



Summary of School Policy Framework for Prevention of Racial Discrimination and Harassment



Objective of the Policy Framework

Provide guidance for school administrators and staff to formulate policy with a view to preventing racial discrimination and harassment on campus under the Race Discrimination Ordinance



Benefits to the School

- Prevent any act of racial discrimination and harassment done by the school administrators and/or Incorporated Management Committees (IMC) in admissions and the schooling process
- Prevent school administrators and/or IMC from vicarious liability by employees unlawful act of discrimination or harassment
- Ensure students have adequate awareness about discrimination and prevent them from engaging in discriminatory or harassing conduct based on race

Essential Elements of a School-Based Policy

Zero tolerance for racial discrimination and harassment

- ✓ This principle should form the bedrock of all policy measures by the school to ensure that they do not cause any racial group to be unfairly impacted

Objectives and responsibilities of the school

- ✓ Ensure a safe and racial-discrimination and hostility-free environment for all
- ✓ Set up effective channels for lodging complaints, which should be sensitive to the feelings and needs of the complainant, and keep all stakeholders informed of the channels
- ✓ Handle complaints on the principles of fairness, impartiality and confidentiality
- ✓ Ensure that there will be no negative repercussions for anybody for lodging a complaint in good faith

Obligation and responsibility of all staff members and students

- ✓ Prevent and eliminate racial discrimination, including respecting the will and feelings of others, refusing to tolerate any racially discriminatory behaviour, and supporting co-workers/students to take reasonable steps to stop racial discrimination

Definition of racial discrimination and harassment

- ✓ Explain the meaning of racial discrimination and racial harassment in plain and simple language, as well as clarifying the following common myths:
 - **Regardless of race** : Racial discrimination and harassment may occur to any person, regardless of their race or ethnicity
 - **Intention is irrelevant** : No matter whether the act is intentional or not, or even if it is of a playful nature, it may amount to racial discrimination or harassment
 - **Single incident** : A single incident may also amount to racial discrimination or harassment





Rights of victim and various actions to be taken

- ✓ Every person has a right to lodge a complaint on racial discrimination and harassment
- ✓ When a person is racially discriminated or harassed, he/she can lodge a complaint to the school, with the EOC, with the Education Bureau or file a lawsuit in court

Principles of handling racial discrimination and harassment complaints

- ✓ Complaints should be handled in a just and impartial manner to ensure that the complainant and the alleged perpetrator are fairly treated
- ✓ All information and records related to a racial discrimination or harassment complaint must be kept confidential
- ✓ Complaints should be handled promptly without delay
- ✓ Complainants and witnesses should be protected against victimisation because of the complaint case
- ✓ The case should be handled by another suitable person if conflict of interest arises

Mechanism for handling racial discrimination and harassment complaints

- ✓ Both informal and formal complaint handling mechanisms for racial discrimination and harassment complaints should be established
- ✓ Use a flow chart to clearly indicate each step of the procedure
- ✓ If the complainant or alleged perpetrator is a student, he/she is entitled to be accompanied by his/her parent/guardian/family member to attend the relevant interview
- ✓ The interviews and the statements of both the complainant and the alleged perpetrator should be documented
- ✓ As a principle of natural justice, appeals to senior level of school management should be allowed

Follow-up actions

- ✓ If an employee is the perpetrator, state clearly specific disciplinary measures which acts of racial discrimination and harassment could entail and what the punitive measures could be
- ✓ If the case involves any students, discipline directed against the student committed an act of harassment should be considered as an educative process to steer him/her towards appropriate response
- ✓ Counseling services could be made available for both student victim and the harasser

Measures for prevention of racial discrimination and harassment

- ✓ Promulgate the policy to all students, parents/guardians and staff members on a regular basis
- ✓ Make the policy accessible to all
- ✓ The review period for the policy and measures should be set at a specific regular interval
- ✓ Conduct regular training with specific targets (such as number of people and/or period of time)
- ✓ Designate staff members to implement the measures with a clear delineation of responsibility

Read the School Policy Framework for Prevention of Racial Discrimination and Harassment by scanning the QR code below:

