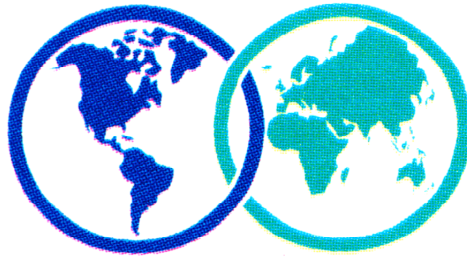


香港李寶椿聯合世界書院

**LI PO CHUN UNITED WORLD COLLEGE
OF HONG KONG**



**POLICY ON
HARASSMENT**

**APPROVED BY
THE BOARD**

6 DECEMBER 2007

1. RATIONALE

- a. The College is committed to taking reasonable steps to provide a healthy learning and work environment for its students and employees and will not tolerate harassment or violence of any kind.
- b. In order that appropriate relationships in the College can be encouraged and celebrated, every member of the College community must demonstrate respect for all other members of the community. It follows from this that no member of the College community should ever feel threatened or harassed by any other member of the College community. This applies in all areas – including physically, sexually and emotionally. Consequently, this policy should be read in conjunction with the College’s Student Protection Policy.
- c. The College has a legal obligation to comply with Hong Kong law and case precedents.
- d. Under Hong Kong law, the College has a responsibility to provide an environment that is free from sexual harassment. The College also will not tolerate any sexual relations, consensual or otherwise, between employees and students.

2. DEFINITIONS

- a. Harassment includes **unwelcome** or **unwanted** behaviour of a sexual or violent nature, demands, communication, physical contact or actions which are unwelcome or which interfere with an individual’s ability to work, learn, or participate in the College’s organised activities and programs or which create a hostile or offensive working or academic environment.
- b. While the College endorses freedom of speech and expression, common forms of harassment can include offensive or abusive physical contact, exclusion, rumour mongering, unwelcome sexual advances, joking, lewd language, false accusations, behaving in a way that deliberately offends others’ cultural or religious sensitivities, suggesting sexual favours, displaying sexually suggestive objects, pictures, magazines, calendars, etc, defacing other people’s signs or pictures, or the posting of any derogatory or demeaning posters, articles, cartoons or graffiti on notice boards or other public places.
- c. Hong Kong law and case precedents regard sexual activity in a student’s shared residential room as creating a sexually hostile environment, (a form of sexual harassment), regardless of whether permission has been sought or granted, and regardless of whether others are present at the time or not. The College is obliged to act firmly in such situations, such as by requiring a written undertaking not to repeat the offence as well as agreeing to high frequency room checks, and by terminating the places of the offending students if the offence is repeated.

3. PROCEDURES AND PROCESSES

- a. Individuals who believe they have been subjected to sexual or other harassment should, if able, first confront the person or persons responsible for the offensive behaviour, with another person if deemed helpful, and indicate to them that the behaviour is unwelcome and unwanted, and should therefore be stopped. The approach could also be made by a third party on behalf of the

alleged victim of harassment. If these steps are not appropriate, or if they fail to resolve the situation, then the procedures in section 3b should be followed.

- b.
 - i. students who believe they are continuing victims of harassment have an obligation to report the matter immediately to their tutor, their Head of House the Head of Residences, or another trusted person. If a student feels that he or she cannot discuss the matter with any of these people, he or she must speak directly with the Principal or the Police.
 - ii. staff who believe they are continuing victims of harassment have an obligation to report the matter immediately to their line manager or another trusted person. If a member of staff feels that he or she cannot discuss the matter with any of these people, he or she must speak directly with the Principal or the Police.
- c. Students who observe or become aware of harassment, but are not victims themselves, have an ethical and moral obligation to bring the matter to the attention of their tutor, their Head of House or the Head of Residences. Staff have a legal obligation to report harassment that they have become aware of or have observed, and this report (which may be verbal or in writing as appropriate) should be made to the Head of Residences in cases involving students, and/or to their line manager in cases involving members of staff.
- d. At some point in the complaint process, the complaint may have to be put in writing.
- e. To the greatest extent possible, information will be kept confidential, unless the initiating party agrees that additional people must be informed to facilitate a solution or a person's safety would be directly threatened by maintaining confidentiality.
- f. All reports of harassment involving students should be referred to the Head of Residences. The Head of House or Head of Residences will investigate all such complaints and recommend resolution strategies. At times during an investigation, the person conducting the investigation may choose to hear testimony from the complainant, the accused, and witnesses identified by each party.
- g. At the conclusion of the investigation of all complaints, the person conducting the investigation will prepare a written report, which will include the allegations, the investigation and resolution process already completed, and the recommendations. As needed, the Head of Residences in consultation with the Principal will determine any policy violations, the severity of the offence and the appropriate consequences.
- h. If it is determined that harassment has occurred or that counselling, training, disciplinary measures (i.e., written warning, suspension, probation, termination or expulsion), or in cases where sexual assault or sexual abuse has occurred turning the matter over to police is appropriate, measures will be taken to correct the problem.
- i. No individual will be retaliated against for reporting in good faith any allegations of harassment. Any such retaliation in and of itself may result in disciplinary action, up to and including expulsion.
- j. All members of the College community are required to co-operate with any investigation undertaken by the College in response to allegations of harassment. Refusal to co-operate in an investigation may result in disciplinary action, up to and including termination or expulsion.
- k. Any student who desires counselling or advice regarding issues of harassment is encouraged to contact either their Head of House or the Head of Residences, or may approach the Counsellor directly.
- l. Any affected student who is dissatisfied with the conclusion or results of an investigation, or with any corrective measures taken, may appeal the decision to the Principal. Any such appeal should

be in writing, and should include the nature of the dissatisfaction with the conclusions or results of the investigation. Any affected employee who is dissatisfied with the conclusion or results of an investigation, or with any corrective measures taken, may appeal the decision to the Principal or to the Board through the Staffing Committee through the designated complaints procedure. Any such appeal should be in writing, and should include the nature of the dissatisfaction with the conclusions or results of the investigation.

3. EFFECTIVE DATE

- a. This policy will be posted in a public place, such as on the College's website.
- b. This policy was approved by the Board on 6th December 2007 and is effective immediately.
- c. This policy will be reviewed within two years or beforehand if necessary.