

HKFYG
LEE SHAU KEE COLLEGE
Guidelines for Handling
School Complaints

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September 2017

(I) Foreword

To maintain good communication and close partnership with stakeholders, HKFYG Lee Shau Kee College has established and enhanced the school-based mechanism and procedures to handle concerns and complaints positively, and provide prompt responses within an appropriate time frame.

(II) Scope of Application

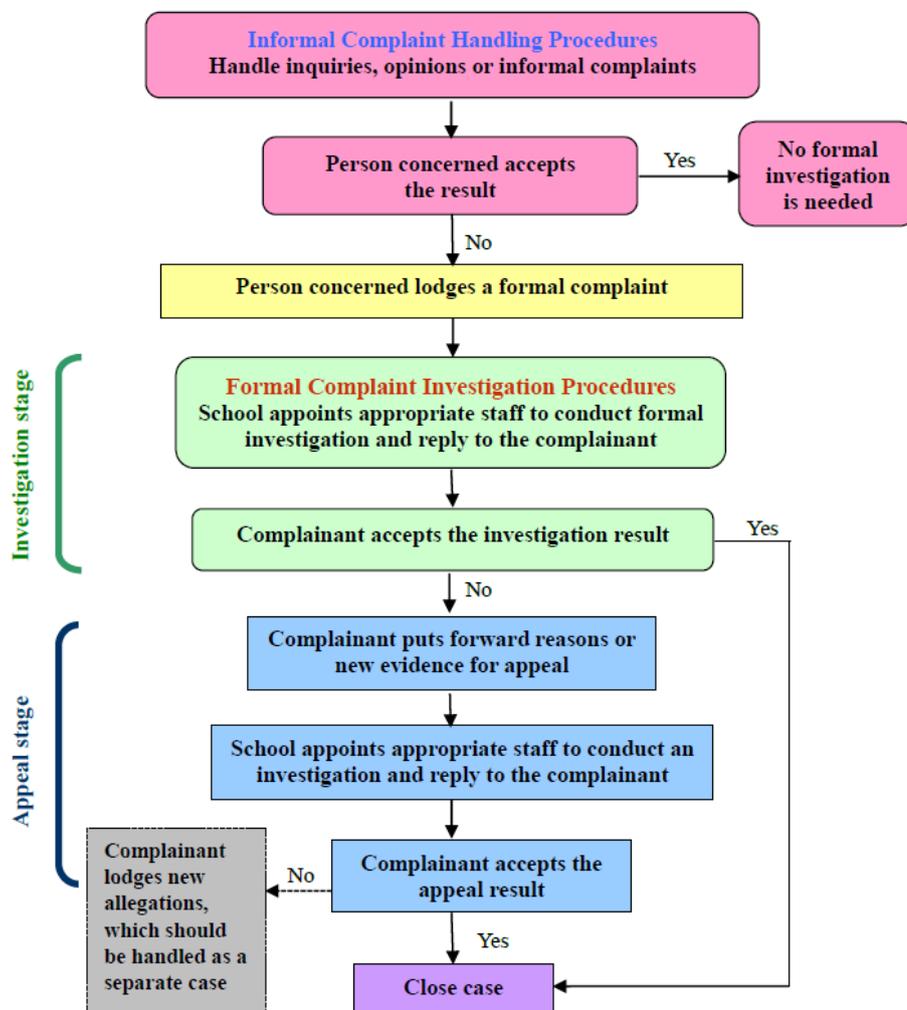
- (i)** The Guidelines are **applicable to** the handling of the complaints about the daily operation and internal affairs of schools lodged by parents, students or the public through various means, including post, fax, email, phone or in person. Reference shall be made to the “Examples of Complaints Relating to Daily Operation and Internal Affairs of Schools” cited by EDB in the “Guidelines of Handling School Complaints”.
- (ii)** Complaints about the Education Ordinance, education policies and services provided by the EDB should be lodged to the EDB for direct handling, even though the case may have taken place in the school.
- (iii)** The Guidelines are **not applicable to** the handling of the following types of complaints:
 - Complaints related to ongoing legal proceedings
 - Complaints under the jurisdiction of other organisations/government departments
 - Complaints governed by other ordinances or statutory regulations such as complaints against corruption, fraud or theft
 - Complaints lodged by school staff

(III) Criteria for Eligible Complaints

- (i)** Whether the complaint is made in written form or in person, the complainant should provide his/her name, correspondence/e-mail address and/or contact phone number. However, under special circumstances the school may decide whether to follow up with an anonymous complaint for internal reference.
- (ii)** The person concerned should lodge the complaint by himself/herself. Anyone who seeks to file a complaint on behalf of the person concerned has to obtain his/her prior written consent.
- (iii)** Complaints should be lodged within one calendar year from the occurrence of the incident involved.
- (iv)** Complaints should be lodged with sufficient information.

