

Subcommittee on Children's Rights

Response to the discussion and related enquiries at the meeting on 4 April 2018

The response of the Education Bureau

Details of enhanced mechanism

The Education Bureau (EDB) has reviewed the procedures on handling “non-contact” non-attendance cases in the end of 2017 and agreed that the relevant procedures could be further enhanced. Under the enhanced mechanism, EDB will request school personnel to adopt more stringent procedures when following up on “non-contact” non-attendance cases, with the minimum number of home visits to be made increased from one to three (including home visit(s) by officers of Non-attendance Cases Team). If the students or parents concerned cannot be contacted after paying repeated home visits and making enquiries with other departments (such as the Social Welfare Department, Housing Department, Immigration Department), EDB would refer the cases to other departments, for instance, Hong Kong Police Force or Social Welfare Department, for appropriate follow-up actions. Most importantly, EDB would follow up on each non-attendance case thoroughly and attempt to contact the parents concerned periodically. No more cases will be closed just because the school-age children or their parents cannot be contacted. Various departments, for example, Social Welfare Department, Housing Department, Immigration Department and Hong Kong Police Force are aware of the details of the enhanced mechanism.

2. Since most procedures are executed by EDB staff (especially for secondary school cases), the enhanced mechanism has been put in place as from the beginning of this year for handling non-attendance cases in the current school year. As for primary schools, when schools make regular reports on the progress of “non-contact” cases to EDB as required, we will separately elaborate the enhanced mechanism to schools and request them to adopt proper procedures. EDB has also started to communicate with school personnel in other primary and secondary schools to enable them to have better understanding of the enhanced mechanism. Talks and sharing sessions on strategies and the enhanced mechanism for handling non-attendance cases were held in April and May, and will again be held in August for different school personnel (including school management, Student Guidance Officers, Student Guidance Personnel and school social workers) to help these professionals understand more about the enhanced mechanism.

Strengthening of manpower and releasing information of non-attendance cases

3. To ensure smooth operation of the enhanced mechanism and provide better support for non-attendance students, we have strengthened our manpower through recruitment of additional staff. In the short term, five additional officers will be initially employed to assist in the follow-up actions of non-attendance cases. As regards Hon Fernando CHEUNG Chiu-hung's suggestion of regular updating of information on non-attendance cases, EDB will study and consider releasing regular updates on total number and age distribution of non-attendance cases.

Travel records of students of "non-contact" cases among the non-attendance cases from the 2011/12 to 2015/16 school years and whether they are cross boundary students

4. The Immigration Department will, in compliance with statutory requirements, provide travel records of students of non-attendance cases. From the 2011/12 to 2015/16 school years, among the non-attendance cases of students aged between 6 and 15 reported by schools, follow-up actions were suspended for 162 cases involving students at primary and junior secondary levels since EDB was unable to contact the students or parents concerned. According to Immigration Department's travel records of the students in these 162 "non-contact" non-attendance cases in the period from their last date of school attendance to 6 April 2018 inclusive, 45 students left Hong Kong before 6 April 2018 and had no subsequent re-entry records; 73 students left Hong Kong and returned to Hong Kong on or before 6 April 2018; and 44 students had no departure/entry records. EDB will continue to follow up on the cases with students remaining in Hong Kong according to the enhanced mechanism.

Details of "non-contact" cases among the non-attendance cases from the 2011/12 to 2015/16 school years

5. From the 2011/12 to 2015/16 school years, among the non-attendance cases of students aged between 6 and 15 reported by schools, follow-up actions were suspended for 162 cases involving students at primary and junior secondary levels since EDB was unable to contact the students or parents concerned. Deducting 45 of these cases involving students who left Hong Kong and had no subsequent re-entry records, 117 cases still require follow-up actions. 50 of them were cases at primary level, while 67 of them were students aged under 15 at junior secondary level. The age distribution of these students then and now is as follows:

Age	Number of the students when their non-attendance started in age group indicated in the leftmost column	Number of the students in age group indicated in the leftmost column as at 31 March 2018
6 - 9	40	7
10 - 12	15	12
13 - under 15	62	23
15 or above	0	75
Total	117	117

6. When following up on the above non-attendance cases in the past, apart from the effort of school guidance personnel or social workers to contact the parents concerned through different means, EDB had also approached other departments to enquire about their contact information when necessary. Only when the non-attendance students and their parents remained unlocated would we consider closing the cases. EDB has already initiated fresh follow-up actions for these non-attendance cases with unlocated students or parents. Our priority is to contact these students or parents again through telephone calls, home visits or mails as soon as possible. We will also pass the basic particulars of these cases to other departments to enquire about the relevant information. As this involves a huge amount of work, we currently do not have the manpower to collect statistical data on the students' background, duration of non-attendance and follow-up actions in each of these cases.

7. In the above "non-contact" non-attendance cases, irrespective of whether the students concerned have reached the age of 15 or not, EDB will endeavour to locate them and their parents so that appropriate services can be provided on a need basis. For these cases, as EDB cannot get in touch with the students or their parents through telephone calls or home visits within a short period, we need more time to refer these cases to other departments in order that further information can be obtained and further action can be taken. As at 20 April this year, EDB has successfully contacted 29 of these students (including 8 non-attendance students aged under 15 and 21 non-attendance students aged 15 or above). It is hoped that with the assistance of other departments, we can contact more and more students and provide them with appropriate support.

"Non-contact" non-attendance cases in recent years

8. Regarding the "non-contact" non-attendance cases reported in recent years, there were 28 cases in the 2016/17 school year of which follow-up actions were suspended (including 24 primary school cases and 4 junior secondary school cases involving students under the age of 15). We have already initiated fresh follow-up actions for these cases. As regards non-

attendance cases reported in the 2017/18 school year, there are no “non-contact” cases as these cases have been handled according to the enhanced mechanism.

The response of the Security Bureau/ Immigration Department

9. Travel records are personal data. The Immigration Department (ImmD) adheres strictly to the Personal Data (Privacy) Ordinance (the Ordinance) in the disclosure of personal data of individuals to other government departments upon request. In general, ImmD will disclose a person's personal data to the relevant government departments only with the consent of the data subject. Where no such consent is given, ImmD will consider the cases carefully to ensure that the disclosure of personal data falls within the exemption provisions under the Ordinance, e.g. for the purpose of law enforcement, and the prevention and detection of crime. The Education Bureau's request for checking the travel records of non-attendance students is related to the above exemption provisions. Upon receipt of the request, ImmD will process the request and provide the information needed in accordance with the Ordinance.

**Education Bureau
Security Bureau
Immigration Department
May 2018**