

Complaints Handling Mechanism

Overview:

Dealing with a large number and array of stakeholders, there will always be opinions as to where improvements can be made. Being a school, the College also has to develop a number of policies, practices and procedures that pertain to students, for example, disciplinary rules, academic standards and so on. Occasionally, such rules and procedures may need to be clarified with individual stakeholders, creating opportunities for communication to occur. There are however, times when individual stakeholders may still not be satisfied with either the results of the communication process or actions by members of the College. The complaint handling mechanism below is an attempt to formalize and promote an effective mechanism by which complaints can be effectively dealt with.

Principles governing the mechanism:

1. Complaints should be handled by responsible parties

In this regard, matters pertaining directly to a given area are best handled by those directly responsible. For example, with regards to student discipline, the Head of Discipline is the most relevant person to deal with immediate concerns. Taking informal concerns seriously at the earliest stage will reduce the number of issues that develop into formal complaints.

2. Complaints should be handled in a timely fashion

Inquiries or complaints whether verbal or written, should be handled in a timely manner. When receiving any inquiries/complaints, if the staff member who receives the issue cannot resolve the problem, they should solicit assistance from their superior. It should be however understood that for complaints or inquiries to be adequately dealt with, time may be required. When a concern or complaint is made, contact should be made within two days to acknowledge that the complaint has been received and that a response will be forthcoming.

3. The College will follow the principle of 'escalation'

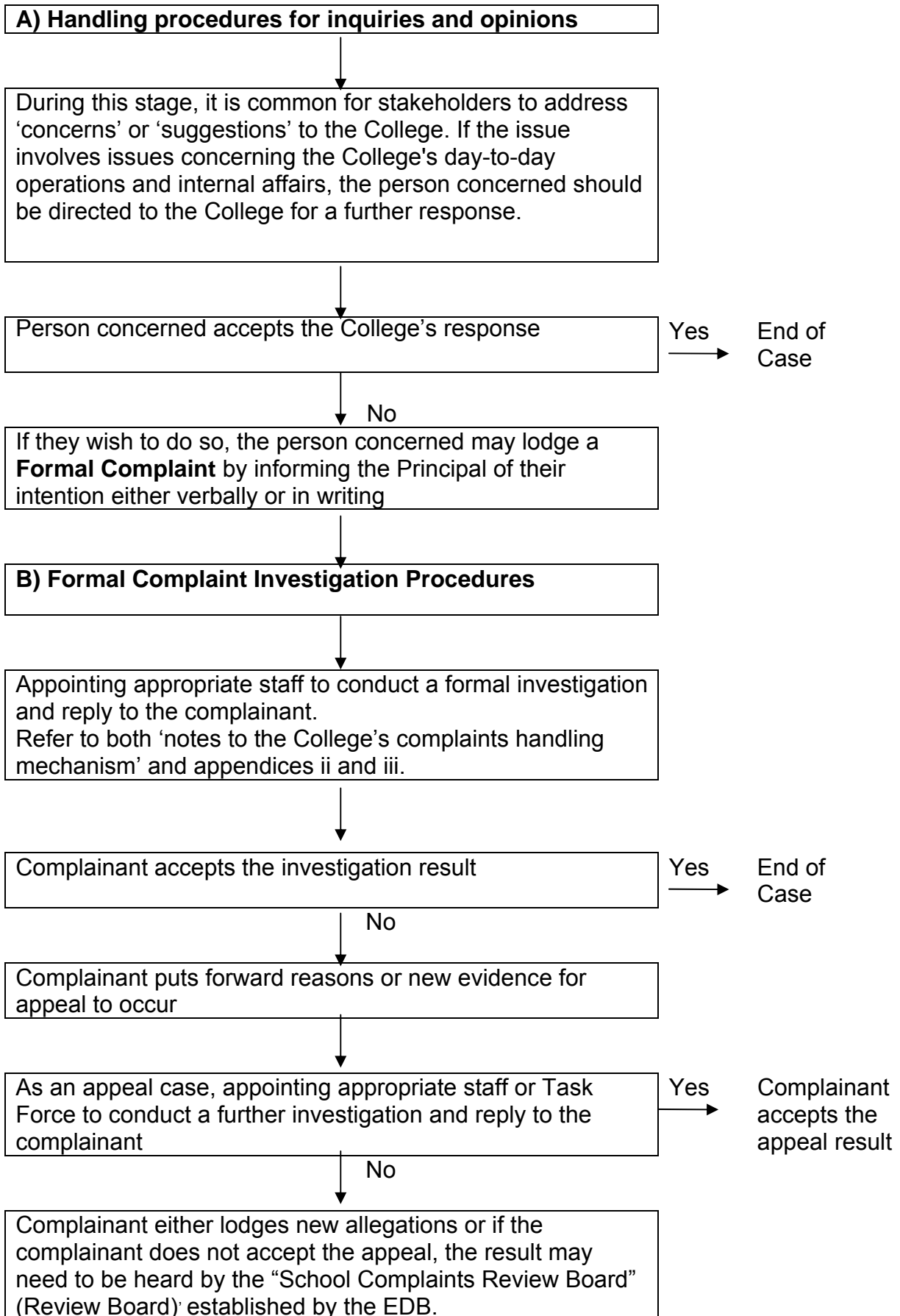
Inquiries or complaints about College matters will depend on the nature and seriousness of the case involved. For example, a relevant class teacher would, in the first instance handle a complaint about student discipline that came to them. If the complainant was not satisfied with the result, the case could then be handled by the Head of Discipline. If the complainant still felt dissatisfied, the case could be referred to the Assistant Principal for Student Affairs and so on. The aim of the process is to reach a suitable resolution via communication.

