

明愛青少年及社區服務

服務質素標準 8

8.2 服務單位遵守一切有關的法律責任執行指引

1. 前言

青少年服務之服務單位遵守一切有關的法律責任。執行指引（簡稱：本指引）乃根據本服務所頒佈之「服務單位遵守一切有關的法律責任」。政策文件而編寫。本指引在協助同工切實執行有關政策，以達至由社會福利署所頒佈之服務質素標準 8（SQS8）之各項要求。

2. 執行指引

2.1 為了確保在服務提供的過程中，充份考慮並執行有關法例的要求，服務單位須執行以下程序：

2.1.1 單位主管會透過個別或小組督導以確保職員能依據相關法律條例及機構及本服務的執行政程序辦事。

2.1.2 如有需要各服務單位可於會議提出對有關法律條例及日常運作程序的意見及作出討論及分享。

2.2 由於服務單位服務範圍及對象廣泛，開辦回應社區需要的新服務時，也隨時需要查核相關的法例。各職員可參考青少年服務常用法例一覽表所列出法例，或按所需的法例，查閱最新資料。

2.3 當各職員需應用任何法例時，必須先從互聯網查核該法例的最新的版本（網址：www.legislation.gov.hk），如有需要可尋求服務單位法律顧問的專業意見。

2.4 服務單位已邀請律師擔任義務法律顧問

2.4.1 一般而言，在下列三種情況下，服務單位須考慮徵詢法律顧問意見：

i) 在服務運作中發現一些政策、事件、情況、安排或程序涉及法律問題，在同工查閱有關法律資料文件或諮詢相關機構後，仍未能找到答案，或有關之法律問題仍需要作出澄清及跟進。

ii) 單位被服務使用者／第三者提出法律控訴。

iii) 保障機構的利益和形象。

2.4.2 遇到上述情況，有關之職員需先知會服務總主任，由服務總主任按情況及事件之緩急度，決定以口頭或書面向義務法律顧問作出意見。

檢討： 本指引最少三年檢討一次

檢討日期： 2017 年 11 月 16 日

Caritas Youth and Community Service
Service Quality Standard 8
8.2 Service Unit to Comply with All Relevant Legal Obligations
Guideline on Implementation

1. Foreword

Service unit of Youth and Community Service has to comply with all relevant legal obligations. The Guideline on Implementation is prepared in accordance to the Policy set out by the service unit. This Guideline aims to assist co-workers to implement the Policy in fulfillment of the various requirements of Service Quality Standard 8 (SQS8) required.

2. Implementation Guideline

2.1 To ensure that relevant legal obligations are taken into account and implemented during the service delivery, the service unit must carry out the following procedures:

2.1.1 Centre Supervisor will through individual or group supervision to ensure that the staff comply with the relevant legal obligations and implementation procedures of the organization and the service unit.

2.1.2 If needed, all service units can give feedback on and discuss the relevant legal obligations and daily operation procedures in meeting.

2.2 As the service scope and target groups of the service units are wide-ranging, the service units may need to check on relevant legislation in offering new service in response to community need. Otherwise staff may refer to the General List of Legislation relevant to Youth Service or Community Service respectively.

2.3 Staff should check out the most updated version of the legislation on the internet in applying them (website : www.legislation.gov.hk). If needed, seek professional advice from the legal advisor of the Service.

2.4 The service unit has invited legal professionals to be the honorary legal advisor.

2.4.1 In general, under the three circumstances below, the service unit should consider seeking help from the legal advisor:

- i) During the operation of the service, legal issue is identified in association of certain policy, incident, circumstance, arrangement or procedure. While the co-workers may have consulted related legal documents or institutions, the issue is not resolved, or still need further clarification and follow-up.
- ii) Indictment against the unit is filed by service user/third party.
- iii) To uphold the interest and image of the organization.

2.4.2 In the above circumstances, the staff should report to the Service Head, who will consult the honorary legal advisor orally or in writing according to the urgency of the incident and situation.

Review : This Guideline is reviewed at least once every three years
Date of Review : 16 November 2017