



Prevention of Sexual Harassment in Workplace

last updated in August 2023

Stonehill International School Policy

This process supports and elaborates **SPM Policy: 5.011 Code of Conduct and Ethics**.

Purpose

To promote the commitment of a workplace that is free from Sexual Harassment, by any employee or non-employee engaged with Stonehill International School and maintain a healthy working environment free from intimidation.

Guidelines

The Head of School shall strive to provide adequate training to all employees and promote a healthy work environment. Stonehill International School has a zero-tolerance approach to any form of sexual harassment. The school shall not in any manner support or condone any employee who sexually harasses or attempts to sexually harass or conduct themselves in a manner prohibited under Indian law.

Policy

POLICY FOR THE PREVENTION OF SEXUAL HARASSMENT OF WOMEN AT THE WORKPLACE

This Policy on the prevention of Sexual Harassment at the Workplace ("**Policy**") shall be applicable to all employees of Stonehill Education Foundation ("**Stonehill**").

1. Broad Policy Statement:

- 1.1 Stonehill Education Foundation is an equal employment opportunity employer and is registered under Section 25 of the Companies Act, 1956, and is committed to creating a healthy working environment free of intimidation and free from all forms of harassment

including Sexual Harassment and strives to enable all employees to work without the fear of prejudice, gender bias and harassment, sexual or otherwise. Stonehill also believes that all employees of Stonehill have the right to be treated with utmost dignity.

1.2 In addition to the policies that Stonehill has with respect to ethics and conduct of employees at Stonehill, under its Employee Handbook, this particular Policy is prepared and circulated to employees to specifically address issues relating to Sexual Harassment at the Workplace.

2. Scope

2.1 It is the goal of the Stonehill to promote a Workplace that is free of Sexual Harassment, by any Stonehill employee, customer, contractor or other non-employee doing business with Stonehill, occurring in the Workplace or in other settings in which employees find themselves, in connection with their employment. Sexual Harassment at the work place is a grave offence and is strictly prohibited and punishable under this Policy, in accordance with law. Stonehill strives to provide adequate training as required under the Act and this Policy is available to all employees on its notice board and its internal employee website.

2.2 Stonehill encourages any employee who feels they may have been harassed, to contact the Presiding Officer (indicated below) or any of the Members on Committee (indicated below). Stonehill understands and recognizes that comments, gestures and behavior have a different impact on different individuals and therefore encourages any employee to come forward and report or discuss any instance or event of Sexual Harassment with any member of the Committee in keeping with the broad framework set out under the Stonehill Employees' Handbook.

2.3 In furtherance of Stonehill's commitment to fostering and maintaining a harmonious environment at the Workplace, this Policy has been formulated by Stonehill with the objective of ensuring the safety of female employees, based on the guidelines laid down under the Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("**Act**") to fulfil its compliance under Indian Law.

2.4 This Policy extends to all employees of Stonehill, and includes any incident in the course of the employment and shall be incorporated in the service conditions of all employees.

2.5 Solely for the purposes of this Policy, employees shall be deemed to include any temporary or contract employees, interns, probationers, or any other staff who are engaged by Stonehill with or without remuneration, either directly or through contractors or agents.

2.6 This Policy may be updated and amended by Stonehill, at any time, in its sole discretion.

3. Definition of Sexual Harassment definition

3.1 "Sexual Harassment" includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely: -

3.1.1 physical contact and advances; or

3.1.2 a demand or request for sexual favours; or

3.1.3 making sexually coloured remarks; or

3.1.4 showing pornography; or

3.1.5 any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

3.2 The following circumstances amongst others, if it occurs or is present in relation to or are connected with any act or behavior of Sexual Harassment may amount to Sexual Harassment: -

3.2.1 an implied or explicit promise or threat of preferential or detrimental treatment in her employment; or

3.2.2 an implied or explicit threat about her present or future employment status;
or

3.2.3 interference with her work or creating an intimidating or offensive or hostile work environment; or

3.2.4 humiliating treatment likely to affect her health or safety.

3.3 Sexual Harassment can take many different forms and may include physical contact, verbal comments, jokes, propositions, the displaying of offensive material or other behavior which creates a sexually tense or hostile or offensive working environment. Sexual Harassment is not just unlawful during working hours or in the Workplace itself. Sexual Harassment may extend beyond working hours and beyond the physical Workplace. The behavior is unlawful in any work-related context and it is important to note that it is how the aggrieved female employee feels about the offensive behavior that is of prime consideration and the intent of the wrongdoer may not be relevant.

4. Definition of Workplace

4.1 Workplace includes:

- 4.1.1 any private sector organisation or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-governmental organisation, unit or service provider carrying on commercial, professional, vocational, educational, entertainment, industrial, health services or financial activities including production, supply, sale, distribution or service;
- 4.1.2 any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey;
- 4.1.3 hospitals or nursing homes;
- 4.1.4 any sports institute, stadium, sports complex or competition or games venue. whether residential or not used for training, sports or other activities relating thereto;
- 4.1.5 any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey;
- 4.1.6 a dwelling place or a house;

4.2 Workplace may include any conferences, work functions, business or field trips, transportation and interactions with clients.

5. Employee Responsibilities

5.1 Stonehill has a zero-tolerance approach to any form of Sexual Harassment. Stonehill shall not in any manner support or condone any employee who sexually harasses or attempts to sexually harass or conducts himself in a manner prohibited under law.

5.2 There shall be no retaliation against any aggrieved female employee who makes a complaint of Sexual Harassment or who assists with the investigation of a Sexual Harassment complaint.

