

**SCHOOL OF CONTINUING EDUCATION
HONG KONG BAPTIST UNIVERSITY**

Ordinances and Guidelines

A. General Statement

All part-time teaching staff are required to observe and comply with Prevention of Bribery Ordinance, Confidentiality and Personal Data Privacy, and Equal Opportunities Legislation including the Sex Discrimination Ordinance, the Disability Discrimination Ordinance, the Family Status Discrimination Ordinance and the Race Discrimination Ordinance.

1. *Prevention of Bribery Ordinance*

Under the Prevention of Bribery Ordinance (Cap. 201), the Hong Kong Baptist University is a “public body”. All staff members of the School come under the definition of “public servants” as stated in the Ordinance, and are therefore governed under this Ordinance.

2. *Confidentiality and Personal Data Privacy*

2.1 Part-time teaching staff, by virtue of their duties, may have access to various kinds of confidential information about the School and its students. Please be reminded not to divulge confidential information to any person not authorized to receive it, nor to use such information for personal benefits under any circumstances.

2.2 The University and the School respect the privacy of personal data and is committed to fully complying with the Personal Data (Privacy) Ordinance ("the Ordinance") and the data protection principles of the Ordinance. All part-time teaching staff are required to observe and comply with the Ordinance. Please read the Guidance Notes on Protection of Personal Data of the School at the Annex. Details of the [Hong Kong Baptist University's Privacy Policy Statement](#) can be found at the HKBU's website.

3. *Equal Opportunities Legislation*

3.1 In accordance with the Equal Opportunities Legislation including the Sex Discrimination Ordinance (SDO), the Disability Discrimination Ordinance (DDO), the Family Status Discrimination Ordinance (FSDO) and the Race Discrimination Ordinance (RDO), it is unlawful for anyone to discriminate against a person on the grounds of sex, pregnancy, marital status, disability, family circumstances and race.

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- 3.2 Part-time teaching staff should observe and comply with the Equal Opportunities Ordinances, and should not engage in any behavior which will be potentially against the ordinances during their performance of duties. Failure to comply with the legislation could render the University and the individual concerned liable to legal action.
- 3.3 The useful guidance on the requirements of the legislation as contained in the Codes of Practice on Employment on SDO, DDO, FSDO and RDO issued by the Equal Opportunities Commission can be viewed via the Equal Opportunities Commission's website at <http://www.eoc.org.hk>.
- 3.4 The University and the School act to ensure dignity at work and study. Harassment or victimization of any form will not be tolerated. The University's Equal Opportunities Panel will handle grievances, complaints or allegations relating to discrimination or harassment on grounds covered under the SDO, DDO, FSDO and RDO. The guidelines on "[How to handle Sexual Harassment](#)" is available on the HKBU's website. A set of Procedures on Handling of Complaints on Discrimination/Harassment (on grounds covered by Equal Opportunities Ordinances) is in place to work towards the elimination of discrimination/harassment and providing a proper channel for redress if and when it does occur. Copy of the set of procedures could be obtained from the Human Resources Section of the School.

Human Resources Section

January 2019

香港浸會大學持續教育學院

條例與指引

甲. 一般聲明

本院所有兼職教學人員均須遵守《防止賄賂條例》、保密及保障個人資料私隱，以及平等機會法例之規定。平等機會法例包括《性別歧視條例》、《殘疾歧視條例》、《家庭崗位歧視條例》和《種族歧視條例》。

1. 防止賄賂條例

根據防止賄賂條例(第 201 章)，香港浸會大學屬於「公共機構」，而本院所有僱員均屬有關條例定義下之「公職人員」。故此，本院所有僱員皆受防止賄賂條例監管。

2. 保密及保障個人資料私隱

2.1 由於職責關係，兼職教學人員可能會接觸到各種與本院和學生有關之機密資料。請緊記在任何情況下，兼職教學人員均不可將有關機密資料透露或洩露予任何未經授權人士，亦不可使用該類資料以換取個人利益。

