



SHRI SHANKARLAL SUNDARBAI
SHASUN
JAIN COLLEGE FOR WOMEN

A Unit of Sri S. S. Jain Educational Society | Reaccredited by NAAC
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SHASUN POLICY DOCUMENT

Title	Particulars
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Policy for Prevention of Sexual Harassment (POSH)

Scope:

- Applicable to all staff and students at the workplace.
- The workplace is defined as “any place visited by the staff or student arising out of or during the course of employment or study, including transportation if provided by the institute”.

Objectives:

- To enable staff and students to work in an environment free from any form of sexual harassment.
- To clearly define Shasun’s stance on sexual harassment.
- To define redressal mechanisms and the actions that the institute may take incase a complaint is substantiated.
- The Hand book is in the nature of a guide for the users and, if any of the statements in this document is at variance or inconsistent with the provisions of the prevailing laws and rules of the country, the latter shall prevail.

Definitions:

- **Sexual Harassment**

“Sexual Harassment” includes any one or more of the following unwelcome acts or behavior (whether directly or by implication), between individuals of the same or opposite sex namely:

- Physical contact or advances;
- A demand or request for sexual favours;
- Making sexually coloured remarks;
- Showing pornography;
- Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature Examples of inappropriate sexual behaviour

include, but are not limited to:

- Sexual advances
 - Inappropriate touching or other physical contact
 - Demands for sexual favours in exchange for promotion, retention or tangible employment actions.
 - Sexual jokes, flirtations, advances, or propositions, or discussions of sexual activity (whether in conversation or through electronic or other means)
 - Abuse of a sexual nature or suggestive, insulting obscene comments or gestures.
- **Appointing authority/disciplinary authority**
 - The Principal is the appointing / disciplinary authority.
 - **Complainant**
 - A complainant is a person who is subject to the alleged sexual harassment.
 - **Respondent**
 - A respondent is any person whose alleged conduct is the subject of a complaint, irrespective of the capacity in which they are related to Shasun.
 - **POSH Committee**
 - An internal complaints committee is constituted at Shasun to provide staff and students with a mechanism to redress their complaints related to sexual harassment.
 - **Dedicated Email**
 - All communication whether from the complainant/respondent or the POSH committee should be only through the dedicated email id – **posh@shasuncollege.edu.in**

Guidelines:

- Shasun shall promote a work culture wherein staff and students respect each other irrespective of their designation, religion or creed. Shasun wishes to guarantee all staff and students a secure work environment free of any taint of sexual harassment.
- The institute will not tolerate or condone any verbal or physical conduct, which are sexual in nature, by any staff / student that harasses, disrupts or interferes with another's work performance or that creates an intimidating or hostile environment.
- **Staff / Student / Complainant's Obligation to Report:**
 - In order to take appropriate corrective action, Shasun must be aware of any sexual harassment; therefore, anyone who underwent or experienced such sexual harassment should promptly report such harassment or act to any one of the following:
 - The Head of Human Resources
 - The Head of their Department
 - The Principal or Vice Principal
 - While a complainant is allowed to submit a complaint within 3 months from the last alleged incident of harassment, Shasun encourages its staff and students to submit such complaints immediately as much as possible, for effective and quick redress of the grievance. Shasun also encourages staff and students to report any act of sexual harassment towards a female colleague, if they have witnessed the same.
 - While the initial complaint may be provided verbally, it must be followed up with a written complaint, duly signed, within 24 hours. The written complaint should contain:
 - A detailed description of each incident(s) of harassment, relevant dates, timings and locations

- Name of the respondent(s)
- The working relationship between the parties and any witnesses to the incident.
- Proof if any (include text messages/emails...etc)
- The Staff / Student / complainant may seek assistance to give the written complaint from the HR team, if needed.
(See Annexure 1 for the Template of the Written Complaint Form)

- **Head of Department's Obligation to Report:**

- Any Department Head who witnesses or receives a complaint of sexual harassment shall promptly report the same to the Head of HR. While the initial report may be provided verbally, it must be followed up within 24 hours by a written complaint either in a duly signed letter or by email.
- It is obligatory for the Department Head and all concerned in the matter to keep all information strictly confidential and will be shared only on a “need-to-know” basis.

- **Redress Mechanisms**

- It is the responsibility of the Head of Human Resources to notify the POSH Committee of the complaint. The Head of Human Resources or the HR department may provide advice or assistance to the complainant on the required procedures and available redressal mechanism.

Procedure:

Once the Investigation is entrusted to the POSH Committee at Shasun:

- The POSH Committee must adhere to the requirements of this Policy and confer with the Human Resources department about the progress.
- Within **seven days** of receiving a complaint, the POSH Committee will inform the respondent in writing about the receipt of such

complaint.

- The respondent will have an opportunity to respond to the complaint in writing within **ten days** from the date of receipt of such intimation.
- The POSH Committee will inform the complainant about the ensuing process and the informal or formal mechanisms available for the redress.
- The choice of a formal process rests with the complainant. Based on the option chosen by the complainant, one of the following processes will be followed.
- **Informal Mechanism**
 - If the complainant chooses to adopt the informal process to resolve the complaint, the POSH Committee may recommend counselling, educating, orienting, or warning the respondent to promptly stop the unwelcome behaviour or appointing a neutral person to act as a conciliator between the parties to resolve the complaint through conciliation.
 - However, before recommending conciliation, the Committee must assess the severity of the situation and if necessary, advise and enable the complainant to opt for the formal route.
 - At no point, will the POSH Committee advise the complainant to resolve the matter directly with the respondent.
 - It is made clear to all parties that conciliation in itself does not necessarily mean acceptance of the complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings cleared.
 - In case a settlement is arrived at, the POSH Committee records and reports the same to the Principal for taking appropriate

action. Resolution through conciliation happens within **2weeks** of receipt of the complaint.

