

Po Leung Kuk Camões Tan Siu Lin Primary School

**Guidelines for
Handling School Complaints**

Aims

In order to build up a culture of communication, the school has established a school-based mechanism and procedures for handling complaints.

Principles governing the mechanism:

1. Complaints should be handled by responsible parties.

The School should handle complaints relating to daily operation and internal affairs, and the EDB should handle those complaints concerning the Education Ordinance, education policies and services. Appropriate staff member would be assigned to handle the inquiries or informal complaints.

2. Complaints should be handled in a timely manner.

Inquiries or complaints whether verbal or written, should be handled in a timely manner. When receiving inquiries or complaints, if the staff member cannot resolve the problem, they should seek for assistance from their superior.

3. Fair handling

The School will positively face complaints. Both the complainant and the person being complained will be treated fairly. An appeal process will be provided.

I. Complaints situations not handled by the School:

● **Anonymous complaints**

The complainant should provide his/her name, correspondence/e-mail address and/or contact phone number. 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 the school may not handle it.

However, under special circumstances (e.g. when there is sufficient evidence or when the case is serious or urgent), the middle or senior management of the school 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. If follow-up actions are considered unnecessary, the school should briefly state the reasons and put on file for record.

● **Complaints not made by the person concerned**

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 authorized by the parents/guardian, may lodge a complaint on his/her behalf.

If a complaint is lodged by more than one person on behalf of the person concerned, the school may require the person concerned to appoint one of them as the contact person.

Sometimes a complaint is lodged on behalf of the person concerned or referred by other organizations/groups such as Legislative Councilors, District Councilors, trade unions or the media. Since there is no current legislation which empowers any organization/group to complain on behalf of someone else, the school would consider to accept such kind of complaint or not.

If, however, the organization/group has obtained prior written authorization from the person concerned, the school would handle the complaint in accordance with their prescribed procedures.

- **Complaints involving incidents that happened more than one year**

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.

Even though the complaint is filed after the incident had taken place more than one year, the school 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.

- **Complaints with insufficient information**

If the complainant fails to provide sufficient information to allow investigation to proceed, school may not handle the complaint concerned.

- **Ineligible complaints:**

Complaints related to ongoing legal proceedings;

Complaints under the jurisdiction of other organizations/government departments;

Complaints governed by other ordinances or statutory regulations such as complaints against corruption, fraud or theft;

Complaints lodged by school staff

II. Procedures for handling inquiry, opinions and informal complaint.

Responsible staff would collect necessary information of the inquiry and reply to the person concerned promptly.

If necessary, the responsible staff would arrange a meeting with persons concerned to remove any misunderstanding.

The initial response would be made within four school days.

The responsible staff would brief the person(s) concerned on the follow-up actions that school has adopted and the results that follow.

III. Procedures for handling Complaint

Investigation stage

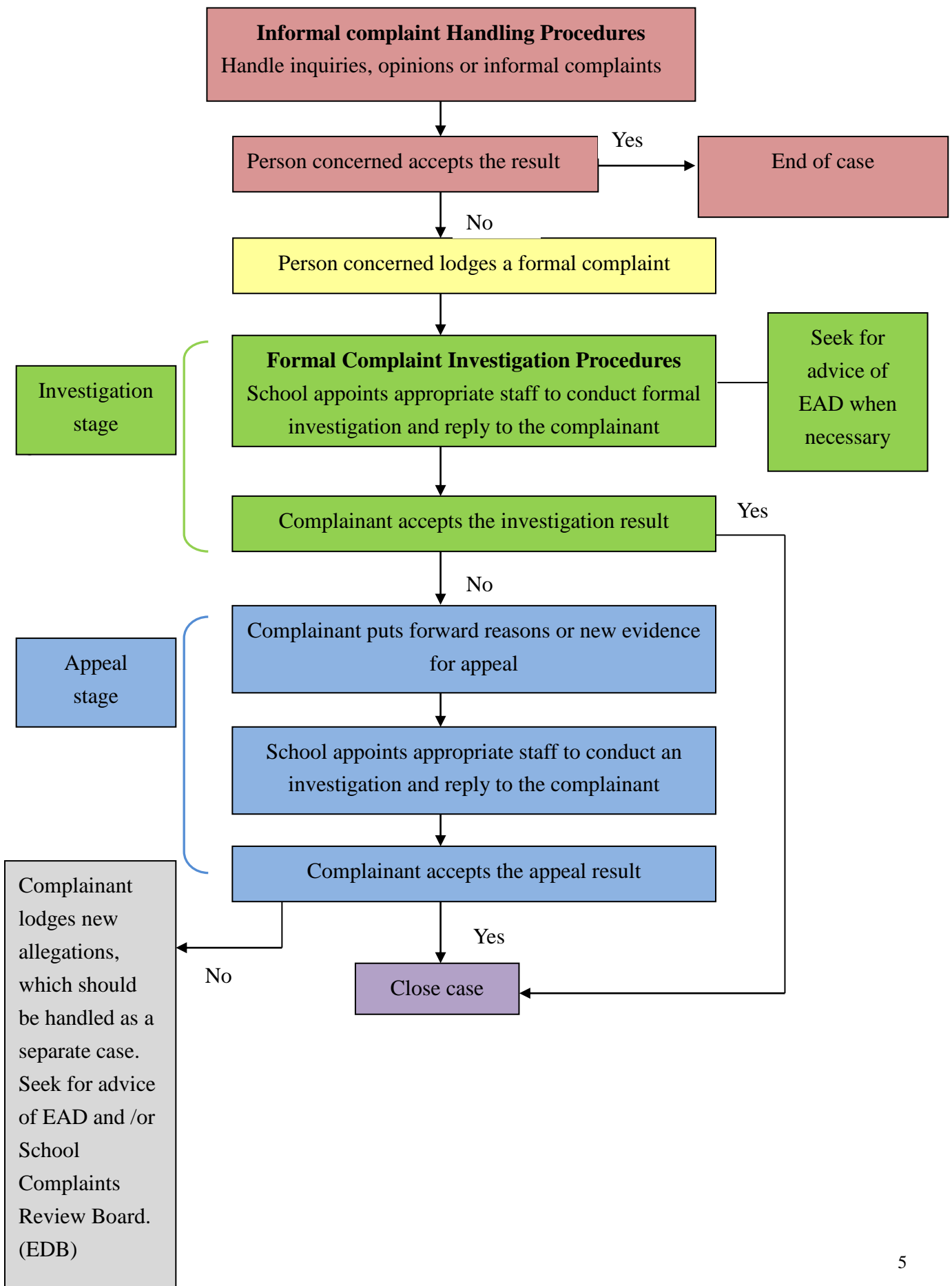
- An acknowledge receipt of the complaint would be issued to the complaint within 7 school days during the normal school days (exclude school holidays, examination and test period) and inform him/her of the responsible staff for handling the complaint;
- Responsible staff would investigate the complaint, considering the evidences received and collected. If necessary, contact the complainant and other persons involved or a meeting might be arranged have a better grasp of the situation or request them to provide relevant information;
- A written reply would be sent to inform the complainant of the investigation result within 2 months (exclude school holidays, examination and test period) from the date of receiving the complaint.
- If the complainant accepts the investigation result, conclude the case officially; and
- If the complainant does not accept the investigation result and is able to provide new evidence or sufficient justification, the complainant may lodge an appeal in writing against the decision with 14 days from the date of its reply.
- Seek for advice of EAD when necessary.

Appeal stage

If the School accepts an appeal case, the following procedures should be adopted:

- A staff member of a higher rank than those responsible for the investigation stage, or staff from different section to handle the appeal and reply to the complainant
- Responsible staff would resolve the appeal within two months (exclude school holidays, examination and test period) and send a written reply to inform the complainant of the appeal result;
- If the complainant accepts the appeal result, the case can be closed;
- If the complainant does not accept the appeal result, the result may need to be heard by EAD and/or the “School Complaints Review Board” established by EDB.

Flow chart of School Complaint Handling Procedures



IV. Confidentiality

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

If there is a meeting or interview arranged, audio or video recording is prohibited except obtaining school authorization.

V. Handling of Unreasonable Behavior

Unreasonable attitude or behavior,

Acts of violence or intimidation

Making complaints with abusive language or in an insulting and discriminatory tone

Providing false data or deliberately concealing facts

Handling:

If the complainant refuses to stop acting in such a way after warning, the responsible staff may terminate the meeting or conversation with him/her. If his/her behavior poses an immediate threat to staff's personal safety or damages personal interest, the school would take appropriate and decisive action, such as reporting to the police or taking legal action.

Unreasonable demands,

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

Handling

School might put restrictions on the complainant's contacts with school, including specifying the time, frequency, date, duration and modes of communication. (for example, requiring the complainant to make an appointment before visiting school or contact only with the staff designated by school)

Unreasonably persistent complaints,

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 my 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

Stop contacts with the complainant, and cease handling the case altogether

School would communicate to him/her in a firm manner that a final decision has been made regarding the case and that the decision is irreversible.