

# 立法會

## *Legislative Council*

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### **Panel on Education**

**Meeting on 3 November 2017**

### **Updated background brief on issues related to the school-based management policy**

#### **Purpose**

This paper summarizes the major views and concerns of the Panel on Education ("the Panel") on issues related to the school-based management ("SBM") policy.

#### **Background**

2. In 1991, the then Education Department introduced the School Management Initiative Scheme for enhancing the effectiveness of schools. In its Report No. 7 on Quality Education issued in 1997, the Education Commission formulated recommendations to improve school management and performance for the provision of quality school education. One of the recommendations was for schools to practise SBM to develop their own ways of meeting the needs of students and enhancing learning outcomes.

3. With the introduction of SBM, all aided schools have, since 2000, been devolved with greater autonomy and flexibility in their daily operations, resources management and planning for school development. While additional autonomy is given, schools have to be more transparent and accountable to the community for their performance and the proper use of funds.

4. To ensure key stakeholders of aided schools have direct participation in school management, the Government undertook to amend the Education Ordinance in 2004. The amended Ordinance, which came into force on 1 January 2005, requires all aided schools to establish an incorporated management committee ("IMC") to manage the school. Each

IMC comprises school sponsoring body ("SSB") managers, the principal (an ex-officio member), elected parent and teacher manager(s), the alumni manager(s) and independent manager(s). In parallel, the Education Bureau has offered support measures to help schools set up their IMC. The functions and powers of an IMC, and the support measures provided by the Government are set out in **Appendix I**.

5. In 2006, the Education Bureau commissioned an external professional consultancy company to conduct a three-year review on IMC implementation. The review was completed in March 2009<sup>1</sup>. Responses from the IMC schools showed that their transition, establishment and implementation of IMCs were on the whole smooth. The establishment of IMC had not affected the relationship between schools and their SSBs. The operation of IMC schools had not deviated from the original vision and mission set by the SSBs. Though IMC schools needed more time to realize and sustain the impact of IMC, they were operating smoothly.

### **Major views and concerns**

6. The Panel held a meeting on 30 March 2009 to receive views of deputations on the progress of the implementation of IMCs in schools. At the meeting, members noted that some SSBs had grave concerns over the setting up of IMCs in their schools. Some members considered that the IMC-model should not be the only model for the implementation of SBM and schools should be allowed to adopt different models having regard to their principles and missions in education. They also pointed out that some schools had not complied with the relevant Codes of Aid on staff administration matters including termination of staff contracts and promotion of school teachers on the ground that the decisions were made by IMCs.

7. The Administration responded that the IMC-model was adopted after lengthy discussions with the key stakeholders and endorsed by the Legislative Council. While acknowledging the difficulties envisaged by some SSBs, the Administration had to ensure compliance with the relevant Ordinance. As regards the non-compliance of the Codes of Aid, the Administration explained that all IMC and non-IMC schools were required to comply with the requirements on staff administration matters in the Education Ordinance, the Education Regulations and the relevant Codes of Aid. Though IMC schools were allowed greater flexibility in certain areas of staff administration, they still needed to formulate their policies and

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<sup>1</sup> For details of the report on the review on IMC implementation, please refer to:  
<http://www.edb.gov.hk/attachment/en/sch-admin/sbm/gov-framework/exesummary.pdf>

guidelines within the framework of the above-mentioned documents, without contravening any of their provisions.

### **Latest position**

8. At the Panel meeting on 3 November 2017, the Administration will give a brief account of the implementation of SBM and the way forward with a view to supporting schools to further strengthen the effectiveness of school governance.

### **Relevant papers**

9. A list of relevant papers on the Legislative Council website is in **Appendix II**.

Council Business Division 4  
Legislative Council Secretariat  
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**Functions and powers  
of an incorporated management committee ("IMC") and  
support measures provided by the Government**

Functions of an IMC

The IMC shall be responsible for:

- (a) formulating education policies of the school in accordance with the vision and mission set by the school sponsoring body;
- (b) planning and managing financial and human resources available to the school;
- (c) accounting to the Permanent Secretary and the school sponsoring body for the performance of the school;
- (d) ensuring that the mission of the school is carried out;
- (e) ensuring that the education of the pupils of the school is promoted in a proper manner; and
- (f) school planning and self-improvement of the school.

Powers of an IMC

The IMC may:

- (a) take on lease, purchase or otherwise acquire, and hold, manage and enjoy property of any description, and sell, let or otherwise dispose of the same;
- (b) employ such teaching staff and non-teaching staff as it thinks fit and determine the terms and conditions of service of such staff;
- (c) engage the service of such professionals or other persons as it thinks fit and determine their remuneration;
- (d) use and dispose of the funds and assets owned by it;
- (e) handle funds and assets received from the Government in the capacity of a trustee;

- (f) open and operate bank accounts and invests its funds in such manner and to such extent as it thinks fit;
- (g) borrow money in such manner and on such security or terms as may be expedient;
- (h) apply for and receive any grant in aid on such terms as may be expedient;
- (i) solicit and receive gifts or donations, whether on trust or otherwise, and act as a trustee of moneys and other property vested in it on trust;
- (j) enter into any contract, agreement or arrangement; and
- (k) do such other things as are necessary for, or incidental or conducive to, the furtherance of the object of the school.

#### Support measures for schools to set up an IMC

- (a) organization of briefing and sharing sessions;
- (b) issue of relevant sample documents, guidelines and forms;
- (c) setting up of a school-based management website for provision of relevant information;
- (d) arrangement of training programmes for school managers and potential school managers;
- (e) taking out a liability insurance for the IMC and its managers;
- (f) provision of a one-off grant of \$350,000 for schools to set up IMC; and
- (g) allowing IMC schools to have greater flexibility and autonomy in financial management (such as provision of Expanded Operating Expenses Block Grant and Teacher Relief Grant) and personnel management.

## Appendix II

### List of relevant papers

| <b>Committee</b>   | <b>Date of meeting</b> | <b>Paper</b>                                      |
|--------------------|------------------------|---|
| Panel on Education | 30.3.2009              | <a href="#">Agenda</a><br><a href="#">Minutes</a> |

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