2.2 大學及本院均尊重個人資料私隱，並且全力執行及遵守《個人資料(私隱)條例》(簡稱“條例”)內各項有關規定和保障資料原則。本院所有兼職教學人員均須遵守《個人資料(私隱)條例》之規定。本院有關之保障個人資料指引，詳見〈附錄〉。有關[香港浸會大學“私隱聲明”](#)，詳見大學網頁。

3. 平等機會法例

3.1 根據平等機會法例，包括《性別歧視條例》、《殘疾歧視條例》、《家庭崗位歧視條例》和《種族歧視條例》，任何人士如基於性別、懷孕、婚姻狀況、殘疾、家庭狀況或種族而對其他人作出歧視行為，均屬違法。

3.2 兼職教學人員必需遵守與平等機會有關之條例，並且在執行職務期間應當避免作出任何可能會構成違反法例之行為。如違反上述條例，可能會令大學及有關人士負上法律責任。

3.3 由平等機會委員會印製與僱傭相關之《性別歧視條例僱傭實務守則》、《殘疾歧視條例僱傭實務守則》、《家庭崗位歧視條例僱傭實務守則》及《種族歧視條例僱傭實務守則》等指引，可透過平等機會委員會之網頁參閱，網址為：<http://www.eoc.org.hk/>。

3.4 大學及本院致力確保教職員及學生在工作及學習時得到尊重。性騷擾或其他的騷擾行為均不能容忍。大學「平等機會小組」會處理有關性別、懷孕、婚姻狀況、殘疾、家庭狀況或種族歧視及騷擾之投訴和指控。有關[“如何處理性騷擾”](#)亦已詳列於大學網頁。大學現已制訂處理歧視或騷擾投訴之政策指引，以防止歧視及騷擾發生，並在此類事件發生時，提供合適之方法來處理。該政策指引副本可向本院人力資源組索取。

人力資源組
2019年1月

Annex

附錄

PROTECTION OF PERSONAL DATA

The School of Continuing Education (“the School”) of Hong Kong Baptist University (“the University”) respects the privacy of personal data and is committed to fully complying with the data protection principles and all relevant provisions of the Personal Data (Privacy) Ordinance (“the Ordinance”). All part-time teaching staff are also required to observe and comply with the Ordinance. Details of the University’s Privacy Policy Statement can be found at the HKBU’s website.

While requirements of the Ordinance and the University’s policies should be referred and adhered to at all times, the following guidance notes are prepared for internal reference.

Guidance Notes on Protection of Personal Data

I. Personal Data (Privacy) Ordinance^{Note 1}

The Ordinance is underpinned by the Six Data Protection Principles. Definitions of some major terms and the Six Data Protection Principles are summarized as follows for reference. For detailed requirements of the Ordinance, please visit the website of Office of the Privacy Commissioner for Personal Data (“PCPD”): https://www.pcpd.org.hk/english/data_privacy_law/code_of_practices/code.html.

(A) Definitions

Personal Data

- “Personal Data” means any data :
 - (a) relating directly or indirectly to a living individual (i.e. the “Data Subject”);
 - (b) from which it is practicable for the identity of the individual to be directly or indirectly ascertained; and
 - (c) in a form in which access to or processing of the data is practicable.
 - *Examples : Name, telephone number, address, sex, age, academic and assessment records of students, transcripts, occupation, salary, photos, identity card number, medical records, etc.*

Note 1 : Information under Part I are extracted from or made reference to the relevant guidance notes and the Ordinance as provided by Office of the Privacy Commissioner for Personal Data.

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Data User

- any person or organization who is collecting, holding, processing or using the personal data.

Data Subject

- the living individual who is the subject of the personal data concerned.
 - *Examples : Students, staff, alumni*

(B) Six Data Protection Principles (DPP) of the Personal Data (Privacy) Ordinance

Data Protection Principle 1 – Purpose and Manner of Collection of Personal Data

- personal data shall be collected for a purpose directly related to a function and activity of the data user;
- lawful and fair collection of adequate data;
- data subjects shall be informed of the purpose for which the data are collected and to be used.

Data Protection Principle 2 – Accuracy and Duration of Retention of Personal Data

- all practicable steps shall be taken to ensure the accuracy of personal data;
- data shall be deleted upon fulfillment of the purpose for which the data are used.

