

Christian Alliance Cheng Wing Gee College

Guidelines for Handling School Complaints

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CHAPTER I SCOPE OF APPLICATION

1.1 These Guidelines are applicable to the handling of the following types of complaints lodged by parents, students or the public through various means, including post, fax, email, phone or in person:

(i) **Complaints about the daily operation and internal affairs of the school**

- Examples of complaints relating to daily operation and internal affairs:

Domain	Examples
Management and Organisation	<ul style="list-style-type: none"> × School accounts (e.g. accounting records) × Other charges (e.g. CCA 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 & hygiene (e.g. noise pollution, mosquito 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)

- Complaints about daily operation and internal affairs should be handled 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.
- Upon receipt of any complaints about the daily operation and internal affairs of the school from members of the public or via other organisations (such as the Chief Executive's Office, Legislative Council, Equal Opportunities Commission (the EOC), District Council, Offices of Councillors or other government departments), the EDB will seek the complainant's consent to refer the complaint to the school for investigation and direct response. If the complainant does not consent to the referral, the EDB will not investigate the complaint. However, if the complaint involves any serious incident or school maladministration, even without the complainant's consent, the EDB may, without disclosing any personal information, allow us access to the content of the complaint so that we could make improvements to our administration system.
- The EDB may conduct direct investigation of any complaints under special circumstances, e.g. suspected breaches of the Education Ordinance, Education Regulations or Codes of Aid, non-compliance with the requirements stipulated in the relevant circulars, guidelines and codes of practice, student safety being endangered, school operation being seriously impeded, maladministration of the IMCs or serious mismanagement by the school.
- To ensure compliance with respective requirements, we 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, such as: Complaints about child abuse: EDB Circular No. 1/2016 "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)” & “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. 10/2016 “Trading Operations in Schools”, and “Corruption Prevention Best Practice: Governance and Internal Control in Schools” 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”

(ii) Complaints about the Education Ordinance, education policies and services provided by the EDB

- The EDB is responsible for formulating education policies, enforcing the Education Ordinance and providing education services. If a complaint falls into any of the following categories, it should be lodged to the EDB for direct handling, even though the case may have taken place in the school:
 - ◇ Complaints about education policies (e.g. class structure and class size);
 - ◇ Complaints about alleged contravention of the Education Ordinance, (e.g. in relation to corporal punishment, unregistered teacher) or contravention of the Codes of Aid (e.g. exorbitant charges, expulsion of students); and
 - ◇ Complaints about services directly provided by the EDB (e.g. school place allocation, services provided by the Regional Education Offices).
- The EDB will also draw reference from relevant internal guidelines in handling the above complaints.

1.2 The Guidelines are **not applicable** to 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

If the complaints fall into the categories specified in paragraph 1.1 (i) above, we should refer to the relevant circulars, guidelines and codes of practice in handling such complaints.

1.3 In general, the school **need not handle** the following types of complaints:

(i) Anonymous complaints

- 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, we 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 us to investigate the complaint and reply in writing, the complaint will be deemed anonymous and we may not handle it.
- However, under special circumstances (e.g. when there is sufficient evidence or when the case is serious or urgent), the Principal may decide whether to follow up with an anonymous complaint, such as treating it as an internal reference, informing the subject of the complaint about the case, or taking appropriate remedial and improvement measures. If follow-up actions are considered unnecessary, we may briefly state the reasons and put on file for record.

(ii) Complaints not made by the person concerned

- 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.
- 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.
- 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. Since there is no current legislation which empowers any organisation/group to complain on behalf of someone else, we would not accept such kind of complaints. If, however, the organisation/group has obtained prior written authorisation from the person concerned, we should handle the complaint in accordance with their prescribed procedures.

(iii) Complaints involving incidents that happened more than one year

- Normally, complaints related to the daily operation of the school 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/subject of the complaint might have already left his/her post or the school. We will not be able to investigate the complaint because of the difficulty in collecting evidence. 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.
- 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.

(iv) Complaints with insufficient information

- The 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, we may not handle the complaint concerned.

