

「反性騷擾政策檢視清單－大專院校」研究報告

行政摘要

背景

1. 新婦女協進會（簡稱「婦進」）獲平等機會委員會（簡稱「平機會」）的「平等機會研究項目資助計劃」2017/18 年度的撥款資助，研究大專院校的反性騷擾政策。是次研究延續 (1) 婦進從 2009 至 2012 年期間，以 64 項的檢視清單(checklist)審視八大院校反性騷擾政策的研究方法；(2) 2014 至 2015 年期間，以 36 項的檢視清單審視八大院校和大專院校反性騷擾政策的研究範疇。2014 至 2015 年期間，研究首次延展至八大以外的其他院校，還包括九間自資院校、部分社區學院、兩間屬於其他類別的學院，以及深水埗區各中小學。
2. 2017/18 年的研究繼續使用 36 項的檢視清單，檢視八大院校及其他開辦副學位和學士學位課程的自資院校的反性騷擾政策。
3. 是次研究銳意檢視大專院校的反性騷擾政策，不單調查教育機構是否有制定相關政策，而是根據婦進的清單檢視條文，審核教育機構有關政策的詳細內容，以改善其政策和程序。

研究目的

4. 完善八大院校以及自資院校反性騷擾的書面政策，並透過跟各院校溝通推動校方對反性騷擾政策的關注。

研究方法

5. 研究分為兩個階段。首先，2018 年 5 月至 8 月期間在各院校網站搜尋書面的反性騷擾政策，以清單核對及評估其政策的達標程度。清單的評分以✓或✗顯示，接著發電郵給該院校。若果未能在院校網站尋獲反性騷擾書面政策，即透過電郵向院校查詢，該校是否有制定反性騷擾的書面政策，並邀請該校將有關文件電郵給婦進作評估。接著，2018 年 6 月至 11 月期間收集各校就清單的回應，並向各院校（尤其是八大院校）查詢其政策在過去幾年是否曾作出修訂。至於其他大專院校，本研究則側重學院是否有反性騷擾書面政策，以及政策的涵蓋範圍是否完備。

- 大專院校：2017/18 檢視清單 (與 2014/15 的檢視清單相同) (36 項)
- 清單分為四部分：(1)政策制訂；(2)政策內容；(3)投訴程序；(4)政策施行。

6. 回應檢視清單的數字和比率

- 八大院校檢視清單回應率為 100%（8 間院校全部回覆）；
- 34 間自資院校 (34 間院校中，10 間完成檢視清單，其餘 24 間沒有完成檢視清單。) 綜觀以上 數字，自資院校檢視清單回應率為 29.4%。

研究結果

7. 結果顯示，八大反性騷擾政策整體達標率為 79.2% (2014/15 年的調查結果為 75.7%)；而八大以外大專院校的整體達標率為 49.2%。
8. 具體而言，八大院校在第四部分「政策施行」達標率為 87.5%，表現相較第一部分「政策制訂」(達標率為 85.9%)、第二部分「政策內容」(達標率為 65.0%)、第三部分「投訴程序」(達標率為 82.7%) 部分為佳。
9. 八大院校以外的自資院校，在回應檢視清單的十間院校中，第一部分「政策制訂」達標率為 68.0%、第二部分「政策內容」達標率為 37.0%、第三部分「投訴程序」達標率為 49.2%、第四部分「政策施行」達標率為 38.0%。
10. 由此可見，跟八大比較，自資院校在四部分的檢視清單之達標率，明顯與八大有較大差距。其中「政策施行」的差距最大 (49.5 個百分點)，其次是「投訴程序」差距，為 33.5 個百分點。
11. 值得一提，是次研究過程中發現部份附屬學院的反性騷擾政策跟所屬院校是相同的。由於附屬學院有自己的校園和網頁，學院在反性騷擾的「政策施行」上，個別校園是否有「專責平等機會人員」、是否「註明處理投訴、提供資訊及意見的負責人之姓名、電郵同電話」，又或政策能否在互聯網上瀏覽等成為重要問題。「政策施行」理應與所屬院校分別安排，以制定及實施更完善的反性騷擾政策。

改善建議

12. 檢視政策清單是一個起點：本研究的目的是引起各院校對反性騷擾政策的關注，特別是八大以外各個院校的反性騷擾政策，有很大的改善空間。除了回應本研究的評核外，校方該認真審視及改善現有政策，全面審視政策各個環節，進行諮詢和修改。
13. 改善「向受影響人士提出協助」和「政策範疇」兩方面的安排。院校必須重點檢視和改善現存政策向受影響人士是否提供足夠的協助和保障。
14. 培訓所有員工／學生：不論是八大或其他院校，必須動員學校上下關注性騷擾。因為對性騷擾的關注，間接牽涉性別／權力／歧視／差異等概念，跟講求多元對話的大學教育有著密切的關係。政策內有訂明「定期檢討政策條文」的八大院校和八大以外的大專院校，必須全力執行。
15. 加強教育局的角色：教育局應建議八大以外的大專院校將反性騷擾政策上載到互聯網和推行雙語政策。
16. 建議平機會舉辦「大專反性騷擾政策的經驗交流論壇」，藉此提供更多發表研究結果的機會，加強各院校的交流及改善反性騷擾政策的決心。

Anti-Sexual Harassment Policy Checklist – Research Report on Tertiary Institutions

