

For discussion on
3 November 2017

Legislative Council Panel on Education

IMPLEMENTATION OF SCHOOL-BASED MANAGEMENT

PURPOSE

This paper aims to brief Members on the implementation of school-based management (SBM) and the way forward with a view to supporting schools to further strengthen the effectiveness of school governance.

BACKGROUND

2. Participation of stakeholders in school management is a world-wide trend. In Report No. 7 on Quality Education issued by the Education Commission in 1997, amongst others, one of the key recommendations to the Government was to provide schools with greater autonomy and flexibilities by devolving more responsibilities to them, such that schools could develop their own ways of meeting diverse learning needs of students and enhancing learning outcomes.

3. Since 1999, various support measures have been put in place to facilitate schools' realization of SBM, including more flexible funding arrangements, streamlining of administrative procedures, and devolution of more responsibilities to schools in personnel management, financial matters and the design and delivery of curriculum.

4. To tie in with the implementation of SBM, the Education (Amendment) Ordinance 2004 came into operation on 1 January 2005. The SBM-related provisions establish the school governance framework and stipulate clearly the roles and responsibilities of different parties participating in this framework. The participation of the various

stakeholders in the decision-making of the school policies creates synergy and, at the same time, provides effective checks and balances to guard against any unfavorable development.

KEY ELEMENTS OF SBM POLICY AND OPERATION OF INCORPORATED MANAGEMENT COMMITTEE (IMC)

5. The SBM framework is a participatory (P) governance framework with transparency (T) and accountability (A). Under the P-T-A governance framework, key school stakeholders *participate* in decision-making and school management, taking into account fully the mission and vision of the school sponsoring body (SSB), the specific needs of their students and the development needs which may differ from schools to schools. Participatory decision-making increases the *transparency* in publicly-funded school operation. While enjoying more autonomy in the deployment of human and financial resources and in formulating their education policies, schools are *accountable* to the community for their performance.

6. To underpin the SBM policy, the law requires all aided schools to set up an IMC, which is an independent legal entity, and be managed by it. An IMC comprises six categories of school managers including independent members, principal, representatives from the SSB, elected teachers, parents and alumni members. Under this participatory school governance framework, the number of SSB managers amounts to 60% of the total number of managers of the IMC, which reflects that the SSB has an important role to play in governance and decision-making of the schools. It shoulders the role of monitoring the performance of IMCs. The SSB sets the vision and mission and gives general directions to the IMC in the formulation of education policies of the school. It has the responsibility in overseeing the performance of the IMC, and ensures, through SSB managers, that the mission of the school is realized.

7. Schools are required to operate, and principals are to manage and lead the schools, in compliance with the rules and regulations under the Education Ordinance (EO), Education Regulations (ER), Code of Aid (CoA), other related Ordinances, instructions and circulars from EDB from time to time and guidelines from the SSB and their IMC Constitution. The IMC is responsible for managing the school and shall be accountable for the

performance of the school. EDB plays the roles of regulator as well as provider of resources and professional support to schools.

8. The existing support measures for the implementation of SBM and the operation of the IMC are set out in the Annex.

CURRENT SITUATION

9. With enhanced flexibility and autonomy in their daily operation with SBM, IMC schools are required to, and have, put in place school self-evaluation (SSE), a core element of SBM under the School Development and Accountability Framework, which essentially aims at promoting schools' continuous self-improvement through the process of a systematic Planning-Implementation-Evaluation cycle¹. SSE is complemented by school inspections and external school reviews conducted by EDB to benefit schools from the feedback and suggestions for improvement from different perspectives. As for financial management, IMC schools are required to put in place an effective system of checks and balances to safeguard their assets and the use of funds.

10. To ensure adequate participation of stakeholders in school management for realizing SBM, IMCs would formulate different mechanism such as setting up sub-committees on specific areas with participation of different IMC members. As a general practice, the sub-committees will make relevant recommendations to the IMC to facilitate adequate deliberation or conduct consultation before formal discussion in the IMC meetings.

11. With more autonomy and responsibilities devolved to schools, EDB has been putting in place various ways to relieve teachers and schools' administrative work such as provision of additional resources for schools and sharing of good practices. Some schools have indicated that they are required to handle large amount of administrative and non-teaching work that affect the time and energy that the principals and teachers can devote to

¹ In gist, schools will plan/formulate their development focuses and strategies for the school development cycle, devise implementation details and report the progress/results on an annual basis, and conduct a holistic review at the end of their school development cycle to inform forward planning.

improving teaching and schools' operation.

