

# **Hong Kong Nang Yan College of Higher Education**

## **Equal Opportunities Policy**

The College is committed to promoting equal opportunities and diversity in academic pursuit and eliminating any form of discrimination or harassment against staff, students, and other persons who have dealings with the College. Mutual respect and fair treatment are conducive to the creating a diverse and harmonious learning and working environment.

Under the anti-discrimination ordinances in Hong Kong, namely the Sex Discrimination Ordinance, the Disability Discrimination Ordinance, the Family Status Discrimination Ordinance and the Race Discrimination Ordinance, the following discriminatory acts are unlawful:

- (a) Sexual harassment
- (b) Sex discrimination
- (c) Disability discrimination, harassment and vilification
- (d) Racial discrimination, harassment and vilification
- (e) Family status discrimination
- (f) Marital status discrimination
- (g) Pregnancy discrimination
- (h) Breastfeeding discrimination and harassment; and
- (i) Victimisation

All complaints of discriminatory acts will be handled with due care, utmost sensitivity and confidentiality. The complaint procedures under the Policy will be used to handle the cases:

1. The complainant should be a full-time student or a full-time employed staff of the College;
2. To conduct an investigation of a complaint of any alleged prohibited discriminatory act(s) under the Equal Opportunities Policy against a staff member or student of the College;
3. To request, receive and consider evidence from all relevant parties in person and/or in writing in connection with the matter under its investigation;
4. To provide findings, prepare a report, and decide on the investigation result of the complaint case.
5. The set up of the Equal Opportunities Affirmative Committee (EOAC) shall comprise the following members:

**Scenario one: The parties involved are between students of the College**

<b>Chairperson</b>	Vice President
<b>Members</b>	A minimum of 4 members to be appointed by the Vice President a) Two teaching staff members (The Faculty of Professions and Faculty of Arts) b) Two administrative staff representatives (General Secretary and Director of Student Affairs Office) c) If the staff are involved, other staff members to be appointed by the Vice President
<b>Quorum</b>	Chairperson and 50% of the members.
<b>Secretary</b>	A staff member to be appointed by the General Secretariat

**Scenario two: The parties involved are between students and full-time employed staff of the College**

	<b>For General Cases (where President/Vice President is not the Complainant or the Respondent)</b>	<b>For Cases where the President or the Vice President is the Complainant or the Respondent</b>
<b>Chairperson</b>	Vice President	Chairman of the College Council
<b>Members</b>	A minimum of 4 members to be appointed by the Vice President a) Two teaching staff members (The Faculty of Professions and Faculty of Arts) b) Two administrative staff representatives (General Secretary and Director of Student Affairs Office) c) If the staff are involved, other staff members to be appointed by the Vice President	A minimum of 4 members to be appointed by the Chairman of the College Council a) Two members from the College Council b) One teaching staff member (department head but the member shall not be from the same department/office as the Complainant or the Respondent) c) One administrative staff representative d) If the staff are involved, other staff members to be appointed by the Chairman of College Council

<b>Quorum</b>	Chairperson and 50% of the members.	Chairperson and 50% of the members.
<b>Secretary</b>	A staff member to be appointed by the General Secretariat (where he/she is not the Complainant or the Respondent)	

6. While forming the EOAC, there should be a fair distribution of the gender of the members in the Committee as far as practicable. No member of the EOAC shall be from the same department/office as the Complainant or the Respondent, or have any direct working or other material or close relationship with the Complainant or the Respondent. For academic or teaching staff member, the mere fact that the member is one of the teachers of either party of the complaint is normally not considered as not appropriate to be appointed on the Committee.
  
7. To ensure fair and efficient processing of the complaint, the EOAC's staff members have to be regular staff serving the College.
  
8. Members of the EOAC should sign a confidential agreement and declare any conflict or potential conflict of interest where necessary. The College appreciates the service of the members.
  
9. Other than to the extent set out in the Equal Opportunities Policy, the EOAC shall have the power to determine and regulate:
  - (a) the procedures to be followed in connection with its investigation;
  - (b) the procedures to be followed in conducting any meeting or inquiry of the EOAC; and
  - (c) the conduct of all persons at any meeting or inquiry of the EOAC.