



Council on Professional Conduct in Education

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(Translated from Chinese Version)

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The Sixth Council on Professional Conduct in Education Report on Case Study

A total of 58 complaints were received by the Sixth Council on Professional Conduct in Education. A breakdown of the complaints is given below:

1. Breakdown by complainants' identity:

Principal	Teacher	Parent	Student	Others #	Total
5	29	8	4	12	58

Others: Complaints lodged by anonymous persons, clerical staff, minor staff, school social workers, members of the public, etc.

2. Breakdown by alleged persons' identity:

School Manager/ Supervisor	Principal	Teacher	Blanket complaint #	Total
0	12	33	13	58

Blanket complaint: Multiple educational staff, such as member of management committee, principal, teacher, etc. were involved in a single case

3. Alleged misconduct

Abuse of power by principal	Abuse of power by teacher	Improper dismissal	Harm to students	Improper behaviour	Poor attitude	Total
16	14	1	8	16	3	58

Organization of the Seventh Council on Professional Conduct in Education

1. The CPC has a three-tier structure with an Executive Committee under the Council and Sub-committees under the Executive Committee which are responsible for carrying out various functions and activities.
2. The duties of the Executive Committee are as follows:
 - To implement the decisions of the Council and, during recess of the Council, act in accordance with the established policies of the Council in dealing with matters that have yet to be endorsed by it;
 - To facilitate the operation of the Council by preparing discussion papers;
 - To coordinate the work of the Sub-committees;
 - To deal with financial matters on behalf of the Council;
 - To prepare documents requiring the approval of relevant authorities, and organize for publication the public opinions collected by the Council (such opinions should be widely accepted as the opinions of the majority of the public); and
 - To form the Vetting Panel when there is an appeal against the judgement upon conclusion of an inquiry.

3. The four Sub-committees under the Seventh Council are:

a. Case Study Sub-committee (研案委員會)

The Case Study Sub-committee scrutinizes the “Case Handling Procedures” and the punishment system, and assists other CPC members in case study. The complaint cases received by the Council are handled in accordance with the “Case Handling Procedures”. The Sub-committee analyzes and organizes the cases received in the Fourth, Fifth and Sixth Councils for Members’ reference.

b. Promotion Sub-committee (推廣委員會)

The Sub-committee promotes the work of the Council and enhances teachers’ awareness of their professional conduct through promotion talks, professional seminars, overseas exchange activities and wide publicity of the Code for the Education Profession of Hong Kong. The Sub-committee is also responsible for publishing the CPC Newsletters and updating the CPC website.

c. Professional Autonomy Sub-committee (促進專業自主委員會)

The Sub-committee reviews the composition and electoral system of the Council, evaluates its effectiveness in enhancing overall professionalism of the education sector, and follows up on the progress of formation of the General Teaching Council (GTC).

d. Code of Professional Conduct Sub-committee (守則委員會)

The Sub-committee continues to review the Code for the Education Profession of Hong Kong (the Code) with a view to identifying any need for amendment, conducts case studies to enrich the interpretation of the Code, and studies the relationship between the term “fit and proper” in Section 46 of the Education Ordinance (Cap. 279) and the Code.

**Summary Report on the Work of
the Sixth Council on Professional Conduct in Education
(May 2004 to April 2006)**

The Three Terms of Reference of the Council

(I) To advise the Government on measures to promote professional conduct in education

1. On 21 July 2005, the Council wrote to the Chief Executive (CE), Mr. Donald TSANG, pointing out that the majority of educators supported the establishment of a General Teaching Council (GTC). The Council urged CE to fulfill his predecessor's promise and set up the GTC as soon as possible. In addition, CE was requested to establish a regular communication channel with the CPC. In response to our request, the Permanent Secretary for Education and Manpower (PSEM) met CPC Members on 1 March 2006 to exchange views on ways to promote professional conduct in education.

(II) To draft operational criteria defining the conduct expected of an educator and to gain widespread acceptance of these criteria among all sectors of the education community through consultation

1. All newly recruited and serving teachers have been given a copy of the Code for the Education Profession of Hong Kong through EMB or the Council Secretariat. The Code has also been uploaded to the Council's homepage [<http://cpc.emb.org.hk>] for publicity and promotional purposes.
2. A total of 54 talks on the professional conduct of teachers were organized for students of the Hong Kong Institute of Education as well as newly recruited and serving teachers. These talks have altogether attracted 3845 participants.
3. Establishment of the Code of Professional Conduct Sub-committee: the codes of conduct for other professions in Hong Kong (e.g. social workers, nurses, medical practitioners and solicitors, etc.) were uploaded onto the Council's website. Also, the Sub-committee reviewed the existing Code and proposed to conduct extensive consultation on its amendment in the next term.

