

# PREVENTION OF SEXUAL HARASSMENT POLICY

## SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS)



PASSED BY THE BOARD VIDE MINUTES  
DATED - 20 - 08 - 2024

# 2024

Approved by the Board on 20th April 2024 as documented in the minutes dated 20th April 2024.

**Issued by:** Managing trustee.

Effective from 1st April 2024.

**Effective to:** This document remains valid for three years from the date of issuance, unless amended earlier by a resolution of the Board. It may be revalidated by the Board through a resolution after three years.

**Modification procedure:** Any alterations to this document must undergo approval by the Board of Trustees before incorporation. All modifications will be integrated into a new document and subsequently reissued.

**NGO Address:**

Jana Chaitanya Nilayam, Kondepudi Road, Tangutur (Post & Mandal),  
Prakasam District, Andhra Pradesh. Pincode -523274

**Board members:**

1. Mr. G. Rajeswara Rao- President
2. Mrs. K . Lakshmi Narayanamma – Vice- President
3. Mr. R. Suneel Kumar- Executive Secretary

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## SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS)

### PREAMBLE

SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY , SARDS is a Non-Governmental Organization constitute by professionals in the year 1986 to meet the developmental challenges facing the Urban and Rural Community, with commitment, professional inputs backed by professional knowledge of the development dynamics of the contemporary India. It is governed by Nine well experienced and committed persons drawn from different professional agencies under the leadership of Mr. Suneel Kumar, who has got more than three decades of experience in the development sector.

We, the members of our governing board, staff, volunteers and associates share a common commitment to protect, promote and uphold the Rights of all Women- particularly those with disability- as outlined in the The **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**. An Act to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

### 2. Purpose of the Policy Document

**SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS)** aspires to create a workplace free from harassment in any form, based on factors such as gender, caste, colour, religion, age, nationality, ancestry, disability, veteran status, marital status, sexual orientation or any other employment status protected by applicable law. To maintain a safe and inclusive work culture, **SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS)** takes a zero-tolerance stance.

The Parliament has passed the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Bill in 2013 which makes it mandatory that all offices, hospitals, institutions and other workplaces should have an internal redress mechanism for complaints related to sexual harassment based on the guidelines laid down by the Supreme Court of India.

To promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons, particularly women and to promote respect for their inherent dignity.

To ensure that all staff, interns, volunteers, consultants and members of the Governing Board work together, own the responsibility and share accountability to encourage the development of an ethos which respects the dignity and human rights of all persons in all its dealings and in all settings in which they work.

To ensure that any woman who is a victim or witness of any abuse, neglect or exploitation is treated with dignity and concern for her wellbeing and safety

### 3. Scope of CENTRE FOR SOCIAL ACTION TRUST POSH Policy

This Policy applies to all staff, contractors and casual employees who work for **SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS)**. It also applies to visitors to SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS) offices.

#### Core Values and Principles

This Policy applies to all staff, contractors and casual employees who work for **SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY** . It also applies to visitors to **SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY** offices.

#### Date of adoption:

This policy has been amended and adopted on **26th August 2024** after being presented and deliberated at the meeting of the Governing Board.

#### Applicability:

The following persons come under the purview of the POSH Policy:

- Members of the Governing Board
- Employees
- Volunteers, interns,
- Consultants, and
- Visitors who come to SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS) for any purpose

**Dissemination:**

This POSH Policy is a public document and is available on our website, and on request at our Human Resources Department or any of our offices.

- It is officially handed over to all new recruits, volunteers, consultants and interns and is an official part of any agreement with our partners.

**Complaint email address:**

For any assistance or clarification regarding this policy please contact the POSH IC Committee at: **+917013616687, +919618045934 and Email: sardskavali@gmail.com.**

**Definition of workplace:**

This covers all working places of SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS) , including residential campuses.

**DEFINITIONS****1. Sexual harassment**

Sexual harassment includes any unwelcome behaviour of a sexual nature that could be reasonably expected to make someone feel offended, humiliated or intimidated.

It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient.

A. Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal and non-verbal. Examples of contact or behaviour which constitute sexual harassment include, but are not limited to:

**Physical:** Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching, and Physical violence including sexual assault.

**Verbal:** Comments on a worker's appearance, clothing, body, age, private life, etc., Sexual comments, stories and jokes, the use of job-related threats or rewards to solicit sexual favours

Non-verbal: Display of sexually explicit or suggestive material, Sexually suggestive gestures, persistent watching, whistling and Leering

**Non-verbal:** Display of sexually explicit or suggestive material, Sexually suggestive gestures, persistent watching, whistling and Leering

**Sexual advances:** Repeated and unwanted social invitations for dates or physical intimacy, Insults based on the sex of the worker, condescending or paternalistic remarks, and sending sexually explicit messages (by phone or by email)

B. The following circumstances if it occurs or is present in relation to any sexually determined act or behaviour amount to sexual harassment:

- Implied or explicit promise of preferential treatment in employment
- Implied or explicit threat of detrimental treatment in employment
- Implied or explicit threat about the present or future employment status
- Interference with the person's work or creating an intimidating or offensive or hostile work environment.
- Humiliating treatment likely to affect a person's health or safety



- 2. Complainant:** In relation to the workplace, a person of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment
- 3. Respondent:** A person against whom a complaint of sexual harassment has been made by the aggrieved person
- 4. Employee:** A person employed at the workplace for any work on regular, temporary ad-hoc or daily wage basis
- 5. Workplace:** Any place where the aggrieved person visits in connection with his/her work in the course of employment with SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS) NGO
- 6. Employer:** A person responsible for management, supervision and control of the workplace

### Operational protocols of the POSH policy: -

#### Awareness: -

**SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS)** will provide comprehensive POSH training to all new staff, consultants, trustees, and volunteers during their induction. The SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS) NGO team will undergo similar training at least twice a year, facilitated by the POSH committee. Board-approved policy will be shared with the team.

**SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS)** NGO will ensure awareness of its POSH policy among external stakeholders, enforcing POSH protocols during program planning, partnerships, recruitment, and engagement with external agencies.

Awareness materials such as posters and handbills will be distributed to prevent sexual harassment, officially included in agreements with partners, and displayed on the NGO website.

A letter of consent to adhere to the policy will be obtained, and the names and contact details of the POSH committee will be prominently displayed in all SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS) NGO office spaces.



**Recruitment: -**

Prior to issuing appointment letters, background checks will be conducted on candidates to verify any involvement in incidents related to women's harassment or abuse. If any such incidents are discovered during reference checks, candidates will not be offered a role or the offer will be withdrawn. All new recruits will receive the POSH policy during their induction period to review, understand, and sign their acceptance of adherence.

Agreements: -All Contracts will always have a clause on POSH.

**Guidance for Individuals Experiencing Harassment: -**

- 1.If comfortable to do so, inform the alleged harasser that his/her behavior is offensive, unwelcome, against the organization's policy and should stop.
- 2.Take a note of the date, time and location of the incident/s.
3. If not comfortable to confront the alleged harasser or if unwelcome behavior continues, report to the nominated POSH Committee member.
4. Don't Keep quiet

## Duties of Employer

The Act enlists the duties of the employer as follows:

- 1 Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace.
- 2 Display at any conspicuous place in the workplace, the penal consequences of sexual harassments and the order constituting, the Internal Committee under subsection (1) of section 4.
- 3 Organise workshops and awareness programmes at regular intervals for sensitizing the employees with the provisions of the Act and orientation programmes for the members of the Internal Committee in the manner as may be prescribed.
- 4 Provide necessary facilities to the Internal Committee for dealing with the complaint and conducting an inquiry.
- 5 Assist in securing the attendance of respondent and witnesses before the Internal Committee.
- 6 Make available such information to the Internal Committee as it may require having regard to the complaint made
- 7 Provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code(45 of 1860) or any other law for the time being in force;
- 8 Cause to initiate action, under the Indian Penal Code(45 of 1860) or any other law for the time being in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place;

9 Treat sexual harassment as misconduct under the service rules and initiate action for such misconduct.

Monitor the timely submission of reports by the Internal Committee.

### **Key Responsibilities of IC**

To effectively address workplace sexual harassment complaints, an Internal Committee must first be aware of its key responsibilities, some of which are highlighted below:

1. Be thoroughly prepared
2. Know the Act, Policy and/or relevant Service Rules
3. Gather and record all relevant information
4. Determine the main issues in the complaint
5. Prepare relevant interview questions
6. Conduct necessary interviews
7. Ensure parties are made aware of the process and their rights/responsibilities within it
8. Analyse the information gathered
9. Prepare the report with findings/recommendations

### **Knowledge, Skills, and Training for IC Members**

Dealing with workplace sexual harassment complaints is often complex. Hence Complaints Committee/s must possess critical skills/capacity to effectively carry out their role.

That includes a sound grasp of the Act, Vishaka Guidelines, applicable Service Rules, relevant laws and an understanding of workplace sexual harassment and related issues.

Complaints Committee skills must include an ability to synthesise information i.e. relevant documents, the law and interviews. They should also be able to communicate effectively, write clearly, listen actively and conduct interviews.

They should be competent at showing empathy, being impartial and being thorough.

They should be able to identify sexual harassment and its impact. A Complaints Committee/s is required to be trained in both skill and capacity to carry out a fair and informed inquiry into a complaint of workplace sexual harassment.

An absence of such training will lead to unequal and unfair results, which can cost employers, employees, complainants as well as respondents.

### **Guidelines for Field Staff :**

a) In the case of lady staff members, only those who have completed one month in the SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS) NGO community can undertake home visits. In these cases too, they have to go along with an experienced staff member in the field.

In such cases, the following precautions need to be adhered to :

b) Ensure a specific daily plan is submitted to the immediate reporting authority to enable movement to be tracked.

c) In case a home environment is not conducive to a therapy /counselling / educational session, request for the session to be carried out in a common community center.

d) Note to be submitted to the immediate reporting authority giving details of such cases.

## 9. POSH Committee and Grievance Management

**Internal Committee:****SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS)**

NGO will constitute IC (Internal Committee) as a mechanism for the redressal of complaints related to Sexual Harassment.

1. A senior-level female employee of the Company, who shall be appointed as the presiding officer of the IC (“Presiding Officer”);
2. One (1) member, who shall be from a non-governmental organization or association committed to the cause of women or otherwise familiar with issues relating to Sexual Harassment
3. Not less than two (2) other persons, who shall be employees of the organization, and are either committed to the cause of women or have had experience in social work or have legal knowledge.
4. One member of the Governing Board
5. At least one-half of the total members of the IC shall be women.
6. The Presiding Officer and every member of the IC shall hold office for a period not exceeding three (3) years from the date of their nomination.
7. A member of the IC may resign at any time by tendering his or her resignation in writing to the organization.
8. The Presiding Officer or any other member of the IC who is an employee shall automatically vacate his or her office upon ceasing to be an employee of the organization.
9. Removal, Recusal, or Replacement of member or Presiding Officer of IC Confidential

### The committee is responsible for:

- Receiving complaints of sexual harassment at the workplace
- Initiating and conducting enquiry as per established procedure
- Submitting findings and recommendations of enquiries
- Coordinating with the employer in implementing appropriate action
- Maintaining strict confidentiality throughout the process as per established guidelines
- Meet at least 3 times a year
- Create awareness among SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS) NGO staff, consultants, interns, external stakeholders, Board of Trustees, advisory committee members, partners and other visits

A complainant (an employee of SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS) NGO ) who believes he/she has been sexually harassed should:

- If comfortable to do so, inform the alleged harasser that his/her behaviour is offensive, unwelcome, against the organization's policy and should stop.
- He/she should take a note of the date, time and location of the incident/s
- If not comfortable to confront the alleged harasser or if unwelcome behaviour continues, report to the nominated Complaint Redressal Committee
- If this is inappropriate, speak to another senior member of the organization, the head of the organization or a member of the Governing Board

## Timeline of complaint and committee's action

- The complaint must be lodged within 3 months from the date of incident/last incident by the aggrieved person or his/her friend, relative, Co-worker or any person having the knowledge of the incident
- After receiving the complaint, the informal resolution (if possible) between the complainant and the respondent is completed within 2 weeks
- The respondent replies with all supporting documents within 10 days of receiving the complaint, if a formal investigation is initiated
- The Complaint Redressal Committee's final report is completed and submitted to the Director of SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS) NGO within 90 days of initiating the formal investigation

## Conciliation

- The Internal Committee may, at the behest of the aggrieved woman, before beginning its investigation take steps to settle the matter between the aggrieved woman and the accused through conciliation.
- No monetary settlement may be made through conciliation.
- The Act and the Central Rules spell out implementation procedures with regard to conciliation

## Guidelines for receiving a Complaint

Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed and therefore it requires tact and discretion while receiving the complaint.

A Committee member listens to the complaint and the complainant is assured that SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS) NGO takes the concerns seriously. Written notes are taken while listening to the person and mostly words used by the complainant are recorded.



Clear description of the incident in simple and direct terms is prepared and details are confirmed by the complainant. All notes are kept strictly confidential. Complainant's agreement is taken to proceed with the formal investigation.

The complainant is advised that although the process is confidential, the respondent needs to be informed and any witnesses and persons directly involved in the complaint process will also learn of the complainant's identity.

When a complaint is received, the Complaint Redressal Committee will:

- Obtain and record a full, step-by-step account of the incident/s
- Ensure the organisation's process for handling the complaint is understood
- Ascertain the complainant's preferred outcome, e.g. an apology, the behaviour to cease, a change in working arrangements
- Agree on the next step: informal resolution or formal investigation
- Keep a confidential record of all details of this discussion and subsequent steps in the process.

### **Prohibition of Publication**

- As per Sec. 16 the contents of the complaint, the identity and personal details of the parties involved, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee and the actions taken shall not be published, communicated or made known to the public, press and media.
- Any person who is entrusted with the above documents, shall be liable for penalty, in accordance with the provisions of the service rules, if he/she contravenes regulations.

## Informal Resolution

Once the complaint is received regarding sexual harassment, the Committee may take steps to conciliate between the complainant and the respondent. It is possible, if a step is requested by the aggrieved person. It is just a practical mechanism through which issues are resolved or misunderstandings cleared. If an informal resolution is chosen by the complainant, the Complaint Redressal Committee will take recourse to the following process:

- Inform the alleged harasser of the complainant and provide an opportunity to respond
- Ensure both parties understand their rights and responsibilities under the organisation's policy
- If possible, mediate an outcome that is satisfactory for the complainant
- Ensure that confidentiality is maintained
- Follow up to ensure the behaviour does not re-occur.

The Committee provides copies of the settlement to complainant & respondent. Once the action is implemented, it shall be recorded that no further enquiry shall be conducted on the complaint.

## Formal investigation

If an informal resolution fails and a formal investigation is requested by the complainant, the Complaint Redressal Committee will take necessary steps to:

- Afford natural justice to all involved.
- Interview all directly concerned, separately.
- Interview witnesses, separately.
- Keep records of the interviews and investigation
- Ensure confidentiality and minimise disclosure.
- Make a determination as to whether there is sufficient evidence that a reasonable person could conclude, on the balance of probabilities (i.e. it's more likely than not), that an incident/incidents of sexual harassment has occurred

## Manner of Inquiry

The complainant should submit the complaint along with supporting documents. Upon receipt of the complaint, the committee shall send one copy of the complaint to the respondent. The respondent receives the complaint and sends his/her reply to the committee. The Committee shall make an inquiry into the complaint in accordance with the principle of natural justice. While conducting the enquiry, minimum of three committee members including the president of the Committee should be present.

The decision of the committee is final. The employer is requested to take action on the respondent as recommended by the committee. No legal practitioner can represent any party at any stage of the inquiry.

Inquiry procedure

All proceedings of the inquiry are documented. The documentation shall be shared with complainant and the respondent, if requested. The committee shall interview the respondent separately. Any witnesses produced by the respondent are also interviewed by the committee. If the complainant or respondent desires to cross examine the witnesses, it shall be facilitated by the committee.

## Interim Action

During the process of formal investigation, SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS) NGO management shall determine an appropriate action, which may include a change of duties for the harasser, and change to working arrangements.

If the incidents were frequent and/or severe, they may take recourse to the dismissal of the respondent.

In case it cannot be determined by the required test, that an incident/incidents of sexual harassment has occurred, may still take action to ensure the proper functioning of the workplace without prejudice to any party.

The management will also continue to closely monitor the situation and provide further training to the staff, if required.

When the interim action is implemented, the employer shall inform the committee regarding the action taken.

### Termination of Inquiry

The committee may terminate the process of an enquiry if both the complainant and respondent are absent for three consecutive hearings without giving any reason in writing. If the committee comes to the conclusion that the complaint was malicious, it can request the employer to take appropriate action against the complainant.

### Submission of Annual Reports

- The Internal Committee is required to prepare and submit an annual report to the employer.
- The employer is required to include in its report the number of cases filed, and their disposal under this Act in the annual report of the organisation.
- The organization is required to submit a POSH annual filing with the District Magistrate or District Collector completed by 31st January.

### Review of this Policy

The committee will be dissolved every 3 years and a new Chairman and members will be nominated. All nominations, including for vacancies caused by attrition or other reasons, will be made by a team consisting of all trustees of **SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS)** NGO

### Conclusion

There is an official obligation and an individual obligation to fulfil the intent of this Policy. The Policy will be prominently displayed in all **SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS)** NGO office premises and it is expected that every employee will have a working knowledge of permissible activities in the workplace and will seek guidance from the HR department.

Details of SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS) NGO Internal Committee members are mentioned below:

- Presiding Officer” – Mrs. G. Mahalakshmi
- Chairperson : Suneel kumar ravi
- 2 members experienced in Social Work -
  - > Mrs. G. Mahalakshmi
  - > Mrs. J.Ruthbinomi
- Middle Management - Nalini Garu
- One member from the Governing Board - Lakshmi Narayanamma.K
- One External Member - P. Narasimha Rao

For SOCIAL ACTIVITIES FOR RURAL DEVELOPMENT SOCIETY (SARDS)

Authorized Signatory  
**Suneel Kumar**  
**Executive Secretary**