

Summary of School-based Complaint Handling Mechanism

**(1) Aim**

- Building a Culture of Communication
- Handling Complaints in a Positive Manner
- Formulating a School-based Mechanism
- Enhancing Effectiveness of Governance

**(2) Scope of Application**

2.1 About the daily operation and internal affairs of schools

2.2 Complaints about the Education Ordinance, education policies and services provided by the EDB

2.3 In general, schools **need not** handle the following types of complaints:

2.3.1 Anonymous complaints

2.3.2 Complaints not made by the person concerned

2.3.3 Complaints involving incidents that happened more than one year

2.3.4 Complaints with insufficient information

**(3) Procedures for Handling Complaints**

Informal Complaint Handling Procedures:

- School would handle inquiries or complaints efficiently and appropriately to remove misunderstandings and forestall crises.
- The frontline staff would listen to the concerns of the inquirer/complainant with care and understanding. If the incident is not serious, they should provide whatever assistance or information required or promptly respond to the concerns raised by the inquirer/complainant and help resolve the problems involved.
- 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.
- The school may, according to its own situation, set a time limit for an initial response (e.g. within two days).
- For verbal inquiries/opinions/complaints handled by the informal complaint handling procedures, oral replies will suffice and written replies are normally not required.

Formal Complaint Investigation Procedures:

If 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 following formal complaint

investigation procedures (including an appeal mechanism) should be initiated:

(i) Investigation stage

- in accordance with the school-based mechanism, 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 in order to have a better grasp of the situation or request them to provide relevant information;
- handle the complaint as quickly as possible (It is suggested that schools complete their 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; and
- 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.

(ii) Appeal stage:

- in accordance with the school-based mechanism, 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;
- handle and resolve the appeal as quickly as possible (It is suggested that schools complete their 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 should cautiously review the appeal process to ensure that proper procedures have been followed.

#### (4) Arrangements for Handling Complaints

Designated staff :

Targets involved	Example	Investigation stage	Appeal stage
Teaching and school staff	1	Senior teacher	Vice Principal
	2	Vice Principal	Principal
	3	Principal	Supervisor
Principal	1	Supervisor	Designated staff of school sponsoring body #
	2	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

#### (5) Review of Complaints

If complaints remain unresolved after the investigation and appeal stages. Complainants or relevant organisations (including schools/the EDB) may request the “Review Board on School Complaints” (Review Board) to review these 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.

#### (6) Handling of Unreasonable Behaviour

School would develop appropriate policies and measures to handle unreasonable behaviour to ensure that our operation would not be affected. Complainants’ unreasonable behaviour can generally be classified into the following three types:

(i) 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

(ii) 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
- (iii) 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

-The End-