CHAPTER II GUIDING PRINCIPLES FOR HANDLING COMPLAINTS

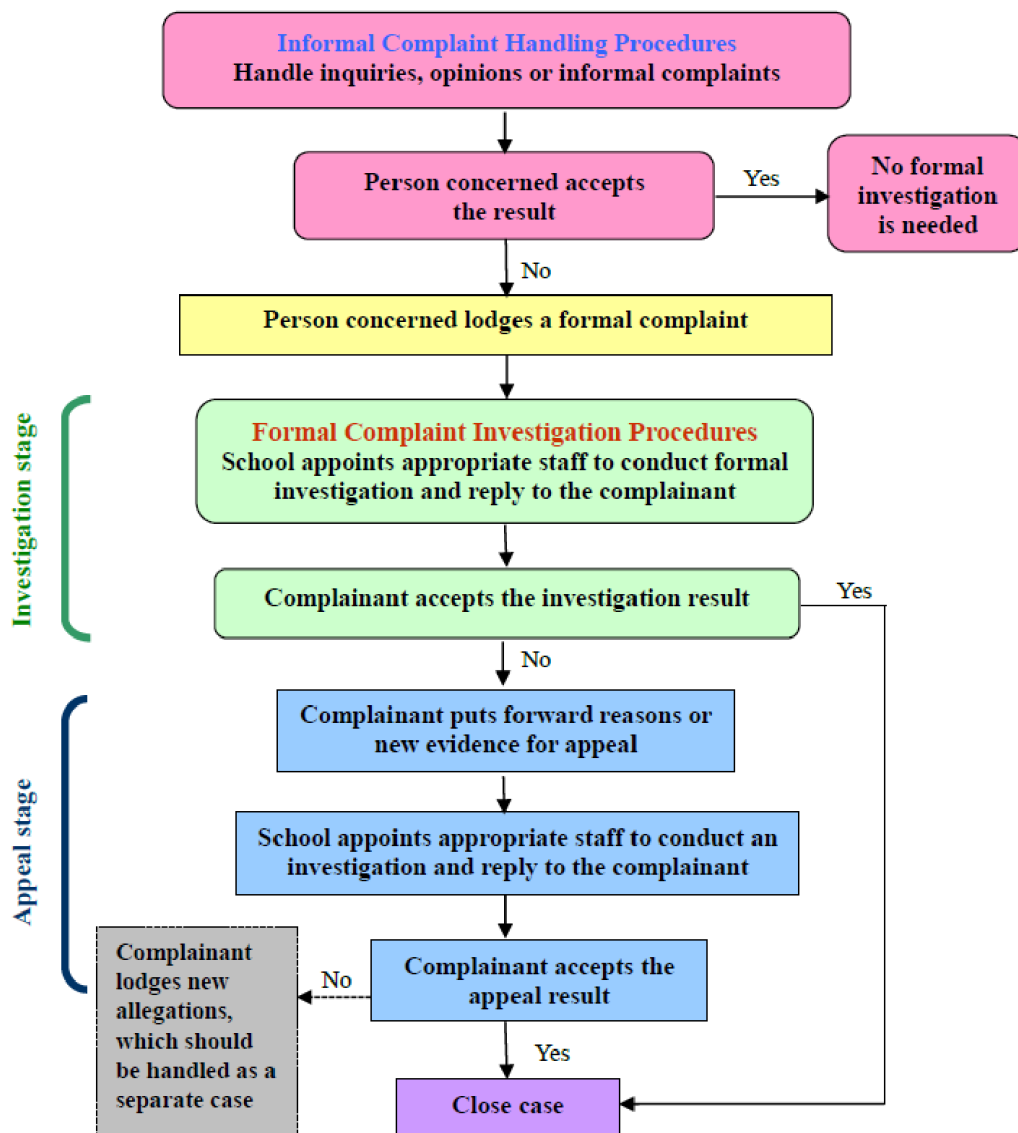
2.1 In handling school-related complaints, the school should refer to the following guiding principles:

