



**Jockey Club Ti-I College**

# **Policy and Guidelines of Handling Complaints**

(Effective from January 2017)

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## **Foreword by the Supervisor**

*Teamwork is very important in any organization and communication is vital to develop better understanding and maintain a dialogue across all levels. The present handbook on policy and guidelines of handling complaints is one step closer towards nurturing a culture of communication through feedback and genuine exchanges.*

## Chapter 1            Scope of Application

- 1.1 The guidelines are applicable to complaints on the daily operation and internal affairs of the School, including management, organization, teaching and learning.
- 1.2 The guidelines are ***not applicable*** to the handling of the following types of complaints:
- (i) complaints related to ongoing legal proceedings;
  - (ii) complaints under the jurisdiction of other organizations / government departments;
  - (iii) complaints governed by other ordinances or statutory regulations such as complaints against corruption, fraud or theft;
  - (iv) complaints lodged by the School staff.
- 1.3 In general, the School ***will not handle*** the following types of complaints:
- (i) Anonymous complaints
    - ◆ Should the complainant fail or refuse to provide the personal details (including complainant's name, correspondence/e-mail address and contact phone number), the complaint will be deemed anonymous and the School will not handle it. If in doubt, the school may request the complainant to show his/her identity documents.
    - ◆ However, when there is sufficient evidence or when the case is serious or urgent, the School authority reserves the right to decide whether to follow up with an anonymous complaint.
  - (ii) Complaints not made by the person concerned
    - ◆ 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.
- ◆ If 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, the organization/group should obtain prior written authorization from the person concerned. The school authority will then handle the complaint in accordance with the prescribed procedures.

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

- ◆ Complaints related to the daily operations of the School should be lodged within one calendar year from the occurrence of the incident.

(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, the School may not handle the complaint concerned.

## **Chapter 2            Guiding Principles for Handling Complaints**

In handling school-related complaints made by parents, students or the public, the following guiding principles will be applied:

### **Principle I: Handling of complaints by the appropriate party/parties**

- 2.1 (i) Complaints relating to daily operation and internal affairs should be handled by the School.
- (ii) The EDB should handle those complaints concerning the Education Ordinance, education policies and services.
- (iii) Complaints involving other laws of Hong Kong should be lodged to and handled by the relevant law enforcement agencies.
- (iv) If a complaint involves both the School and the EDB, it should be handled by the School and the related sections of the EDB.

### **Principle II: Timely and efficient handling**

- 2.2 The School will 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, frontline staff will be appointed to 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 the seniors.
- 2.3 If an incident is referred or reported to the School by the media, the School will adopt the following measures:
- ◆ 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.
  - ◆ inform all teaching staff 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.

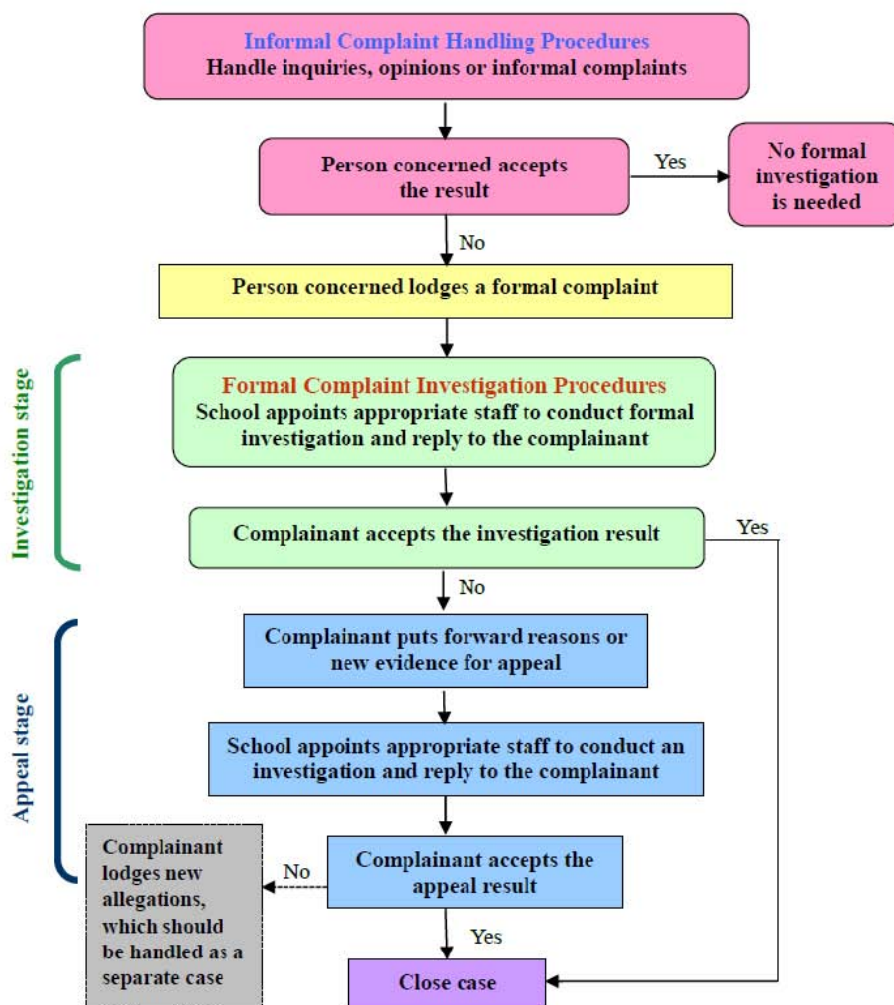
### **Principle III : Fair and impartial handling**

- 2.4 The School will approach complaints positively and treat the complainants and respondents of the complaints fairly. Sufficient appeal channels are provided.
- 2.5 Before an investigation begins or where appropriate, the designated staff should declare interests. If there is any conflict of interest, the person concerned should not be involved in handling the case or have access to any related information.
- 2.6 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.
- 2.7 The School Management will see to it that the rights of the complainants or other persons involved in the complaint are being protected.

### Interpretation of Complaints

- 3.1 To avoid confusion in the handling process, the frontline staff 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 that the School rectify its mistakes, take disciplinary action against the suspected offenders, or resolve the issue raised in the complaint.
- 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.

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





## **Informal Complaint Handling Procedures**

### *Immediate/prompt handling*

#### 3.3 Procedures for prompt and efficient response to inquiries/complaints :

- (i) 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.
- (ii) 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.
- (iii) The frontline staff will listen to the concerns of the inquirer/complainant with care and understanding. If the incident is not serious, they will provide necessary assistance or information required or promptly respond to the concerns raised by the inquirer/complainant and help resolve the problems involved.
- (iv) If necessary, the school staff in charge of the relevant issue will have direct talks/interviews with the person concerned to explain the School's stance and remove any misunderstanding, misgivings or worries of them.
- (v) If necessary, the frontline staff will refer the case to a designated senior staff for prompt follow-up actions and resolutions.

### *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.

3.5 For opinions/complaints which are presented in written form, 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 concerned / complainant is appropriate.

### *Complaint records*

3.6 Cases handled by the informal complaint handling procedures normally need not be documented in formal written records. If the inquiry/complaint has been answered or resolved instantly, the designated staff may record the key points in a log book for future reference.

### *Appropriate follow-up*

3.7 The School will review whether the policies 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.

## **Formal Complaint Investigation Procedures**

### *Arrangements for the investigation and appeal stages*

3.8 Procedures for formal complaint investigation procedures (including an appeal mechanism):

(i) Investigation stage

If the School receives any formal complaints (including those referred by the EDB or other organizations), it will 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;
- ◆ 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 (preferably within two months after receiving the complaint);
- ◆ if the complainant accepts the investigation result, conclude the case officially;
- ◆ 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 will be adopted 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 as quickly as possible;
- ◆ if the complainant accepts the appeal result, conclude the case officially;
- ◆ if the complainant does not accept the appeal result or the way the school handled the appeal, the School should cautiously review the appeal process to ensure that proper procedures have been followed;
- ◆ if the complainant raises other new allegations, the School should handle them separately in order to avoid mixing up the old complaints with the new ones.

*Responding to complaints/appeals*

3.9 If the complaint or appeal is in written form, the School will respond with a written reply.

3.10 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 organizations, a copy of the written reply will be forwarded to them for reference.

3.11 Generally speaking, the time limit for replying to a complaint/appeal is decided by the School depending on the nature of the case.

*Complaint/appeal records*

3.12 A clear record of cases handled by the formal complaint investigation procedures will be kept by the School administration.

*Appropriate follow-up*

3.13 At the end of the investigation/appeal stage, the School may review whether the complaint handling policies 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 will inform the person concerned of the School's follow-up actions.

## Chapter 4 Arrangements for Handling Complaints

### Designated staff

4.1 Taking into account the nature of the complaint, its scope and the people involved, the School may 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.
- ◆ The staff dealing with the appeal should not be of a lower rank than those responsible for the investigation.
- ◆ Where necessary, the School may establish a task force to handle special complaint cases.
- ◆ The School will ensure that the designated staff have proper authorization and clearly understand their roles and responsibilities.
- ◆ Concerning the deployment of staff for handling complaints at different stages, the School will refer to the guidelines below:

Targets involved	Investigation stage	Appeal stage
Teaching and school staff	Corresponding coordinator	Head of Department / Committee
	Senior teacher	Vice Principal
	Vice Principal	Principal
	Principal	Supervisor
Principal	Supervisor	Designated staff of our school sponsoring body
	IMC Investigation Task Force*	Supervisor / IMC Appeal Task Force*
Supervisor / IMC	Designated staff of our school sponsoring body / Task force	Designated staff of our school-sponsoring body / Task force

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

### Confidentiality

4.2 The School will adopt appropriate security measures to protect personal data and privacy.

- 4.3 Only authorized 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 authorization.
- 4.4 The School may arrange interviews or meetings with relevant parties. To avoid misunderstanding, the School will:
- ◆ state clearly whether the person concerned can be accompanied by others (e.g. relatives, legal representatives) during the meeting and reiterate the stance before the meeting starts; and
  - ◆ indicate before the 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 meeting.

