

Sing Yin Secondary School

**Prevention of
Sexual Harassment in School**

September 2025

1. Introduction

Sexual harassment in any form is both discriminatory and unlawful. It can result in disciplinary action within the school and may also lead to civil liability or criminal consequences. Anyone who experiences or witnesses an act of sexual harassment has the right to file a complaint. The school is dedicated to eliminating and preventing sexual harassment and will not tolerate such behaviour.

2. Definition

In accordance with the Sex Discrimination Ordinance, a person sexually harasses another person if the former makes an unwelcome sexual advance, or an unwelcome request for sexual favors, to the latter; or engages in other unwelcome conduct of a sexual nature in relation to that person; in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the victim would be offended, humiliated or intimidated; or the person, alone or together with other persons, engages in conduct of a sexual nature which creates a hostile or intimidating environment for the victim. Even if the act of sexual harassment is not intentional or there is no evidence to prove the intention, it amounts to sexual harassment once the act meets the definition of sexual harassment. In addition, a single incident may also amount to sexual harassment.

3. Examples of Sexual Harassment

It should be noted that sexual harassment may occur to any persons, regardless of their gender, and sexual harassment may also occur to persons of the same sex. Sexual harassment takes two forms: unwelcome sexual behaviour or conduct which is offensive, humiliating or intimidating or an environment where there are actions, languages or pictures of a sexual nature that make it hard for a person to concentrate. Different forms of contact, written, verbal, visual but not just physical, can result in sexual harassment, e.g. sending of sexually suggestive messages, making comments with sexual innuendoes, touching or fiddling with a person's clothing, staring or leering at a person or at parts of his/her body.

4. Measures to Prevent Sexual Harassment

- a. The policy on preventing sexual harassment is announced to all staff at the beginning of the school year. They are also reminded of common examples of sexual harassment and urged to refrain from such behaviour.
- b. Teachers, especially those responsible for sex education, are encouraged to attend relevant training.
- c. Class teachers are requested to announce the policy to the class at the beginning of the school year, remind students of common examples of sexual harassment and urge them to refrain from such behaviour.
- d. Educational programmes such as talks or drama can be organized for students if available.
- e. The policy of sexual harassment will be included in the official website of our School.

5. Mechanism for Handling Complaints of Sexual Harassment

- a. Any student or staff member suffering from sexual harassment can report the case to the School through any teacher, the Vice Principals or teachers in charge of sex education.
- b. Teachers coming across students' behaviour of sexual harassment or receiving complaints against sexual harassment should stop the behaviour and report the case / complaint to the Discipline Department or the Principal.

- c. If any staff member of the School or course instructor is suspected to be involved in these complaints, Staff Discipline Committee / an ad hoc group consisting of the Principal, the Vice Principals and teachers in charge of sex education will be set up to handle the case. Other members whom the Incorporated Management Committee considers to be necessary can also be included.
- d. The Discipline Department or Staff Discipline Committee / the special ad hoc group will investigate the case and determine the follow-up action, e.g. arranging mediation, imposing punishment and assigning school personnel to provide counselling.
- e. The principle of confidentiality shall be observed. All information and records related to a complaint of sexual harassment will only be disclosed to relevant parties on a need-to-know basis. Premised on the principle of natural justice and the fact that the alleged harasser is a key person in the case, the school shall inform him/her of the details of the complaint.

6. Time Limit for Sexual Harassment Complaints

If a victim of sexual harassment wants to file a complaint with the EOC, he/she should do so within a year after the incident has taken place. Any decision to take legal proceedings to the District Court should be made within 2 years after the incident has taken place. Under this circumstance, a staff member / student suffering from sexual harassment should preferably complain to the School within 1 month after the incident has taken place.

7. Liabilities

- a. Being unlawful, sexual harassment would entail civil liability and some acts would even bear criminal consequences.
- b. The School will consult the EOC or other external bodies when there is doubt about the suspected cases.
- c. For a harasser suspected to have committed criminal offences, the school will report the case to the Police.

8. Disciplinary Actions

- a. If a student is found to have sexually harassed others, the School may impose such punishment as verbal or written warning, school suspension, and being dismissed or expelled, etc, depending on the nature of the case.
- b. If a service provider/agent, voluntary helper, etc. is found to have sexually harassed others, the School may take such actions as restricted entry to the campus and termination of contract, depending on the nature of the case.
- c. If a staff member is found to have sexually harassed others, he/she may be subject to such punishment as receiving written warnings or being dismissed, depending on the nature of the case.

9. Review & Amendment

The policy may be reviewed and modified by the School with reference to Hong Kong law and guidelines of the Education Bureau or other relevant bodies.