

## **Guidance Notes on Application for Allocation of a New School for Social Development cum Residential Home**

### **Eligibility Requirements**

1. The eligibility requirements for allocation of a government-built premises for a school for social development cum residential home are as follows:  
In submitting the application form,
  - (a) (i) the applicant body is incorporated under the Companies Ordinance (The successful applicant body would be required to ensure that its memorandum and articles of association contain all the standard clauses and articles required for allocation of a school premises (See EDB homepage <http://www.edb.gov.hk/index.aspx?nodeid=246&langno=1>)), or
  - (ii) the applicant body is incorporated under other ordinances and the Permanent Secretary for Education is satisfied, having regard to its constitution, that it is fit to be considered for allocation of a school premises; and
- (b) the applicant body is an approved charitable institution or trust of a public character exempt from tax under Section 88 of the Inland Revenue Ordinance.

### **Basic Principle of Allocation**

2. Allocation is on a competitive basis. The basic principle for allocation of school premises is to select applicant bodies to provide quality education and residential services for school students. Thus, the applicant body should :
  - (a) have good organisation structure, proper management and sound financial footing; and
  - (b) demonstrate commitment to implementing education and welfare policies and initiatives promoted by the Education Bureau and the Social Welfare Department (SWD).
3. Quality of education as well as residential service are the prime considerations in assessing the applications. In the event that the overall assessments of more than one applicant are comparable, preference would be given to the applicant(s) with proven track record in running special schools in Hong Kong, especially a school for social development and residential home service for children and young people with emotional and behavioural difficulties.
4. An applicant body which has been served with a warning letter within two years by the Permanent Secretary for Education for malpractices (e.g. excess pupils, breach of secondary six admission procedures) will not be considered for allocation of new schools.

### **Furniture and Equipment Cost**

5. Under the existing policies on special education and residential home, the Government will bear the cost of furniture and equipment of the proposed new school for social development cum residential home. The exact amount to be provided by the Government for furniture and equipment will be subject to detailed vetting by the Government on the requirements. The applicant body will have to submit information/ documents for vetting in relation to the provision of exact amount of furniture and equipment cost borne by the Government.

## **Proposed School Plan**

6. Applicant bodies are required to run both the school for social development and residential home for girls for maximizing the benefits and submit a proposal for the social development cum residential home, setting out the vision and mission; management and organisation; learning and teaching; school ethos and support for students; performance targets; self-evaluation indicators, etc. School Sponsoring Bodies may make reference to the school(s) that they are operating and their respective performance to substantiate their case. For the residential home portion, applicant bodies are required to set out in the proposal for quality aspects including the core service provision; performance management; human resource management; planning of service commencement; financial management; innovative and value-added measures. Format of proposed school plan is at Annex.

## **Submission of Application Forms, Proposed School Plans and Supporting Documents**

7. Application forms, proposed school plans and supporting documents including documentary proof of eligibility as detailed in paragraph 1 above should reach the Education Bureau at the following address no later than **5:00 p.m. on 14 September 2012:**

Infrastructure and Research Support Division Education Bureau 6 <sup>th</sup> Floor, East Wing, Central Government Offices 2 Tim Mei Avenue, Tamar Hong Kong
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The supporting documents should **NOT** be stapled together with the proposed plan including the school portion and the residential home portion. Twenty-one copies each of (i) the proposed plan and (ii) a list of operating schools, residential homes or non-profit-making social services with addresses and types should be submitted (twenty-one soft copies in the form of diskettes or CD-ROM are also acceptable), but only one copy of the application form and supporting documents will suffice. Late or incomplete applications, as well as applications via email, will not be accepted.

## **School Allocation Committee (SAC)**

8. All applications will be considered by the SAC which comprises government officials and non-officials. A representative from SWD would be co-opted as an official member of the SAC for the allocation of the social school for development cum residential home.

## **Agreement between the Government and the Selected Applicant Body**

9. Upon allocation of a school premises, the applicant body shall be required to:
  - (1) enter into a School Sponsoring Body Service Agreement (SSB SA) with the Government prior to the funding submission to the Public Works Subcommittee of the Legislative Council. The SSB SA sets out the obligations and conditions by which both parties undertake to abide. These include the applicant body's undertaking (a) to operate and manage the school in accordance with the proposed school plan accepted by the Government with amendments, if any; (b) to establish an Incorporated Management Committee (IMC) under the Education Ordinance to manage the school. The IMC shall be a charitable institution registered with the

Inland Revenue Department under Section 88 of the Inland Revenue Ordinance; (c) to ensure the execution of a Tenancy Agreement prior to the handover of the school premises and/ or residential home and an IMC Service Agreement with the Government after the establishment of the IMC; (d) to ensure that the IMC shall manage the school to the agreed standard as set out in the school plan; and (e) to make available the school's buildings and facilities to the community for use outside school hours when required. Charges may be levied in accordance with the schedule of charges as announced in the latest circular issued by the Education Bureau;

- (2) enter into a Funding and Service Agreement (Lump Sum Grant) (FSA LSG) regarding the residential home with the Government. The FSA LSG sets out the obligations and conditions by which both parties undertake to abide. These include service definition encompassing purpose and objectives, nature of service, target group, performance standards encompassing outputs, essential service requirements, service quality standards, obligations of SWD to service operators, and basis of subvention. For performance monitoring, the applicant body will be required to submit report to SWD periodically and is subject to regular review as well as surprise visit.
10. The applicant body shall be required to enter into a tenancy agreement (TA) covering both the school and the residential home with the Government before the handover of the school premises and/ or residential home.
11. Under normal circumstances, if any one of the SSB/ IMC SA, SSB/IMC TA or FSA LSG in respect of the subject school premises is terminated or expires without renewal, the rest of the agreements will also be terminated.
12. The Government may terminate the SSB SA or the FSA LSG in the event of any failure from the applicant body to achieve the agreed performance standard for either the school or residential home portion, or giving up of the operator's right to operate either the school or residential home. The Government shall repossess the whole premises of the school for social development cum residential home if the SSB SA or/ and the FSA LSG is/ are terminated.
13. According to the Code of Aid for Aided Schools, the school will be provided with 3.5 school social workers when it is fully operated. For the 0.5 school social worker in the staff establishment, the applicant body should note that no double provision of social worker room would be allowed in other schools under its sponsorship, if any.

#### **Personal Information Collection Statement for Collecting Personal Data of Applicants**

14. The personal data provided in this application will be used for applications for allocation of school premises under the School Allocation Exercise. It may be disclosed to officers/persons responsible for the exercise.
15. The provision of personal data by means of this application is obligatory. Failure to provide these data may affect the processing and outcome of your application.
16. The personal data collected in this application may be disclosed to other government departments/bureaux for the purpose mentioned above.
17. You have the right to request access to and correction of your personal data as provided for in Sections 18 and 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance. Your

right of access includes the right to obtain a copy of your personal data provided in this application. This is however subject to payment of a fee.

18. Enquiries concerning the personal data collected by means of this application, including making of access and corrections, should be addressed to

Access to Information Officer Education Bureau 10th floor, Wu Chung House 213 Queen's Road East Wanchai, Hong Kong
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### **Disclosure of information**

19. All the information provided to the Government in connection with your application under this School Allocation Exercise will be used for processing this School Allocation Exercise only. The information may be disclosed to any other Government bureaux/ departments /officers or any other third party responsible for this allocation exercise as the Government shall consider appropriate.

### **Enquiries**

20. For enquiries, please call 3509 8413 or 3509 8411. For more information, please visit Education Bureau's homepage at <http://www.edb.gov.hk/index.aspx?nodeid=246&langno=1>.