(III) To advise the Permanent Secretary for Education and Manpower on cases of dispute or alleged professional misconduct involving educators

1. The Council has adopted the Case Handling Procedures revised in March 2002 for case investigation.
2. The Council has handled 71 cases, of which 38 have been completed.

3. The Council has completed two investigation reports, namely “Searching Children and Their Belongings at School” and “A Teacher Who Marked Examination Scripts in a Public Place”.
4. The Council has been collating previous case study reports to compile a casebook for case investigation for easy reference in future.

Other Achievements

1. The Council has convened 14 Council meetings, 13 Executive Committee meetings, 5 GTC Promotion Sub-Committee meetings, 6 Code on Professional Conduct Sub-Committee meetings, 6 Case Study Sub-committee meetings and 12 Promotion Sub-committee meetings.
2. CPC Newsletter Issues No. 15-18 have been published and distributed to all local schools, educational bodies and providers of teacher training. They are also available at the Hong Kong Teachers’ Centre, the Council Secretariat and the Council’s website for collection / downloading. Permanent exhibition panels have been set up in the Hong Kong Teachers’ Centre for teachers’ information. Also, the CPC homepage has been updated regularly with the addition of an on-line resource centre and a CPC Members-only section.
3. To enhance local educators’ awareness of the importance of professional development, the Council, the Hong Kong Institute of Education (HKIED) and the Hong Kong Professional Teachers’ Union (HKPTU) co-organized the “Conference on Enhancing Teachers’ Professionalism (For Chinese Communities)” on 28 and 29 October 2005. The event was supported by 23 local educational bodies. The four sessions of the two-day conference drew some 1200 participants.

Under the theme of “How Teachers Maintain Professional Conduct in Face of Societal Changes and Challenges”, the conference focused on four topics, namely “Teachers’ Growth and Training”, “Teachers’ Professionalism and the General Teaching Council”, “Teachers’ Strategies to Cope with Pressure” and “Teachers’ Professional Conduct and Ethics”. To make the conference more Chinese community-oriented, we invited academics and experts in Hong Kong, the Mainland, Taiwan, Macau and Singapore to deliver speeches on selected topics. In addition, a number of educational bodies were invited to host group discussion sessions for the conference. On top of the seminars and group discussion sessions, the conference also included an “open forum”, during which parents, students and teachers were invited to voice out their expectations of teachers and their professionalism, so that participants might understand the views of different stakeholders.

The post-conference survey revealed that more than 90% of the participants agreed that the conference had increased their awareness of teachers' professionalism; and more than 80% of the respondents opined that similar activities should be organized in future.

Meeting with the Permanent Secretary for Education and Manpower



To press EMB for the establishment of the “General Teaching Council” (GTC) and reflect Members’ difficulties in carrying out the Council’s functions, the sixth Council requested to have a meeting with Mrs. Fanny Law, the Permanent Secretary for Education and Manpower (PSEM). The meeting was held on 1 March 2006 in the EMB conference room at Wu Chung House, during which Members and PSEM discussed thoroughly and exchanged ideas on the above issues. At the meeting, the Chairman reiterated that the Administration should adhere importance to the establishment of GTC. PSEM promised to ask relevant EMB staff to follow up on this matter. In response to the concern of some Members for the heavy workload of the Secretariat, PSEM agreed to hire additional contract staff to assist in the provision of supporting services. Moreover, it was mutually agreed that besides enforcing the Code, it would also be necessary to promote professional values within the sector, so as to enhance the professional image of teachers.

Photos taken in Promotion Talks



Council Member Mr. Don Cheng and newly recruited secondary school teachers after a promotion talk

Newly recruited secondary school teachers listening carefully to the speaker in a promotion talk

Our Road to Professionalism – A Review of an Unusual Decade

Dr. Leung Ping Wa, Executive Committee member of the seventh Council

Time flies. In a blink of an eye, I have been serving the Council on Professional Conduct in Education (CPC) for more than ten years.

I started by standing in the election of teacher representatives of the aided school sector, and then as a candidate in the Council's direct election as a member of the direct subsidy sector when I became the principal of the China Holiness College about five years ago. With the trust and support of my fellow teachers, I have been re-elected time and again. Therefore, I would like to take this opportunity to extend my gratitude to all of them. Also, I would like to share with you what I have experienced as a CPC member, as well as the development of the Council that I have witnessed.

