

CITY UNIVERSITY OF HONG KONG

Procedures for Handling Informal Sexual Harassment Complaints

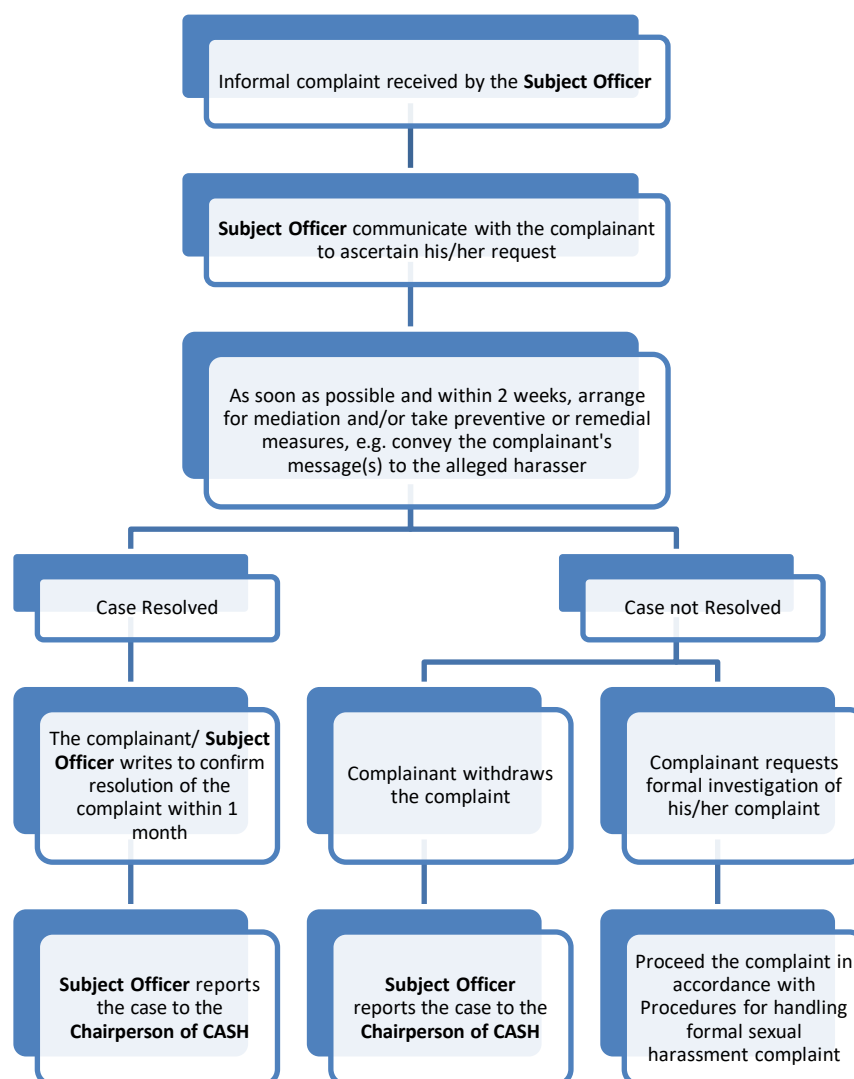
1. Informal handling mechanism focuses on resolving the conflict and stopping the act of alleged harassment at the earliest possible stage. The handling of informal complaint would not involve any investigation (e.g. fact-finding, decision making or judgment) by the University.
2. Whether to adopt the informal complaint procedures depends on the preference of the complainant. The informal mechanism may include the complainant seeking mediation help from the University via the Committee Against Sexual Harassment (CASH). A complaint will be handled informally when a complainant prefers that informal actions be taken to stop the harassment at the earliest possible stage instead of requesting an investigation into his/her case.
3. In general, informal action may be suitable for minor and single incidents of sexual harassment but not for more serious and repeated acts of sexual harassment.
4. All complaints of sexual harassment will be received and handled in a confidential manner and any information relating to a complaint of sexual harassment will only be disclosed on a strict need-to-know basis.
5. Depending on the identity (*staff or student*) of the alleged harasser, complaints of sexual harassment should be lodged with the following respective personnel (the ***Designated Complaint Recipient***):
 - (a) the Director of Human Resources (or nominee) when the alleged harasser is a staff member; or
 - (b) the Dean of Students (or nominee) when the alleged harasser is a student at or below undergraduate level; or
 - (c) the Dean of Graduate Studies (or nominee) when the alleged harasser is a student at postgraduate level.

The nominee shall be chosen from Members of CASH.

6. When the Director of Human Resources, the Dean of Students, the Dean of Graduate Studies, the Head of Department or any other person comes into knowledge of a sexual harassment complaint of which they are not the ***Designated Complaint Recipient***, he/she should direct the case to the ***Designated Complaint Recipient***.
7. The ***Designated Complaint Recipient*** or his/her nominee (who is a Member of CASH) shall become the ***Subject Officer*** of the case. In appropriate circumstances or at the request of the complainant, the gender of the delegated ***Subject Officer*** should be taken into consideration.

8. On receiving an informal complaint of sexual harassment, the **Subject Officer** should communicate with the complainant and if the complainant so desires, communicate with the alleged harasser on behalf of the complainant soonest possible in 2 weeks. Mediation and/or preventive or remedial measures may be adopted to address the situation as soon as possible. Such informal action can be particularly useful when the concerned alleged harasser admits to the alleged conduct but does not realise that such behaviour is offensive to the complainant.
9. If the complaint is resolved informally, the complainant shall write to the **Subject Officer** to confirm resolution of the complaint within one month. Should the complainant fail to make such written confirmation within one month, the **Subject Officer** shall write to the complainant to confirm the resolution. If the complainant does not raise any objection to the **Subject Officer's** written resolution within 7 days, the complaint shall be deemed resolved.
10. On conclusion of the case, the **Subject Officer** shall report to the **Chairperson of CASH** in writing, giving a brief account of the complaint and measures taken to resolve the complaint.
11. However, if the complaint could not be resolved informally (e.g. the alleged harasser does not agree that he/she had committed the alleged act of sexual harassment or the complainant is not satisfied with the alleged harasser's responses, if any), the **Subject Officer** shall remind the complainant of his/her options in handling the complaint.
12. If the complainant requests an investigation into his/her allegations, the **Subject Officer** should inform the **Designated Complaint Recipient** of the complainant's decision of handling the complaint formally unless the complainant withdraws his/her complaint unconditionally in writing. **Formal** complaints are handled in accordance with the Procedures for Handling Formal Sexual Harassment Complaints laid down in Appendix III (a).
13. A flow chart showing the process is at the Appendix II (b).
14. The **Chairperson of CASH**, as assisted by the Secretary of CASH, shall maintain records of complaints or cases handled for statistical purposes and report to the President on an annual basis.

Flow Chart on Handling Informal Sexual Harassment Complaints



Note:

The Subject Officer will be:

1. the Director of Human Resources (or nominee) when the alleged harasser is a staff member; or
2. the Dean of Students (or nominee) when the alleged harasser is a student at or below undergraduate level; or
3. the Dean of Graduate Studies (or nominee) when the alleged harasser is a student at postgraduate level.

Revised 14 August 2020