Principle I: Handling of complaints by the appropriate party/parties
<p>2.2 A complaint should be directly handled by the organisation which is responsible for making the policies or providing the relevant services, or manages the persons/matters being complained. In this way, it can better understand and effectively address the concerns of the complainant. Accordingly, the school should handle those complaints relating to our daily operation and internal affairs, and the EDB should handle those complaints concerning the Education Ordinance, education policies and services. Complaints related to suspected breaches of other legislations of Hong Kong should be lodged to and handled by the relevant law enforcement agencies (e.g. the ICAC, Hong Kong Police Force). If the complaints fall into the categories specified in paragraph 1.1 (i) above, we should refer to the relevant circulars, guidelines and codes of practice in handling such complaints.</p> <p>2.3 If a complaint involves both the school and the EDB, it should be handled by us and related division(s)/section(s) of the EDB.</p>
Principle II: Timely and efficient handling
<p>2.4 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. Upon receipt of an inquiry/a complaint, the frontline staff should either directly handle it or immediately refer it to the responsible staff/task force for action. If the responsible staff cannot resolve the problem, they should seek help from their seniors.</p> <p>2.5 If an incident is referred or reported to the school by the media, we should adopt the following measures:</p> <ul style="list-style-type: none">✧ appoint a spokesman to handle inquiries from the public/the media so as to avoid giving confusing messages.✧ provide appropriate responses or clarification to the public as soon as possible, 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.✧ 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.
Principle III: Clear and transparent mechanism
<p>2.6 The school should, in collaboration with our sponsoring bodies, set up procedures for speedy and proper handling of inquiries and complaints. We should consult teachers and parents to ensure that the relevant procedures are accepted by all stakeholders.</p> <p>2.7 The school should make parents and staff fully aware of the details of the procedures through different channels.</p> <p>2.8 The school should ensure that all staff responsible for handling inquiries and complaints understand and comply with the relevant policies and guideline. To enhance mutual understanding and strengthen home-school co-operation, we should draw up strategies for regular communication with parents through different channels to inform them of the policies and procedures of complaint handling in the school.</p> <p>2.9 The school should regularly review our complaint handling policies and guidelines by consulting our staff and parents, and revise the handling procedures whenever necessary.</p>
Principle IV: Fair and impartial handling
<p>2.10 The school should approach complaints positively and treat the complainants and the subjects of the complaints fairly. We should ensure that sufficient appeal channels are provided and consider inviting independent persons to participate in the complaint/appeal handling process, if necessary.</p> <p>2.11 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.</p> <p>2.12 To avoid conflict of interest, any staff member who is the subject of the complaint should not be involved in handling the case, supervising the investigation, or signing and issuing letters to the complainant.</p> <p>2.13 The school should see to it that the rights of the complainants or other persons involved in the complaint are being protected and that their future communication and contact with the school would not be affected.</p>

Interpretation of Complaints

- 3.1 To avoid confusion in the handling process, the frontline staff of the school 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.
- 3.2 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 [Diagram 1](#).

Diagram 1: Flowchart of School Complaint Handling Procedures



Informal Complaint Handling Procedures

Immediate/Prompt Handling

- 3.3 If the school handles inquiries or complaints efficiently and appropriately, we shall manage not only to remove misunderstandings and forestall crises, but also enhance our own image.
- If the school receives 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.
 - The frontline staff should listen to the concerns of the inquirer/complainant with care and understanding. If the incident is not serious, we 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.
 - When an inquiry or complaint is made, contact should be made within two days to acknowledge the inquiry/complaint has been received and that a response will be forthcoming.
 - If necessary, the frontline staff should refer the case to a senior teacher or Vice-Principals for prompt follow up actions and resolutions. The principal may decide whether to take up the handling of the case, depending on the nature of the case.

Replying to Complaints

- 3.4 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.

Complaint Records

- 3.5 Cases handled by the informal complaint handling procedures normally need not be documented in formal written records. If an inquiry/complaint has been answered or resolved instantly, the responsible staff may record the key points in a log book for future reference. A sample is provided in [Appendix I](#).

Formal Complaint Investigation Procedures

Arrangements for the Investigation and Appeal Stages

- 3.7 If we have made our best efforts to resolve the problem through the informal complaint handling procedures but the complainant still does not accept our response or the problem remains unresolved, the following formal complaint investigation procedures (including an appeal mechanism) will be initiated:
- (i) Investigation stage
If the school receives any formal complaints (including those referred by the EDB or other organisations), they should be handled according to the following procedures:
 - 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 [Appendix I](#) and [Appendix 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 and 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; 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](#)

The following procedures with appeal cases:

- 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 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 will 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.

[Resolving Conflict Through Mediation](#)

3.8 When handling complaints, the school 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).

[Responding to Complaints/Appeals](#)

3.9 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 will be forwarded to them for reference.

3.10 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 us have access to his/her personal data. If the information submitted is incomplete, the time limit should start from the date on which we receive from the complainant the necessary information. If a reply cannot be given within the specified period, we should explain to the complainant in writing why a longer handling time is needed.

[Complaint/appeal records](#)

3.11 The school should keep a clear record of cases handled by the formal complaint investigation procedures. A sample complaint record is given in [Appendix III](#). We should establish a complaint record management system to store relevant information (including correspondences, investigation reports and interview records). In addition, we should keep statistics of complaints and appeals lodged through either the informal or formal handling procedures for future reference.

CHAPTER IV ARRANGEMENT FOR HANDLING COMPLAINTS

Designated Staff

4.1 Taking into account the nature of the complaint, its scope and the people involved, the school 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, the IMC may establish a task force to handle special complaint cases. Depending on the situation, the task force may include members of the IMC 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.
- Concerning the deployment of staff for handling complaints at different stages, please refer to the examples in the table below:

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	IMC Investigation Task Force*	Supervisor / IMC Appeal Task Force*
Supervisor / IMC	-	Designated staff of school sponsoring body [#] / Task force	Designated staff of school-sponsoring body [#] / Task force

[#] 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 IMC investigation/appeal task force may include independent persons/managers.

