

# ECF Saint Too Canaan College

## Guidelines for Handling School Complaints

### Building a Culture of Communication

Education is greatly valued in Hong Kong. With the advancement of society, people become more aware of their own rights and interests, and have growing expectation that schools should provide quality education to nurture future generations. They place a premium on the quality of management and services that schools provide. Key stakeholders, especially parents, consider the holistic development of students imperative. They often make inquiries and provide feedback and suggestions regarding the performance of schools. It is therefore vital for us to maintain good communication with the stakeholders. In addition to providing effective communication channels, we will also encourage parents, students and staff to make good use of them to express their views and feelings, so as to build up mutual trust and confidence and avoid any unnecessary misunderstanding.

### I Scope of Application

1. The guidelines are applicable to the handling of the following complaints lodged by parents, students, or the public through various means, including post, fax, email, phone or in person:
  - **Complaints about the daily operation and internal affairs of schools**
    - A We will 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 to ensure compliance with the relevant requirements.
2. The Guidelines are **not applicable** to handling of the following types of complaints:
  - A Complaints related to ongoing legal proceedings;
  - A Complaints under the jurisdiction of other organisations/government departments;
  - A Complaints governed by other ordinances or statutory regulations such as complaints against corruption, fraud or theft;
3. In general, schools **need not handle** the following types of complaints:
  - 3.1. Anonymous complaints**
    - A 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. If in doubt, the school may

request the complainant to show his/her identity documents. Should the complainant fail or refuse to provide these personal details, thus rendering it impossible for the school to investigate the complaint and reply in writing, the complaint will be deemed anonymous and we may not handle it.

- A However, under special circumstances (e.g. when there is sufficient evidence or when the case is serious or urgent), the middle or senior management may decide whether to follow up with an anonymous complaint, such as treating it as an internal reference, informing the respondent about the complaint, or taking appropriate remedial and improvement measures.

### **3.2. Complaints not made by the person concerned**

- A Generally speaking, 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. If the case involves a student (or a minor, or an intellectually disabled person), then his/her parents/guardian, or the person authorised by the parents/guardian, may lodge a complaint on his/her behalf.
- A If a complaint is lodged by more than one person on behalf of the person concerned, we may require the person concerned to appoint one of them as the contact person.
- A 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. We will handle the complaint in accordance with our prescribed procedures if the organisation/group has obtained prior written authorisation from the person concerned.

### **3.3. Complaints involving incidents that happened more than one year**

- A Normally, complaints related to the daily operation of schools should be lodged within the same school year. If the incident involved had happened more than one year, the environment might have changed or evidence might have disappeared, or the complainant/respondent might have already left his/her post or the school. The school will not be able to investigate the complaint because of the difficulty in collecting evidences. To provide greater flexibility, the one-year limit within which a complaint may be lodged should be one calendar year from the occurrence of the incident involved.
- A Even though the complaint is filed after the incident had taken place more than one year, we may decide to conduct an investigation under special circumstances, e.g. when there is sufficient evidence, or when the nature of the complaint is serious and urgent.

### **3.4. Complaints with insufficient information**

Our school may require the complainant to provide concrete information regarding a case. If the complainant fails to provide sufficient information to allow investigation to proceed, schools may not handle the complaint concerned.

## **II Guiding Principles for Handling Complaint**

### **1. Timely and efficient handling**

- 1.1. Schools should handle and respond to all verbal or written inquiries, opinions or complaints as soon as possible to prevent any uninviting situation from worsening. Upon receipt of an inquiry/a complaint, the frontline staff should either directly handle it or immediately refer it to the designated staff/task force for action. If the responsible staff cannot resolve the problem, they should seek help from their seniors.
- 1.2. If an incident is referred or reported to the school(s) by the media, we will adopt the following measures:
  - À appoint a spokesman (e.g. the vice-principal) to handle inquiries from the public/the media so as to avoid giving confusing messages.
  - À provide appropriate responses or clarification to the public as soon as possible (within one or two days), including information about actions taken or preliminary investigation results, and ensure that the information provided is clear, accurate and in line with requirements under the Personal Data (Privacy) Ordinance.
  - À inform all teaching staff, students and parents of the progress of the case as far as possible; observe whether students and staff have been emotionally affected by the incident; and provide them with appropriate counselling where necessary.

