

## **Policy on Appeal Mechanism (Effective from 27 January 2017)**

### **(A) Principles**

1. An appeal is a request for changing a decision on funding results or grants-related matters.
2. A grievance, disagreement, comment, complaint or an enquiry about a decision does not constitute an appeal.
3. An appeal will be considered only when there is evidence of **procedural flaws\*** in the review process. Appeals based on grounds of scientific arguments and rebuttals will not be considered.

*\*Procedural flaws refer to the improper handling or processing of the application(s)/report(s)/declaration(s) that deviates from the practices required by the relevant written policies.*

### **(B) Scope**

1. This policy has been approved by the Research Council and applies to the Health and Medical Research Fund administered by the Food and Health Bureau with effect from 27 January 2017.
2. This policy is an enhancement of the previous policy approved in 2004 to cover decisions of other grant-related matters such results of final reports other than funding results of grant applications.
3. Appeal for decision made before 27 January 2017 shall follow the procedures of this policy without the cap of time limit indicated in each process.

### **(C) Procedures**

1. The appeal must be submitted **in writing with substantiation of the alleged procedural flaw(s)** in question, and lodged with the

Secretariat **within 30 calendar days** after the issuance date of the decision. Anonymous request is not accepted.

2. The Secretariat will review the alleged procedural flaw(s) and submit its findings, within 14 calendar days after the receipt of the written appeal, to the **relevant Grant Review Board Executive with expertise in the subject area concerned and who do not have conflict of interest in handling the appeal.**
3. The Grant Review Board Executive will examine the Secretariat's findings and advise on a course of action **within 30 calendar days** after receipt of the Secretariat's findings, including the establishment of an ad hoc committee, if necessary. The ad hoc committee comprises three members drawn from the Research Council and the Grant Review Board.
4. The ad hoc committee will undertake a detailed investigation of the appeal and make a decision on the case **within 60 calendar days** since its establishment. **The ad hoc committee's decision will be final.**
5. All cases shall be properly documented with reasons and reported back to the Research Council for noting.

**Remarks:**

*The following rules apply to the appeal involving peer review or affecting the grading of the results:*

- (a) *If the number of referees in the case of an appeal is fewer than two, additional assessments from referees may be obtained.*
- (b) *There should normally be no downward adjustment – this is where the benefit of doubt should go to the appellant. Downward adjustment may be exceptionally considered if a fundamental flaw has been identified in the original decision.*
- (c) *Upward adjustment may be recommended as long as sound justifications are provided and recorded.*

**Flowchart for Processing an Appeal  
(Effective from 27 January 2017)**