12. Over the years of implementation of SBM, the majority of schools are characterized by well-coordinated, systematic and effective operation. There are, however, individual schools whose school managers lack the required knowledge and skills in school management, thus affecting the quality of school governance. It is noted that some SSBs and IMCs have difficulty in recruiting quality, suitable persons to serve as school managers, while some SSBs and school managers do not have a comprehensive understanding of their role in school management. Problems may arise when an IMC cannot play its managing role effectively.

13. Furthermore, there are isolated cases in which supervisors cannot perform effectively the functions as stipulated in the EO, or on certain occasions disregard EDB's advice. Incompetent IMCs / supervisors may give room for school principals to wield too much power without proper check and balance or becoming too laid-back, thus adversely affecting the quality of school governance and management. As and when warranted, EDB will exercise the power conferred by the EO and its subsidiary legislation and step in. Actions that can be taken include, but not limited to, appointing managers to the IMC, cancellation of school managers and withdrawing approval of school principal.

14. With regard to the school management's relationship with teachers, while the IMC itself is not the platform where teaching staff consultation is done, EDB advises that the IMCs, as the employer of all teachers, should ensure that there is proper and sufficient consultation with teachers in the formulation or review of human resource policies, e.g. granting of leave, staff appraisal system etc., to enable appreciation of teachers' needs and sentiments and facilitate teachers' understanding of the rationale behind the policies. The IMC should also ensure impartiality and consistency of the policies. Details of which should be communicated to all teachers to ensure that they are aware and clear of the policies. In practice, schools have different ways of engaging teacher participation. The sub-committee as elaborated in paragraph 10 is one of the practices. EDB has received feedback that some schools should step up their efforts to strengthen the engagement and consultative mechanism so that the views of teachers on

various school policies and welfare matters can be discussed, collated and appropriately addressed under the SBM framework.

15. Also, there are diverse channels for the communication between EDB and teachers. For example, officers from Regional Education Offices conduct regular teacher liaison visits to respective schools to seek their feedbacks on various education policies. Officials hold various meetings with teacher associations and School Councils during which frontline practitioners' views on various education policies are solicited. The views collated are important sources of evidences / experience facilitating EDB's formulation and refinement of various initiatives and policies.

WAY FORWARD

16. With enhanced awareness of the public on the importance of school governance and with the identified areas for improvement described in paragraphs 11-13, the Government is committed to introducing multi-pronged enhancement measures to further strengthen the effectiveness of school governance on top of the existing supporting measures which include:

(a) **Conducting Review on the Implementation of SBM**

A Task Force on SBM policy is being organized to be set up under the Education Commission in October 2017 with a view to:

- (i) studying the current position on the implementation of SBM policy; and
- (ii) recommending improvement measures in respect of:
 - further strengthening school administration, financial arrangement and personnel management, thereby unleashing teachers' capacity for studies and exchanges on education policies;
 - enhancing the understanding of the roles and responsibilities of the SSB, IMC and EDB by all parties concerned to enable effective implementation of the SBM policy for the ultimate benefit of school development and student learning; and
 - enhancing the capacity of the major stakeholders in school

governance.

It is expected that the Task Force would complete the study and submit a report to the Government in the first quarter of 2019.

(b) Strengthening the Monitoring Mechanism

As part of on-going support, EDB will conduct school development visit to aided schools on a regular basis to provide advice on IMC operation and identify good practices for sharing. To step up monitoring of the IMC operation of aided schools which are weak in governance and with potential management problems, in addition to conducting more IMC visits, EDB will strengthen the IMC school visiting teams with expertise across different areas such as financial management and human resources management to provide the necessary advice and more in-depth on-site support to schools in a holistic manner with a view to helping them enhance their IMC operation.

