

PUI TAK CANOSSIAN COLLEGE

Guidelines for Handling School Complaints

I. Objects

- 1.1 To formulate a school-based mechanism and procedures for handling complaints from the public.
- 1.2 To build up a strong communication culture.

II. Scope of Application

- 2.1 The Guidelines are applicable to the handling of the complaints about the daily operations and internal affairs of schools (Appendix I) lodged by parents, students or the public through various means, including post, fax, email, phone or in person.
- 2.2 To ensure compliance with respective requirements, the school should at the same time refer to the relevant circulars, guidelines and codes of practice when handling complaints of different nature or complaints related to legislations other than Education Ordinance. (Appendix II)
- 2.3 The Guidelines are not applicable to handling of the following types of complaints:
 - ◆ Complaints relating 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 (if a school receives any such complaints,

it should handle them in accordance with the specifications of the school-based or the sponsoring body's mechanism and guidelines for staff complaints [if applicable]; if the EDB receives such complaints, it will handle them in accordance with the current procedures and reply to the complainant direct.)

2.4 The School **needs not handle** the following types of complaints:

◆ **Anonymous complaints:**

- Should the complainant fail or refuse to provide his/her name, correspondence and contact phone number, his or her complaint will be deemed anonymous. In such a situation, the school needs not take any action. If follow-up actions are considered unnecessary, the school should briefly state the reasons and put the case on file.
- When there is sufficient evidence or when the case is serious or urgent, the school may decide whether to follow up on an anonymous complaint by treating it as a matter for internal reference, informing the respondent about the complaint, or take relevant remedial and enhancement measures.

◆ **Complaints not made personally by the complainant**

- Anyone (including organisations/ groups/ district councilors) who seeks to file a complaint on their behalf has to obtain their prior written consent. If the complainant happens to be a student (or a minor, or an intellectually disabled person), then the complainant's parents/guardian, or the person authorized by the parents/guardian, may lodge a complaint on his/her behalf.
- If a complaint is lodged by more than one person on behalf of the person concerned, the school may require the person concerned to

appoint one of them as the contact person.

- Sometimes a complaint is lodged on behalf of the person concerned or referred by other organisations/groups such as Legislative councillors, district councillors, trade unions or the media. If the organisation/group has obtained prior written authorisation from the person concerned, the complaint is to be handled in accordance with the prescribed procedures.
- ◆ **Complaints involving any incidents which have occurred for more than one year**
 - Normally, the time limit for lodging a complaint should be one calendar year.
 - The school may decide whether to conduct an investigation under special circumstances, even though the incident has taken place for more than one year, e.g. when there is sufficient evidence, or when the nature of the complaint is serious and urgent.
- ◆ **Complaints with insufficient information.**

III. Guiding Principles for Handling Complaints

3.1 Timely and efficient handling

- ◆ The school should handle and respond to all verbal or written inquiries, opinions or complaints as soon as possible to prevent any uninviting situation from worsening.
- ◆ When there is an inquiry/a complaint, the frontline staff should either directly handle it themselves or immediately refer it to the designated staff/task group, or seek help from their seniors.

3.2 If an incident is reported or referred to the school by the media, the school should

- ◆ appoint a spokesman (e.g. the vice-principal) to handle inquiries from the public/the media so as to avoid giving confusing messages;
- ◆ provide appropriate responses or clarifications to the public as soon as possible (within one or two days), including information about actions taken or preliminary investigation results, and the information provided should be clear, accurate and in line with the Personal Data (Privacy) Ordinance;
- ◆ inform all teaching staff, students and parents of the progress of the case as far as possible, and special attention be paid to the emotional reactions of students and staff. Counselling services should be provided where necessary.

3.3 Clear and transparent mechanism

- ◆ The school should communicate the relevant procedures and details to parents and staff.
- ◆ The school should ensure that all staff responsible for handling inquiries and complaints are familiar and comply with relevant policies and guidelines.

