

**CODE FOR THE EDUCATION PROFESSION
OF
HONG KONG**

(Extracted Edition)

Extracted by the Council on
Professional Conduct in Education

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CHAPTER 1: BACKGROUND AND THE FORMULATION PROCESS OF THE CODE

1.1 THE PREPARATORY COMMITTEE'S ESTABLISHMENT AND THE CODE'S FORMULATION

- 1.1.1 In 1982, an international panel of experts proposed in its report "A Perspective on Education in Hong Kong" that the professional status of teachers be promoted by setting up a Hong Kong Teaching Service.
- 1.1.2 The Education Commission Report No. 1 (October 1984) did not support the setting up of a Hong Kong Teaching Service. Instead, it recommended the publication of a "code of practice" for the teaching profession to foster a sense of professionalism.
- 1.1.3 Following the Education Commission's recommendations (Note 1), the Education Department in June 1987 set up the Preparatory Committee, Professional Code for Educational Works (hereafter called "the Committee") which would replace the visiting panel's suggestion of creating a Hong Kong Teaching Service after their review of the Hong Kong education system.
- 1.1.4 The Committee worked for 3 years from June 1987 and, after local consultations, the Code was renamed "Code for the Education Profession of Hong Kong" (hereafter referred to as "the Code"). This decision was promulgated in October 1990. (every practising teacher at the time was given a copy of the Code)
- 1.1.5 The Committee identifies the following as objectives of the Code :
- (1) To promote a sense of professional identity among members of the profession.
 - (2) To enhance morale among members of the profession by formulating a set of recognised ethical standards to which all members of the profession would adhere.
 - (3) To provide self-disciplinary guidelines for members of the profession by formulating norms of professional conduct.
 - (4) To establish and maintain high standards in education by providing guidance for members of the profession.
 - (5) To obtain the community's confidence in and support for the profession by emphasizing the social responsibilities of the profession towards the community.
 - (6) To elevate the autonomy and social status of the profession through professionalisation.
 - (7) To promote democratization in educational policy making.
 - (8) To promote democracy in society.

- 1.1.6 The Committee believed that concurrent with the formulation of the Code, suggestions as to how the Code should be implemented must be made. It also proposed the establishment of a “General Teaching Council” which would function as a professional body with responsibilities to implement the Code and maintain professional discipline.
- 1.1.7 The Preparatory Committee suggested that the establishment of the proposed General Teaching Council be carried out in three phases. In 1991, it invited all educational bodies to elect a working party called the “Working Party for the Establishment of the General Teaching Council of Hong Kong”. Upon establishment of the Working Party, the Preparatory Committee was dissolved.
- 1.1.8 In early 1992, the Preparatory Committee and the Working Party submitted to the Education Commission a joint proposal, setting out a framework for developing a GTC.
- 1.1.9 The Education Commission did not accept the Committee’s recommendations but instead in its Report No. 5 (June 1992) recommended the establishment of a non-statutory “Council on Professional Conduct in Education” (hereinafter called “the Council”) which would advise the government on measures to promote professional conduct in education; to draft operational criteria defining the conduct expected of an educator, and through consultation to gain widespread acceptance of these criteria among all sectors of the education community; and in the light of the above criteria, to advise the Director of Education in cases of dispute or alleged professional misconduct involving educators. As regards whether or not to set up a statutory professional governing body, this matter should be reviewed in a few years’ time.

1.2 THE ESTABLISHMENT OF THE COUNCIL ON PROFESSIONAL CONDUCT IN EDUCATION

- 1.2.1 Acting upon the Education Commission’s recommendations, the Education Department in April 1994 established the Council on Professional Conduct in Education (Note 3). This Council studied its terms of reference and the Code published in 1990, and acknowledged the difficulty of formulating operational criteria in the absence of concrete precedents which might be used as a basis of reference. Under such circumstances, only a set of more principle-oriented clauses could be drafted. The 1990 Code itself forms an excellent blueprint for this purpose. After wide consultations, the Code was generally accepted by the teaching profession but would not be subjected to amendments before its implementation. Therefore, the Council decided to adopt the said Code for its work.

- 1.2.2 It has been five years since the Code's promulgation. It is believed that many newcomers to the teaching profession have not had the chance to read through the Code. This Code has been hitherto the sole set of criteria of Professional Conduct for educators and is thus of great importance to each and everyone of them. In view of this, the Council has decided to reprint the full text of the Code's Chapters 2 and 3(Note 4) for all practising teachers in service in the hope that this would promote professional conduct within the profession.

Notes:

- (1) The Commission recommended "the fostering of a sense of professionalism by encouraging teachers, principals, school management and sponsors to co-operate, through the co-ordination of the Education Department, in the writing of a code of practice for the teaching profession. This code would prescribe ethical standards of conduct for teachers in the execution of their professional duties and all registered and permitted teachers would be expected to subscribe to it."
- (2) In October 1986 the Education Department invited representatives from 63 educational organizations to a meeting to discuss the formation of a Preparatory Committee and to elect representatives to it. Finally these constituent groups elected a total of 25 representatives to form the Preparatory Committee. The first meeting was held in June 1987.
- (3) The Council has a membership of 28, 14 of whom come from teachers' direct elections, 11 were elected among educational organizations and the remaining 3 appointed by the Director of Education (one being his representative and the two others from non-education sectors).
- (4) The "Code of the Education Profession of Hong Kong" (Oct. 1990) compiled by the Preparatory Committee, Professional Code for Educational Workers contains four chapters : Chapter 1 being Preamble, Chapter 2 the Code, Chapter 3 Rights of the Education Profession and Chapter 4 Recommendations for Implementation.

(Remarks: On 1 January 2003, the Education Department was subsumed under the Education and Manpower Bureau. The Education and Manpower Bureau was then re-organised as the Education Bureau on 1 July 2007.)

CHAPTER 2 : THE CODE

2.1 COMMITMENT OF THE PROFESSION

A member of the profession :

1. Shall strive in every way for any improvement which will help or encourage students' physical and psychological development so as to fulfill society expectations of a profession.
2. Shall uphold professional autonomy as an indispensable condition for the exercise of the education profession's social responsibilities and shall strive to create a working environment which fosters professional autonomy.
3. Shall strive to uphold the honour, dignity and ethics of the education profession and to foster unity and harmonious working relationships within the profession.
4. Shall constantly endeavour, through a variety of channels, to improve his/her self-development, self-growth and knowledge of educational and world developments.
5. Shall promote the highest possible image for the profession by fostering public understanding of the profession and maintaining effective public relations.
6. Shall exert every effort to provide a professional service, to raise professional standards and to promote a climate that encourages the exercise of professional judgement.
7. Shall strive to support and enrich the education profession's ideals and achievements so that the profession is attractive to high quality recruits.
8. Shall endeavour to promote the understanding the respect of different cultures in order to enhance harmony between those of all origins and races.
9. Shall make every effort to establish and maintain effective channels of communication within the profession to ensure its healthy development.
10. Shall refrain from activity that is detrimental to the image of the profession.
11. Shall not advertise or canvas for the purpose of promoting his/her own advantage.
12. Shall not accept gratuities, gifts or favours that might impair professional judgement.
13. Shall, when making any public statement in his/her capacity as a professional educationalist, state clearly, when appropriate, his/her qualification to make such statement; the capacity in which the member is speaking; on whose behalf the member is speaking; and

the association with any party or vested interests that may benefit from such statements.

2.2 COMMITMENT TO STUDENTS

A member shall strive to help each student to be award of his/her own potential as a worthy and effective member of society. He/She therefore endeavours to stimulate and foster the spirit of inquiry, the acquisition and understanding of knowledge and the thoughtful formulation of meaningful goals.

A member of the profession :

1. Shall regard the education of his/her students as his/her primary duty.
2. Shall regard the moral, intellectual, physical, social and aesthetic development of the students entrusted to his/her care as his/her personal responsibility.
3. Shall be personally responsible for the quality of his/her teaching.
4. Shall share the responsibility of improving the learning environment.
5. Shall do his/her best to teach according to each student's personal circumstances and learning ability.
6. Shall base his/her expectations of students' performance on their interests, needs and abilities.
7. Shall be concerned about students' safety in the course of his/her teaching.
8. Shall give all students fair learning opportunities.
9. Shall seek to establish confidence and trust grounded on mutual respect between himself/herself and his/her students.
10. Shall show consistent justice and consideration in his/her relations with students at all times.
11. Shall not discriminate against any student on the basis of race, colour, religious belief, creed, sex, family background, or any form of handicap.
12. Shall help students identify their own values and build up their self-respect.
13. Shall as far as possible adopt an objective viewpoint in discussing controversial matters with students.
14. Shall encourage students to think independently and to form their own rational judgements based upon knowledge.
15. Shall assess students constructively.
16. Shall avoid making students feel embarrassed or ashamed.
17. Shall endeavour to nurture in his/her students a thirst for high standards of accomplishment.

18. Shall foster among students a sense of democracy and educate them to respect others.
19. Shall encourage students to respect other members of the profession and to this end shall avoid unprofessional remarks about professional colleagues.
20. Shall ensure that reports on students are based on factual and objective information.
21. Shall not divulge information about students unless disclosure serves a compelling professional purpose or is required by law.
22. Shall not take advantage of his/her professional relationships with students for private gain.
23. Shall not entrust his/her professional responsibilities to any person who is not a member of the profession. However, when necessary he/she shall seek assistance from those in other professions.
24. Shall report to the authorities concerned any case of child abuse he/she observes during the course of professional or official duties.

2.3 COMMITMENT TO COLLEAGUES

Successful education depends on co-operation between education professionals of all levels and categories.

A member of the education profession :

1. Shall treat his/her colleagues with respect as fellow professionals without discrimination on grounds of status, position, sex, race, colour, national origin, religious or political belief.
2. Shall co-operate with colleagues in the interests of students.
3. Shall be supportive of colleagues in performing professional duties and responsibilities and encourage them to develop their potential.
4. Shall share ideas and information with his/her colleagues to enhance professional development.
5. Shall show respect for the school administration's legitimate authority.
6. Shall, initially, express objections to administrative policies and practices, which he/she cannot in conscience accept, through channels within the profession.
7. Shall, as an administrator, respect the professional status of colleagues and provide ample opportunities for colleagues to express their opinions and make suggestions regarding administrative policies.
8. Shall provide ample opportunities for colleagues to participate in discussions when making decisions on matters that affect them.

9. Shall promote harmonious relations and avoid misunderstanding between colleagues; be objective and constructive when giving advice or guidance in a professional capacity.
10. Shall, upon request, inform a colleague of the contents of a report when submitting a report on his/her.
11. Shall adhere to the principles of justice and truth, when issuing a reference or testimonial for a colleague.
12. Shall not undermine students' confidence in and/or respect for other colleagues.
13. Shall never maliciously damage the professional reputation or career prospects of colleagues.
14. Shall not intentionally embarrass or insult his/her colleagues and, when criticising colleagues, shall take care to avoid comments damaging to their self-respect.
15. Shall observe the principles of fundamental justice in dealing with complaints against colleagues. Anonymous complaints should be ignored.
16. Shall not make unfavourable criticism of the professional behaviour of a colleague unless the colleague concerned has been previously informed.

2.4 COMMITMENT TO EMPLOYERS

A member of the profession :

1. Shall observe contractual commitments.
2. Shall not neglect his/her principal employment for the sake of personal interest.
3. Shall render professional service to the best of his/her ability.
4. Shall actively promote the improvement of school/institutional policies.
5. Shall be consistent in the execution of school/institutional policies and instructions which are educationally sound.