(IV) Flowchart of School Complaint Handling Procedures

Diagram 1: Flowchart of School Complaint Handling Procedures



(V) Informal Complaint Handling Procedures

- (i) If the case does not require an investigation involving evidence collection, or the person concerned does not request a formal written reply, the school may handle the matter following the informal complaint handling procedures.
- (ii) If necessary, the school staff in charge of the relevant issue should have direct talks or interviews with the person(s) concerned to explain the schools' stance and remove any misunderstanding, misgivings or worries of them.
- (iii) The school will provide initial response within 3-5 school days.
- (iv) If necessary, the school may refer the case to a designated staff or a senior officer for prompt follow up actions and resolutions.

(VI) Formal Complaint Investigation Procedures

- (i) If the school has made its best efforts to resolve the problem through the informal complaint handling procedures but the complainant still does not accept the school's response or the problem remains unresolved, the school would initiate the formal complaint investigation procedures.

(ii) Investigation Stage

- Assign appropriate staff to investigate the complaint and reply to the complainant.
- Acknowledge receipt of the complaint, seek the complainant's consent to obtain his/her personal data and information relating to the complaint, and inform him/her of the name, post title and phone number of the staff responsible for handling the case for contact purposes.
- If necessary, contact the complainant and other persons involved or arrange meetings with them.
- Complete the investigation within two months after receiving the complaint and send a written reply to inform the complainant of the investigation result.
- If the complainant accepts the investigation result, conclude the case officially.
- If the complainant does not accept the investigation result or the way the school handled the complaint, and is able to provide new evidence or sufficient justification, he/she may lodge an appeal in writing against the school's decision within 14 days from the date of its reply.

(iii) Appeal Stage

- Assign appropriate staff of a higher rank than those responsible for the investigation stage, or staff from a different section, to handle the appeal and reply to the complainant.
- Complete the investigation within two months after receiving the request for appeal, and send a written reply to inform the complainant of the appeal result.
- If the complainant accepts the appeal result, conclude the case officially.
- If the complainant does not accept the appeal result or the way the school handled the appeal, the school would cautiously review the appeal process to ensure that proper procedures have been followed.

(iv) Review of Complaints

Complainants or relevant organisations (including schools/) may request the "Review Board on School Complaints" set up by EDB to review the cases under the following circumstances:

- The complainant provides substantial grounds or new evidence to

- show that the school/EDB has handled the case improperly.
- The complaint has been properly dealt with through established procedures by the school/EDB but the complainant refuses to accept the investigation result and continues to complain.

(VII) Arrangements for Handling Complaints

(i) Designated staff

- Taking into account the nature of the complaint, its scope and the people involved, the school may assign a designated staff or set up a task force to handle the complaint. (see Table below)

Targets involved	Investigation stage	Appeal stage
Teaching and school staff	Senior teacher	Vice Principal
	Vice Principal	Principal
	Principal	Supervisor
Principal	Supervisor/SMC member assigned by Supervisor	Designated staff of school sponsoring body
	SMC Investigation Task Force	Supervisor / SMC Appeal Task Force
Supervisor / SMC	Designated staff of school sponsoring body/ Task force	Designated staff of school-sponsoring body/ Task force

(ii) Confidentiality

- All contents and information of complaints would be kept strictly confidential and restricted to internal reference or reference by relevant persons only.
- When the school needs to collect personal data during the handling process or when there are requests for the disclosure of data/records in respect of the complaint case, the school would observe the regulations and recommendations laid down in the Personal Data (Privacy) Ordinance.
- Only authorised persons are allowed access to information relating to the case. They should not disclose or discuss in public any contents or information relating to the case without authorisation.
- To avoid misunderstanding, schools would state clearly whether the person(s) concerned can be accompanied by others (e.g. relatives, legal representatives) during the interview/meeting and reiterate this

stance before the interview/meeting starts.

- Before the interview/meeting starts, the school would state whether audio/video recording is prohibited or whether the consent of all attendees must be obtained if the session is to be audio/video recorded. This stance would be reiterated before the end of the interview/meeting.

(VIII) Handling of Unreasonable Behaviour

(i) Definition of unreasonable behaviour

Unreasonable attitude or behaviour, such as:

- Acts of violence or intimidation.
- Making complaints with abusive language or in an insulting and discriminatory tone.
- Providing false data or deliberately concealing facts.

Unreasonable demands, such as:

- Requesting a huge amount of information or demanding special treatment.
- Making telephone calls incessantly to ask for a dialogue or an interview, or to command a certain staff member to reply.
- Commanding a certain staff member to meet at a specific time and place.

Unreasonable persistent complaints, such as:

- Insisting on rejecting the explanations and findings of the school/EDB, and/or requiring the school/EDB to discipline certain person(s), even after appropriate investigation procedures have been taken.
- In respect of the same case, repeatedly making the same complaints or presenting similar justifications as before without providing any new evidence.
- In respect of the same case, persistently bringing in new allegations or new complaint targets, but failing to present concrete evidence.
- Interpreting things in an unreasonable or irrational manner, or wrangling over trivial details.

