

THE HONG KONG FOOTBALL ASSOCIATION LIMITED

Policy and Guidelines on Prevention of Sexual Harassment

Statement of Policy

Hong Kong Football Association “HKFA” and its programs have zero tolerance for any form of sexual harassment of any person, whether male or female. This applies to all officials and employees or persons not employed by the HKFA (e.g. Committee Members, football players, coaches, referees, visitors, guests, volunteers and vendors who are involved in the business affairs of the HKFA).

Sexual harassment is prohibited because it is unlawful. It may be intimidating, an abuse of power, and is inconsistent with the HKFA policies, practices and management philosophy. We undertake to comply with the requirements of the Sex Discrimination Ordinance “SDO” (Cap.480) in handling sexual harassment.

Definition of Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and certain other verbal, non-verbal or physical conduct which is sexual or based on gender if that conduct could reasonably offend another person, whether or not such conduct was intended to offend.

Without limiting the meaning of harassment defined, the following behavior can be regarded as harassment:

- Verbal harassment, including jokes, comments or threats relating to sexual activity, body parts or other matters of a sexual nature.
- Non-verbal harassment, including staring at a person's body in a sexually suggestive manner, sexually-related gestures or motions and/or circulating sexually suggestive material.
- Physical conduct, including grabbing, holding, hugging, kissing, tickling, massaging, displaying private body parts, unnecessary touching or other unwelcome physical conduct.
- An employment decision (including promotion, demotion, compensation, scheduling) made by a supervisor based on the employee's submission to or rejection of sexual conduct.
- Submission to sexual conduct as an implicit or explicit condition of getting or keeping a job.
- Conduct that denigrates or shows hostility or aversion to a person because of his/her gender and creates an intimidating, hostile or offensive work environment, including displaying sexist or other sexually offensive screen images, pictures or posters.
- Any other sexual conduct that unreasonably interferes with another person's work performance or creates an intimidating, hostile or offensive work environment or adversely affects another person's employment opportunities.

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Handling Sexual Harassment and Recourse

A person who believes himself/ herself to be a victim of sexual harassment should take action immediately. Do not ignore sexual harassment as the harasser may misinterpret a lack of action as approval or condonation of the behaviour. Making a delayed complaint could also cause difficulties to the investigation and the collection of evidence.

When telling the harasser that the behaviour is unwanted, if the victim does not want to confront the harasser alone, he or she may want to ask someone he/she trusts (e.g. a colleague, or a member of the HKFA or Human Resources) to be present. An alternative to confronting the harasser in person is to write to him or her and keep a copy of the correspondence. It is important for the person subjected to harassment to keep a record of the incident(s) so as to be able to recall exactly what has happened.

Employees are also encouraged to inform the HKFA Management and Human Resources for any behavior that the employee believes is discriminatory, harassing and/or offensive. Complaints should be brought forward with as soon as possible after the alleged incidents.

The handling procedures will follow the same stages as the normal grievance procedures. The employee should state at the outset that the grievance relates to sexual harassment and all information and parties relating to the complaint will be kept in strict confidence. The employee who violates the harassment policy will be subjected to discipline procedures.

Individuals other than the HKFA employee could lodge the complaint, a third party who witnesses sexual harassment could also report the incident by email to whistleblowing@hkfa.com, the incident will be handled in accordance with the **HKFA Policy for Whistleblowing** and the whistleblower's identity will be kept confidential.

The person who is harassed has a right to lodge a complaint with the Equal Opportunities Commission (EOC) and request investigation or conciliation. In case conciliation fails, the complainant may seek legal assistance from the EOC. For enquiries or complaints, please refer to the EOC website:

<http://www.eoc.org.hk/eoc/graphicsfolder/complaint.aspx>

Principles of Handling Sexual Harassment Complaints

The Association shall handle sexual harassment complaints based on the following principles:

- **Fairness:** enquiries and complaints should be handled in a just and impartial manner to ensure that the complainant and the alleged harasser are fairly treated, and both parties have chances to present their case.
- **Confidentiality:** assurance should be given to complainants that all information and records related to a sexual harassment complaint will be kept confidential and will only be disclosed to relevant staff members handling the case and the alleged harasser on a need-to-know basis.

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- Promptness: complaints will be handled promptly because both the complainant and the alleged harasser are under pressure.
- Protection for complainants and witnesses: complainants and witnesses should be protected against victimization, including retaliation. According to section 9 of the SDO, victimization means being treated less favourably after filing a complaint or acting as witness. Victimization is in itself an unlawful act of discrimination
- Avoiding conflict of interest: if the staff member who handles the enquiry / complaint case is closely related to the complainant or the alleged harasser (e.g. relatives), or the alleged harasser is the person-in-charge of handling sexual harassment complaints, the case should be handled by another person.
- Anonymity: in the case of an anonymous complaint, the HKFA shall consider the evidence and seriousness of the case before making inquiries or conducting investigations.
- Discretion: empathy shall be shown to the feelings of complainants (e.g. avoiding asking the complainant to repeat his/her story, appointing investigators of the same sex to interview the complainant) to ensure that the complainant would not be unnecessarily distressed or humiliated. Complaint cases should be handled discreetly such that related parties would not be unnecessarily distressed.

Eliminating Sexual Harassment

It is everyone's responsibility to recognize and take seriously the need to ensure that the workplace and sporting environment are free from sexual harassment and that everyone should treat all people with respect.

HKFA shall do much to discourage harassment by making it clear that sexual harassment is unacceptable and by supporting victim who suffers harassment and is considering making a complaint. The policy and guidelines shall be uploaded on the HKFA's website for stakeholders' reference.

Stakeholders may also refer to the International Olympic Committee's website for the Consensus Statement on "Sexual Harassment and Abuse in Sport", the Toolkit for "Safeguarding athletes from harassment and abuse in sport" and measures for prevention of sexual harassment.

For any enquiries in relation to this policy, please feel free to contact the HKFA Secretariat at hkfa@hkfa.com.