4. Fair handling

The College will positively face complaints and will treat fairly both complainants and the persons being complained about. To promote fairness, the subject of a complaint will not be the investigating party. An appeal process will also be provided.

Flow chart:

Summary of handling procedures for both inquiries and formal complaints



Explanatory points to the above flowchart:

i) Regarding Informal inquiries and opinions

- a. in order to effectively deal with/process a query, after considering the nature of the case, the person first taking the query should take the initiative to communicate with the person concerned to understand more about what the person is saying and should, as far as possible, provide necessary information and quick feedback so as to resolve the problem.
- b. If this has not worked, or the matter is judged to be a more serious one, the staff member initially taking the query /complaint should refer the case to the relevant area head for follow up and resolution.
- c. With regards to verbal inquiries/opinions, a verbal reply will suffice. However, the person in charge may, depending on the situation, reply in writing. For example. If the opinions are sent in written form or the College needs to make clear its stance/relevant details accordingly, the relevant area head will decide whether a simple written reply to the person(s) concerned is needed.
- d. Cases handled through informal handling procedures normally do not require formal written records. If relevant inquiries have been answered or resolved instantly, the staff member concerned is not asked to record the key points in a log book for future reference. However, the exception is for concerns that either reach or are received at Department Head or Area Head level or those received by the General Office. Such matters should be recorded by the Department Head or general office staff member who receives the concern. The logbook should also be used in instances where staff feel that a record may need to be kept for future reference. Appendix 6 illustrates the pro-forma for such a log book.

ii) Regarding Formal complaints

e. Table: personnel allocated to complaints by type

Focus of complaint	Example	Person Investigating	Appeal stage
a) Teaching and College staff	1	Senior teacher	DP/AP
	2	DP/AP	Principal
	3	Principal	IMC member
b) Principal	4	Designated by the Supervisor	Supervisor
	5	IMC Investigation Task Force	Supervisor / IMC Appeal Task Force
c) Supervisor / IMC	6	Designated by the IMC/SSB or EDB	Designated by the IMC/SSB

Explanatory notes:

For formal complaints concerning either teaching or College staff, consistent with the principle of escalation expressed on the first page, example 1, shown in the table above would pertain to lower level matters, for example, a formal complaint about the marking of student work, the allocation of homework etc. Such matters would be investigated by the Head of Department concerned.

Example 2 in the table above would pertain to formal complaints concerning higher level issues such as interpretation and the implementation of College policies and procedures and would merit a response at Deputy Principal level. Such matters are shown in appendix I at the rear of this document.

Example 3 in the table above would relate to allegations pertaining to more serious complaints regarding professional behaviour and the safety and well-being of students.

Example 4 in the table above would pertain to general formal complaints made to the IMC regarding the Principal.

Example 5 would pertain to formal complaints also involving an external body such as the EDB.

Example 6 in the table above refers to all formal complaints made regarding either the Supervisor or the IMC.

Notes to the College's Complaint Handling Mechanism

- i.) Should further interpretation of the College's mechanism be required, the EDB's published document, 'Guidelines for Handling College Complaints' shall be the reference point.
- ii.) The College is bound by relevant Government Ordinances and EDB circulars.

iii.) The Investigation Stage of Formal Complaints

During this stage, appropriate staff will be delegated to investigate the complaint and reply to the complainant.