(ii) Handling of unreasonable behaviour

Unreasonable attitude or behaviour

- The staff member handling the complaint would convey clearly to the complainant that such attitude or behaviour is unacceptable, and demand that he/she stop acting in such a way. If the complainant

refuses to comply after the warning, the staff member may terminate the meeting or conversation with him/her.

- Schools would empower the staff member to make decision, depending on the situation, on whether to terminate the interview or dialogue with the complainant and ask the complainant to leave, if his/her behaviour poses an immediate threat to the staff's personal safety or damages their personal interests. In an emergency or if it is deemed necessary, the school should take appropriate and decisive action, such as reporting to the police or taking legal action.

Unreasonable demands

- The school may consider putting restrictions on the complainant's contacts with the school, including specifying the time, frequency, date, duration and modes of communication (for example, requiring the complainant to make an appointment before visiting the school, submit his/her views in writing, or contact only with the staff designated by the school). The school would notify the complainant in writing of such arrangements and handling procedures.

Unreasonable persistent complaints

- If the school has carefully examined the case and handled it properly under the prescribed investigation and appeal procedures, and sent a detailed and unbiased written explanation regarding the outcome to the complainant, the school may decide whether to restrict or stop contacts with the complainant, and cease handling the case altogether.

Examples of Complaints Relating to Daily Operation and Internal Affairs of Schools*

Domain	Examples
Management and Organisation	<ul style="list-style-type: none"> • School accounts (e.g. accounting records) • Other charges (e.g. extra-curricular activities charges and registration fees) • School policies (e.g. system of reward and penalty, arrangements regarding students' suspension from school) • Standards of contractors' services (e.g. school bus services, supply of meal boxes) • Service contracts (e.g. tendering procedures) • School environment and hygiene (e.g. noise pollution, mosquitoes problems)
Learning and Teaching	<ul style="list-style-type: none"> • School-based curriculum (e.g. subject lesson time) • Selection of subjects and class allocation (e.g. arrangements for students' choice of subjects) • Homework (e.g. amount of homework , school-based assessment criteria) • Students assessment (e.g. assessment criteria) • Staff performance (e.g. behaviour/attitudes of teaching staff, job performance)
School Ethos and Student Support	<ul style="list-style-type: none"> • School ethos (e.g. uniform and other aspects of appearance) • Home-school cooperation (e.g. consultation mechanism, communication channels) • Student support (e.g. support for students with special educational needs) • Extra-curricular activities (e.g. arrangements for interest groups and other student activities)
Student Performance	<ul style="list-style-type: none"> • Students' overall performance (e.g. academic results, conduct) • Student discipline (e.g. foul and abusive language, smoking, fighting, bullying)

* Schools should handle complaints about daily operation and internal affairs in accordance with the Education Ordinance, Education Regulations, Codes of Aid, relevant circulars, guidelines and codes of practice listed in paragraph 1.1(i) of the Guidelines to ensure compliance with the respective requirements.

Appendix 2

Sample Acknowledgement Letter (1)

[For cases where complainants have provided their personal particulars and no referral is needed.]

DD MM YYYY

Name of the complainant

Address of the complainant

Dear Mr/Ms *XX:

We received your written/verbal* complaint on DD MM YYYY. The case is being investigated and a reply will be sent to you within XX days/as soon as possible.

If you have any inquiries, please contact Mr/Ms X (Teacher/Panel Chairperson/Vice Principal*) at XXXXXXXX (telephone number).

(Signature)

Principal of XXXXXXX School /
Name and post
of the designated staff*

* Please delete where inappropriate

Sample Acknowledgement Letter (2)

[For cases where referral of the complaint to a third party (e.g. government departments or contractors of school services) is needed.]

DD MM YYYY

Name of the complainant

Address of the complainant

Dear Mr/Ms* XX:

We received your written/verbal* complaint on DD MM YYYY. To facilitate our investigation and follow-up, please fill in the reply form attached and send it to us before DD MM YYYY. We will notify you of the outcome when the investigation is completed.

If you have any inquiries, please contact Mr/Ms X (Teacher/Panel Chairperson/Vice Principal*) at XXXXXXXX (telephone number).

(Signature)

Principal of XXXXXXX School /

Name and post
of the designated staff*

* Please delete where inappropriate

Sample Acknowledgement Letter (2)
Reply Form

To: Name of School

File No.: (if applicable)

Name of the complainant: Mr/Ms _____

[Please write the name as appears on your HK I.D. Card]

Correspondence Address: _____

Contact No.: _____

I understand that the personal information provided above will only be used for investigating the complaint.

To assist the school in handling this complaint, I agree that:

1. The school may forward copies of the complaint and other information I present to relevant persons/ organisations; and
2. The school may ask relevant persons/organisations for my personal details and other information related to this complaint.

Date

Signature of the complainant

Item that must be completed.