5.3 No malicious complaint shall be filed and if any complaint is found to be malicious, the same shall be dealt with and punishable in accordance with the provisions of Act.

6. Internal Complaints Committee:

6.1 Under this Policy, Stonehill has set up an Internal Complaints Committee ("**Committee**") to receive, consider and redress complaints of Sexual Harassment and the composition of the Committee are set out below:

6.2 The Composition of Committee is as follows:

Sl. No.	Members	Role
1.	Ms. Manpreet Kaur	Presiding Officer
2.	Ms. Shaina Ganapathy	Member
3.	Ms. Catherine Charles	Member
4.	Ms. Simran Chandok	NGO Member
5.	Mr. Peter Spratling	Member
6.	Mr. Joe Lumsden	Member
7.	Rishika Ganapathy	Member

6.3 Quorum:

A quorum of 3 members, including the NGO member, are required to be present for any meeting to take place, provided that the majority representation of women is there, at all meetings.

6.4 Duration of Office:

The Presiding Officer and every Member of the Committee shall hold office for such a period, not exceeding three years, from the date of their nomination to the Committee.

6.5 Meetings:

The Committee shall meet as soon as possible and always within 5 days from receipt of any written complaint.

6.6 Filing a Complaint

- 6.6.1 Any aggrieved female employee may file a complaint with the Committee, in writing, within three (3) months from the date of incident or three (3) months from the date of the last incident, in case of a series of incidents.
- 6.6.2 The Committee may extend the time limit up to a further period of three (3) months with the reasons for such extension being recorded in writing, in event that the Committee is satisfied that the circumstances prevented such aggrieved female employee from filing a complaint within the stipulated period.
- 6.6.3 When a complaint cannot be made in writing, the Presiding Officer or any Member of the Committee shall render all reasonable assistance to the aggrieved female employee to make the complaint in writing.
- 6.6.4 If the aggrieved female employee is unable to make a complaint on account of physical or mental incapacity or death, the aggrieved female employee's legal heir or any other person prescribed can submit a complaint on the aggrieved female employee's behalf.

- 6.6.5 A complaint may be filed, in writing, by addressing a handwritten letter to the Committee and handing it over at the HR or Administrative Offices in a sealed envelope or by way of writing an email addressed to the Committee at the following address [poshcommittee@stonehill.in].
- 6.6.6 All complaints filed with the Committee must be made in writing. All complaints shall be accompanied by the requisite supporting documents and a list of witnesses to the extent possible. If the complaint is filed in physical form, the complainant shall furnish six (6) copies of the complaint and accompanying documents.
- 6.6.7 If the Committee, upon inquiry, discovers that the complaint including any evidence or witnesses are malicious or known to be false or misleading, the Committee may recommend that action be taken against such a party. A mere inability to substantiate a claim shall not be considered as a malicious complaint by the Committee.
- 6.6.8 Where any offence attracts the provisions of the Indian Penal Code, 1860, then at the request of the aggrieved female employee, Stonehill shall assist the aggrieved female employee in filing a police complaint.

6.7 Conducting an Inquiry

- 6.7.1 Once the Committee receives a complaint, in writing, an inquiry will be initiated within seven (7) days by providing a copy of the complaint to the respondent who shall provide their response, in writing, within a period of ten (10) working days of receipt of the complaint by them.
- 6.7.2 During the pendency of the inquiry, the aggrieved female employee may make a request in writing to the Committee, who may recommend to Stonehill to:
 - 6.7.2.1 transfer either party from the current Workplace to any other Workplace; or

- 6.7.2.2 grant a leave of absence to the aggrieved female employee for a period of up to of three months in addition to the leave that the woman is otherwise entitled to; or
- 6.7.2.3 any other relief it may be prescribed under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013.
- 6.7.3 The Committee shall ensure that the confidentiality and privacy of the parties are maintained at all times.
- 6.7.4 The Committee will investigate the complaint through interviewing the parties and all witnesses, including review of any relevant evidence. The entire inquiry process shall be completed within ninety (90) days. The Committee shall make recommendations based on the inquiry, and copies of the final findings shall be provided to all parties.
- 6.7.5 Upon the receipt of complaint and completion of an enquiry, if the Committee establishes that the allegation against the respondent has been proved, it is empowered to, and shall recommend that Stonehill take any of the following actions including but not limited to:
 - 6.7.5.1 Written apology;
 - 6.7.5.2 Warning, Reprimand, or censure;
 - 6.7.5.3 Withholding of promotion;
 - 6.7.5.4 Withholding of pay rise or increments;
 - 6.7.5.5 Terminating the Respondent from service;
 - 6.7.5.6 Undergoing a counseling session or carrying out community service;
- 6.7.6 The recommendations of the Committee shall be acted upon by Stonehill within sixty (60) days of receipt of the same.

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Confidential (intended for internal circulation only)

- 6.7.7 Any party aggrieved by the recommendation of the Committee, may within ninety (90) days of receipt of the same, prefer an appeal to a court or tribunal in accordance with the provisions of the Act.
- 6.7.8 Neither party shall have the right to be represented by a legal practitioner or any third party in proceedings before the Committee. Provided that, a party may, with the permission of the Committee, be represented by any other employee of Stonehill (not being a legal practitioner or in-house counsel), where the Committee believes that such representation is required in accordance with the principles of natural justice.
- 6.7.9 The Committee may terminate any inquiry or give an ex-parte decision where either party fails, without sufficient cause, to present themselves before the Committee for three consecutive hearings convened by the Committee.