What drives me to serve at CPC is the importance of professional development to the education sector. Ever since I received training at the Faculty of Education, Chinese University of Hong Kong in 1982-83, I have believed that teaching is a professional and sacred occupation. Just like doctors, lawyers and engineers, all teachers should have undergone rigid training, and they should strive for self-reflection, self-improvement, self-enhancement, self-restraint and self-management.

I have seen and learned a lot at CPC. The study tours to Toronto and Scotland to visit

the teaching councils there, for instance, have broadened my horizon and opened my mind. The visits boosted my confidence in the professional development of local educators. Serving in the CPC is a rewarding experience, albeit the tremendous efforts and time I have given in the past eleven years.

Among the various responsibilities of Members, I found handling complaint cases the most challenging. Once there was a teacher with a propensity to violence who came to complain about the principal and the school management committee. He was so agitated that he slapped the desk and jumped up as if he was going to beat someone up. Having looked into the facts of his complaint, however, we were of the view that he should be the alleged person instead. On another occasion, a lady who graduated from a famous school many years ago complained about a teacher who had made her school life very stressful. But she could not recall any solid fact to support her allegation, nor was she certain about whether the teacher in question was still teaching at that school. There were other interesting incidents, such as a parent who complained that the principal had failed to look after his daughter; but on the other hand, there was a student who complained about her teachers having formulated harsh and strict school rules. Most of the cases involved teachers complaining against the principals (since the latter could deal with the problematic teachers direct, so they did not need to lodge any complaint), and teachers complaining against other teachers. Some of these complaints were triggered by the dissatisfaction caused by dismissal or rejected application for promotion, or the grievance against other colleagues' insulting or hostile attitude and behaviour. Since most of these complaints had nothing to do with conduct, they were not filed as cases.

In his first and second policy addresses, the former Chief Executive, Mr. TUNG Chee-hwa, suggested setting up a "General Teaching Council". In response to this initiative, Members shelved the meticulously revised Code for the Education Profession of Hong Kong (the Code) and focused their work on refining the case handling and hearing procedures. In addition, they also sought advice and support from lawyers, as well as reformed the Council's practice in light of other professional bodies' complaint handling procedures. To uphold the principle of "natural justice", the CPC replaced its straight-forward complaint handling procedures with a more court-like one. Since the new procedures require the presence of the complainant, alleged person and a number of Members in a hearing, the Council has to extend the invitation and make the necessary preparations well in advance, and the time required for the hearing is also much longer than before.

I noticed that the Council might be in a crisis – Members are quitting in fear of the vastly increasing workload. As most of the Members are teachers who are very busy in their routine work of teaching, administration and marking, it can be exhausting for them to handle complaint cases, host hearing and examine appeal cases after school and even during weekends. The shortage of manpower at the Secretariat, as well as the ever increasing number of cases, has

already taxed Members both physically and psychologically. Indeed, it typically takes six months to one year to handle a case, which is much too long for the Members. Some Members refused to stand in the election again after one term. Even the enthusiastic Members who have been working for the Council for five to six years or even longer also refused to stay. It is because these Members, mostly teachers and school heads, are all over-committed with educational duties in recent years. They can no longer spare time for the Council and pass their experience to new Council Members (currently the Council consists of only one secondary school head and three primary school heads, and there are several vacancies), which is a pity.

The longer I serve the Council, the more I find that many complaints between colleagues have nothing to do with their conduct - some were just about the exercise of powers and responsibilities, or about the ways of dealing with the teaching quality of subordinates. Though the root of these complaints may be merely misunderstanding between colleagues, or even their different points of view towards school affairs, the educators involved may be so dissatisfied with each other that they feel it is a must to complain - and some of them may even lodge their complaint with various authorities. It is regrettable that some of our educators are not so forgiving – if they show more understanding and sympathy to each other and resolve problems through conciliation, they won't need to take the trouble to lodge a complaint, nor does the Council need to conduct hearings to deal with their problems.

In recent years, in order to meet the requirements of the education reform and help their schools compete for student intake, teachers have to work under immense pressure (very long working hours and the need to deal with many trivial matters). Moreover, the students' behavioral problems and the lack of understanding and support from colleagues and supervisors have put some teachers under tremendous mental pressure, resulting in emotional and even psychological problems that build up tension among colleagues. In fact, such problems can be easily solved if teachers are given a chance to vent their feelings. On the other hand, some worries and grievances are caused by the teachers' ignorance of the promotion criteria of the school, or the feeling of lack of job security. To address these problems, the school should increase its administrative transparency, so that the management and the staff side can communicate more effectively and trust each other, and therefore understand each other's views and difficulties. I think there will be a dramatic plunge in the number of complaint cases if a credible "reconciliation group" could be set up at each school to enhance communication among colleagues.

