

Procedures for the Informal Resolution of Allegations Concerning Sexual Harassment and Violation of the Code of Ethics

1. Initial advice

2. Conciliation

Violation of the University's Policy on Sexual Harassment and its Code of Ethics can take different modes and varying magnitudes that may affect the activities and prestige of the University at large. The following informal means of resolving allegations of violation of the Policy or the Code endeavours to strike a balance between the early resolution of allegations and the need for a thorough investigation. It is understood that the earlier an allegation of violation is dealt with, the better the chance that it will not lead to confrontation that is potentially damaging for both the person who alleges the violation and the staff member implicated in the complaint. However, it may be that time needs to be spent gathering information and dealing with the matter more formally under the Grievances and Human Resources Related Appeals Procedures.

The informal procedures will be explained to a staff member, student or person from outside the University seeking advice on allegations concerning violation of the Policy on Sexual Harassment and the Code of Ethics. As a matter of principle, all information related to allegations concerning violation of the Policy on Sexual Harassment and the Code of Ethics will be kept confidential by all persons who handle the allegation.

1. Initial advice

1.1 A person affected by conduct which may constitute a violation of the Policy on Sexual Harassment or the Code of Ethics should consult an adviser to request for initial advice concerning the procedures which may be followed to resolve the allegation.

1.1.1 For the purposes of these regulations, the Officer-in-charge of the Unit in which the staff member concerned is employed or of the Department offering the programme on which the student concerned is registered can act as an adviser.

1.1.2 In addition to Officers-in-charge of Unit identified in para. 1.1.1, a list of the persons who agree to act as an adviser will be compiled by the Ethics Committee. Nominees will be asked to confirm their agreement to act as an adviser. The list is hereinafter referred to as the 'approved list'.

1.1.3 A person who is included in the approved list of advisers may also act as a conciliator if he/she so agrees, see para. 2.1.2 below. Whether an adviser is also a conciliator must be indicated in the approved list.

1.2 The adviser concerned must explain to the person lodging the complaint that there are two procedures for resolving such allegations: conciliation and a formal complaint under the Grievances and Human Resources Related Appeals Procedures. The adviser concerned

must also explain the differences between these procedures.

- 1.3 A person, having met with an adviser, may decide to take no further action at that point in time, request conciliation or make a formal complaint.

2. Conciliation

- 2.1 A person who has sought initial advice may request the appointment of a conciliator who will be expected to provide advice or support, or who would otherwise assist him/her in resolving the allegation.

- 2.1.1 The request for conciliation may be made verbally.

- 2.1.2 The persons who may be appointed as conciliators will be indicated in the approved list, see para. 1.1.2 above.

- 2.1.3 A request for the appointment of a conciliator may be made, even though the identity of the staff member(s) implicated in the complaint is not revealed.

- 2.2 A person requesting conciliation may accept the adviser's offer to conciliate, if the adviser is also a conciliator, or may request that another person from the 'approved list' be appointed as conciliator.

- 2.2.1 In the event that the person lodging the complaint requests the appointment of a person other than the adviser to act as conciliator, the person lodging the complaint must be asked whether a male or female conciliator is preferred.

- 2.2.2 The adviser must appoint a conciliator from the approved list, taking into account the gender preference of the person lodging the complaint, and inform the conciliator appointed accordingly.

- 2.3 The process of conciliation should involve the following:

- 2.3.1 When the conciliator meets with the person lodging the complaint, the person may request any person to act as his or her 'friend' provided that the person lodging the complaint will not be legally represented at the meeting.

- 2.3.2 If requested by the person lodging the complaint, the conciliator may meet with the staff member implicated in the complaint. The staff member concerned may invite a person to act as a 'friend' at such a meeting provided that the staff member concerned will not be legally represented at the meeting.

- 2.3.3 Both the person lodging the complaint and the staff member implicated in the complaint may invite persons who witnessed the alleged violation of the Code of Ethics to attend any meeting in the conciliation process.

- 2.3.4 The conciliator should record the name of the staff member implicated in the

complaint, the date(s) and time(s) when meetings are held and, if disclosed, the name of the person or persons alleged of the violation, together with a written record of the major points discussed in the conciliation process. The record must be sent under confidential cover to the Chairman of the Ethics Committee and kept by the Ethics and Equal Opportunities Unit (EEOU).

- 2.4 When conciliation fails to resolve a situation that the person alleges is a violation of the Code of Ethics or the policy of sexual harassment, or if the person forms the opinion that only a formal complaint can provide relief, he/she may lodge a formal complaint in accordance with the Grievances and Human Resources Related Appeals Procedures.