3.4 Fair and impartial handling

- ◆ The school should approach complaints positively, and treat the complainants and the persons being complained about fairly. Schools should ensure that sufficient appeal channels are provided and consider, if necessary, inviting independent persons to participate in the complaint/appeal handling process.
- ◆ The designated staff and related individuals should declare interests. If

there is any conflict of interest, the persons concerned are obliged to abstain from handling the case or accessing information relating to the case.

- ◆ To avoid conflict of interest, staff members who happen to be the respondent of the complaint should not be involved in handling the case, supervising the investigation, or signing and issuing letters to the complainant.
- ◆ The school should see to it that the rights of the complainants or other persons involved in the complaint are ensured and that their future communication with the school would not be affected.

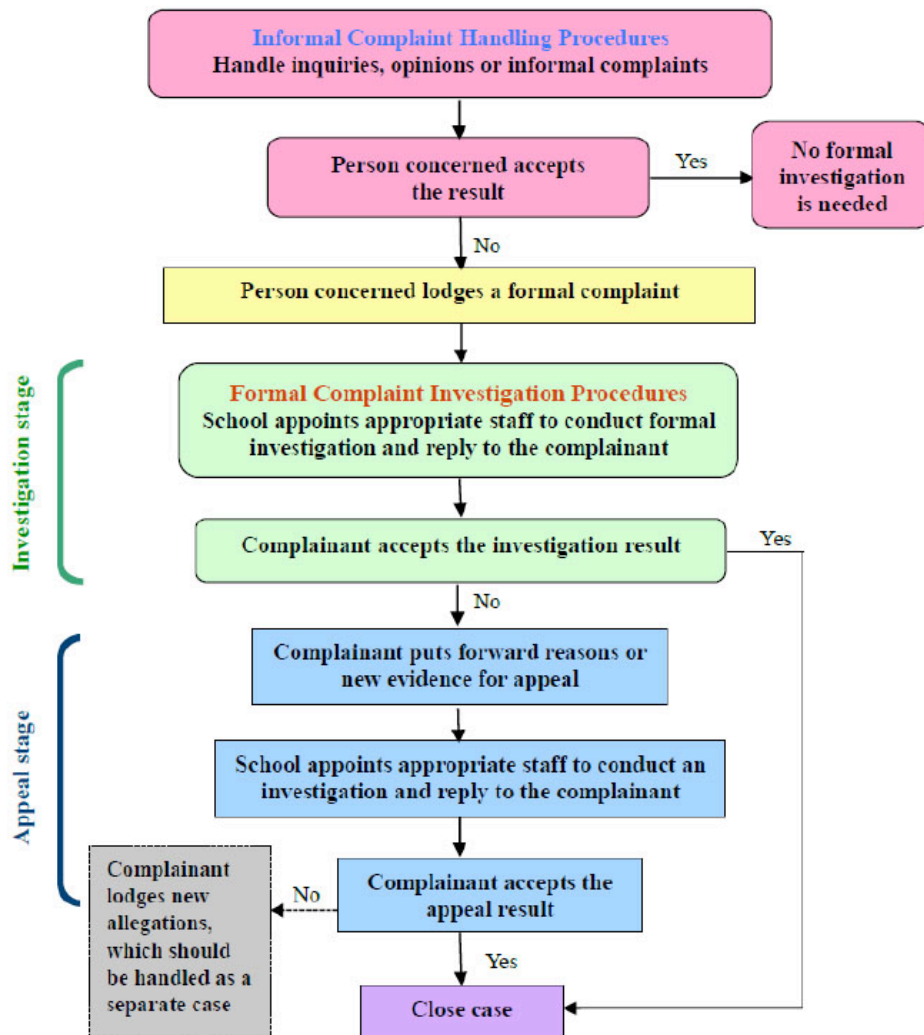
IV. Procedures for Handling Complaints

4.1 Informal Complaint Handling Procedures

- ◆ If the school receives an inquiry, opinion or informal complaint, the frontline staff should listen to the inquirer/complainant with care. They should provide whatever information required and promptly help resolve the inquirer's/complainant's problems.
- ◆ If necessary, the frontline staff should seek support by referring the case to the school staff in charge of the inquiry or senior officer for prompt follow up actions and resolutions.
- ◆ For verbal inquiries/opinions/complaints, verbal replies will suffice. If the complaint or appeal is presented in written form, schools should respond with a written reply.
- ◆ An initial response is to be given within two days.
- ◆ A summary relating to each interview or direct talk is to be made and reported to the principal. (Appendix III.)