- A receipt acknowledging the formal complaint will be sent and inform him/her of the name and post title of the staff responsible for handling the case for contact purposes (appendix ii). If required, a further letter will be sent to seek the complainant's consent to send their personal data and information relevant to the complaint to a third party such as the EDB (appendix iii)
- Contact with the complainant will be made to either arrange an interview with the complainant and other person(s) concerned to learn more about the situation or ask the person(s)/organisation concerned to provide information, as needed.
- The investigation should be handled timely. It is suggested that any investigation be completed within two months after having received a formal complaint.
- A written reply should be sent to the complainant, informing them of the investigation result, using appendix 5 as a pro forma.
- If the complainant accepts the investigation result, the complaint case can be closed.
- If the complainant does not accept the investigation result or the way of handling by the school, and is able to provide new evidence or sound reasons, they may, within 14 days from the date of the school's reply, lodge an appeal against the school's decision in writing, outlining either new evidence of the sound reasoning concerned.

iv.) The Appeal stage

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

- An appropriate member of staff who is at a higher rank than the person-in-charge of the initial investigation or a member of staff from a different section will be asked to handle the appeal and reply to the complainant.
- Handle the relevant appeal timely. It is suggested to complete an investigation within two months after receiving the request for appeal and inform the complainant of the appeal result in a written reply.

- If the complainant accepts the appeal result, the case can be closed.
- If the complainant does not accept the appeal, the result may need to be heard by the “School Complaints Review Board” (Review Board) established by EDB.

v.) Complaint situations not handled by the College

In general, the following types of complaints may not be handled by the College:

- Anonymous complaints

If a complaint is made in written form or in person, the complainant should provide their name, address/e-mail address and phone number. If in doubt, the College may require the complainant to show his/her identity documents. If the complainant fails or refuses to provide the above personal particulars, the College may not be able to conduct an investigation and give a written reply to the complainant. Such cases will be deemed as anonymous complaints and may not be handled by the College. Under special circumstances (e.g. sufficient evidence available or the complaint involves serious or emergency cases), the middle or senior management may decide if it is necessary to follow up an anonymous complaint, e.g. taking it for internal reference, informing the subject of the complaint or taking relevant remedial improvement measures. If follow-up actions are considered unnecessary, brief reasons should be stated before filing the complaint for record.

- Complaints not made personally by the person concerned

Generally speaking, complainants should bring forward their grievance in person. In case the aggrieved person is a minor or is intellectually disabled, his parents/guardians or the person authorised by the parents/guardians may lodge a complaint on his behalf. If the aggrieved person is an adult, other persons can only complain on behalf of him with his prior written consent.

If a complaint is lodged by more than one person on behalf of an aggrieved person(s), the aggrieved person is required to designate in writing, a representative as the contact person with the College.

- Complaints involving any incidents which occurred more than one year previously.

Complaints related to the daily operations of the College should normally be lodged within the same school year. If the incident involved occurred more than one year previously, it would be difficult for the College to collect evidence for investigation as the objective environment/evidence might have changed or disappeared ; or the person concerned/the target of complaint has left the

College. To allow greater flexibility, the time limit for lodging a complaint should be set within one calendar year.

- Complaints with insufficient information

The College, so as to adequately investigate an issue prefers that a complainant provides concrete evidence regarding the case for investigation. If the complainant fails to provide sufficient information to facilitate an investigation, the College may refuse to handle the relevant complaint.

- Complaints Where Unreasonable Behaviour Arises

In general, contact between complainants and the College should not be restricted as, in time, communication and mediation can help to help remove misunderstanding. However, there may be occasions where unreasonable behaviour by individual complainants may create a number of effects that ultimately impact upon the College's students such as consuming immense manpower in handling such behaviour, interrupting the College's operations or services as well as threatening the safety of the responsible staff and other stakeholders.

The Principal shall define whether the complainants' behaviour is unreasonable and decide what measures should be taken. If the complaint is concerns the Principal, such decisions should be made by the College's supervisor or the IMC.

Unreasonable behaviour by complainants can generally be classified into the following three categories:

1. Unreasonable attitudes or behaviour, such as:
 - ❖ Violence or intimidation expressed towards the College's staff.
 - ❖ Making complaints with abusive or insulting words.
 - ❖ Providing false data or deliberately concealing facts.
2. Unreasonable demands, such as:
 - ❖ Requiring large amounts of data or special treatment.
 - ❖ Frequent telephone calls asking for dialogue, interviews or specifying certain person(s) to reply.
 - ❖ Requesting to meet with certain person(s) at a certain time and place.
3. Unreasonable vexatious complaints, such as:
 - ❖ After relevant investigation, firmly opposing the explanations and findings of the College/EDB, and/or persistently requiring the College/EDB to discipline certain person(s).

- ❖ In respect of the same case, making repeated complaints or presenting similar grounds as previous ones but failing to provide new evidence.
- ❖ In respect of the same case, keep lodging new points of allegation or new complaint targets, but failing to present concrete evidence.
- ❖ Interpreting things with unreasonable or irrational attitudes, or badgering about trivial details.

