

立法會
Legislative Council

LC Paper No. CB(3) 449/18-19

Ref : CB(3)/M/MM

Tel : 3919 3300

Date : 14 March 2019

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 27 March 2019

**Motion on
“Reviewing the implementation of school-based management”**

Hon IP Kin-yuen^{Note} has given notice to move the attached motion at the Council meeting of 27 March 2019. The President has directed that it be printed in the terms in which it was handed in on the Agenda of the Council.

(Dora WAI)
for Clerk to the Legislative Council

Encl.

^{Note} A debate slot was originally allocated to Hon Abraham SHEK for moving a motion at the above meeting. As Mr SHEK withdrew his notice of motion before the notice deadline, the debate slot was subsequently allocated to Hon IP Kin-yuen in accordance with the allocation mechanism provided for in the House Rules.

(Translation)

**Motion on
“Reviewing the implementation of school-based management”
to be moved by Hon IP Kin-yuen**

Wording of the Motion

That the recent incident of a teacher jumping to death in school has aroused extensive concern in society, and under the school-based management system, the teaching staff faces unfair treatment and their complaints are not handled effectively; the original intent of the school-based management system is to ‘put in place a more open, accountable and participatory school management structure’, and through the devolvement of responsibilities, schools can enjoy greater flexibility and autonomy in school management and use of resources, and schools can build up a management approach to complement school development based on their background, history and needs; in order to support the implementation of school-based management, the Government brought into effect the Education (Amendment) Ordinance 2004 on 1 January 2005 to provide the legal basis for the governance framework of school-based management and require all aided schools to each set up an Incorporated Management Committee (‘IMC’) for school management; in fact, most school principals in Hong Kong have worked wholeheartedly and shown excellent performance, but as greater autonomy and responsibilities are devolved to schools and due to a lack of check and balance in the school-based management system, incidents of alleged abuse of powers by IMCs or the school management have occurred one after another, and the complaints from the teaching staff and even those from school principals have not been handled effectively, and yet the Education Bureau has shirked its responsibilities on the pretext of showing respect to school-based management and returned the complaints to the schools for their own handling, arousing widespread discontent in the education sector; in fact, the Education Bureau has pointed out that there are ‘individual schools whose school managers lack the required knowledge and skills in school management, thus affecting the quality of school governance ... there are isolated cases in which supervisors cannot perform effectively the functions as stipulated in the Education Ordinance, or on certain occasions disregard the Education Bureau’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’; in this connection, this Council urges the Government to improve the policy of school-based management and the existing complaint mechanism, protect teachers from

unfair treatment at an institutional level and foster a caring work environment with mutual trust in schools; the relevant measures should include:

- (1) while considering the views submitted by the Task Force on School-based Management Policy, conducting a comprehensive review of the school-based management system to ensure proper check and balance on the governance power of schools, increase the transparency of school governance and the participation by teachers, and value the views of teachers, thereby giving play to the concept of 'participatory school management';
- (2) proactively discharging the monitoring responsibilities in handling school complaints to ensure that schools will act in accordance with the requirements under the Codes of Aid, the relevant ordinances and so on, while proactively looking for the truth such that a fair outcome can be achieved for complaints;
- (3) urging IMCs to each establish an independent panel of inquiry for handling serious complaint cases, with the inclusion of independent persons in its membership;
- (4) increasing the opportunities for teachers to participate in school policies, and ensuring that teacher representatives in IMCs must be returned by democratic elections with full right of participation, and that they are afforded respect and protection in their expression of views and involvement in school policies;
- (5) restoring the consultative mechanism between teacher representatives and management committees and the one between teacher representatives and the Education Bureau;
- (6) positively promoting good management and a culture of participation in schools; and
- (7) facing up to the aspirations of the education sector over the years and expeditiously establishing an independent and professional General Teaching Council.