LAW FOR CHANGE STUDENT COMPETITION 2018

TEAM	PROJECT TITLE
2	**Children Care All-In-One**

MEMBERS

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SELECTED JUSTICE ISSUE & NEED ANALYSIS & SOCIAL ISSUE

Background & Need Analysis

Family, is a social unit that is crucial a component of any human community as it is the unit that bears the responsibility of protecting the safety, facilitating the growth and development of children. The collective power of clusters of sustainable family units is vital to the sustainability of any society.

One of the main purposes of a family is to care of children and the law in Hong Kong makes it clear that children are to be protected. Yet being protected does not mean children are cared for. Article 3(2) Child Rights under the United Nation Charter expressly requires the government seeks to facilitate child-care and protection with regards to parents through all appropriate legislative and administrative measures. In our view, it is clear that Hong Kong lacks appropriate legislative and administrative measures for child care. Given the cost of living in HK ranked top in the world, the reality in Hong Kong is that families face a huge dilemma. between the need to make ends meet and to care for their children.

While it is apparent that there are plenty of daycare centers in HK, the number is still grossly insufficient to support the need of Hong Kong families. The accessibility of these centers is very low. It is also clear that new immigrants and single-parent families are groups that are in particular need of childcare services. Another significant systemic shortcoming is that the allocation of resources by the HKSAR government in this area is significantly insufficient and unbalanced.

The abovementioned problem is further amplified with families with pre-schoolers and disabled children which require additional help and support.

We also take the view that the lack of childcare support has the knock-on effect of locking up labour capacity of parents in Hong Kong, in particular, mothers.

Addressing the issue with reference to the current legal framework

Our proposal focuses on facilitating better social resource allocation and in the meantime releasing female labour capacity into the labour market by utilizing the non-regulated space below the legal threshold under the Child Care Services Ordinance Cap 243 ("Cap 243"). Currently, s.2 (1) of Cap 243 categorises a "child care centre" as any premise which habitually receive at any one time more than 5 children who are under the age of 3 years or any premise receiving more than 5 children with disability who are under the age of 6 years for the purposes of care and supervision. In other words, in any situation of a premise less than or equals to 5 children is not regulated.

Through the resource platform, Child-Care All In One. com, accredited service providers can make available information of their availability and child care service to families in need of childcare services legally under the current legal framework.

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OUR PROJECT PLAN

1. Objectives & Goals

Goals – Our primary goal is to restore the demand and supply for child care services to market equilibrium, so more parents can have their children entrusted with carers who is trained and vetted .

The secondary goal is to unleash potential labour capacity into the the job market.

Objectives – Through the operation of Child Care All in One.com, the service of trained and vetted care service providers will be advertised to potential users for engagement of child care services.

2. How to Achieve: Activities Details

LAUNCHING AN ONLINE PLATFORM

Child-Care All-in-One.com ("the platform") aims to match child care service providers and service users on a one stop online resource centre. The platform will act as a sorting tool for potential providers according to service users' preferences of price, service time and location.

To ensure the quality of the child care service, all providers on the platform will have to undergo a vetting process which includes:

(1) The Service Provider's immigration status in Hong Kong. This will be done by requiring the Service Provider to provide his/her Hong Kong Identity Card and an enquiry with the Immigration Department will be made;

(2) The Service Provider's Criminal Conviction Record;

(3) Child Care Training Qualifications, so to ensure they have received proper and recognised training, background and experiences in child care.

A ratings system on different aspects of the services will be made available on the platform. Any information related to mishaps by the providers will be recorded and might be held as reasons to evict their involvement in our programme.

The matching model the platform is designed to

preserves the freedom for contract between users and providers. The platform merely provides support by providing a standardized contract forming the suggested premise of the contract negotiation. Parties are welcomed to negotiate on details regarding the services on their own terms. In addition, the Platform will provide information on labour insurance and employment law requirements.

The contact details of the service providers will be provided to potential users at the cost HKD10 to be paid by the potential users. The contact details to be provided are limited to information provided by the service providers.

Introducing the Details of the Platform from Stakeholders' Point of View

a. Service Providers

Gathering of providers – Neighborhood Support Child Care project is a similar but smaller-scale program run by the Social Welfare Department and NGOs provide care to children aged 3 to under 6. The participants in the said project are the ideal source of service providers for the initial operation of the platform. Under the Neighborhood Support Child Care project, they have already attended child care training courses under the recognition of NGOs and the government. Child-Care All-In-One.com on the other hand enables the provision of services to public at large and allows flexibility of contract as opposed to the current project they are in.

Quality Check (a) Vetting – To be qualified as service

providers, providers have to meet certain thresholds and undergo vetting process, including checking of:

(1) The Service Provider's ID;

(2) Immigration status in Hong Kong. This will be done by requiring the Service Provider to provide his/her Hong Kong Identity Card and an enquiry with the Immigration Department will be made;

(3) The Service Provider's Criminal Conviction Record;

(4) Child Care Training Qualifications, so to ensure they have received proper and recognised training a legit working status, background and experiences in child care. The qualifications recognised by the platform are currently child care courses provided for the Neighborhood Support Child Care project. In the future, we will increase the number of recognised child care training courses in the market after evaluating the quality of courses.

Quality Check (b) Rating – Users of the services will be invited to rate the providers' services. The rating criteria will range from hygiene, price, attitude to attentiveness. Such rating system will introduce a competitive environment while the users' feedback can improve services quality of the providers and the confidence of the users.

Profile – To be a part of the platform, providers have to disclose their basic information including work phone contacts and a photo, accompanied by their relevant child care qualifications, location preference, time preference and price range.

The profile with their preferred contact information

Name: Work Phone Contacts: Relevant Child Care Qualifications: Location Preference: Time Preference: Price Range:	Photo of Service Provider

and photos will be displayed to the users upon request with payment. On the other hand, a less detailed profile will be provided on our site to all users. The profile will show the names and photos of the providers along with the rating page. The system will automatically stop the providers from being shown as available when the providers is engaged with 4 children. This is to ensure the quality of services and the service providers will not breach s1(a)-(c) of the Child Care Service Ordinance.

Legal Assistance: Contract forms – Providers will enter into a contract for services with the users. Details regarding the contract are up to the negotiation of the parties but there will be recommended terms highlighted in the contract template and the briefing note. The providers will be required by the service agreement with the platform to scan a copy of the contract and upload the same to the platform for our record.

Insurance – The platform will provide parties with basic labour insurance information. We will also attempt to provide links of insurance packages with reputable insurance brokers so to streamline the service engagement process and improve the users experience with the platform.

Indication of Users/Providers Preferences and Provider sorting mechanism – Providers will indicate their preferences for location work, rate of fees and available service time which will be kept in the data bank. The users will indicate their preference also and the platform will sort through the data bank and present potential providers according to the users' indications.

Charge/Payment – Service providers can join the platform for free for the first year of operation. After the first year, providers will be required to pay 'shelf-fee' (HK$100 per month) for placing their profiles on the platform. The data bank will be kept in compliance with the Hong Kong Data Prosecution (Privacy) Ordinance to ensure providers cannot abuse the first year for free system.

We as the data user bears the legal obligation under the Personal Data (Privacy) Ordinance Cap 486 to use the data for a directly related purpose and take reasonable steps to safeguard the data from unauthorized usage or accidental access.

b. Service Users

Request and Payment for Services – Service users will make an invitation to treat by filling in a form indicating their preferences regarding locations, prices and service times on our platform. The form will include a disclaimer that outlines our scope of responsibility and what service they may obtain from the platform. Upon request, the platform will produce a list of potential service providers with details of their availability, names, photos, contact information, qualifications which will be made available to the users for $10. This sum of $10 will be utilized by us to sustain the operation of the program.

Choosing Services at their Preferences – Sorting results will provide qualifications, charge, locations and service time of providers for users to choose from. The platform will further provide the contact list of service providers and a set of contact list to enable them to establish employment relationship at ease. Multiple forms of communication of service provider will be included in order to facilitate more efficient information exchange between the parties, including phone number, email and other desired method of communication. Freedom of contract also allow users to design their desired services through negotiations.

Feedback – Users are invited to rate the services provided by the providers on the platform. The ratings will be made available on their profiles for references for users.

Legal Assistance: Contract forms – Same as that for service providers, users will also be requested to provide a copy of their contracts, which may be a useful assistance in emergency situations to aid relevant authorities.

Insurance – The platform will present parties basic insurance information to protect themselves in the contractual relationship with service providers. If possible, we hope to secure a discount for them.

Charge/Payment – Users will have to pay a HK$10 fee for the release of every single work contact of the provider once the users have chosen the potential provider.

Pre & Post -launching activity: PROMOTION

To promote the platform, we will approach NGOs dedicated to assisting parents and children. It is intended that they will promote the platform to potential users and providers by putting up our promotion leaflets and introducing our platforms to their service targets. In the future, we may hold talks at different NGOs to promote the platform.

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3. Cooperation with Potential Project Partners

Alliance for Children Development Rights – In our discussion, one of their staffs has shown interests in our program. They are planning to launch a programme to assist stay home parents to find jobs with flexible hours. Child-Care All-in-One.com can, on one hand, provide care to children and increase the parents' available hours for work.

Below are the **19 NGOs participating in the Neighborhood Support Child Care project and dedicated to assisting parents and children**. We wish to promote the platform potential service providers and users through their social connections.

Hong Kong Outlying Islands Women's Association (Islands)
Baptist Oi Kwan Social Service Neighbourhood Support Child Care Project
The Tsung Tsin Mission of Hong Kong Social Service Division (Central and Western)
Hong Kong Southern District Women's Association (Southern)
Baptist Oi Kwan Social Service (Wan Chai)
Tung Wah Group of Hospitals (Kowloon City)
Tung Wah Group of Hospitals (Yau Tsim Mong)
Kwun Tong Resident Association
Hong Kong Single Parents Association
The Tsung Tsin Mission of Hong Kong Social Service Company Limited
Hong Kong Women Development Association Limited (Tai Po)
Po Leung Kuk (North)
Women Service Association (Kwai Tsing)
Yan Chai Hospital Social Services Department (Tsuen Wan)
Yan Oi Tong
Hong Kong Family Welfare Society (Sai Kung)
Chinese Evangelical Zion Church (Wong Tai Sin - Man Kin House)
Chinese Evangelical Zion Church (Wong Tai Sin - Lok On House)
Hong Kong Tin Shui Wai Women Association

PROJECT IMPLEMENTATION

Timeline & Budget

Human Resources – Key Stakeholders

The involvement of the four identified stakeholders: our clients (potential service users), our partners (NGOs), service providers (nannies) and our team members are summarized in the below table according to the stated phrase:

Stakeholder	Phrase I
Clients	Family who needs child-care services
Partners (NGOs)	19 centres in total distributed in various districts of Hong Kong: • Central Western, Southern and Islands • Eastern and Wan Chai • Kowloon City and Yau Tsim Mong • Kwun Tong • Sha Tin • Sham Shui Po • Tai Po and North • Tsuen Wan and Kwai Tsing • Tuen Mun • Wong Tai Sin and Sai Kung • Yuen Long
Service Providers	Qualified nannies who are admitted to the Neighbourhood Support Child Care Project
Team	Present team/student interns In-kind support from law school alumni

Detailed Job Responsibilities

In this section, we will describe all the responsibilities of the involved parties and how we evasion to fulfill them.

Project Initiation
To ensure the success of our project, technical support for website establishment is a must. We are happy to obtain in-kind support from a student who is majoring in Computer Science. Pre-launch trials would be conducted by our team with the assistance of the information technology experts/staff of the City University of Hong Kong. The estimated duration for the website development would take up a month and a half including the trial sessions. Since our project aims to bridge the potential child-care users and the caretaker, it would require us to have a mobile device for contact and removable hard disk for data storage.