### **Follow-up and evaluation**

- 4.5 The School will take appropriate follow-up measures to revise relevant policies for enhancement of professional standards.
- 4.6 The School may conduct a comprehensive 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.
- 4.7 The School may review the complaint handling guidelines and report to the IMC by providing relevant data concerning complaint/appeal cases, and suggest improvement measures to enhance the school-based complaint handling mechanism and procedures.

## Chapter 5 Handling of Unreasonable Behaviour

### Definition of unreasonable behavior

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

(i) Unreasonable attitude or behaviour

- ◆ 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

- ◆ 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

- ◆ Insisting on rejecting the explanations and findings of the School/EDB, and/or requiring the School/EDB to discipline a certain person, even after appropriate investigation procedures have been taken.
- ◆ Repeatedly making the same complaints or presenting similar justifications as before without providing any new evidence.
- ◆ 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

5.2 In case of certain unreasonable behaviour of complainants imposing a negative impact on the School, draining a considerable amount of the School's human resources, interrupting normal operations, as well as threatening the safety of staff and other stakeholders, the following actions will be taken to ensure that the School's operation would not be affected:

(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, is unacceptable. The staff member handling the complaint should convey the above 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.
- ◆ The School will remind staff responsible for handling complaints to stay alert and take suitable action to protect their own safety. The School will empower the staff member to make decision, depending on the situation, on whether to terminate the interview or dialogue with the complainant and ask the complainant to leave, if his/her behaviour poses an immediate threat to the staff's personal safety or damages their 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, the School may consider putting restrictions on the complainant's contact with the School, including specifying the time, frequency, date, duration and modes of communication. The School will notify the complainant in writing of such arrangements and handling procedures.

(iii) Unreasonable persistent 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 contact with the complainant, and cease handling the case altogether.
- ◆ To avoid any unrealistic expectations on the part of the complainant, the School will 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” (see Appendix VI) 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.



**Examples of Complaints Relating to  
Daily Operation and Internal Affairs of our School  
(For Internal Reference Only)**

<b>Domain</b>	<b>Examples</b>
Management and Organization	<ul style="list-style-type: none"> <li>◆ School accounts (e.g. accounting records)</li> <li>◆ Other charges (e.g. extra-curricular activities charges and registration fee)</li> <li>◆ School policies (e.g. system of reward and penalty, arrangements regarding students' suspension from the School)</li> <li>◆ Service contracts (e.g. tendering procedures)</li> <li>◆ School environment and hygiene (e.g. noise pollution, mosquitoes problems)</li> </ul>
Learning and Teaching	<ul style="list-style-type: none"> <li>◆ School-based curriculum (e.g. subject lesson time)</li> <li>◆ Selection of subjects and class allocation (e.g. arrangements for students' choice of subjects)</li> <li>◆ Homework (e.g. amount of homework, school-based assessment criteria)</li> <li>◆ Students assessment (e.g. assessment criteria)</li> <li>◆ Staff performance (e.g. behaviour/attitudes of teaching staff, job performance)</li> </ul>
School Ethos and Student Support	<ul style="list-style-type: none"> <li>◆ School ethos (e.g. uniform and other aspects of appearance)</li> <li>◆ Home-school cooperation (e.g. consultation mechanism, communication channels)</li> <li>◆ Student support (e.g. support for students with special educational needs)</li> <li>◆ Extra-curricular activities (e.g. arrangements for interest groups and other student activities)</li> </ul>
Student Performance	<ul style="list-style-type: none"> <li>◆ Students' overall performance (e.g. academic results, conduct)</li> <li>◆ Student discipline (e.g. foul and abusive language, smoking, fighting, bullying)</li> </ul>

Our School should 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 listed in paragraph 1.1(i) of the Guidelines to ensure compliance with the respective requirements.

## Sample Record Sheet of Case 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: \_\_\_\_\_

Role of Complainant:  Parent  Student  Other (please specify: \_\_\_\_\_)

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

Enquiries / Concern(s): \_\_\_\_\_

Information / Document attached:  No  Yes (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: \_\_\_\_\_ Date: \_\_\_\_\_  
 (Name / Post)

\*Please delete where inappropriate

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 Jockey Club Ti-I College /  
Name and post  
of the designated staff\*

\* Please delete where inappropriate

### 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 Jockey Club Ti-I College /  
Name and post  
of the designated staff\*

\* Please delete where inappropriate

Sample Acknowledgement Letter (3)  
Reply Form

To : Jockey Club Ti-I College

File No.: (if applicable)

Name of the complainant: Mr/Ms \_\_\_\_\_

[Please write the name as shown 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: \_\_\_\_\_**



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

Jockey Club Ti-I College/

Name and post of the designated staff\*

\* Please delete where inappropriate