- ◆ The principal should record the key points in a log book for future reference.
- ◆ The school should review whether policies or procedures regarding complaints have been properly followed and suggest appropriate measures to improve the handling of similar cases or prevent similar cases from arising again in the future.

Diagram 1: Flowchart of School Complaint Handling Procedures



4.2 Formal Complaint Investigation Procedures

- ◆ In accordance with the school-based mechanism, appropriate staff should be assigned to investigate the complaint and reply to the complainant.
- ◆ Acknowledge receipt of the complaint should be issued within 3 days, the complainant's consent be sought to obtain his/her personal data and information relevant to the complaint (Appendixes IV and V).
- ◆ If necessary, the complainant and other persons involved are to be contacted or an interview be arranged with them to have a clear grasp of the situation or request relevant information.
- ◆ The complaint is to be handled and resolved as quickly as possible (within two months).
- ◆ If the complaint or appeal is in written form, the school should respond with a written reply. If the complaint is made verbally, the responsible staff may decide whether to respond orally or in writing. If the case is referred by the EDB/other organisation(s), a copy of the written reply should be forwarded to them for reference.
- ◆ If the complainant accepts the investigation result, the case is officially concluded.
- ◆ If the complainant does not accept the investigation result, and is able to provide new evidence or sufficient justification, the complainant may lodge an appeal against the school's decision in writing within 14 days from the date of its reply.
- ◆ With appeal cases, the school should assign 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.
- ◆ The appeal should be handled and resolved as quickly as possible (within

two months), and a written reply be sent to inform the complainant of the appeal result.

- ◆ If the complainant accepts the appeal result, the case is officially concluded.
- ◆ If the complainant does not accept the appeal result or the way the appeal was handled, the school may seek opinion and support from the Incorporated Management Committee or the Education Bureau.
- ◆ The school may consider the nature of individual cases and decide whether it is appropriate to adopt different means to promptly find solutions and resolve conflicts. This includes seeking assistance from a mediator, and inviting independent persons/professionals to provide impartial and informed views to assist the persons concerned.
- ◆ If the complainant raises other new allegations, the school should handle them separately in order to avoid mixing up the old complaints with the new ones.
- ◆ The school should keep a clear record of cases handled through the formal complaint investigation procedures (Appendix VI).
- ◆ At the end of the investigation/appeal stage, the school should review whether the complaint handling policies and procedures are appropriate, and suggest proper measures to improve the method of handling and to prevent similar incidents from recurring. The staff in charge should inform the person(s) concerned of the school's follow-up actions and outcome of the review.

V. Arrangements for Handling Complaints

5.1 Designated staff

- ◆ Different staff members should be deployed to handle the investigation and appeal stages. In principle, the staff dealing with the appeal stage should be of a higher rank than those responsible for the investigation stage. If this is not possible, schools should make other arrangements, such as appointing staff from another department, to re-investigate the case to ensure fairness:

Targets involved	Investigation stage	Appeal stage
Teaching and school staff	Senior Teacher/ Vice Principal/ Principal	Vice Principal/ Principal/ Supervisor
Principal	Supervisor	IMC Task Force/ School-sponsoring Task Force
Supervisor / IMC	School-sponsoring Task Force/ IMC Task Force	School-sponsoring Task Force/ IMC Task Force
School Policies, Learning and Teaching, Student Affairs	Staff in charge of the complaint or inquiry	Staff of a higher rank

5.2 Confidentiality

- ◆ All contents and information of complaints should be kept strictly confidential and restricted for internal reference, or to relevant persons, only. The school should ensure that only authorised persons are allowed access to information relating to the case.
- ◆ If the school needs to collect personal data during the handling process, the data will only be used for handling the complaint or appeal. The responsible persons should not disclose or discuss in public any contents or information relating to the case without authorisation.

