



THE VICTORIA MEMORIAL SCHOOL FOR THE BLIND

POLICY ON PREVENTION OF SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (under the POSH Act)

POLICY FOR PREVENTION, PROHIBITION AND PUNISHMENT OF SEXUAL HARASSMENT OF WOMEN AT WORKPLACE

1. Introduction and objective

The Victoria Memorial School for the Blind (VMSB) is committed to provide a safe, respectful, and inclusive work environment free from sexual harassment. This policy aims to prevent, prohibit, and redress sexual harassment at the workplace in compliance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 (POSH Act).

2. Scope and Coverage

This policy applies to all employees, volunteers, interns, consultants, and any other individuals associated with the NGO, regardless of gender, at all locations and offices where the NGO operates.

3. Definitions

- **Sexual Harassment:** Includes unwelcome acts or behavior (direct or implied) such as physical contact and advances, a demand or request for sexual favors, making sexually colored remarks, showing pornography, or any other unwelcome physical, verbal, or non-verbal conduct of a sexual nature.
- **Employee:** Includes regular, temporary, part-time, ad-hoc employees, as well as individuals engaged on a contractual basis, apprentices, and interns.
- **Aggrieved Woman:** In relation to a workplace, means a woman of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment.

4. Responsibilities Regarding Sexual Harassment

- **Employer:** To provide a safe working environment for the women employees and ensure all employees are treated with respect and dignity.
- **Employees:** To refrain from committing acts of sexual harassment, report incidents of sexual harassment, and participate in the inquiry process.

5. Internal Complaints Committee (ICC)

The NGO shall constitute an Internal Complaints Committee (ICC) to address complaints of sexual harassment. The ICC shall consist of:

- A Presiding Officer who shall be a woman employed at a senior level.
- At least two members from employees, committed to the cause of women or having legal knowledge.
- One external member from amongst any non-governmental organization or association committed to the cause of women familiar with the issues relating to sexual harassment.

6. Administration

The ICC shall administer the implementation of this policy, conduct inquiries, and recommend actions based on the findings.

7. Powers of Internal Complaints Committee

The ICC shall have the powers similar to that of a civil court for summoning and enforcing the attendance of any person and examining him/her on oath, requiring the discovery and production of documents, and any other matter which may be prescribed.

8. Confidentiality

The identity of the aggrieved woman, respondent, witnesses, statements, and other details of the complaint and inquiry proceedings shall be kept confidential.

9. Dispute Resolution Prior to Inquiry

The ICC may, before initiating an inquiry and at the request of the aggrieved woman, take steps to settle the matter between her and the respondent through conciliation, provided that no monetary settlement shall be made as a basis of conciliation.

10. Oral Complaints to be Reduced in Writing

Any oral complaint made to any member of the ICC shall be reduced to writing and signed by the aggrieved woman or read out to her in a language she understands.

11. Improper Complaints

The ICC shall take necessary steps if any complaint is found to be malicious or false, and appropriate actions shall be taken against the complainant as per the organization's disciplinary policy.

12. Third Party Harassment

Whether sexual harassment occurs to any female employee due to an act or omission by any third party or outsider, the NGO will take all steps necessary and reasonable to assist the affected person in support and preventive action.

14. Complaint

The aggrieved woman may make a complaint in writing within three months from the date of the incident. The ICC may extend the time limit if it is satisfied with the reasons provided.

15. Manner of Inquiry

The ICC shall conduct a fair and impartial inquiry into the complaint in accordance with the principles of natural justice. The inquiry shall be completed within ninety (90) days from the date of the complaint in the following manner.

- Complainant should submit the complaint along with supporting documents and the names of the witnesses
- Upon receipt of the complaint, the ICC sends 1 copy of the complaint to the respondent within 7 working days
- Respondent replies with all supporting documents within 10 working days of receiving the copy of the complaint
- No legal practitioner can represent any party at any stage of the inquiry procedure
- The ICC inquires into the complaint in accordance with the principles of natural justice
- In conducting the inquiry, a minimum of three committee members including the Presiding Officer is present

Enquiry procedure:

All proceedings of the inquiry are documented. The ICC interviews the respondent separately and impartially. The ICC states exactly what the allegation is and who has made the allegation. The respondent is given full opportunity to respond and provide any evidence etc. Detailed notes of the meetings are prepared which may be shared with the respondent and complainant upon request. Any witnesses produced by the respondent are also interviewed and statements are taken.

If the complainant or respondent desires to cross-examine any witnesses, the ICC facilitates the same and records the statements.

In case the complainant or respondent seeks to ask questions to the other party, they may give them to the ICC which asks them and records the statement of the other party.

Any such inquiry is completed, including the submission of the Inquiry Report, within ninety (90) days from the date on which the inquiry is commenced. The inquiry procedure ensures absolute fairness to all parties.

16. Action During Pendency of Inquiry

During the pendency of an inquiry, the ICC may recommend interim measures such as the transfer of the aggrieved woman or the respondent, leave for the aggrieved woman up to three months, or any other measure to ensure her safety and well-being.

17. Inquiry Report

The ICC shall provide a written report of its findings to the employer within ten (10) days from the completion of the inquiry. The report shall include recommendations on the nature of action to be taken against the respondent.

While preparing the findings/recommendations, the following are considered:

- Whether the language used (written or spoken), visual material or physical behavior was of sexual or derogatory nature
- Whether the allegations or events follow logically and reasonably from the evidence
- Credibility of complainant, respondent, witnesses and evidence
- Other similar facts, evidence, e.g. if there have been any previous accounts of harassment pertaining to the respondent
- Both parties have been given an opportunity to be heard
- A copy of the proceedings was made available to both parties enabling them to make representation against the finding

Where the ICC arrives at the conclusion that the allegation against the respondent has been proved, it recommends to the employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:

- i. Counseling
- ii. Censure or reprimand
- iii. Apology to be tendered by respondent
- iv. Written warning
- v. Withholding promotion and/or increments
- vi. Suspension
- vii. Termination
- viii. Or any other action that the NGO may deem fit. The NGO shall act upon the recommendations within 60 days and confirm to the ICC.

Post implementation of the actions, follow-up with the complainant occurs to ascertain whether the behavior has stopped, the solution is working satisfactorily, and if no victimization of either party is occurring.

18. Punishment

The employer shall act upon the recommendations of the ICC within thirty (30) days of receipt of the inquiry report. Disciplinary action may include a written apology, warning, reprimand, suspension, or termination of employment.

19. Awareness

The NGO shall conduct regular awareness programs and workshops for employees to sensitize them about sexual harassment, their rights, and the complaint process.

20. Duties of Employer

- To monitor the timely submission of reports by the ICC.
- To implement the recommendations made by the ICC.

- To organize orientation programs for the members of the ICC.
- To conduct awareness programs for employees to sensitize them and ensure maximum participation of employees in such programs.
- The workshops, awareness programs, and training sessions shall cover the following:
 - ✓ Understanding the POSH Act, 2013
 - ✓ Definitions of sexual harassment
 - ✓ Rights and responsibilities of employees
 - ✓ Roles and responsibilities of the Internal Complaints Committee (ICC)
 - ✓ Complaint filing and redressal mechanisms
 - ✓ Preventive measures to create a safe work environment
 - ✓ Real-life case studies and role-playing exercises
- Qualified professionals with expertise in the POSH Act and gender sensitization shall be invited to conduct the sessions.
- To assist the aggrieved woman in filing a complaint with the police if required.

21. Miscellaneous

The policy shall be reviewed from time to time or as necessary to comply with any changes in the law. Any amendments to the policy shall be communicated to all employees.

22. Conclusion

The Victoria Memorial School for the Blind (VMSB) is dedicated to maintaining a workplace that is safe and free from harassment/ discrimination for its women employees and ensures that all the employees of the trust are treated with dignity and respect.

INTERNAL COMPLAINTS COMMITTEE (ICC)

(Under POSH Act)

Sr. No.	Designation	Name	E-mail ID
1.	Presiding Officer	Ms. Shampa Roy (Principal VMS Learning Centre)	shampar@gmail.com
2.	Member	Mrs. Anjali Laud (Trustee)	Anjali_laud@yahoo.com
3.	Member	Mrs. Jhanavi Apte Kothari (Member Management Committee)	Japte_kothari@hotmail.com
4.	Member	Dr. Salil Jandyal (Executive Officer)	salil.vms@gmail.com
5.	External Member	Adv. Sagina Deshmukh (Advocate & POSH Expert)	sagina.deshmukh@gmail.com

Prepared By:

1. Ms. Liji Soby
(Administrator)

Signatures



Approved By:


1. Mr. Ramesh Chandak
(Trustee & Vice-Chairperson)

Signatures



2. Mrs. Mala Goenka
(Trustee & Hon. Secretary)

Signatures



3. Mrs. Anjali Laud
(Trustee & Jt. Hon. Secretary)

Signatures



4. Mrs. Meena Deshpande
(Trustee)

Signatures