Confidentiality

- 4.2 All contents and information of complaints should be kept strictly confidential and restricted to internal reference or reference by relevant persons only.
- 4.3 When the school needs to collect personal data during the handling process or when we receive requests for the disclosure of data/records in respect of the complaint case, we should observe the regulations and recommendations laid down in the Personal Data (Privacy) Ordinance. This includes clearly stating the purpose and the form of collection of personal data, and that the data will only be used for handling the complaint or appeal cases. We may refer to the relevant provisions in the Personal Data (Privacy) Ordinance (Cap. 486) and on the webpage of the Office of the Privacy Commissioner for Personal Data at (<http://www.pcpd.org.hk/>).

- 4.4 The school should adopt appropriate security measures to protect personal data and privacy, such as keeping the data in safe places (e.g. cabinets under lock and key). Computer data should be protected by passwords. Use of portable data storage devices should be tightly controlled. Where necessary, encrypted portable data storage devices should be used.
- 4.5 The school should establish procedures to ensure that 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.
- 4.6 The school can incorporate the arrangements for interviews or meetings with relevant parties into the school-based complaint handling mechanism. To avoid misunderstanding, we should:
- 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;
 - indicate before the interview/meeting starts 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 should be reiterated before the end of the interview/meeting; and
 - remind the complainant during the interview/meeting that both parties should observe and comply with the Data Protection Principles stated in Schedule 1 of the Personal Data (Privacy) Ordinance (Cap. 486) and be cautious of any unauthorised disclosure of personal data or other information of a third party.

Follow-up and Evaluation

- 4.7 The school should conduct a comprehensive review on the strategies, process and steps that have taken in handling complaints in order to benefit from past experiences, improve the way of handling, and avoid similar cases from recurring.
- 4.8 The school should take appropriate follow-up measures to improve the services or revise relevant policies for enhancement of professional standards of the services.
- 4.9 The school should regularly review the complaint handling policies and report to the IMCs by providing, for example, relevant data concerning complaint/appeal cases, and suggest, if necessary, improvement measures to enhance the school-based complaint handling mechanism and procedures.

Support and Training

- 4.10 The school should provide appropriate training to assist staff to effectively handle inquiries/complaints, e.g. providing training programmes on communication, negotiation and mediation skills, or arranging experience sharing sessions for frontline/designated staff to enhance their capability in handling complaints and resolving conflicts.
- 4.11 To enhance the knowledge and skills of school staff (including principals, teachers, administrative and frontline staff) in the prevention and handling of complaints, the EDB will organise relevant training programmes. We encourage our colleagues to attend those courses in the website of the EDB's Training Calendar System.

CHAPTER V REVIEW OF COMPLAINTS

- 5.1 Most school-related complaints can be settled through the informal and formal complaint handling procedures. However, some complaints may 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.

Membership of the Review Board

- 5.2 The EDB has set up a Panel of Review Boards on School Complaints (the Panel). Its members are independent persons from the education and other sectors appointed by the Permanent Secretary for Education (PS(Ed)). The Panel comprises a Chairperson, a Deputy Chairperson and not less than ten members. The tenure of members is two years.
- 5.3 Where necessary, the Panel may set up several Review Boards to review different complaint cases. Each Review Board is composed of the following members:
- The Chairperson/Deputy Chairperson of the Panel; and (ii) Two other members appointed by rotation from the Panel.
 - If necessary, the Review Board may invite up to two non-members (such as school staff, representatives of the EDB or professionals) to sit on the Board to provide information and/or advices on the case.
- 5.4 Members of the Review Board should declare interests. Persons who have any conflict of interest with the organisations and/or persons relating to the case under review are obliged to refrain from participating in the review.