Complaints Relating to the Daily Operation and Internal Affairs of the College

Scope	Particulars
Management and Organization	<ul style="list-style-type: none"> • College accounts (e.g. accounting records) • Other charges (e.g. extra-curricular activities charges and registration fee) • Policies (e.g. reward and penalty systems, College suspension arrangements) • Contractor services standard (e.g. College bus service, meal box supply) • Service contracts (e.g. tendering procedures) • College environment and hygiene (e.g. noise, mosquitoes problem)
Learning and Teaching	<ul style="list-style-type: none"> • College-based curriculum (e.g. teaching hours of different subjects) • Selection of subjects and class allocation (e.g. arrangement for student choice of subject) • Homework (e.g. homework amount, College-based assessment standards) • Students assessment (e.g. assessment standards) • Staff performance (e.g. teaching staff behaviour/attitudes, job performance)
College Ethos and Student Support	<ul style="list-style-type: none"> • College ethos (e.g. uniform, appearance) • Home-College cooperation (e.g. consultation mechanism, communication channels) • Student support (e.g. support for special educational needs) • Extra-curricular activities (e.g. interest group or activity arrangements)
Student Performance	<ul style="list-style-type: none"> • Students' overall performance (e.g. academic performance, conduct) • Student discipline (e.g. abusive language, smoking, fighting, bullying)

Sample of an Acknowledgement Letter For a Formal Complaint (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. This letter is to inform you that 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 call Mr/Ms X (Teacher/Senior Teacher/Vice Principal) at XXXXXXXX (telephone number).

(Signature)

Principal /
Name and post
of the designated officer*

Sample of Acknowledgement Letter, referral involving an outside body (2)

(If referral of the complaint to a third party e.g. relevant government departments or contractors of College services is needed.)

DD MM YYYY

Name of the complainant

Address of the complainant

Dear Mr/Ms* XX:

We have received your written/verbal* complaint on DD MM YYYY. For the purpose of investigation and follow-up, please fill in the reply form attached, and send it to the College before DD MM YYYY. We will reply to you when the investigation is completed.

If you have any inquiries, please call Mr/Ms X (Teacher/Senior Teacher/Vice Principal) at XXXXXXXX (telephone number).

(Signature)

Principal of XXXXXX College /
Name and post
of the designated officer*

Sample of Acknowledgement Letter (2)
Reply Form

To: Name of College

File No.: (if applicable)

Name of the complainant: Mr/Ms

[Please write the name borne 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 College in handling this complaint, I agree that:

1. The College may copy the complaint and other information I have presented, and transfer the copies to relevant persons/ organisations; and
2. The College may ask relevant persons/organisations for my personal information and other information related to this complaint.

Date Signature of the complainant

Fields must be completed.

Sample Formal Complaint Record

Date received _____

Source: Directly lodged to the College
 Referred by 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 Member of the Public
 Organisation _____
 Others _____
 Authorised representative of the complainant (please state the name, address and contact telephone number of the representative and his/her relationship to the complainant):

Tel: _____ Fax: _____

Email: _____

Address: _____

Subject(s) of complaint:

Office staff Teacher Principal
 Others: _____

Nature of Complaint:

Management and Organisation Learning and Teaching
 College Ethos and Student Support Student Performance
 Others _____

Summary of complaint:

--

Investigation stage:

Person-in-charge: _____

Date of Issuing Notice of Acknowledgement: _____

Date of Telephone contact: _____

Date of Interview(s) with the complainant: _____

Date of Issue of written reply: _____

Summary of investigation findings:

Appeal stage (if applicable)

Date of appeal: _____

Person-in-charge: _____

Date of Issuing Notice of Acknowledgement: _____

Date of Telephone contact: _____

Date of Interview(s) with the complainant: _____

Date of Issue of written reply: _____

Summary of appeal result:

Follow-up actions or recommendations (if applicable)

Signature of person-in-charge:

Sample of Reply Letter After The Investigation of a Formal Complaint

DD MM YYYY

Name of the complainant

Address of the complainant

Dear Mr/Ms* XX:

With reference to your written/verbal* complaint on DD MM YYYY, the complaint was investigated by (name of investigator) on (date). The result of the investigation is as follows:

If you have any inquiries, please call Mr/Ms X (Teacher/Senior Teacher/Vice Principal) at XXXXXXXX (telephone number).

(Signature)

Principal of XXXXXX College /
Name and post
of the designated officer

Sample Log Book Inquiry Record

<u>Date</u>	<u>Time</u>	<u>Inquiry</u>	<u>Person dealing with inquiry</u>	<u>Other (eg, matter referred to....)</u>