

Sexual Harassment

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a. ORGANISATIONAL COMMITMENT :

Educate Girls has worked hard to build a reputation for responsible behaviour and fairness – a reputation that builds trust with our beneficiaries, community, funders, government, and employees. We can continue to build trust only if we are steadfast in our focus on improving all aspects of Our Values including the quality of our work environment. This philosophy is embodied in Our Values and thereby in our policy on providing a harassment free workplace.

All employees have a right to work in an environment free from the demoralizing effects of harassment or unwelcome offensive or improper conduct. Educate Girls has a policy of zero tolerance for sexual harassment or harassment based on gender, religion, caste, national origin, age, sexual orientation, or disability, or any other status protected by law.

Educate Girls is committed to providing a work environment that ensures all women employees are treated with dignity and are given fair and equitable treatment. The organisation is committed to promoting a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity and is committed to providing a workplace that is free from sexual harassment.

FEGG recognises the definition of sexual harassment as per the Act of Parliament “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013.

Sexual harassment in the workplace is against the law and will not be tolerated under any circumstances. The organisation is committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment.

b. SCOPE OF THE POLICY & DEFINITIONS

This policy applies to all employees of Educate Girls, including employees who are employed permanently, temporaries, trainees and employees on contract, vendors, and volunteers at their workplace or at client sites. The policy also applies to Educate Girls community volunteers (Team Balika) in all its districts of operation. Team Balika are Educate Girls’ community volunteers who campaign the cause of girl’s education in their villages in all the districts of operation.

The Organisation will not tolerate sexual harassment, if engaged in by clients or by suppliers or any other business associates.

The workplace includes:

1. All offices or other premises of Educate Girls located within, including its Head office in Mumbai, all its State offices and the field locations where operation is conducted.
2. All organisational activities performed at any other location away from the organisational premises.
3. Any social, community or other functions and events where the conduct or comments may have an adverse impact on the workplace or workplace relations.
4. This policy protects:
 - All Educate Girls employees (regular, part-time, volunteers or supplemental)
 - All independent researchers, , and partner organization employees
 - All visitors to Educate Girls' offices across India

Aggrieved woman / Complainant: 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 and includes contractual, temporary, visitors, volunteers

Respondent / Harasser: A person against whom a complaint of sexual harassment has been made by the aggrieved woman

Employer: A person responsible for management, supervision and control of the workplace

c. DEFINITION OF SEXUAL HARASSMENT

According to THE SEXUAL HARASSMENT OF WOMEN AT THE WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT 2013, sexual harassment includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

- Physical contact and advances; or
- A demand or request for sexual favours; or
- Making sexually coloured remarks, lewd or sexually suggestive comments, jokes, innuendoes, or gestures; or
- Showing pornography; or
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature; or

While it is not easy to provide a complete list of the types of improper behaviour, to prevent sexual harassment at the workplace, the following circumstances, among other; if they occur or are present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:

- Quid pro quo sexual harassment
- Implied or Implied or explicit threat of detrimental treatment in her employment; or explicit promise of preferential treatment in her employment; or
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- Implied or explicit threat about her present or future employment status; or
- Interference with her work or creating an intimidating or offensive or hostile work environment; or
- Humiliating treatment likely to affect her mental, physiological, emotional or physical health and safety.
- Observing, photographing, videotaping, or making other visual or auditory records of sexual activity or nudity, where there is a reasonable expectation of privacy, without the knowledge and consent of all parties; or
- Sharing visual or auditory records of sexual activity or nudity without the knowledge and consent of all recorded parties and recipient(s)
- Stalking

Responsibilities regarding Sexual Harassment

All employees of Educate Girls have a personal responsibility to ensure that their behaviour is not contrary to this policy.

All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

d. COMPLAINT MECHANISM & COMPLAINTS COMMITTEE:

An appropriate complaint mechanism in the form of **Internal Complaints Committee (ICC)** has been formulated at Educate Girls for time-bound redressal of the complaint made.