- ◆ When the school receives requests for the disclosure of data/records in respect of the complaint case, the regulations and recommendations laid down in the Personal Data (Privacy) Ordinance should be observed.
- ◆ The school should:
 - upon the request of the person(s) concerned, state clearly whether he/she/they can be accompanied by others (for example, relatives, legal representatives) for the interview/ meeting;
 - state clearly before the interview/ meeting that audio/ video recording or photo-taking is not permitted.

VI. Handling of Unreasonable Behaviour

6.1 Definition of unreasonable behaviour

- ◆ **Acting unreasonably or showing unreasonable attitudes**, such as:
 - acting violently or making intimidations;
 - making complaints with abusive language or in a disparaging and insulting tone;
 - providing false data or deliberately concealing facts.
- ◆ **Making 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 specify a certain person to reply;
 - requesting to meet with a certain staff member at a certain time and place.

- ◆ **Persistently making unreasonable complaints**, such as:
 - Insisting on rejecting the explanations and findings of the school/EDB, and/or persistently requiring the school/EDB to discipline certain person(s), even after appropriate investigation procedures have been undertaken.
 - repeatedly making the same complaints as already lodged or presenting similar justifications as before, or persistently adding new matters or persons to the case for complaint, but failing to present concrete evidence.
 - interpreting things unreasonably or irrationally, or wrangling over trivial details.

6.2 Handling of unreasonable behaviours

- ◆ **Acting unreasonably or showing unreasonable attitudes**
 - The staff should state clearly that such behaviour or attitudes are not acceptable, and demand that he/she stop acting in such a way. If the complainant refuses to comply, the staff may terminate the meeting or conversation.
 - The staff responsible for handling complaints should stay alert and take suitable action to protect themselves. The staff can terminate the interview or communication, and ask the complainant to leave, if his/her behaviour poses an immediate threat to the staff's personal safety or if it seeks to cause damage to their personal interests. In the case where the situation is urgent or it is deemed necessary, the school will take appropriate and decisive action, such as reporting to the police or taking legal action.

◆ **Making unreasonable demands**

- The school may consider restricting contact with the complainant if he/she interrupts its operation/ services, by specifying the time of meeting, frequency, date, duration and modes of communication. The school must notify the complainant in writing of such arrangements and handling procedures.

◆ **Persistently making unreasonable complaints**

- To avoid any unrealistic expectations on the part of the complainant, the school should communicate to him/her in firm and absolute terms that a final decision has been made regarding the case and that the decision is irreversible.
- The school may send a “Reply Card” to the complainant, referring him/her to the reply previously given, and reiterate that the school will neither respond to the same complaint nor contact him/her again (Appendix VII).

VII. Review of the Guidelines for Handling School Complaints

- 7.1 Annually, probably at the end of the school year, review and revise the complaint handling policies and guidelines if necessary.

(Revised in May 2016)

EDB Relevant Circulars

- ◆ Complaints about child abuse: EDB Circular No. 1/2012 “Handling Child Abuse and Domestic Violence Cases”
- ◆ Complaints about disability discrimination: EDB Circular No. 14/2001 “Commencement of the Code of Practice on Education”; and “Disability Discrimination Ordinance Code of Practice on Education” issued by the EOC
- ◆ Complaints about equal opportunities: EDB Circular No. 33/2003 “The Principle of Equal Opportunities”
- ◆ Complaints about gender discrimination and sexual harassment: EDB Circular No. 2/2009 “Amendment to the Sex Discrimination Ordinance (Cap. 480)” and “Questions and Answers on Preventing Sexual Harassment in Schools” issued by the EOC
- ◆ Complaints about race discrimination: EDB Circular No. 25/2008 “Race Discrimination Ordinance” and booklet on “Racial Equality and School Uniform” issued by the EOC
- ◆ Complaints about procurement of services and goods (such as school bus service, provision of meal boxes, etc.): EDB Circular No. 4/2013 “Procurement Procedures in Aided Schools”, EDB Circular No. 24/2008 “Trading Operations in Schools”, and “Corruption Prevention Best Practice: Governance and Internal Control in Schools” and “The Integrity Management for Schools – A Practical Guidebook for School Staff” issued by the Independent Commission against Corruption (ICAC)
- ◆ Complaints about acceptance of advantages and donations: EDB Circular No. 14/2003 “Acceptance of Advantages and Donations by Schools and their Staff”