At a meeting with the Permanent Secretary for Education and Manpower (PSEM), members of the sixth Council discussed about the idea of formulating a "Teachers' Declaration". The Declaration is intended to be a statement setting out the missions and objectives of educators and the education profession as a whole. Through this easy-to-understand statement, parents, students and colleagues would have a better understanding of the educators' aspiration

and professional attitude towards their career, so that their efforts will be acknowledged by the community. This would help clear up the misunderstanding and disbelief of the community, especially parents, towards teachers. A draft “Teachers’ Declaration” had already been prepared by the last Council. It is hoped that the Declaration will be made public to all educators for consultation purposes.

I believe that a thorough understanding of the objectives and missions of the education profession would enable educators to align their teaching practice to the needs and benefits of the students. With mutual trust and a forgiving mind, many unnecessary misunderstandings and conflicts could be avoided too.

Recently, I was invited to share my experience at a teacher development seminar held at Baptist Lui Ming Choi Secondary School. During the seminar, a teacher asked, “Even though CPC may pass the judgement that someone has misconducted himself, apparently the Council is not empowered to administer any punishment. In this regard, how could CPC deter the misconduct?”

As a matter of fact, prolonged hearing can be a torture to both the complainant and the complaine, and in turn affect their teaching performance and daily life.

My view is that even though the Council can only advise the PSEM on the required punishment, it does not matter. The point is that educators tend to attach high importance to their own reputation. Therefore, once an educator is found to be involved in misconduct, he will be ashamed of himself and cannot face his colleagues and students. In other words, the judgement itself is already a very heavy penalty to the educator in question. After all, the reputation of an educator is invaluable and should be protected by all means. Whether any material punishment is needed should be left to PSEM to decide.

Parents and the community as a whole cherish high hopes for teachers, but they are also increasingly skeptical about their professionalism. This is inevitable as parents nowadays are better educated. They tend to attach high importance to their children’s education. Some parents even invest considerable time and money to secure a place at their favourite schools - that is why they have higher expectation for the quality of education, and tend to query teachers’ professional judgement. As a result, they take a skeptical stance towards the school and advocate for tightened supervision. Therefore, the education sector should strive for self-improvement and live up to the expectations of the world, and the teachers should work closely with parents to minimize misunderstanding.

What qualities should a teacher possess to earn parents’ respect and trust? The answer is no secret: integrity, professionalism and care for the students. Through our continued efforts in updating and administering the Code to clarify and enhance teachers’

professionalism and capacity, as well as the formulation and observation of the “Teachers’ Declaration” to pay heed to students’ development and rights, I am sure we can further enhance the professional status of local educators.

Some Afterthoughts about the Talks on Professional Conduct

WU Siu-wai, Promotion Sub-committee

To introduce the *Code for the Education Profession of Hong Kong* to educators and promote the work of the CPC so as to enhance local teachers’ professionalism, the Council issues letters to heads of all local schools and educational bodies every year to publicize its free promotion talks. Between June 2004 and February 2006, the sixth Council delivered talks to 54 schools and educational bodies, including 11 secondary schools, 11 primary schools, 12 kindergartens, 4 special schools, 8 universities/institutions of higher education and 8 other organizations. The talks attracted 3325 participants, and 3787 copies of the *Code for Education Profession in Hong Kong* were distributed.

According to the 1742 questionnaires received from participants of 39 talks, 45% of the teachers agreed that the talks were helpful in enhancing their understanding of the professional conduct of educators, 51% considered the talks “somewhat helpful” and only 4% thought they were “unhelpful”. Among the large number of topics covered, “case sharing” was most welcomed by the teachers (81%), followed by “case handling procedures of the Council” (26%), “how to enhance professional conduct in education” (20%) and “*Code for Education Profession in Hong Kong*” (18%). The topics of “background and structure of the Council” and “sharing on the establishment of the General Teaching Council” each had a support rate of 5%. As regards overall rating, 73% of the respondents thought the talks “rather informative”, and 19% ranked them “very informative”. Lastly, more than 80% of the respondents indicated that they would recommend other teachers to attend similar talks or activities. As evidenced by these encouraging figures, the CPC Members have earned much recognition and appreciation from the teachers for their voluntary services to the Council.

During the past summer holidays, I participated in four promotion talks as a guest speaker. During an experience-sharing session with secondary school teachers, I pointed out to the newly recruited teachers that the general public and parents would expect teachers to adopt a more stringent moral standard, and advised them to pay more attention to their professional conduct and image. During the Question and Answer Session, many teachers raised questions about teacher-student relationship and discipline. In the other three school-based promotion talks, I reckoned that in-service teachers would like to know more about the cases handled by the Council. Therefore, apart from presenting the facts of cases that had already been

published, I also cited a few cases for the participants to analyze and discuss together. During the Question and Answer Session, many kindergarten teachers raised questions about teacher-parent relationship, while teachers of the other two schools were more concerned about inter-colleague relationship. However, I would like to take this opportunity to reiterate that my responses only represented my own views.