Phrase I (after the website is ready)
In Phrase I, our team would focus on marketing, publicizing and establishing the network of our service providers. We will contact the 19 non-government organizations (NGO) which have already collaborated with the Neighbourhood Support Child Care Project to reach out our service providers. Through the assistance of NGOs, we can gather the interested parties to avail of our recruitment process. Briefing sections would be conducted to introduce the platform. Information such as application requirements and procedures would be outlined in the sessions. The application period will be 3 weeks after the presentation conducted. Vetting procedures would be conducted once the application is received.

Phrase II
In Phrase II, we consider seeking sponsorship from large corporates. We believe our success in the child care matching service would attract potential partners for collaboration. We would advertise their products via our platform in return for financial support to sustain our future development. In addition, a hundred dollars per month "shelf-fee" would be charged on our service providers to keep their profile in our platform.

Financial Resources: Budget for Phrase I

Stage	Expenses	Estimated Costs (HK$)	Remarks
Project Initiation	Website set-up (design and programming)	20,000	Our team designed the website and In-kind support from a computer science major student would handle the website programming
	Website Domain Name Registration "childcareallinone.hk"	250	
	Printing fees for briefing materials and application forms (A4 B&W)	100	A4 B&W 600 pieces 300 copies/HK$50 HK$50 x2 =HK$100
	Venue booking fee for briefing sessions (community hall)	1,710	HK$90/hr, $HK90x19 centres =HK$1,710 Our team would be responsible for the briefing sessions
	Contract drafting	0	In-kind support from law school alumni
	Travelling cost for briefing sessions	950	HK$50 /trip x19 = HK$950
Implementation (Phrase I)	Mobile device/tablet for contact	3,998	ASUS Transformer Book T100
	Removable hard disk for data storage	539	2,000GB/HK$539
	Admin staff	0	Our core member would handle the sorting service
Post-Implementation	Website Maintenance/Technical Support	To Be Confirmed Depends on different circumstances	
	TOTAL COST (HK$):	27,297	

Future Source of Income	Future Expenses	
Advertisements for child-care related products (e.g. baby powders, toys, furniture, etc.)	Recruitment of Part- time Administrative staff	HK$50/hr
Online Profile Charge (HK$100/month) from Service Providers	Further Website Maintenance and Development	To Be Confirmed Depends on different circumstances

MONITORING & EVALUATION

Sustainability/Multiplier Effect

Profit – expense balance

In the beginning, we will mainly rely on the PILnet start-up funds (HK$50,000) and the HK$10 service charge from the users' requests for providers' contact information as the operational funds. After 12 months of the Providers' registration, we will start charging monthly 'shelf-fee' from service providers who wish to continue to provide service through our match-making process. The profits earned will be put back to better and upgrade the platform.

Advertisement

As we expand the scope of service and the potential service users increases, we plan to make use of advertisements to further avail our project. As the page views and visitor volume increases, our platform will gain wider public attention, particularly from child-care service users. It is clear that such target group will also require other forms of services and goods, such as toys, milk powder, supplements and baby carriage. The service user group of our platform forms an ideal potential target group of other child-care services or material providers. We are open to charge for the advertisements of these other services related to child-care in our platform and the gains from these advertisements will be further utilized as a part of supplements to the daily expense of the platform.

Feedbacks

Monitoring and Evaluation would be achieved by gathering feedbacks from service providers and users. Users and providers will be invited to fill in a simple online feedback form after using the platform. We will closely monitor the data we gathered regarding the usage of the websites and the number of successful service matches. Users and providers can leave us inquiries on the platform.

Quality Control

If we received any report of severe misconduct, we retain the right to remove the service provider or user from the platform.

Alternative Plans

To secure supply for service providers, we will increase the number of recognized child care training courses on the market after evaluating the quality of courses.

Others

In the long run, we may employ staff for IT support and customer services. ◼