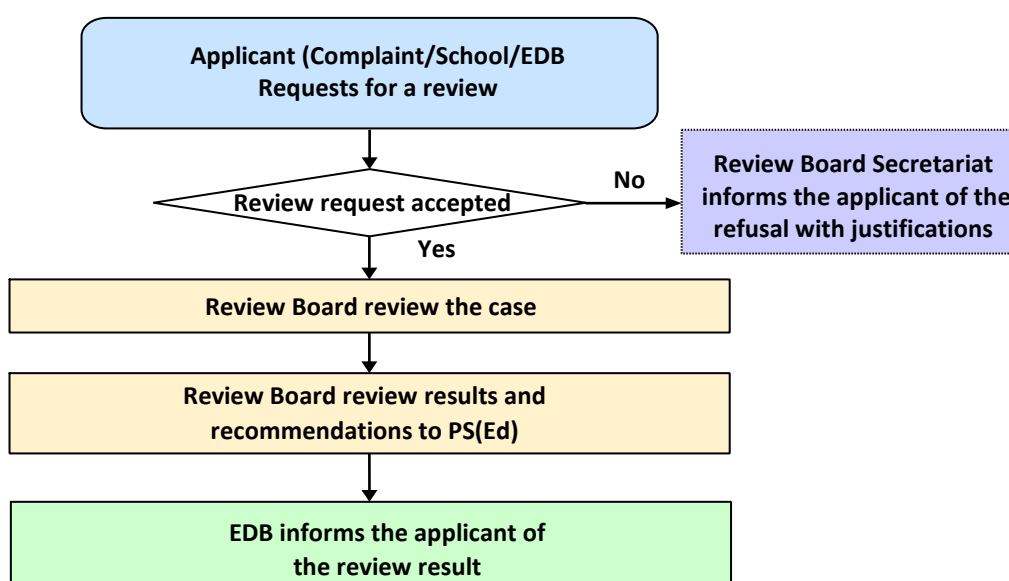
Functions and powers of the Review Board

- 5.5 The Review Board is responsible for reviewing school-related complaint cases that have been handled by the school or the EDB through the investigation and appeal stages. The review results and recommendations will be submitted to the PS(Ed) for consideration.

Review procedures

- 5.6 Please see [Diagram 2](#) for the review procedures.

Diagram 2: Review Stage



- 5.7 The school should inform complainants in our 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 the school's 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 Panel to decide whether a review should be conducted.
- 5.8 If the review application is accepted, the Panel will set up a Review Board to handle it. If the application is unsuccessful, the Review Board Secretariat will inform the applicant/relevant organisation in writing of the reasons.
- 5.9 The person who requests a review is required to sign a letter of consent, authorising the Review Board to forward information regarding the complaint to the school/school sponsoring body and/or other relevant organisation(s)/ person(s). The Review Board also has the right to obtain information related to the complaint/ review from the complainant, the school/school sponsoring body and/or other relevant organisation(s)/ person(s).
- 5.10 The review process mainly involves examination of investigation reports and related documents. Taking into account the subject matter and nature of the case, the Panel may:
- scrutinise the information provided by the complainant, subject of the complaint, school/school sponsoring body and/or the EDB, as well as the files and records associated with the case;
 - require the complainant, subject of the complaint, school/school sponsoring body and/or the EDB to clarify information and/or provide new evidence;
 - meet with the complainant, the subject of the complaint and/or other persons concerned respectively to collect further information.; and
 - invite the complainant, subject of the complaint, representative(s) of the school/school sponsoring body, and/or representative(s) of the EDB to attend case meetings.
- 5.11 To protect personal privacy, the Review Board/EDB may not disclose to anyone any personal information related to the complaint without the consent of the relevant parties (including the complainant, subject of the complaint, and/or the school/school sponsoring body).
- 5.12 If the Review Board wishes to interview specific persons or convene a meeting on the case:
- The persons to be present at the interview or case meeting must be involved in the complaint and have obtained the approval of attendance from the Chairperson of the Review Board.
 - During the interview or case meeting, the complainant is not allowed to question the subject of the complaint or other witnesses, and vice versa.
 - Audio/video recording is prohibited during the interview or case meeting.

Result of review

- 5.13 The Review Board will examine whether the case has been handled properly according to the complaint handling procedures and whether the result of investigation by relevant party is fair and reasonable. It will then make recommendations on whether to close the case, settle the disputes through mediation, implement follow-up/remedial measures, or conduct a re-investigation. The review results and recommendations will be submitted to the PS(Ed) for consideration.
- 5.14 The EDB will draw a final conclusion with reference to the review result and recommendations of the Review Board. The relevant person(s)/organisation(s) will be informed in writing of the outcome within three months after receipt of the request for review. If the EDB accepts closure of the case as recommended by the Review Board, the EDB and the school will cease to handle the complaint. If the persons/organisations requesting the review consider the result unacceptable, they may further appeal via other channels.
- 5.15 If the Review Board recommends that the case be re-investigated by the school/EDB, the school/EDB should assign staff at least one rank higher than those who handled the case previously to conduct the re-investigation. The re-investigation should be completed within two months and the result submitted in writing to the Review Board. Upon the Board's endorsement, the school/EDB should issue a written reply to the complainant and copy it to the Board. If the school/EDB cannot complete the investigation within two months, it should notify the complainant in writing of the reasons and the time needed for a definite reply.

