

ISPP recognises the right of every team member to be able to attend work and perform their duties without being subjected to any form of harassment, especially sexual. ISPP is committed to providing its staff with a safe and harassment-free workplace. Equally, it is the obligation and responsibility of each staff to ensure that the workplace remains free from any form of harassment.

The guidelines issued under the *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013* make it clear that sexual harassment results in a violation of the fundamental rights of a woman to equality, her right to life and to live with dignity under the Constitution of India.

Whilst the law is specifically meant for the protection of women in the workplace, ISPP is committed to providing a safe place for all gender types.

Definitions

Sexual Harassment

Sexual harassment means any unwelcome acts or behaviour (whether directly or indirectly) that include any physical contact, sexual advances or a demand for sexual favours, sexually coloured remarks or any other conduct of a sexual nature that offends, humiliates or intimidates a woman or where such a reaction is unreasonable in the circumstances. Examples of Sexual Harassment include but are not limited to:

- Verbal: Sexually coloured remarks relating to appearance, body or clothes, indecent remarks, questions or comments about your sex life, requests for sexual favours, sexual demands made by someone of the opposite sex, or even your sex and promises or threats concerning a person's employment conditions in return for sexual favours
- Non-Verbal: Looking or staring at a person's body or display of sexually explicit material such as calendars, pin-ups, magazines, computer screens or pornography.
- Physical: physically touching, pinching, hugging, caressing, kissing, sexual assault or rape.
- Harassment: Creation of circumstances as a consequence of or connected with any act or behaviour of sexual harassment, as provided under Section 3(2) of the Act.

Workplace

A place where the staff carries out their work-related tasks. Workplaces will include the following:

- a) Any place from which the operations of ISPP are carried out, which includes:
 - i) ISPP Campus
 - ii) Offices of external stakeholders in case of external meetings
- b) Field trips: In case a staff is on a work-related trip, the place from

which the staff is working such as hotel rooms, client offices or factories, Banks etc., will be considered as the workplace.

- c) House: In case a staff is working from home as per the provisions of the Work from Home definition given below.

Aggrieved Woman

In relation to a workplace, a woman, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.

Complainant

Any aggrieved woman who makes a complaint alleging sexual harassment under this policy

Respondent

A person against whom a complaint of sexual harassment has been made by the aggrieved woman under this policy

Internal Complaints Committee (ICC)

The *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013* requires that every Company/Organisation sets up a committee to ensure a safe workplace for all staff, especially women. This Committee is meant to raise awareness about this subject and also conduct inquiries into complaints raised by Women.

1. The senior most female staff will be the Chairperson of the ICC.
2. Every member of the ICC shall hold office for one year.
3. Any vacancy arising in the Internal Complaints Committee will be filled without delay and any position falling vacant must be filled within a month. It shall be the responsibility of the HR team to follow this up and have it cleared with the Management Team.
4. A quorum of 3 members is required to be present for the proceedings of the Committee to take place. The quorum shall include the Chairperson, and at least two members, one of whom shall be a woman.
5. The External member shall be paid an allowance of Rs 200 per day for holding the proceedings of the Committee and also reimbursement for travel as prescribed under Rule 3 of the Act. Such allowance shall be paid from the accounts of ISPP.
6. The Committee may seek advice from any non-profit or third party who it feels will be able to provide special assistance to the Committee in dealing with such cases.
7. In line with this, as per section 4 of the Act and its commitment, ISPP has established a Committee, referred to as the Internal Complaints Committee to address all such matters:

Sr No	Name	Designation	Mobile No.	Email Address
1	Ms. Urvashi Shahi	Assistant Director, Professional	+91 70842 20297	urvashi@ispp.org

		Development		
2	Dr. Imran Amin	Associate Professor, Case Study Centre	+91 98119 63530	imran@ispp.org
3	Ms. Rekha Vashist	Deputy Manager: Admissions & Outreach	+91 98135 26312	rekha@ispp.org.in
4	Vishal Bhasin	Independent External Member	+91 81461 17766	vishal@csdtindia.com

Filing of a Complaint

1. An aggrieved person may make a complaint, in writing, of sexual harassment at the workplace, to the Internal Committee at **posh@ispp.org.in**.
2. The aforesaid complaint shall be made within three months from the date of incident, and in case of a series of incidents, within three months from the date of the last incident. This period may be extended up to six months by the Internal Committee, where it is satisfied that circumstances were such that the aggrieved woman was prevented from filing a complaint within the prescribed period of three months.
3. Where the aggrieved woman is prevented from filing a complaint, due to her physical or mental incapacity, the complaint may be filed by a person who knows about the incident, with the written consent of the aggrieved woman.
4. At the time of filing the complaint, the aggrieved woman or any other person authorised on her behalf shall submit six copies of the complaint, along with all supporting documents and the names and addresses of witnesses.

Acceptance of the Case

Upon receiving the complaint, the ICC will review the case to assess whether it falls under the purview of sexual harassment. If it is found to be under the purview then the case will be taken forward for investigation else the ICC will inform the complainant to file the matter with the HR team for grievance redressal.

Conciliation

1. Before initiating any inquiry, the Internal Committee shall inform the aggrieved woman of her right to settle the matter through conciliation.
2. Where the aggrieved woman requests to settle the matter through conciliation, the Internal Committee shall hold a meeting or a series of meetings to arrive at a settlement between the aggrieved woman and the respondent. The Internal Committee shall ensure that no monetary settlement is made as a basis of conciliation.
3. The aggrieved woman may, at any time before a settlement being arrived at, submit in writing, that she would like to withdraw from the settlement proceedings and initiate an inquiry into her complaint.
4. Where a settlement is arrived at, the Internal Committee shall record the settlement and forward copies of the same to the aggrieved woman, the respondent and the employer to take action based on the same.
5. Where a settlement is arrived at by the aggrieved woman, no further inquiry shall be conducted by the Internal Committee, except where the aggrieved woman informs the Committee that the terms of the settlement have not been complied with.

Inquiry

1. The Internal Committee shall send a copy of the complaint to the Respondent within seven working days of the receipt of the complaint.
 2. The Respondent shall file a written reply to the Internal Committee, along with supporting documents and names and addresses of witnesses, within ten working days of the receipt of the complaint from the Committee.
 3. The Internal Committee shall hold an inquiry, based on the complaint of the aggrieved woman and the written reply of the Respondent.
 4. In conducting an inquiry, the Internal Committee shall have the following powers:
 - Summoning and enforcing the attendance of any person and examining him on oath.
 - Requiring the disclosure and submission of any document.
 1. During the inquiry process, a minimum of three members of the Internal Committee, including the Chairperson, shall be present.
 2. Both parties involved in the inquiry are entitled to a hearing. However, they shall not be allowed to be represented by legal counsel at any stage of the proceedings.
 3. If either party fails to appear for three consecutive hearings of the Internal Committee, without valid justification, the Committee may terminate the inquiry or issue an ex-parte order on the complaint. Before such an order, a 15-day notice shall be given to the concerned party.
- The inquiry must be concluded within 90 days.

Interim Order

1. During the pendency of the inquiry, the Internal Committee may, on a written request by the aggrieved woman, recommend to the employer to:
 - Grant leaves to the aggrieved woman for three months. This would be in addition to the leave that she would be otherwise entitled to.
 - Restrain the respondent from reporting on the work performance of the aggrieved woman or writing her confidential report, and assign the same to another officer.
2. The employer shall implement the recommendation of the Internal Committee

and send a report of such implementation to the Committee.