2.5 COMMITMENT TO PARENTS/GUARDIANS

A member of the profession should recognise that the education of students is the mutual responsibility of school and parents, and therefore :

1. Shall respect parental rights of enquiry, consultation and information with regard to their children.
2. Shall seek to establish friendly and co-operative relationships with the parents.

3. Shall exchange with parents information and experience which will assist in the growth and development of the students.
4. Shall respect reasonable parental requests with regard to their children's educational needs.
5. Shall truthfully present parents with the facts concerning the educational development and conduct of their children.
6. Shall respect the uniqueness and characteristics of each student's family background and treat in confidence any information regarding private family matters.
7. Shall assist parents to protect the physical and academic rights of their children.

2.6 COMMITMENT TO THE COMMUNITY

A member of the profession :

1. Shall show respect for the law and the behavioural norms acceptable to society as a whole.
2. Shall co-operate with the community in the exploration of present and future educational needs of students.
3. Shall set an example in the performance of civic obligations.
4. Shall actively support and promote civic education.
5. Shall show concern for community building and participate in community activities.
6. Shall be aware of current affairs, show concern about social problems and do his/her best to maintain a healthy social environment.
7. Shall teach students to respect different positions and opinions in matters over which public opinion is divided.
8. Shall treat as a primary duty the teaching of respect for human rights.
9. Shall do his/her best to nurture in students the concepts of freedom, peace, equality, rationality and democracy.

CHAPTER 3 : RIGHTS

3.1 GENERAL RIGHTS

As a citizen, a member of the education profession should enjoy all legal rights and basic human rights.

3.2 RIGHTS AS A PROFESSIONAL

A member of the education profession has the right :

1. To be registered or licensed under the professional and ethical standards established, maintained and enforced by the profession.
2. To work in an environment with freedom of teaching and learning.
3. To participate in and to influence decision-making related to education policy, teaching and social and community relations etc.
4. To exercise professional judgement in presenting, interpreting and criticizing all information and opinions, including controversial issues.
5. To maintain and improve his/her professional competence through further study, in-service programmes and visits.
6. To exercise professional judgement appropriate to the environmental and individual needs of students in the process of teaching.
7. To refuse to disclose information obtained in the course of professional service.
8. To strive for a working environment conducive to his/her students' mental and physical well-being.
9. To state publicly personal views on matters affecting education.
10. To request to attend and make statements at meetings involving institutional decisions which might affect his/her professional position/service and to be provided with the minutes of such meetings.
11. To hold public office provided this is not detrimental to his/her professional duties and to enjoy reasonable leave of absence in order to fulfill part-time duties in such public office.
12. To refuse to perform any non-professional tasks which are irrelevant to his/her duties.

3.3 RIGHTS AS AN EMPLOYEE

A member of the profession has the right :

1. To seek and to be fairly considered for any position commensurate with his/her qualifications.

2. To be continuously employed after entering the profession unless there is just cause for dismissal or non-renewal established through fair proceedings.
3. To be fully informed, in writing, of details of conditions and regulations affecting his/her employment before signing his/her contract.
4. To work in an environment in which his/her physical and mental health, security, and property are adequately protected.
5. To be informed of evaluation procedures affecting himself/herself and to express his/her views.
6. To request to be truthfully informed of his/her strengths and weaknesses as expressed in his/her appraisal report and to make an appeal as he/she deems necessary.
7. To be employed and enjoy conditions of service, promotion prospects and further employment regardless of sex, race, colour, nationality, religious or political belief.
8. To be promptly given a written explanation in situations where any actions which might affect his/her employment.
9. To be treated fairly regarding complaints against him/her and to have access to proper procedures including arbitration in resolving disputes.
10. To join trade unions and to engage in activities designed to safeguard the rights of employees.
11. To raise objections to unreasonable clauses in contracts through a variety of proper channels.
12. To receive from his/her present employer a letter of release containing accurate information when he/she applies for other posts.