### **2. Clear and transparent mechanism**

- 2.1 The opinions of different stakeholders such as staff and parents will be considered in formulating these guidelines.
- 2.2 The details of the guidelines will be announced through different channels, e.g. school websites, circulars, student handbooks, staff meetings, parent-teacher meetings etc.
- 2.3 New students and their parents will be informed of the guidelines through school circulars issued at the beginning of each school year.
- 2.4 Our school will regularly review the complaint handling guidelines by

consulting our staff and parents.

### **3 Fair and impartial handling**

3.1. We should approach complaints positively and treat the complainants and respondents of the complaints fairly. We will provide sufficient appeal channels and consider inviting independent persons to participate in the complaint/appeal handling process, if necessary.

3.2. Before an investigation begins or where appropriate, the designated staff and related individuals should declare interests. If there is any conflict of interest, the persons concerned should not be involved in handling the case or have access to information relating to it.

3.3. To avoid conflict of interest, any staff member who is the respondent of the complaint should not be involved in handling the case, supervising the investigation, or signing and issuing letters to the complainant.

3.4. We will ensure that the rights of the complainants or other persons involved in the complaint is being protected and that their future communication and contact with the school will not be affected.

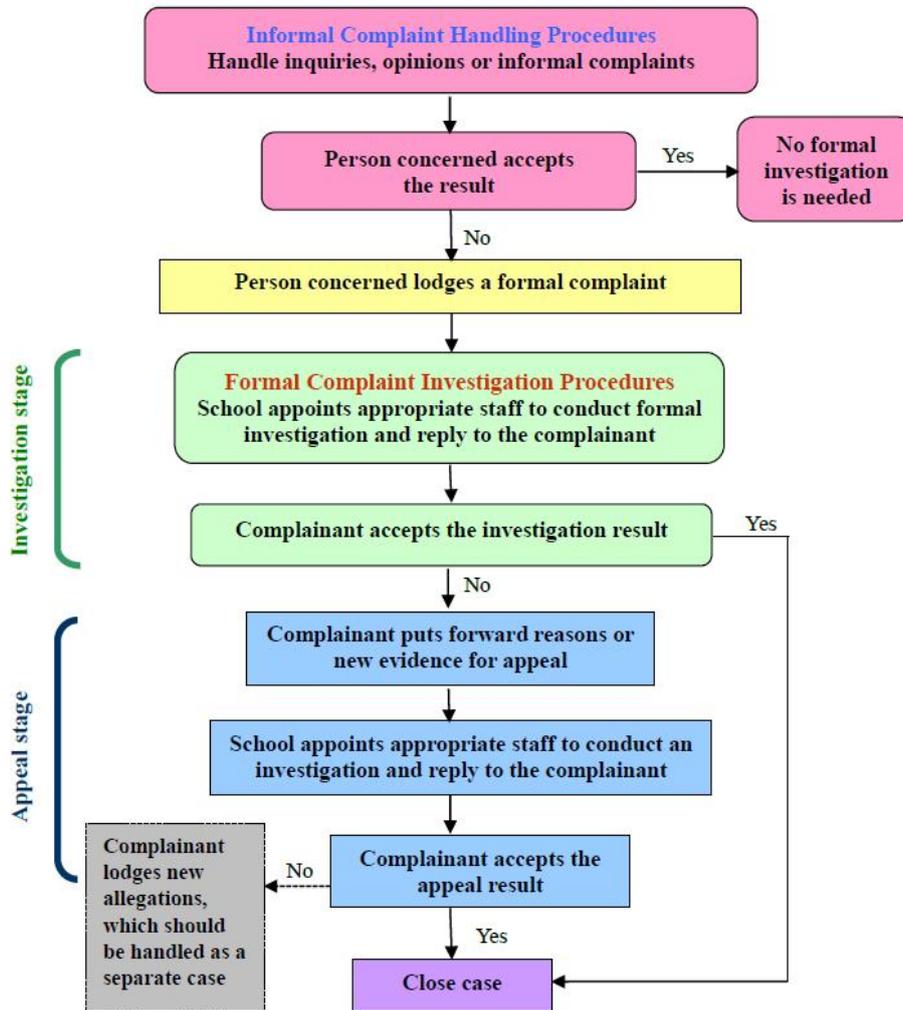
## **III Procedures for Handling Complaints**

### **1. Interpretation of Complaints**

1.1. To avoid confusion in the handling process, the frontline staff of schools should carefully differentiate between concerns and complaints. A concern refers to the inquiry or opinion expressed by the stakeholders for the interests of themselves, their children or the school, with a view to changing or improving the existing situation. A complaint is an expression of disappointment, dissatisfaction or grievance expressed by the complainant. They may demand the school to rectify its mistakes, take disciplinary action against the suspected offenders, or resolve the issue(s) raised in the complaint. The responsible staff should avoid mixing up concerns with complaints in order to decide the appropriate procedures to handle them.

1.2. In general, unless the person concerned insists on making a formal complaint, the responsible staff can promptly provide assistance or help resolve his/her problem by following the informal complaint handling procedures. Please refer to the following flowchart of complaint handling procedures:

**Diagram 1: Flowchart of School Complaint Handling Procedures**



## 2. Informal Complaint Handling Procedures

### 2.1. Immediate/prompt handling

- Ā Having received an inquiry, opinion or informal complaint from the public, whether verbal or written, the frontline staff should clearly distinguish its nature and take appropriate action. In general, if the case does not require an investigation involving evidence collection, or the person concerned does not request a formal written reply, the frontline staff may handle the matter following the informal complaint handling procedures of the school.
- Ā The frontline staff should 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 responds 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.

⌘ If necessary, the frontline staff should refer the case to a designated staff or a senior officer for prompt follow up actions and resolutions.

⌘

## 2.2. Replying to complaints

For verbal inquiries/opinions/complaints handled by the informal complaint handling procedures, oral replies will suffice and written replies are normally not required. For opinions/complaints which are presented in written form or if the school wishes to make clear its stance or provide necessary details, the responsible staff may decide whether a simple written reply to the person(s) concerned/complainant is appropriate.

## 2.3. Complaint records

Cases handled by the informal complaint handling procedures normally need not be documented in formal written records.

## 2.4. Appropriate follow-up

We will review whether the guidelines or procedures regarding complaints have been properly followed and suggest appropriate measures to improve the handling of similar cases or prevent similar cases from recurring. If necessary, the responsible staff may brief the person(s) concerned on the follow-up actions that the school has adopted.

# 3. Formal Complaint Investigation Procedures

## 3.1. Arrangements for the investigation and appeal stages

If we have made our 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

Having received any formal complaints (including those referred by the EDB or other organisations), we will handle them according to the following procedures:

⌘ 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. Samples of Acknowledgement Letters are provided in Appendixes I and II;

- Ⓐ 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

We will adopt the following procedures with appeal cases:

- Ⓐ 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, we should cautiously review the appeal process to ensure that proper procedures have been followed.
- Ⓐ if the complainant raises other new allegations, we should handle them separately in order to avoid mixing up the old complaints with the new ones.

### **3.2. Resolving conflict through mediation**

When handling complaints, we may, having regard to the nature of individual cases, consider whether it is appropriate to adopt different means to resolve conflicts quickly. This includes seeking mediation service from a mediator, or inviting independent persons/professionals to provide impartial views to assist the persons concerned (including the complainants and the persons/organisations being complained against).

### **3.3. Responding to complaints/appeals**

If the complaint or appeal is in written form, schools should respond with a written reply. If the complaint is made verbally, the responsible staff may respond orally. If the case is referred by the EDB/other organisation(s), a copy of the written reply should be forwarded to them for reference.