- Committee to ensure there shall be no coercion or intimidation of parties during the conciliation proceeding.
- The committee provides copies of the settlement to the complainant and respondent.
- Once the action is implemented, no further inquiry is conducted.

- **Formal Mechanism**

- In the event of a formal mechanism requested by the complainant, the POSH Committee may recommend interim measures to prevent ongoing harassment, including but not limited to separating the work duties of the complainant and respondent.
- The POSH Committee must complete all formal investigations within 90 days of the written complaint being received.
- The Committee will submit its recommendations (whether the complaint is substantiated or not) with a final report to the Principal for adjudication within 10 days of completion of the inquiry.
- It is the responsibility of the Principal to act upon these recommendations within 60 days of receiving the Committee's recommendations.
- The POSH Committee and the Principal will also notify the complainant and respondent of the recommendations, allowing appeals from the parties involved within **90 days** from the date of receipt of such commendations.
- If the Principal is the respondent or complainant, the report shall be sent to the Secretary.

- If it is determined that sexual harassment has occurred, Shasun will take the appropriate action(s) that may include counselling, reprimand, demotion or separation/termination of the respondent.
- If so required, legal proceedings may also be initiated by Shasun.
- **Inquiry procedure**
 - All proceedings of the inquiry will be documented.
 - The Committee to hold the Enquiry as an in-camera proceeding without any third party presence.
 - The Committee interviews the respondent separately and impartially. The Committee states exactly what the allegation is and who made the same.
 - The respondent is given full opportunity to respond and provide any evidence to refute such allegations.
 - Detailed notes of the meetings are prepared which may be shared with the respondent and complainant upon request only.
 - Any witnesses produced by either party are also interviewed and statements to recorded.
 - If the complainant or respondent desires to cross-examine any witnesses, the Committee facilitates the same and records the statements.
 - In case the complainant or respondent seeks to ask questions to the other party, they may submit the same to the Committee to ask and records the statement.
 - The POSH Committee will prepare a final report that contains the following elements:
 - A description of the different aspects of the complaint;

- A description of the process followed;
 - A description of circumstantial and cogent information and documents that support or refute each aspect of the complaint;
 - An Analysis of the information obtained along with the recommendations;
- **Malicious Allegations**
 - Where the committee arrives at any of the below conclusions, it may recommend the employer to take action against the person making the complaint.
 - The allegation against the respondent is malicious.
 - The alleged aggrieved person knowingly made a false complaint against the Respondent.
 - The alleged aggrieved person produced any forged or misleading document.
 - While deciding malicious intent, the committee should consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through the inquiry process.
 - **Confidentiality**
 - All members involved in a complaint raised including the POSH Committee members and the principal should keep all matters confidential at all times.
 - To ensure the data/information of the proceedings are not compromised or leaked to any third party and kept confidential and under proper security check.
 - **Policy Review and Amendment**
 - The policy should be reviewed every two years by the Human Resources Department to ensure it is up to date.

- Any changes/ amendments in the policy if needed can be amended/ changed even before the review period.
- Any change to the POSH Act should be immediately updated in the POSH policy.

● **Important Timelines**

Activity	Timeline
Submission of written Complaint	Within 3 months of the incident (Ensure that the written complaint is received within 24 hours of giving the verbal complaint).
Notice to the Respondent	Within 7 days of receiving the written complaint
Completion of Inquiry	Within 90 days of receiving the written complaint
Submission of Report by POSH Committee to Principal	Within 10 days of completion of the inquiry
Implementation of Recommendations	Within 60 days of submission of report
Appeal	Within 90 days from the date of receipt of the recommendations

POSH Committee Members

Name	Job Title & Role	Role
Dr. Rukmani. S	Vice Principal	Internal Committee member
Dr. Annalakshmi	Founding Member - ANEW	External Committee Member
Ms. Kimberly Zohaib	Head HR	Internal Committee member
Ms. Thamarai Kannammal.S	Senior Technical Assistant	Internal Committee member
Ms. Gayathri. V	Senior Administrative Executive	Internal Committee member
Ms. K. Suma	Associate Director - IQAC	Internal Committee member
Ms. Abidha A	Assistant Professor (Psychology)	Internal Committee member

Internal Committee Handbook - <..\Policies\POSH\Internal Committee Handbook.docx>

Annexure 1

Sexual Harassment Complaint Form

Name	
Employee No	
Designation	
Department/Shift	

Date of the Incident		Time of the Incident	
Person(s) you allege committed the sexual harassment:			
Name		Shasun employee / vendor / outsider	

Please describe the incident in detail, including your reaction to the incident:

Person(s) who witnessed the incident, if any:	

I confirm that the information given in this form is true, complete and accurate, and I have stated the facts to best of my ability and knowledge.

Employee / Student Signature:

Date: