent Third Person
[Nominated by Sports Federation and Olympic Committee of Hong Kong, China (“SF&OC”)]
- (2) Tenure: Until the membership to SF&OC has been reinstalled in full
- (3) Name: 1. To be confirmed
2. To be confirmed
- (4) Terms of Reference
4. No voting rights on any of The Karatedo Federation of Hong Kong, China Limited’s (the “Federation”) affairs.
 5. To give advice and recommendation to the General Committee of the Federation (“GC”) in accordance to the Policies, and the Articles of Association of the Federation.
 6. To be invited to sit in all meetings (including but not limited to GC Meeting and all Committee Meetings) and activities (including all selection competitions) of the Federation. The Federation must give a copy of the notice of meeting or any other document to the Observers by email at the same time as the notice or any other document is given to the relevant Committee Members.
 7. To be included in the Advisory Group (*Re. Appendix-1 of Appeal Policy*) for making advice and recommendation to GC when SF&OC disagree with the final decision of GC.
 8. To access documents (including internal and external reports) of the Federation;
 9. To monitor whether the implementation of the Federation’s programmes meets the principle of impartiality, fairness and transparency.
 10. To comply with the Personal Data Privacy and Access Guideline.
 11. To keep confidential of all Confidential Information of the Federation and shall only use such information for the sole purpose of matters in relation to the membership of SF&OC, and not for any other purpose without the prior written consent of GC.
 12. Each Observer warrants that he/she will not, without the prior written consent of GC, disclose directly or indirectly any Confidential Information obtained from or through the Federation to any third parties.

Complaint Investigation Process



Appeal Process



The Karatedo Federation of Hong Kong, China Limited

Declaration of Conflict of Interest

Part A – Declaration *(To be completed by Declaring Member)*

To: **Chairman/Director* of the General Committee/_____ Council***

I would like to report the following existing/potential* conflict of interest situation in relation to the discussion item: -

i) Matter to be discussed/ involved
ii) Brief description of my connection with the matter in (i) above

Name:

Date:

Part B – Acknowledgement *(To be completed by Chairman/Director*)*

To:

Acknowledgement of Declaration

The information contained in your declaration form of _____ is noted. It has been decided that: -

- You may continue to speak and vote on the matter as described in Part A, provided that there is no change in the information declared above.
- You may continue to speak but should not vote on the matter as described in Part A, provided that there is no change in the information declared above.
- You may remain in the meeting as an observer on the matter as described in Part A, provided that there is no change in the information declared above.
- You should withdraw from the meeting and immediately return to the secretary any documents regarding the matter sent to you earlier.
- You should refrain from performance or getting involved in performing the work, as described in Part A, which may give rise to a conflict.
- You may continue to handle the work as described in Part A, provided that there is no change in the information declared above.
- Others (please specify) : _____

Date:

Chairman / Director*

**Please delete as appropriate*