Inquiry Report

- On completion of the inquiry, the Internal Committee shall record its findings in writing.
- Where the Internal Committee finds that the allegation against the respondent has not been proved, it shall recommend to the employer that no action is required to be taken under the matter.
- Where the Internal Committee finds that the allegation against the respondent has been proven, it could recommend to the employer to take any one or more of the following actions:
 - In case of a first-time offender and where the offence is of lesser gravity, issue a warning and direct that a written apology shall be submitted by the Respondent to the aggrieved woman.
 - In case of subsequent offences, the Committee may recommend the issue of censure to the respondent, withholding of promotion or of any increments to which the respondent is entitled and/or suspend the services (without salary) of the respondent for such period as it may deem fit.
 - In case of offences of a very grave nature, the Committee could recommend termination of the respondent from the services of the employer.
 - In addition to the aforesaid recommendation, the Internal Committee may recommend payment of compensation to the aggrieved woman by the respondent. In determining the compensation amount, the Internal Committee shall have regard to the:
 - ✓ The mental trauma suffered by the aggrieved woman
 - ✓ The loss of career opportunities due to the incident of sexual harassment
 - ✓ Medical expenses incurred for physical or psychiatric treatment
 - ✓ Income and financial status of the respondent
 - ✓ Payment is to be made in lump sum or instalments.
- The Internal Committee can direct the ISPP to deduct the aforesaid amount from the salary of the respondent, or direct the respondent, where he is absent from duty or his employment is terminated, to pay such sum. Where the respondent fails to pay the aforesaid sum, the Internal Committee shall forward the order to the District Officer for recovery of the sum as an arrear of land revenue.
- The Internal Committee shall submit a report of its findings and recommendations to the ISPP and the concerned parties within ten working days of the completion of the inquiry.
- ISPP shall act upon the recommendations within sixty working days of receipt of the report of the Internal Committee. If ISPP is unable to carry out the recommendations of the Committee for some reason then it must inform the Committee in writing.

False and Malicious Complaints

Where the Internal Committee concludes that the allegation against the respondent is malicious or the aggrieved woman or any other person has made the complaint knowing it to be false or the aggrieved woman or any other person has produced a forged or misleading document, it may recommend the employer to take action.

Confidentiality

- In no circumstances, the contents of the complaint made by the aggrieved woman, the identity and address of the aggrieved woman, respondent and witnesses, any information related to conciliation and inquiry proceedings, recommendations of the Internal Committee and action taken by the employer shall be made known to the other members of the organisation, public, press or media.
- Where any member of the Internal Committee contravenes the aforesaid provision, he/she shall be liable to pay a fine of Rs. 5000/- as a penalty to ISPP.

Appeal

- Both the complainant and respondent shall have the right to appeal to the tribunal/session court within 3 months if they are dissatisfied with the recommendations or inquiry of the ICC.
- The appeal shall be filed within ninety days from the date of recommendations.

Preparation of Annual Report

1. The Internal Committee shall submit an annual report in such format and such time as may be prescribed at the end of every calendar year, to the employer and the District Officer
2. The aforesaid Annual Report shall contain the following:
 - Number of complaints of sexual harassment received in a year.
 - Number of complaints disposed of in a year.
3. Number of cases pending for more than ninety days.
 - Number of workshops or awareness programmes against sexual harassment carried out.
 - Nature of action taken by the employer.
4. The employer shall include in the annual report of its organisation, the number of cases filed, if any, and their disposal under the Act.

Complaint Form

1. Details of Aggrieved Individual

Name	Designation & Department	Contact Numbers (Landline and Mobile)

2. Details of Complainant (in case the Complainant is not the Aggrieved Individual)

Name	Relationship with Aggrieved Individual	Contact Numbers (Landline and Mobile)

3. Details of individuals alleged to have engaged in sexual harassment

Name	Designation Division & Department	Contact Numbers (Landline and Mobile)

4. Details of the incident(s)

Sr. No.	Nature / Description of incident	Date of incident	Time of incident	Place of incident	Name and contact details of witnesses if any

5. Has a report regarding these incidents been filed with any other agency? Yes () No () If yes, with whom?

Additional information and comments if any:

Signature of Aggrieved Individual:

Date: