

ELCHK Lutheran Academy

Policy & Procedures on Complaint Handling

Lutheran Academy strives to build an effective and efficient environment so that every member will learn, work, interact and collaborate in harmony. The policy below stipulates the guidelines and procedures the School will take when someone wants to lodge a complaint against a particular member of the School or an aspect of school operation.

These procedures are suitable for use for any complaints received from students, parents or any third party outside of the school community for areas of school operation or codes of conduct.

Definition and Principles

1. A “Complaint” is defined as any type of problem, concern or grievance about Lutheran Academy, which has an adverse impact on the complainant’s experience with the School.
2. The person who makes a complaint will be referred to as the “complainant” and the person named in the complaint will be referred to as the “Respondent”. A complainant must not be anonymous or be acting on behalf of someone else who is directly involved or affected otherwise the complaint will be dismissed at the discretion of the school.
3. Complaints have to be supported by fair comments and sufficient and solid evidence. In the event that a complaint is found to be malicious, frivolous, vexatious or abusive, the complainant will be answerable for any action that the respondent may resolve to take.
4. In all cases of complaints, the procedures adopted here involve the Administrative Officer/Executive Officer of Human Resources (HR) and the Independent Complaint Handling Committee (the Committee). EO/AO takes care of all administrative procedures from developing the record and filing the completed case while the Committee investigates and deals with the complaint(s) received.

Depending on the nature of the complaint, the Committee will consist of different members per Appendix I. Any person who has direct interest in the complaint shall not be involved in the handling of that case and the immediate line manager of the staff member should take up the responsibility. Alternatively, the School can make other arrangements to ensure fair handling.

5. If the complaint is related to the daily operation of the school, the complaint should be raised within that school year. It will be difficult for the school to investigate the case and collect evidence if the case is raised after a year as the objective

environment & evidence may be changed or missed; or the respondent(s) related to the case has left school.

6. In general, it will not take more than two calendar months for a completion of investigation after a complaint is received.
7. At any stage of the informal or formal process, the complainant may decide to withdraw the complaint.
8. All information received as a result of a complaint investigation will remain confidential to those involved in the process. The details of the complaint will be disclosed, upon obtaining the complainant's explicit consent, to the parties involved in the complaint.
9. Lutheran Academy shall review this statement of policy and procedures annually, and at any other times as necessary and recommend necessary changes to the policy statement and the procedures.

School Complaint Handling Procedures

10. In general, unless the person concerned insists on making a formal complaints, the responsible staff can promptly provide assistance or help resolve his/her problem by following the informal complaint handling procedures.

Please refer to Appendix II for the flowchart of complaint handling procedures in the School.

Complaint Channels:

11. The complainant may lodge a complaint in writing or personally via the channels below:
 - Phone: 820 820 92
 - Fax: 2443 1400
 - Email: info@luac.edu.hk
 - Write to: The Complaint Handling Committee
ELCHK Lutheran Academy
25 Lam Hau Tsuen Road, Yuen Long, Hong Kong
 - In person: office hours are 8am – 5:30 pm, Mon to Fri and 9am – 1 pm, Sat

Informal Complaint Process

12. Lutheran Academy encourages, as far as possible, concerns and complaints to be addressed informally and through constructive dialogue between the parties directly involved.
13. The school staff in charge of the relevant issue will provide whatever assistance or information required or promptly respond to the concerns raised by the enquirer/ complainant and help resolve the problems involved.

14. For verbal enquiries/opinions/complaints, oral replies will suffice and written replies are normally not required. For opinions/complaints which are presented in written form or if the School wishes to make clear its stance or provide necessary details, the responsible staff may decide whether a simple written reply to the person concerned/ complainant is appropriate. An initial response within 1 school day will be made.
15. Cases handled by the informal complaint handling procedures will normally not be documented in formal written records.
16. In the event that a complaint cannot be resolved via informal means, the person concerned can lodge the complaint formally.

Formal Complaint Process

17. When it is not possible to resolve problems immediately and satisfactorily via informal means, the complainant may wish to lodge a formal complaint to the Complaint Handling Committee. The following information should be provided when a complainant wishes to make a formal complaint:
 - A clear statement of the nature of the complaint;
 - An explanation of the steps that have been taken to try to resolve the complaint informally and why the responses are not considered satisfactory;
 - Evidence supporting the complaint.

(A) Complaints Made by Telephone or in Person

All telephone complaints should be directed immediately to the Assistant Principal (AP), or Subject Head (SH) if the AP is not available, whose service provision is being criticized; and to Administrative Officer (AO) for non-academic matters.

The AP/SH/AO should try to resolve the issue immediately. If the nature of the complaint is one that requires research to establish the facts, this should be explained to the complainant with the assurance that the AP/SH/AO will get back to them as soon as possible and certainly within three school days. If the complainant is not satisfied with the answer given by the AP/SH/AO, they should be advised that the next step is to make a formal complaint in writing to the Principal.

The AP/SH/AO should register the complaint with HR by filling out Record of Complaint Form (By Telephone/In Person) (Form HR030a) per Appendix III as soon as possible and within three school days upon the receipt of the complainant's verbal complaint. Until the case is resolved, the details for follow-up actions should be recorded on a bi-weekly basis and consolidated by HR. However, for any urgent or serious case, the record should be submitted whenever there is a response from the complainant.

(B) Complaints Made in Writing

Complaints made in writing (letter, fax, or e-mail) should be forwarded immediately to HR. The complaint will be acknowledged by HR within one school day and will be logged as a formal complaint by filling out Record of Complaint Form (In Writing) (Form HR030b) by AP/AO or SH/EO (HR) at the submission of approved draft reply within five school days upon the receipt of the complaint.

HR will keep the original complaint document and will pass a copy of the complaint to the most appropriate AP together with the date by which the reply should be drafted. The AP will draft a reply for approval by the Principal. The draft reply, after approved by the Principal, will be forwarded to HR by the due date. The final reply will be issued by HR under the signature of the Principal within five school days of receipt of the complaint.

If the complaint is not resolved upon the submission of Form HR030b, the details of follow-up actions will be recorded as in (A) above via HR until the case is resolved.

(C) Complaints Sent Directly to Members of IMC

Such complaints are likely to be made in writing. The IMC member(s) should forward the complaint to the School Supervisor (or his/ her designated deputy) for his/ her information and action as soon as possible should he/ she not be included in the list of addressees. The School Supervisor should then contact the Principal seeking his/ her help in ascertaining the facts. The Principal may then request help from the relevant AP. The School Supervisor should acknowledge the receipt of the complaint within one school day. The Principal should draft a response for the School Supervisor who, when satisfied that it addresses the issues of the complaint, will forward it to the complainant.

In the interests of objectivity and to protect individuals in the investigation, the draft report from the Principal should be shared with members of the Complaints Committee. This Committee should be composed of members according to Appendix I. This Committee will then scrutinize the report, interview staff members involved if necessary and make any amendments it sees fit before the response is made to the complainant. This process should take place within 5 school days of receipt of the complaint. If, for whatever reason, this timeline is not possible, the School Supervisor should send a holding email to the complainant explaining the delay.

The Principal should inform HR of the formal complaint and information will be logged on Record of Complaint Form (In Writing) (Form HR030b).

If the complaint is not resolved upon the submission of Form HR030b, the details of follow-up actions will be recorded as in (A) above via HR until the case is resolved.

(D) Complaints Sent Directly to EDB

The same process identified in Section C should be followed. The only difference is that EDB will be required to conduct their own enquiry since a government official has been informed of the complaint. It may be useful for the School Supervisor and a senior EDB official to meet

to consider the results of their respective investigations and ensure objectivity and completeness before any response is made public.

(E)Where There are Media Enquiries

The Principal will appoint a school spokesperson to handle enquiries from the public/the media.

The respective AP will prepare a brief report (within one school day) stating the key facts including information about actions taken or preliminary investigation results and providing appropriate responses or clarification. The advice of EO (Media & Communications) and Principal are sought before media reports are dispatched to the media.

In some cases it may be more proper to call a press briefing, this decision should be made by the Principal or the School Supervisor and arranged by EO (Media & Communications).

The School will inform all teaching and non-teaching staff, students, and parents of the progress of the case as far as possible. The School will also observe whether students and staff have been emotionally affected by the incident. Appropriate counselling will be provided to them where necessary.

In serious cases the Principal should inform the School Supervisor at the earliest opportunity.

Each media report should be logged with the EO (Media & Communications).

(F) Types of Complaints not able to be Handled

There are some types of complaints not able to be handled:

a. Anonymous complaints:

Anonymous complaints are not generally taken care except for those under special circumstances (e.g. when there is sufficient evidence or when the case is serious or urgent), the Committee may decide whether to follow up with an anonymous complaints, such as treating it as an internal reference, informing the respondent about the complaint, or taking appropriate remedial and improvement measures.

b. Complaints not made by the person concerned:

Generally speaking, the person concerned should lodge the complaint by himself/herself. Anyone who seeks to file a complaint on behalf of the person concerned has to obtain his/her prior written consent. If the case involves a student (or a minor, or an intellectually disabled person), then his/her parents/guardian, or the person authorised by the parents/guardian, may lodge a complaint on his/her behalf.

c. Complaints involving incidents that happened more than one calendar year;

d. Complaints with insufficient information or evidence;

e. Complaints related to ongoing legal proceedings;

- f. Complaints under the jurisdiction of other organisations/government departments;
- g. Complaints governed by other ordinances or statutory regulations such as complaints against corruption, fraud or theft; or
- h. Complaints lodged by school staff.

Appeal Process

If the complaint remains unresolved or the complainant / respondent is not satisfied with the outcome after the conclusion of the formal review process, he/she may submit an appeal in writing to Complaint Handling Committee within 10 school days of receipt of notification of outcome. In his/her appeal, he/she should state clearly the grounds for appeal, which are limited to the following:

- procedural irregularities in the investigation during the formal process;
- fresh evidence which for good reasons had not been presented previously in the formal process.

If the complainant does not accept the final decision of the appeals committee, he/she may request for the complaint to be referred to the Education Bureau for independent review by a group of diverse professionals unassociated or related to the school. This request should be in writing within 14 school days from the date of the school's reply with the following information included:

- the reasons for the discontent;
- new or substantial justifications.

The independent review and decision by the Education Bureau made is the final step in the complaint handling process.

Confidentiality

All parties involved in handling complaints (including any person who may have direct or indirect knowledge of the matters) shall keep them in the strictest confidence. All records of meetings, complaint forms and relevant information are kept in the HR Office while each media report is logged with Executive Officer (Media & Communications).

Targets involved	Scenario	Designated Investigators	
		Investigation stage	Appeal stage
Teaching and school staff	1	Assistant Principal (report to Vice Principal + Principal)	Vice Principal (report to Principal)
	2	Vice Principal (report to Principal)	Principal
	3	Administrative Officer (report to Principal)	Principal
	4	Principal	School Supervisor
Principal	1	IMC Investigation Task Force*	School Supervisor

* If a complaint involves the Principal, the IMC investigation/appeal task force may include independent persons/managers.

Flowchart of School Complaint Handling Procedures