Generally speaking, the time limit for replying to a complaint/appeal should start from the date on which it is received or when the complainant agrees to let the school have access to his/her personal data. If the information submitted is incomplete, the time limit should start from the date on which the school receives from the complainant the necessary information. If a reply cannot be given within the specified period, the school should explain to the complainant in writing why a longer handling time is needed.

### **3.4. Complaint/appeal records**

Schools should keep a clear record of cases handled by the formal complaint investigation procedures. A sample complaint record is given in Appendix III. The relevant information (including correspondences, investigation reports and interview records) will be filed.

### **3.5. Appropriate follow-up**

At the end of the investigation/appeal stage, we will review whether the complaint handling guidelines 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.

## Chapter IV Arrangements for Handling Complaints

### 4.1. Designated staff

Taking into account the nature of the complaint, its scope and the people involved, we will assign a designated staff or set up a task force to handle the complaint with reference to the following arrangements:

- ⌘ Staff members who are responsible for the appeal stage should be different from those responsible for the investigation stage. In principle, the staff dealing with the appeal should be of a higher rank than those responsible for the investigation. If this is not practicable, schools should make other arrangements, such as appointing staff from another department, to ensure fair handling.
- ⌘ Where necessary, schools/sponsoring bodies may establish a task force to handle special complaint cases. Depending on the situation, the task force may include members of the SMC and representatives from the school sponsoring bodies. To enhance credibility, the school may invite independent persons such as social workers, lawyers, psychologists, and parents or teachers not involved in the case to join the task force to provide professional advice and support.
- ⌘ The appointed staff should be proactive in communicating with the inquirers/complainants, and prompt in providing responses as well as the information they need. Schools should also ensure that frontline/designated staff have proper authorisation and clearly understand their roles and responsibilities.
- ⌘ The following table shows the deployment of staff for handling complaints at different stages:

Targets involved	Example	Investigation stage	Appeal stage
Teaching and school staff	1	KLA or functional group Head	Vice Principal
	2	Vice Principal	Principal
	3	Principal	Supervisor
Principal	1	Supervisor	Designated SMC member
	2	SMC Investigation Task Force*	Supervisor / SMC Appeal Task Force*
Supervisor / SMC		Designated staff of school sponsoring body <sup>#</sup> / Task force	Designated staff of school-sponsoring body <sup>#</sup> / Task force

<sup>#</sup> Designated staff could be the staff or the person in charge of the education office of the school sponsoring body.

\* If a complaint involves the Principal, the SMC investigation/appeal task force may include independent persons/managers.

## **4.2. Confidentiality**

4.2.1. All contents and information of complaints should be kept strictly confidential and restricted to internal reference or reference by relevant persons only.

4.2.2. Only authorised persons are allowed access to information relating to the case. The responsible persons should not disclose or discuss in public any contents or information relating to the case without authorisation.

4.2.3. The persons to be present at the interview or case meeting must be involved in the complaint and not to be accompanied by persons not involved in the complaint.

4.2.4. Audio/video recording is prohibited during the interview or case meeting.

## **4.3. Follow-up and evaluation**

4.3.1. We will conduct periodic review on the strategies, process and steps taken in handling complaints in order to benefit from past experiences, improve the way of handling, and avoid similar cases from recurring. The changes should be reported to the SMC.

4.3.2. We will take appropriate follow-up measures to improve the services or revise relevant policies for enhancement of professional standards of our services.

## **4.4. Support and training**

We will encourage staff to participate in trainings related to effectively handle inquiries/complaints, e.g. on communication, negotiation and mediation skills.

## **V Review of Complaints**

According to EDB instruction, we will inform complainants in the reply after the appeal that if they do not accept the result of their appeal or the way the appeal has been handled, they may apply in writing to the EDB for a review within 14 days from the date of our reply. In requesting a review, the complainant should state explicitly in the application the reasons for his/her discontent (e.g. the case has not been handled according to proper procedures or the investigation result is prejudiced) and provide substantial justifications or new evidence. The EDB will then forward the case to the Review Panel to decide whether a review should be conducted.