Data Protection Principle 3 – Use of Personal Data

- unless the data subject has given prior consent, personal data shall be used for the purpose for which they were originally collected or a directly related purpose.

Data Protection Principle 4 – Security of Personal Data

- all practicable steps shall be taken to ensure that personal data are protected against unauthorized or accidental access, processing or erasure.

Data Protection Principle 5 – Information to be Generally Available

- formulates and provides policies and practices in relation to personal data.

Data Protection Principle 6 – Access to Personal Data

- individuals have rights of access to and correction of their personal data;
- data users should comply with data access or data correction request within the time limit, unless reasons for rejection prescribed in the Ordinance are applicable.

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II. Good Practices in Handling Personal Data at Work

It is the responsibility of each part-time teaching staff member to observe and comply with the requirements of the Personal Data (Privacy) Ordinance. Some of the good practices in handling personal data are listed below. While the list is by no means exhaustive, it contains essential guidelines which cover most of the situations in daily work and should be adhered to. Each part-time teaching staff member should stay alert and exercise greatest prudence in handling and protecting personal data under all circumstances.

(A) What Should be Done to Safeguard Data

- (a) All personal data must be ***kept in a secure place***, for example, in lockable filing cabinets or in rooms which can be locked when unoccupied. Files containing personal data or portable device containing personal data should not be left open on desks or unattended.
- (b) Personal data stored on computers should be ***password-protected*** to prevent them from unauthorized access.
- (c) Files with personal data should not be sent via e-mail. If it is necessary to do so,
 - (i) the files must be password-protected before they are sent out; and
 - (ii) the password should be conveyed to the recipient of that e-mail by phone or via a separate e-mail.
- (d) Personal/sensitive data should not be taken away from the working area, and should not be stored in portable devices, such as USB. If it is necessary to do so, permission must be obtained from the Division Head concerned, and security measure including encryption of USB must be made to prevent it from data leakage.
- (e) Documents or files containing personal/sensitive data must be put in ***a sealed envelope*** marked “Confidential” ***with the name of the addressee clearly specified*** on the envelope.
- (f) Do not re-use paper or envelope containing personal/sensitive data.
- (g) Documents/CD Rom disk and USB memory stick containing personal data must be shredded/securely formatted before disposal to avoid recovery of the data.
- (h) ***Remove USB from computer, exit system containing personal data or lock the computer screen*** when away from the work station.

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(B) What Should be Checked before Sending E-mail

1. Correct email address of the recipient(s) ?
2. Files have been password-protected ?
3. Have already deleted any *hidden* worksheet/columns in excel file which are not supposed to be sent to the recipient ?
4. Have already converted *word or excel* documents to *pdf format* to restrict accessible personal data by the recipient ?
5. Have already deleted any attachment files which are not supposed to be sent out when forwarding email to other recipient ?

In the event of data loss or leakage, the case must be reported to the School for immediate attention and necessary follow-up action.

Human Resources Section
January 2018

保障個人資料

香港浸會大學持續教育學院(簡稱“本院”)尊重個人資料私隱，並且全力執行及遵守保障資料原則，以及《個人資料(私隱)條例》(簡稱“條例”)內各項有關規定。本院所有兼職教學人員均須遵守《個人資料(私隱)條例》之規定。有關大學“私隱聲明”，詳見大學網頁。

在任何情況下，兼職教學人員均必須遵守條例內各項要求和大學有關之政策規定。以下指引供內部參考之用。

保障個人資料指引

I. 個人資料(私隱)條例 ^{註1}

條例以六項保障資料原則作為核心。條例內相關主要名詞之定義及六項保障資料原則要點簡列如下，以供參考。有關條例詳情，請瀏覽個人資料私隱專員公署網址：https://www.pcpd.org.hk/tc_chi/data_privacy_law/code_of_practices/code.html。

(A) 定義

個人資料 (Personal Data)

- “個人資料”指符合以下說明之任何資料：
 - (a) 直接或間接與一名在世個人(即“資料當事人”)有關；
 - (b) 從該資料已可切實可行地直接或間接確定有關之個人身分；及
 - (c) 該資料之存在形式使查閱及處理均切實可行。

