

7 May 2007

The Honorable Ms Audrey Eu
Member
Panel of Education
Legislative Council of Hong Kong
8 Jackson Road
Central
Hong Kong

Dear Ms Eu,

**The English Schools Foundation Amendment Bill 2007
Meeting of the Education Panel of LegCo on 22 March 2007**

At the meeting of the Education Panel of LegCo on 22 March 2007 you asked for an explanatory note to compare the proposed governance arrangements for English Schools Foundation schools with the school-based management that applies in the local sector. I attach a brief note which seeks to do this. I hope this answers your question and I should be happy to supply further information if that would be helpful.

I am copying this letter to the Clerk to the Education Panel with a request for it to be circulated to other members of the Panel.

Yours sincerely,

Heather Du Quesnay
Chief Executive

Att

cc Clerk to Education Panel, LegCo

The English Schools Foundation (Amendment) Bill 2007
Meeting of the Education Panel of LegCo on 22 March 2007

A Comparison of the Proposed Governance Arrangements for the English Schools Foundation and the School-Based Management in Local Schools

1. Background

1.1 The review of governance of ESF schools was undertaken in order to :

- address the criticisms of current governance arrangements made by the Director of Audit and the Public Accounts Committee;
- give schools greater freedom to manage their own affairs, within a supportive policy framework and in accordance with the principles underpinning recent Hong Kong educational legislation;
- clarify the roles and responsibilities of the two tiers of governance within the ESF structure.

1.2 ESF has, since inception, been committed to the principle of school-based management. From the establishment of ESF in 1967, each school has had its own School Council (similar to an Incorporated Management Committee). The work of these bodies was, in general, praised by the Director of Audit and the Audit Commission and the governance reforms have been designed to build on these strengths.

2. The Board of Governors

2.1 Hong Kong has many major school sponsoring bodies. Like such similar bodies the ESF has two tiers of governance and management, one at the central level and the other at the school level.

2.2 The proposed governance arrangements are designed to safe-guard the distinctive style of education offered by ESF schools; to safe-guard quality and protect standards; and to ensure that the individual schools benefit from the economies of scale that arise from the fact that they are part of a foundation rather than individual entities. The LegCo Brief provides members with further information about the character and history of ESF.

2.3 The upper tier of governance (supreme governance body) under the proposals is represented by a Board of Governors, which replaces the cumbersome 132-member Foundation.

2.4 The Board comprises 27 people, only 5 of whom are employees (and one of these, the Chief Executive Officer, has no vote). The three School Council Chairmen, the Principal, the teacher and support staff members will be elected by their peers. The ten independent members will be nominated by a Nominating Committee, made up of members drawn from the Hong Kong General and British Chambers of Commerce, universities, School Councils and parents.

2.5 The responsibilities of the Board include :

- establishing, with the Chief Executive Officer, the strategic direction of the Foundation;
- approving and keeping under review a curriculum strategy for the schools of the Foundation as a whole;

- taking responsibility for the quality and standards of education provided in the schools of the Foundation;
- ensuring that there are effective procedures for the recruitment, retention, management, development and support of all employees of the Foundation;
- overseeing the efficient use of the resources of the Foundation and approving an annual budget;

3. The School-Based Management Model : School Councils

3.1 The proposed new governance arrangements for ESF schools fully share the goals of School-Based Management set out in the document ‘What is School-Based Management?’ (EMB, April 2006):

“to provide schools with enhanced flexibility and autonomy in managing their own operation and resources according to the needs of their students; to enhance the transparency and accountability in the use of public funds, school operation and performance by providing a participatory decision-making mechanism where all key stakeholders are involved.”

3.2. The School Councils are similar in form to the Incorporated Management Committees with elected teacher and parent members as well as independent community representatives appointed by the Board of Governors. Within ESF, it has been traditional for there to be equal numbers in each of these groups and we intend to continue that arrangement, while adding one member of the school support staff, elected by the support staff. ESF has always regarded it as important to have as Chairman of the School Council a person who is neither an employee at the school nor a parent. The Bill seeks to continue this arrangement, with the Chairman being appointed by the Board.

3.3. The responsibilities of the School Councils set out in proposed new section 13 of the Ordinance (clause 8 of the Bill) are very similar to those of the Incorporated Management Committees, covering as they do:

- strategic planning including the approval of the School Development Plan;
- reporting to parents and the Board on the school’s achievements;
- curriculum policy for the school within the framework set by the Board (under School Based Management the framework is set by the Curriculum Development Council);
- participation in the selection process for the Principal (with members of the Board and the Chief Executive Officer);
- staffing matters, including ensuring the implementation of procedures for the management, development and support of staff and approving internal promotions; and
- securing the efficient use of resources delegated to the school and approving the school’s annual budget.

4. Conclusion

In reviewing and amending its governance arrangements, ESF has sought to learn from the models of devolved governance which operate in major education systems of which many of its stakeholders have experience and to adhere closely to the principles of School-Based Management developed by the government of Hong Kong.