

THE INCORPORATED MANAGEMENT COMMITTEE
OF [Sai Kung Sung Tsun Catholic School (Secondary Section)]

Procedures for Handling Individual Staff Grievances
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Background

1. Without prejudice to the generality of the powers and duties vested in the Constitution of this Committee subject to the provisions of the Ordinance, the Committee shall entertain and adjudicate upon complaints from, and to redress grievances of staff members of the School.
2. This document outlines the procedures for handling individual staff grievances.

Scope of grievances

3. Scope of grievance refers to grievances of staff associated with his/her work or the working environment.
4. If the grievance is systemic, the Staff Consultative Committee under the School's Incorporated Management Committee (IMC) should handle such grievance.
5. If the grievance is related to individual staff member of the School, the following procedures should apply.

The Procedures

6. Before lodging the complaint
 - a) The complaint is made by the person concerned.
 - b) If any staff member has grievance associated with his/her work or the working environment, he/she should raise his/her grievance direct to his/her panel/unit/administrative leader/head in the first instance. The panel/unit/administrative leader/head has the responsibility to resolve such grievances at the panel/unit/administrative level.
 - c) Sharing his/her grievance to current parents, students and/or a large group of staff using various means, including but not limited to emails, cannot help resolving the grievance and is inappropriate.

- d) If the staff member does not raise his/her grievance direct to his/her panel/unit/administrative leader/head in the first instance, the grievance will be classified and referred to the appropriate panel/ unit/ administrative leader/head first to resolve the grievance.
 - e) As decided by the Supervisor, only if the individual grievance is not /cannot be resolved by his/her panel/unit/administrative leader/head, the following procedures should apply.
7. The following procedures for handling complaints apply to individual staff grievances related to his/her work. Different procedures will be applied to redress the grievances related to individual staff members at different ranks.

Lodging of Complaints

- a) All anonymous complaints will not be handled.
- b) Grievances related to staff at the Vice Principal level or above

If an individual grievance is made against any staff member at the Vice Principal level or above, the complainant should write confidentially to the Supervisor in his/her capacity as the Chair of the IMC; The Supervisor shall consider 6 (a) – (e) in the first instance.

- c) Grievances related to staff below the Vice Principal level

In the case of an individual complaint made against any staff member below the Vice Principal level, the complainant should write confidentially to the Principal. The Principal shall consider 6 (a) – (e) in the first instance.

8. After receiving the letter from the complainant, the Supervisor/Principal will judge on the case's prima facie validity to decide whether it should be investigated. In the case when the Supervisor/Principal decides not to investigate the case, an appropriate reason should be given to the complainant in writing within 14 working days from the receipt of the letter.
9. If the case is considered prima facie valid, an Investigation Panel should be formed by the Supervisor/Principal comprising of the following membership:
- a) Chair - Supervisor or a School Manager/Principal depending on who is being complained;
 - b) Members - Two other members who have no conflict of interests related to the case. However if these members are internal staff, they should be in the rank higher than the person who is being complained. If these members are not staff members, they may be non-staff School Managers or independent professionals. If the complaint is against a staff member who is VP or above, these two members should not be paid staff; and

- c) Secretary - One of the members above in para. 9(b) should be appointed as the Secretary of the Panel.

10. The Secretary shall then inform the complainant and the person being complained about the membership of the Panel to ensure that they have no objection to the membership.

11. The Secretary should seek the complainant's written consent to obtain his/her personal data and information relating to the complaint.

12. Investigation process

- a) The Investigation Panel so formed should conduct investigation by studying evidence and meeting relevant parties and then come up with a report/recommendations for resolving the grievances.
- b) If the complaint is related to staff below the Vice Principal level, the Principal should present the report/recommendations made by the Investigation Panel to the Supervisor for endorsement before announcing the resolution. The Supervisor should report back to the IMC on the case together with resolution at the next meeting of the IMC.
- c) If the complaint is related to staff at the Vice Principal level or above, the Supervisor will present the report/recommendations made by the Investigation Panel to the IMC for endorsement before announcing the resolution. Teacher and Parent Managers together with other managers with conflict of interests shall be excused from discussing the report as appropriate.

13. Timing

- a) Within 7 working days, an initial reply should be given to the complainant by the Supervisor/ Principal as appropriate. The staff member being complained should also be informed of the complain within 7 working days.
- b) The Investigation Panel should be formed within 14 working days as far as possible including getting no objection from the complainant and the staff member being complained.
- c) Within 70 working days, the Panel should come up with a report of the investigation and recommendations for submission to the Supervisor/IMC as appropriate.
- d) If the complaint is related to staff at the Vice Principal level or above, the Supervisor should present to the IMC whom should within 14 working days consider the finding made by the Investigation Panel.

- e) Announce the resolution to the complainant and the staff being complained.
- f) If the complaint is related to staff below the Vice Principal level, the Principal should announce the resolution with the Supervisor's endorsement to the complainant and the staff being complained within 14 working days.

14. Confidentiality

All information related to grievances raised by staff members should be kept in strict confidence by the relevant parties handling or involving in the case.

15. Record Keeping

The Chair of the Investigation Panel so formed to handle staff grievance cases should ensure proper record keeping of all relevant documents related to the case.

16. Appeal

- (a) After the announcement of the resolution, the complainant or the staff member being complained may file in an appeal request within 14 working days based on one of the following reasons:
 - (i) there are significant evidence to demonstrate that the Investigation Panel has not followed this procedure properly; and/or
 - (ii) there are significant evidence related to the case that the Investigation Panel has not considered.
- (b) The Appeal request should be submitted to the Chair of the IMC. The IMC shall consider the prima facie validity of the request. If the request is considered to be prima facie valid, the IMC shall form an Independent Investigation Panel (IIP) to look into the case following the above procedures.
- (c) Following the time frame outlined above in para. 12, the IIP will submit its report and findings to the IMC for consideration. After the report being accepted by the IMC, the IIP shall announce the decision to the complainant and the staff being complained.
- (d) The decision of the IIP shall be final.