例子：個人姓名、電話號碼、地址、性別、年齡、學生學術及評估紀錄、成績表、職業、薪金、相片、身份証號碼、醫療紀錄等。

資料使用者 (Data User)

- 控制該資料之收集、持有、處理或使用之任何人士或機構。

資料當事人 (Data Subject)

- 指屬該資料當事人之個人。
- 例子：學生、僱員、校友。

註1：第I部份所載資料乃參考或節錄自個人資料私隱專員公署提供之相關指引及條例。

香港浸會大學持續教育學院

(B) 個人資料(私隱)條例六項保障個人資料原則

保障資料第 1 原則 — 收集個人資料之目的及方式

- 個人資料之收集必須與資料使用者之職能及活動有關，而收集之資料適量便可，及應以合法及公平之手法收集，並須告知收集之目的及資料之用途。

保障資料第 2 原則 — 個人資料之準確性及保留期間

- 須採取切實可行之步驟確保個人資料之準確性，並在完成資料之使用目的後，刪除資料。

保障資料第 3 原則 — 個人資料之使用

- 限制個人資料使用於當初收集之目的或直接有關之用途上，否則必須先獲得資料當事人同意。

保障資料第 4 原則 — 個人資料之保安

- 須採取切實可行之步驟確保個人資料之保安，免受未獲授權或意外查閱、處理、刪除、喪失或使用所影響。

保障資料第 5 原則 — 資訊須在一般情況下可提供

- 制定及提供個人資料之政策及實務。

保障資料第 6 原則 — 查閱個人資料

- 個人有權查閱及更改個人資料。資料使用者應在指定時間內依從查閱或更改資料要求，除非條例訂明之拒絕理由適用。

香港浸會大學持續教育學院

II. 處理個人資料之良好措施

兼職教學人員有責任遵守及依從《個人資料(私隱)條例》所訂定之要求。以下列出在處理個人資料時之良好措施，請務須遵守。有關羅列針對日常工作中常見情況，並未涵蓋各種情況。兼職教學人員應時刻保持警覺及以極度審慎態度處理及保護個人資料。

(A) 如何保障個人資料

- (a) 所有個人資料必須**存放於安全地方**，例如：放於可上鎖之文件櫃內，或可上鎖之房間內。在任何情況下，不應將載有個人資料之文件或便攜式裝置放在辦公桌上或無人看管處。
- (b) 儲存於電腦內之個人資料須**以密碼保護**，以防止未經授權人仕查閱。
- (c) 不應透過電子郵件發送載有個人資料之檔案。如事屬必要:-
 - (i) 檔案必須先以密碼保護後才可傳送；及
 - (ii) 應透過電話或以另一獨立電子郵件將密碼通知電郵收件人。
- (d) 不應將載有個人或具敏感性之資料攜離工作地方及儲存於便攜式裝置內。如事屬必要，必須事先獲得本院相關部門總監之批准，並須採取各項保安措施，以防止資料外洩。
- (e) 載有個人或敏感性資料之文件必須**放入信封後密封**，並在封面註明“**機密**”及**清楚列明收件人姓名**。
- (f) 不應使用載有個人或敏感性資料之紙張或信封作其他用途。
- (g) 於棄置文件及曾存有資料之電腦光碟(CD-Rom 光碟)與便攜式裝置(USB)前，應先以碎紙機將文件撕碎，及將電腦光碟與便攜式裝置重新格式化，以免他人將資料還原。
- (h) 當離開工作間時，須將**便攜式裝置從電腦移除、退出載有個人資料之系統或將電腦屏幕上鎖**。

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(B) 傳送電子郵件前應檢查事項

1. 已核實收件人之電郵地址正確無誤？
2. 檔案是否已加上**密碼保護**？
3. 是否已將**隱藏**在試算表檔案 (Excel) 中而又不該發送給收件人之工作表或列項從試算表檔案中刪除？
4. 是否已將文字檔案 (Word) 或 試算表檔案 (Excel) **轉換為 pdf 格式**以限制收件人可查閱之個人資料？
5. 在轉寄電郵給第三者前，是否已經將不該發送給收件人之電郵附件刪除？

如發生個人資料外洩事件，必須立即向本院匯報以便跟進。

人力資源組
2018年1月