## VI Handling of Unreasonable Behaviour

6.1 Appropriate communication and mediation are conducive to removing misunderstanding and enhancing mutual trust. Under general circumstances, we will not put any restrictions on complainants making contact with the school. However, sometimes certain unreasonable behaviour of complainants may have a negative impact on schools, e.g. draining a considerable amount of the schools' human resources, interrupting their operations or services, as well as threatening the safety of staff and other stakeholders. We will adopt the following policies and measures to handle this kind of unreasonable behaviour to ensure that our operation will not be affected.

### 6.2. Definition of unreasonable behaviour

Complainants' unreasonable behaviour can generally be classified into the following three types:

- (i) Unreasonable attitude or behaviour, such as:
  - A Acts of violence or intimidation
  - A Making complaints with abusive language or in an insulting and discriminatory tone
  - A Providing false data or deliberately concealing facts
  
- (ii) Unreasonable demands, such as:
  - A Requesting a huge amount of information or demanding special treatment
  - A Making telephone calls incessantly to ask for a dialogue or an interview, or to command a certain staff member to reply
  - A Commanding a certain staff member to meet at a specific time and place
  
- (iii) Unreasonable persistent complaints, such as:
  - A 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
  - A In respect of the same case, repeatedly making the same complaints or presenting similar justifications as before without providing any new evidence
  - A In respect of the same case, persistently bringing in new allegations or new complaint targets, but failing to present concrete evidence
  - A Interpreting things in an unreasonable or irrational manner, or wrangling over trivial details

6.3 The School Principal is designated to ascertain whether a complainant's behaviour is reasonable, and whether follow up actions are needed. However, if the complaint is lodged against the principal, such decisions should be made by the school supervisor or the SMC.

#### **6.4. Handling of unreasonable behaviours**

While developing policies and measures to deal with unreasonable behaviour of complainants, schools may consider the following suggestions:

(i) Unreasonable attitude or behaviour

- A Any unreasonable attitude or behaviour, including acts of violence, intimidation, and abusive/offensive conduct or language, whether performed face-to-face, by phone, or in writing are unacceptable. The staff member handling the complaint should convey this message clearly to the complainant 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.
- A Staff responsible for handling complaints should stay alert and take suitable action to protect their own safety.. In an emergency, the case can be reported to the police.

(ii) Unreasonable demands

- A If a complainant makes unreasonable demands which have an adverse impact on the school, e.g. interrupting its operation/services or other stakeholders are affected by the unreasonable behaviour of the complainant, 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 must notify the complainant in writing of such arrangements and handling procedures.
- A If the complainant's behaviour improves, the school may consider whether the restrictions should be lifted. If the school decides to keep the restrictions, it should regularly review the conditions for imposing them.

(iii) Unreasonable persistent complaints

- A Faced with these 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, we may decide whether to

restrict or stop contacts with the complainant, and cease handling the case altogether.

- A To avoid any unrealistic expectations on the part of the complainant, the school should communicate to him/her in a firm manner that a final decision has been made regarding the case and that the decision is irreversible.
- A In response to these complaints, the school may send a “Reply Card” to the complainant, referring him/her to the replies previously given, and reiterate that the school will neither respond to the same complaint nor contact him/her again. Please see Appendix IV for a sample “Reply Card”.

1-3-2016

## Appendix I

### 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 XXXXXXXX School /  
Name and post  
of the designated staff\*

\* Please delete where inappropriate

## Appendix II

### 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.

**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:** \_\_\_\_\_

**Date :** \_\_\_\_\_

**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 stance on the relevant issue has been detailed in our reply/replies dated DD MM YYYY (and dates of other replies [if applicable]). We will not respond to the same complaint nor contact you again.

(Signature)

Principal

XXXXXXXXXX School/

Name and post of the designated staff\*

\* Please delete where inappropriate