

THE HONG KONG POLYTECHNIC UNIVERSITY

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

1. Preamble

- 1.1 Violation of the University's Policy on Sexual Harassment and the Code of Ethics¹ can take different modes and varying magnitudes that may affect the activities and prestige of the University at large. The following 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 (Complainant) and the staff member/student implicated (Respondent) 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](#)²/[Regulations on Student Discipline](#)³.
- 1.2 This set of 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 such allegations will be kept confidential by all persons who handle the allegation.
- 1.3 As a general principle, the adviser/conciliator who has conflict of interest in the complaint should not be involved in handling the matter.

2. Initial Advice

- 2.1 A person affected by the conduct which may constitute a violation of the Policy on Sexual Harassment or the Code of Ethics can consult an adviser for initial advice concerning the case and related procedures to resolve the allegation.
 - (a) For the purposes of these regulations, the Head of Unit, in which the staff member concerned is employed or the student concerned is enrolled in its programme, can act as an adviser.
 - (b) In addition to Head of Unit, the Ethics Committee will compile a list of persons who are nominated by respective student halls, Faculties/Schools and offices concerned and agree to act as advisers. This list of advisers is hereinafter referred to as the "[approved list](#)".

¹ Code of Ethics applies only to staff members of the University.

² Complaints against staff members will be handled in accordance with the Grievances and Human Resources Related Appeals Procedures.

³ Complaints against students will be handled in accordance with the Regulations on Student Discipline.

- 2.2 The adviser concerned will provide his/her initial view of the case and explain to the complainant about the actions that can be taken under the existing internal procedures for resolving the allegations, including:
- (a) conciliation; and/or
 - (b) lodge of a formal complaint in accordance with the [Grievances and Human Resources Related Appeals Procedures²/Regulations on Student Discipline³](#).
- 2.3 The adviser concerned will also advise the complainant other possible channels for reporting the allegations including the Equal Opportunities Commission and the police.
- 2.4 The complainant, having met with an adviser, may decide to take the action(s) as stated above or take no further action at that point in time.

3. Conciliation

- 3.1 The complainant who has sought initial advice may request the appointment of a conciliator who will be expected to assist him/her in resolving the allegation.
- (a) The request for conciliation may be made verbally or in writing.
 - (b) The advisers in the “[approved list](#)” will normally act as conciliators if they so agree. The complainant may request the appointment of the adviser concerned as the conciliator or any other conciliator in the “[approved list](#)”.
- 3.2 The process of conciliation should involve the following:
- (a) The conciliator will meet with the complainant and respondent individually; or both of them in the same meeting upon mutual agreement of both parties.
 - (b) In the conciliation process, both the complainant and the respondent may bring with him/her an accompanying person or invite persons who witnessed the incident to attend the meeting.
 - (c) The conciliator should record the name of the complainant and respondent, the date(s) and time(s) when meetings are held and, 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 via the Secretary of the Committee.
- 3.3 When conciliation fails to resolve the allegation, or if the complainant 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 Procedures²/Regulations on Student Discipline³](#).