CHAPTER VI HANDLING OF UNREASONABLE BEHAVIOUR

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

Definition of Unreasonable Behaviour

6.2 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

Handling of Unreasonable behaviours

6.3 To deal with unreasonable behaviour of complainants:

- (i) Unreasonable attitude or behaviour
 - 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. We 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, we may terminate the meeting or conversation with him/her.
 - We should stay alert and take suitable action to protect our own safety. We may, depending on the situation, terminate the interview or dialogue with the complainant and ask the complainant to leave, if his/her behaviour poses an immediate threat to our personal safety or damages our personal interests. In an emergency or if it is deemed necessary, the school will take appropriate and decisive action, such as reporting to the police or taking legal action.

(ii) Unreasonable demands

- 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.
- 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

- 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, the school may decide whether to restrict or stop contacts with the complainant, and cease handling the case altogether.
- To avoid any unrealistic expectations on the part of the complainant, we 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.
- 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 V](#) for a sample "Reply Card".

APPENDIX I SAMPLE RECORD SHEET OF CASES HANDLED BY INFORMAL PROCEDURES

Date of enquiry/complaint: _____

Time : _____ am/pm

Mode:

- Call the General Office
- Call the Principal/ Deputy Head/ Class Teacher/ Responsible Teacher*
- In person
- By e-mail/ fax*
- Others (Please specify: _____)

Name of the Enquirer/ Complainant:

Contact information (by telephone/ fax /e-mail*):

Role of Enquirer/ Complainant:

- Parent
- Student
- Others (Please specify: _____)

Enquiries/Concern(s):

Information/ Document attached:

- No
- Others (Please specify: _____)

Action Taken:

- Contacted by phone
- Interview
- Others (Please specify: _____)

Result :

- Enquirer/ Complainant accepted the reply. No further action is required.
- Others (Please specify: _____)

Signature of Senior Teacher/Responsible Person: _____

Name/ Post of Senior Teacher/Responsible Person: _____

Date: _____

* Please delete where inappropriate

APPENDIX II 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 enquiries, please contact Mr/Ms XX (Teacher/Panel Chairperson/Vice Principal*) at 2604 9762.

(Signature)

Principal /

Name and post of the designated staff*
of Christian Alliance Cheng Wing Gee College

* Please delete where inappropriate

APPENDIX III 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 enquiries, please contact Mr/Ms XX (Teacher/Panel Chairperson/Vice Principal*) at 2604 9762.

(Signature)

Principal /

Name and post of the designated staff*
of Christian Alliance Cheng Wing Gee College

* Please delete where inappropriate

APPENDIX IV SAMPLE ACKNOWLEDGEMENT LETTER (2) – REPLY FORM

DD MM YYYY

To: Christian Alliance Cheng Wing Gee College

File No.: (if applicable)

Name of the complainant: Mr/Ms XX

[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 consent/object* to:

1. the school's reproduction of this complaint and any materials submitted and the transfer of copies of such materials to relevant persons/ organisations for processing my complaint.
2. the school's obtaining my personal data and other information kept by relevant persons/organisations that are considered relevant and necessary for the purpose of processing my complaint.

(Signature)

Signature of the complainant

Date: XXXX

* Please delete where inappropriate

APPENDIX V SAMPLE REPLY LETTER FOR PERSISTENT COMPLAINTS

DD MM YYYY

Name of the complainant

Address of the complainant

Dear Mr/Ms *XX:

This is to acknowledge receipt of your letter dated DD MM YYYY. For our stance on the relevant issue, please refer to our reply/replies dated DD MM YYYY (and dates of other replies [if applicable]). Please note that we will neither respond to the same complaint nor contact you again.

(Signature)

Signature of the complainant

Date: XXXX

* Please delete where inappropriate

APPENDIX V 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: _____

CHECKLIST 1 LIST OF BASIC PRINCIPLES & ARRANGEMENTS FOR HANDLING COMPLAINTS

As a general practice, schools may immediately or promptly provide assistance or help resolve a complaint with the complainant by following informal complaint handling procedures. If a school has made its best efforts to resolve a complaint through informal complaint handling procedures but the complainant is still unsatisfied with the school's response or the complaint still remains unresolved, formal complaint investigation procedures should be initiated. To enable schools to develop a school-based mechanism for effective handling of complaints lodged by parents, students or the public concerning schools' daily operation or internal affairs, the Education Bureau (EDB) has drawn up the Guidelines for Handling School Complaints, which set out the principles, policies and procedures for handling complaints. Relevant basic principles and arrangements are highlighted in the following table for schools' easy reference:

Basic Principles/Arrangements for Handling Complaints		Related Paragraphs
1.	<p>Developing a clear and transparent school-based mechanism for handling complaints</p> <ul style="list-style-type: none"> ✧ Developing, in collaboration with school sponsoring bodies, a clear and effective school-based mechanism for handling complaints ✧ Consulting stakeholders (including teachers and parents) when developing/refining the complaint handling mechanism ✧ Regularly informing, through different channels, stakeholders of the policies and procedures for complaint handling by schools ✧ Ensuring that all staff responsible for handling complaints understand and comply with the relevant policies and guidelines 	2.6 – 2.8
2.	Considering, in light of the nature of individual cases, whether it is appropriate to adopt different means for a resolution (including mediation)	3.8
3.	<p>Ensuring a fair and impartial mechanism/investigation</p> <ul style="list-style-type: none"> ✧ Establishing a declaration system ✧ Providing an appeal channel ✧ Approaching complaints positively and treating complainants and subjects fairly ✧ Not allowing any staff member who is the subject of a complaint to engage in or oversee the investigation ✧ In light of the nature and scope of a complaint and the persons involved, assigning suitable dedicated staff or setting up a task force to handle the complaint, e.g. inviting independent persons to engage in the handling of the complaint/appeal ✧ Promptly handling and responding to a complaint/appeal to prevent the situation from escalating ✧ Keeping contents and information of complaints strictly confidential and adopting appropriate measures to protect personal data and privacy if the situation warrants 	<p>2.10 – 2.13</p> <p>4.1</p> <p>2.4, 3.9 and 3.10</p> <p>4.2 – 4.6</p>
4.	Properly maintaining a record of complaint cases	3.11
5.	Reviewing the complaint handling policies and guidelines on a regular basis, and refining the relevant mechanisms and procedures whenever necessary	2.9 and 4.9

While the Guidelines for Handling School Complaints should be followed in handling complaints made by parents, students or the public about schools' daily operation or internal affairs, the principles and arrangements therein are applicable to the handling of staff complaints as well. When necessary, schools may make reference to the Guidelines for Handling School Complaints and the School Administration Guide issued by the EDB in developing/refining their mechanisms and procedures for handling staff complaints so as to deal with such complaints in a more proper manner.

CHECKLIST 2 IMPORTANT POINTS TO NOTE IN HANDLING SCHOOL COMPLAINTS

To facilitate schools to handle complaints effectively and appropriately, the Education Bureau (EDB) has compiled the following Points to Note, covering items to be addressed at different stages of investigation, for schools' reference. The Points to Note are applicable to handling of complaints relating to daily operation and internal affairs of schools under the Enhanced School Complaint Management Arrangements (Enhanced Arrangements). For other types of complaints (including those raised by school staff), the relevant principles and procedures can also be adopted for reference.

Complaints Received (including complaints referred by the EDB)

- Have follow-up actions been taken in accordance with the School Administration Guide, e.g. reporting to the Police / ICAC, if the complaint involves a misconduct case of criminal nature?
- If the complaint involves serious crime or professional misconduct, has it been reported to the EDB?
- When handling the complaint, has it been categorised and handled by adopting appropriate strategies and steps in accordance with the school-based complaint handling mechanism and procedures as well as the level of complexity?
- Has a designated staff member or a task force (if applicable) been assigned to handle the complaint in accordance with the school-based complaint handling mechanism?
- Have appropriate security measures, such as keeping data in safe places with restricted access by authorised persons only, been adopted to protect personal data and privacy?
- Has the designated staff member declared interests? If there is any conflict of interest, the designated staff member should be refrained from handling the complaint.
- Has an acknowledgment letter been issued to the complainant if the case requires investigation? Has the complainant been notified in writing of the reasons for refusal if the complaint is not acceded to?
- Has a written reply been issued to inform the complainant that the investigation will be withheld if legal proceedings have been started?
- Has the school examined details of the complaint and considered if it is necessary to contact the complainant to clarify the allegations and ask for further information?
- Has the school taken into consideration of the nature and gravity of an anonymous complaint in deciding whether follow-up actions are necessary? Have the reasons been stated and put on record if no action is required?

Investigation Process

- Has clear consent of the complainant been obtained if his / her name and other personal information are to be disclosed? Otherwise, the person being complained should not be informed of the personal particulars of the complainant and whether the complaint is anonymous or not.
- Has the person being complained been informed of details of the complaint and requested to make his / her responses accordingly? It should be noted that other than the statements provided by the complainant and by the person being complained, it will be useful to make use of different means (such as statements made by witnesses, supporting documents, etc.) to gather relevant evidence and triangulate the same.
- Has the complainant / the person being complained / the witness been well informed of the purposes of the interview as well as the role and responsibility of the designated staff member before / during the interview?
- Has consent from parents or guardians of young school children been obtained in advance if it is considered necessary to collect information and statements from them?
- Has the person being complained been given the opportunities for making representation / self-defense / explanation (written / verbal inclusive)? For written statement, signature and date should be included appropriately. For verbal statement, it should be recorded in writing with a copy to the person being complained.