(c) Enhancing the Support Measures

To further strengthen the school governance, we will:

- (i) strengthen the Structured Manager Training Programmes to enhance managers' strategic leadership. The new elements include:
 - courses under the themes of "School Governance" and "Legal Matters";
 - more structured programmes for school supervisors; and
 - an online manager learning programme comprising "essence of school-based management, legal issues of school governance, and professional development of schools" in electronic form in consideration of the needs of school managers so that they can learn at their own pace;
- (ii) provide a series of training video episodes for school managers on SBM at EDB homepage to provide greater accessibility to the training materials for school managers as many of them have their own full-time jobs. The new initiatives include video clip

sharing on good practices of school governance by the SSBs, experienced supervisors and school managers, as well as other professionals;

- (iii) conduct sharing sessions for common concerns on school governance and themes of common interest (e.g. legal issues related to IMC operations, financial management and human resource management);
- (iv) facilitate recruitment of school managers through enriching the pool of potential managers from selected professional bodies; and
- (v) strengthen communication between EDB and specific categories of IMC managers (e.g. teacher managers) by different means.

17. In sum, through SBM, schools have more autonomy and assume greater responsibility to create an environment that is conducive to continuous school improvement and to put in place a self-evaluation mechanism to assure the quality of learning and teaching. The ultimate aim is to improve the standard of teaching and students' learning outcomes through the concerted efforts of the key stakeholders, the leadership and commitment of frontline educators and the support of the Government. The EDB will keep the implementation of SBM under constant review and continue our endeavour in monitoring and providing support as and when required.

18. Members are requested to note the development of SBM and advise on the proposed way forward.

Education Bureau
October 2017

Existing support measures for the implementation of SBM and the operation of the IMC

Support measures in the form of school visits, seminars and briefings have been in place to support aided schools, in particular in their initial years of IMC operation. Reference materials and information kits are also developed to facilitate IMC schools in the implementation of an accountable and transparent school-based corporate governance structure for human resources and financial management. Consulting services are also provided for schools whenever necessary. Details are set out in the ensuing paragraphs.

Intensive school-based support

2. Since 2005, school visits specifically for SBM have been conducted by EDB to provide on-site support to aided IMC schools in their initial years of IMC operation; to offer advice to schools to ensure their compliance with the EO and ER; to enhance schools' awareness in complying with EDB's requirements; to render support and to resolve school-based issues. IMC visits are essential for maintaining continuous support on the development of IMC, financial and resources management as well as corporate governance for the successful implementation of SBM. As observed, schools in general have smooth transition to IMC operation.

Briefings, seminars and structured programmes

3. To equip managers for smooth operation of the IMC and to strengthen school governance, the EDB has provided Structured Manager Training Programmes for various categories of school managers and organized briefings and thematic seminars on various topics covering IMC changeover arrangements, financial management, procurement procedure, personnel management and the CoA for the SSBs, school managers and school personnel of aided schools to enable them to have a better understanding of their roles and responsibilities as the key personnel under SBM and familiarize them with IMC operation.

Reference materials and information kits

4. To facilitate schools to operate their IMC smoothly and efficiently, the following documents and information kits have been compiled and reviewed regularly for use by IMC schools: Manual for Changeover Arrangements, CoA, Compendium to CoA, Supplement to School Administration Guide, Guide to Financial Management for Aided Schools Operated by IMCs, Handy tips on personnel and financial management, Checklist on procurement procedures, etc. Various kinds of web-based resources on school governance are also available on the EDB homepage for reference.

Information Bank of Potential Managers

5. As a means to support the SSBs and IMCs to fill the vacancies of SSB Manager/ Independent Manager, an information bank of potential managers for reference by SSBs/ IMCs in search of new SSB Managers/ Independent Managers respectively was formed by EDB in the 2016/17 school year. To this end, members of selected professional bodies e.g. The Law Society of Hong Kong and Hong Kong Institute of Certified Public Accountants, who are interested to serve as school managers have been invited to provide information for SSBs/ IMCs' reference. Schools can approach EDB for obtaining the information, if necessary, on a voluntary basis.

IMC Liability Insurance Policy (IMCLIP)

6. To protect managers against civil liability in respect of anything done by them in good faith and to enable them to have peace-of-mind while performing their role and responsibilities as IMC managers, EDB takes out the IMCLIP to protect the IMC of aided schools and their managers from legal liability as a result of claims arising from their wrongful acts in performing school management duties. The insurance will cover management liability, vicarious educator liability and employment-related matters. Besides, an annual briefing is conducted to help schools familiarize with the coverage and related claim arrangements of the IMCLIP, and to draw schools' attention to the important points about risk management.