

VERY URGENT

Our Ref: PA 05/6-126

2nd June, 2005

Chairman
Education Panel
Legislative Council
Hong Kong Special Administrative Region of the
People's Republic of China
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Chairman,

I understand that the Secretary for Education and Manpower will very shortly be introducing a paper at a meeting of your esteemed committee. The paper contains proposed measures aimed at forcing aided schools to form incorporated management committees (IMCs), which are a significant feature of the Education (Amendment) 2004 Ordinance. As I do not have the LegCo Paper at hand, I can only refer to the contents by what is available from the press and from a short briefing organised by the Education and Manpower Bureau (EMB).

From what we know the paper is divided into three main parts.

Part A proposes a one-off cash grant to any school which establishes an IMC to off-set actual expenses. To this I have no great opposition except that the grant will only be offered to schools actually forming IMCs in the next two or three years, and therefore in my view very unfair to other schools which have to take action later, often for very justifiable reasons. In any case, the ordinance does not require implementation until 2010.

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Part B proposes to amalgamate a number of relatively minor grants into a special new grant. A school which forms an IMC will be offered greater autonomy and flexibility in using the new grant. In addition, thanks to the use of a special formula in calculation, the new grant will in total be greater than the sum of the constituent smaller grants. In other words, a school which now chooses to form an IMC will be given greater resources than if it did not.

We are very strongly opposed to Part B for these reasons:

1. It is highly discriminatory and divisive to distinguish between schools which do and which do not form an IMC. Schools which have not yet formed an IMC are still perfectly legitimate and they provide equally good service to parents and students.
2. EMB's argument seems to be that a school which has an IMC is more reliable and trustworthy and therefore could be granted greater autonomy and flexibility in handling funds. This argument does not hold water because even a school which does not have an IMC handles tens of millions of subsidy annually. The new grant taken together forms only a minuscule part of the total budget of a school. In any case, a school whose management is considered unreliable should never have been entrusted with public funds in the first place.
3. In principle, all students in the territory are entitled to the same benefit from public funds. Therefore, it is unfair for some students who happen to be enrolled in a school not yet having an IMC to be obtaining less benefit in cash terms because the grant to that school is now smaller.

Part C suggests that EMB would provide insurance cover for professional liability for managers of schools having an IMC but not to others. This is highly discriminatory as managers in schools not yet having an IMC equally serve the public voluntarily. They give freely of their time and expertise in public service and should therefore be entitled to the same protection.

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From my comments above, you will have noticed that we are opposed to the proposals. We hope that your committee will now be aware that the paper does not enjoy widespread support. Indeed, whether intentional or not, it further widens the division between EMB and many school management bodies.

I shall therefore be grateful if you and your colleagues will not let the paper pass.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Timothy W. H. Ha', with a horizontal line underneath.

Timothy W. H. Ha
Education Secretary
Hong Kong Sheng Kung Hui

WHH/fw