On the other hand, whenever I presented the complaint cases received by the Council in the past three years, I always asked participants to pay attention to the identity of complainants. According to the figures, the majority of complainants were still teachers, but it is noteworthy that there has been a slight increase in the number of cases lodged by school heads, parents and teachers. Finally, I would like to highlight that the Sixth Council has received 58 complaint cases, viz. a 100% increase in number when compared to the Fifth Council. The drastic increase has caused extra workload and pressure to Members, who are serving the Council on a voluntary basis, and to the full-time EMB staff serving the Secretariat. Therefore, it is hoped that the complainants and alleged persons would be more understanding and patient in respect of the Council's service and progress of case investigation.

A Breakdown of Complaint Cases received by the Fourth, the Fifth and the Sixth Council

Identity of Complainant	The Fourth Council (2000/2002)	The Fifth Council (2002/2004)	The Sixth Council (2004/2006)
Principal	1	3	5
Teacher	24	18	29
Parent	4	2	8
Student	2	0	4
Others	8	6	12
Total	39	29	58

Membership of the Seventh Council

There are a total of 24 members in the Seventh Council. Their term of office will be from 1 May 2006 to 30 April 2008.

Category	Name	Sub-committee(s) serving*	Name of Organization/School Making Nomination
Teacher-nominated members			
Aided Secondary Schools	Mr. Lam Shu Wing	4	Islamic Kasim Tuet Memorial College
	Mr. Leung Tak Yin, Billy	1, 2	Independent Candidate
	Mr. Tong Chung Fan (Executive Committee member)	3	Queen's College Old Boys' Association Secondary School
Government Secondary Schools	Mr. Yeung Cheong Chun	1, 3	Independent Candidate
Private Secondary Schools	Dr. Leung Ping Wa (Executive Committee member)		China Holiness College
Aided Primary Schools	Ms. Lee Lai Ming	2	CCC Kei Chun Primary School
	Mr. Pun Tin Chi (Chairman, Executive Committee member)	1, 3, 4	GCEPSA Whampoa Primary School
	Ms. Tse Wai Lok	1	S.K.H. Kei Fook Primary School
Government Primary Schools	Mr. Chin Chun Yin	2	Yuen Long Government Primary School (PM)

Kindergartens	Ms. Chan Tsui Yuk	1	Yiu Tung Baptist Kindergarten
	Ms. Kwan Shuk Ling, Elaine	1	Baptist Pui Li School
Special Schools	Mr. Cheng Sau Leung, Don (Executive Committee member)	3	Independent Candidate
Organization-nominated members			
Teacher Education Institutions	Dr. Yu Wai Bing (Vice-chairperson, Executive Committee member)	2, 3	The Hong Kong Institute of Education
Schools Groups and Sponsoring Bodies	Mr. Yeung Kin Chung, Clifton	2	Hong Kong Association of Sponsoring Bodies of Schools
Teachers' Unions	Ms. Chan Shun Lai, Cinda	1	Hong Kong Teachers' Association
Teachers' Unions	Mr. Shee Shing Chung, Eddie	1	Hong Kong Professional Teachers' Union
Subject-related Organizations	Mr. Fung Suk Kai (Executive Committee member)	1, 2, 3	The Special Education Society of Hong Kong Ltd
Subject-related Organizations	Mr. Fung Tak Wah	3	Hong Kong Association for Science and Mathematics Education Ltd.
Subject-related Organizations	Ms. Tsui Wai Chuen, Grace, MH (Executive Committee member)	1, 2, 3	The Secondary School English Teachers Association
Educational Commentary and Research Organizations	Mr. Lee Siu Hok, William	2	The Hong Kong Primary Education Research Association

Other Education Organisations	Dr. Wu Siu Wai	2, 3	Federation of Education Workers, Hong Kong
Permanent Secretary for Education & Manpower nominated members	Ms. Doe Julianne Pearl		-
	Ms. Kwong Ka Yin, Phyllis (From 21 July 2006 onward)		-
	Mr. Lee Yuk Fai, Steve		Principal Assistant Secretary of the Education and Manpower Bureau

*Note:

1. Case Study Sub-committee
2. Promotion Sub-committee
3. Professional Autonomy Sub-committee
4. Code on Professional Conduct Sub-committee

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