- Where feasible, are two or more designated staff members assigned to conduct the interview and meeting as witness for the information so collected?
- Has / Have agreement of the designated staff member(s) / members of the task force sought in advance if the person(s) involved requested to attend the interview or meeting in the company of a third party?
- Has prior consent of all attendees been obtained for audio / video recording before the interview / meeting?
- If the person involved is on sick leave, has he / she been asked whether he / she is willing to give statements or provide information during such period? If necessary, advice of professionals could be sought, e.g. when the emotion of the person(s) involved is unstable.
- Are meeting notes / investigation records duly signed by all attendees for confirmation?
- The investigation should be completed as quickly as possible so as to avoid the exposure of the details of the investigation which will in turn affect the investigation results.
- To safeguard the well-being of students, the investigation of professional misconduct should be completed as quickly as possible. Has the written reply to the complainant been given within one month after receiving the complaint, with copies of the written reply and the investigation report submitted to the EDB for follow-up actions?
- Has serious consideration been taken to suspend the duties of the staff concerned if his / her alleged professional misconduct is of a criminal nature?
- Has consent been obtained to check the social network platform (if not open to the public) of the person concerned?
- Has the staff member who is being complained been refrained from conducting / monitoring the investigation or signing any letter to the complainant to avoid conflict of interest?
- Is the investigation report duly completed and signed by the designated staff member (including his / her name and post as well as the date of signature)?

Investigation Results

- Are investigation results supported with strong / concrete evidence, such as whether the person being complained is obviously violating the provisions of the relevant guidelines or regulations of the school / EDB?
- For a serious or sensitive case, has the school reported details of the complaint or investigation results to the School Supervisor / Incorporated Management Committee and obtained their consensus before replying to the complainant?
- For a substantiated complaint, has the person being complained been informed of the investigation results, appeal channels, time limit for appeal and staff members who are responsible for appeal stage (based on the established mechanism, in principle, the staff dealing with the appeal should be of higher ranks than those responsible for the investigation)?
- For an unsubstantiated complaint, has the person being complained been informed of the investigation results? Has an interim reply been issued to the complainant if the complaint investigation cannot be completed within the specified time frame?
- Has the complainant been informed of the investigation results, such as whether each of the allegations are substantiated after investigation?
- If there is more than one person being complained, does the investigation report clearly point out whether each of them is held accountable for substantiated allegations, together with their respective share of responsibilities?
- Has the school submitted a copy of the substantive reply and the investigation report (if requested by the EDB) to the EDB for reference if the case is referred by the EDB? Depending on the complexity of the complaint, schools should state clearly the investigation procedures, scope of investigation and whether the allegations are substantiated or unsubstantiated with justifications in the investigation report.

- Has the school informed the person being complained that the investigation results, investigation report, etc. will be sent to the EDB for reference or consideration of taking follow-up actions (including a review of his / her teacher registration status)?

Follow-up Actions

- Has the school seriously considered the disciplinary / follow-up actions to be taken against the staff member(s) involved (including teacher(s)) if the complaint is substantiated, such as strengthening performance management, implementing improvement measures, issuing verbal / written warning, withholding annual salary increment, suspension of duties or termination of employment, etc.?
- Do relevant disciplinary / follow-up actions comply with the requirements of the Employment Ordinance, Education Ordinance, Education Regulations, respective Code of Aid, School Administration Guide, relevant EDB Circulars, and school-based disciplinary policy, and have been endorsed by the Incorporated Management Committee / School Management Committee / Management Committee?
- Has the respective District School Development Section of Regional Education Office been duly informed if the school has decided to administer disciplinary actions, i.e. issuing written warning, withholding annual salary increment, suspending duties, or terminating employment?
- Has the school clearly communicated with all staff members regarding the expectation for their conduct and job performance, handling of misconduct cases and the related disciplinary measures via different channels, such as staff meetings or staff handbook?
- The relevant requirements, staff handbook, school circulars and documents should be reviewed as appropriate.

Remarks:

The Points to Note as listed above are not exhaustive and schools can make necessary arrangements on a case-by-case basis. Please make reference to relevant guidelines and reference materials as well as EDB's website on "Project on Enhancement of Complaint Management in Schools" when handling school complaints (EDB Home > School Administration and Management > Administration > Project on Enhancement of Complaint Management in Schools [<https://www.edb.gov.hk/en/sch-admin/admin/schoolcomplaints/index.html>]).