Executive Summary

Background

1. The Association for the Advancement of Feminism (AAF) received funding from the Equal Opportunities Commission (EOC) in 2017/18 to conduct a study on anti-sexual harassment policies in the tertiary educational sector. This research is a continuation of (1) AAF's 64 items Anti-Sexual Harassment Policy Checklist - Research Report on Eight UGC-funded Universities in Hong Kong from the period of 2009 to 2012; (2) AAF's 36 items Anti-Sexual Harassment Policy Checklist – Research Report on Eight UGC-funded Universities and Other Tertiary Institutions, including some of the self-financed institutions, community colleges that offer sub-degree courses, other types of institutions, as well as primary and secondary schools in Shum Shui Po District from the period of 2014 to 2015.
2. The 2017/18 research project used the 36 items of Anti-Sexual Harassment Policy checklist to examine the written policies of both UGC-funded universities and other self-financed tertiary institutions that offer sub-degree and degree programs.
3. This is a review on the Anti-Sexual Harassment Policies of both eight UGC-funded universities and other tertiary institutions in Hong Kong. The research goes beyond an investigation on whether each institution has written policies on Anti-Sexual Harassment. AAF's checklist has been used to review the clauses of the policies to examine rooms for improvement regarding the policies and procedures involved in handling sexual harassment cases in the institutions concerned.

Research Objectives

4. To improve the written policies on anti-sexual harassment of both eight UGC-funded universities and other self-financed tertiary institutions and to raise the awareness on the significance of Anti-Sexual Harassment Policy.

Research Method

5. The research has been conducted in two stages. From May to August 2018, we first checked whether the written Anti-sexual Harassment Policies can be obtained from the website of the institutions concerned. If yes, we used the checklist as an instrument to examine whether the written Anti-Sexual Harassment Policy covers each item listed in the checklist. ✓ or ✗ were used to indicate the results of the assessment. The completed checklist was sent to each of the institutions concerned through email requesting the responses. If no written Anti-Sexual Harassment Policy can be found on the internet, enquiry was made through email requesting a copy of the latest version of Anti-Sexual Harassment Policies. Then assessment of the policy was conducted by using the checklist. From June to November in 2018, we collected responses from UGC-funded universities and other tertiary institutions. We particularly looked into the fact that whether revisions over the policies were made over the past few years particularly in the UGC-funded universities. Concerning other tertiary institutions, the focus was on whether the institution has written Anti-Sexual Harassment Policy and there is enough coverage for protection.

- Tertiary Institutions: 2017/18 Checklist (same as 2014/15 checklist) (36 items)
- The checklist is divided into four parts: (1) Policy Making, (2) Policy Content, (3) Complaint Handling Procedures, and (4) Policy Implementation.

6. Response rates:

- UGC-funded universities' response rate to the checklist assessment is 100% (all 8 universities replied)
- 34 self-financed tertiary institutions (34 institutions in total; 10 institutions completed the checklist assessment, and the remaining 24 institutions did not complete the checklist assessment.) Overall, the response rate of self-financed tertiary institutions is 29.4%.

Research Results

7. The results indicated that while UGC funded universities' overall performance is 79.2% (75.7% in 2014/15 research study) in terms of the fulfillment of checklist assessment, that of self-financed institutions is 49.2%.

8. In eight UGC-funded universities, the rate of fulfillment in policy implementation (87.5%) is better than that in policy making (85.9%), policy content (65.0%), and complaint handling procedures (82.7%).

9. Among the 10 self-financed tertiary institutions, the rates of fulfillment in policy making, policy content, complaint handling procedures, and policy implementation are 68.0%, 37.0%, 49.2%, and 38.0% respectively.

10. It can be seen that, differences were found in the fulfillment of four parts of the checklist assessment between the eight UGC-funded universities and the 10 self-financed institutions. Among the four areas, largest differences are shown in policy implementation (49.5 percentage points) and complaint handling procedures (33.5 percentage points).

11. It is worth mentioning that, in the research process it was found that some of the self-financed tertiary institutions, which affiliate UGC-funded universities used the same Anti-sexual Harassment Policies of their respective UGC-funded universities. Since the affiliated institutions were located in different campuses and used different websites, it is questionable whether these self-financed institutions implemented the policy in the same manner, for example, whether the institution has a designated Equal Opportunities Officer stationed in the campus, whether the names, email addresses and phone numbers of the person(s) responsible for complaint, information and advice are indicated, and whether the policy is accessible through the internet, etc. It is desirable for the affiliated self-financed tertiary institutions to make separate arrangements, which could ensure good practice in policy implementation. However, the current research does not cover the relevant findings.

Recommendations

12. The review on the written anti-sexual harassment policy is just a starting point. The purpose of this research is to raise the awareness of tertiary institutions about their anti-sexual harassment policies, particularly the self-financed ones. There are rooms for improvement in different aspects of the policies. Other than responding to AAF's checklist assessment, the

institutions should evaluate the existing policies, review the various sections of the policy, conduct consultations and make modifications.

13. Suggestions for improvement in two areas of the written policies: “Offer Assistance to Affected Parties” and “Policy Coverage.” The institutions should review the written policies on anti-sexual harassment in terms of assistance to and protection of the affected parties.

14. Training programmes to all employees and students: Both UGC-funded universities and other tertiary institutions shall call all members’ attention to sexual harassment. The determination to fight against sexual harassment is associated with ideas like gender/power/discrimination/differences which are closely connected with the beliefs and values, like diversity and dialogue, supporting the educational goals of tertiary institutions. Tertiary institutions that have included the clause “reviewing policies on regular basis” must strive for the highest standards in policy implementation.

15. Recommendations to the Education Bureau: strengthen the role of the Education Bureau in encouraging self-financed tertiary institutions to upload written policies of Anti Sexual Harassment onto their websites and to adopt bilingual policies.

16. Recommendations to the Equal Opportunities Commission: organise Anti-sexual Harassment Policy forum in tertiary institutions to facilitate exchanges between different tertiary institutions. This would provide opportunities in circulating the research results in order to strengthen the determination of tertiary institutions in improving their anti-sexual harassment policies.