Complaints Relating to Daily Operations 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) ● Policies (e.g. system of reward and penalty, arrangements regarding students' suspension from school) ● Standards of contractor 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. lesson time of individual subjects) ● 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)

Sample Record Sheet of Cases Handled by Informal Procedures

<i>Date of enquiry/complaint:</i> _____		<i>Time :</i> _____ am/pm	
<i>Mode :</i>	<input type="checkbox"/> Call the General Office	<input type="checkbox"/> Call the Principal/ Deputy Head/ Class Teacher/ Responsible Teacher*	
	<input type="checkbox"/> In person	<input type="checkbox"/> By e-mail/ fax*	<input type="checkbox"/> Others (Please specify: _____)
<i>Name of the Enquirer/ Complainant :</i> _____			
<i>Role of Complainant :</i>	<input type="checkbox"/> Parent	<input type="checkbox"/> Student	<input type="checkbox"/> Other (Please specify: _____)
<i>Contact information (by telephone/ fax /e-mail*) :</i> _____			
<i>Enquiries/Concern(s) :</i> _____ _____			
<i>Information/ Document attached :</i> <input type="checkbox"/> No <input type="checkbox"/> Yes (Please specify: _____)			
<i>Action Taken :</i>	<input type="checkbox"/> Contacted by phone	<input type="checkbox"/> Interview	<input type="checkbox"/> Others (Please specify: _____)
<i>Result :</i>	<input type="checkbox"/> Enquirer/ Complainant accepted the reply. No further action is required.		
	<input type="checkbox"/> Others (Please specify: _____)		
<i>Signature of Senior Teacher/Responsible Person :</i> _____ <i>Date :</i> _____			
<i>(Name/ Post)</i>			
* Please delete where inappropriate			

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 work, 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 photocopy the complaint and other information I present, and forward the copies 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.

Sample Complaint Record

Date received _____

Source: Directly lodged to the school

Referred by the EDB

Referred by other organisations:

Mode: Phone Letter Email Fax In person

Others: _____

Personal information of the complainant:

Name: Mr/ Ms/ Mrs _____

Identity: Parent Councillor Public

Organisation _____

Others _____

Authorised representative of the complainant (please state the name, address and contact telephone number of the representative and his/her relation with the complainant): _____

Tel: _____ Fax: _____ Email: _____

Address: _____

Subject(s) of complaint:

Principal Teacher Staff

Others: _____

Areas of Complaint:

Management and Organisation Learning and Teaching

School Ethos and Student Support Student Performance

Others _____

Summary of complaint:

Investigation stage

Person-in-charge _____

Issue of Notice of Acknowledgement (date: _____)

Telephone contact (date: _____)

Interview with the complainant (date: _____)

Issue of written reply (date: _____)

Summary of findings:

Appeal stage (if applicable)

Date of appeal: _____

Person-in-charge: _____

Issue of Notice of Acknowledgement (date : _____)

Telephone contact (date : _____)

Interview with the complainant (date: _____)

Issue of written reply (date: _____)

Summary of appeal result:

Follow-up actions or recommendations (if applicable)

Signature of person-in-charge: _____

Sample Reply Card

DD MM YYYY

Name of the complainant

Address of the complainant

Dear Mr/Ms* XX:

We received your letter dated DD MM YYYY. Our assessment of the complaint you lodged has been detailed in our reply/ replies dated DD MM YYYY (and dates of other replies [if applicable]). We consider this case closed, and no further contact/ reply will be made.

(Signature)

Principal

XXXXXXXXXX School/

Name and post of the designated staff*

* Please delete where inappropriate