Below are the details of IC committee/s:

Internal Committee members	Email ID
Common ID (includes 03 IC presiding officers & Executive Director)	icc@educategirls.ngo

IC – Mumbai		
Anushree Singh – Presiding Officer	anushree.singh@educategirls.ngo	9819781986
Prasid Sreeprakash	prasad.sreeprakash@educategirls.ngo	7738135717
Sayali Pethe	sayali.pethe@educategirls.ngo	8793569575
Abdur Rehman	abdur.rahman@educategirls.ngo	7820950995
IC – Rajasthan		
Kajal Pandey – Presiding Officer	kajal.pandey@educategirls.ngo	9324647189
Soumitra Pramanik	soumitra.Pramanik@educategirls.ngo	9477147934
Pallavi Singh	pallavi.singh@educategirls.ngo	9166493186
Meena Bhati	meena.bhati@educategirls.ngo	9460822291
IC - Madhya Pradesh & Uttar Pradesh		
Vaishali Jambotkar – Presiding Officer	vaishali.jambotkar@educategirls.ngo	8828214477
Vaijayanti Bagwe	vaijayanti.bagwe@educategirls.ngo	9920696230
Vikas Paliwal	vikas.paliwal@educategirls.ngo	9829146622
Vikram Solanki	vikram.solanki@educategirls.ngo	9929442299

The term of the members of the ICC will be for 3 years. On the expiry of the term of the members, the new committee will be formulated. Any change in the composition of the team within the 3 years period will be communicated separately.

The ICC is responsible for:

- Providing an internal mechanism for redressal in cases of sexual harassment
- Investigating every verbal or written complaint of sexual harassment
- Taking prompt and appropriate action against anyone violating the Educate Girls policy for sexual harassment in accordance with Rules and Procedures laid down herein.
- Create awareness and discouraging and preventing employment-related sexual harassment
- Prepare and widely circulate in all its offices, the Educate Girls policy for sexual harassment

e. **PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT:**

Educate Girls is committed to providing a supportive environment to resolve concerns of sexual harassment. The complainant can bring their concern to the attention of the ICC for redressal of their grievances ***both verbally or giving a written complaint***. The ICC will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter. The immediate action taken by the ICC against the harasser will depend and vary from case to case depending on the severity of the case.

A complaint of sexual harassment shall be reported or filed by the complainant ***within 90 days from the date of the incident***. This period may be extended in case of circumstances which prevented the complainant from filing the complaint within the stipulated time.

The Complaints Committee shall conduct such investigations in a timely manner and shall ***complete the inquiry within a period of 90 days*** from the date on which the inquiry is commenced.

Making a Complaint

A paid staff member or volunteer who believes they have been harassed (the complainant) should:

- If comfortable to do so, inform the alleged harasser the behaviour is offensive, unwelcome, against the organisation's policy and should stop
- Make 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 ICC
- If this is inappropriate, speak to another senior member of the organisation, such as a senior manager, the head of the organisation or a member of the board.

The ICC will follow the procedures set out below. At any time the complainant has the right to discontinue this process.

COMPLAINTS PROCESS

When a complaint is received, the ICC 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: formal investigation
- Keep a confidential record of all details of this discussion and subsequent steps in the process.

FORMAL INVESTIGATION

If a formal investigation is requested by the complainant, or if an informal resolution fails, the ICC will escalate the matter to a senior member of the organization. That person will:

- Afford natural justice to all involved
- Interview all directly concerned, separately
- Interview witnesses, separately
- Keep records of the interviews and investigation
- Ensure confidentiality and minimize 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 as defined by the legislation has occurred
- In such a case, determine appropriate action, which may include a change of duties for the harasser, change to working arrangements or, where the incidents were frequent and/or severe, dismissal
- Where it cannot be determined by the required test, that an incident/incidents of sexual harassment as defined by the legislation has occurred, may still take action to ensure the proper functioning of the workplace; but these actions should not prejudice any party. They will also continue to closely monitor the situation and provide retraining where required
- Check to ensure the action meets the needs of the complainant and organization.

Outcomes as they affect the complainant will be discussed with the complainant to ensure that needs are met, where appropriate.

PENALTIES AND CORRECTIVE ACTION MAY INCLUDE ANY OF THE FOLLOWING:

- Formal Written apology
- Counselling
- Written warning to the perpetrator and a copy of it maintained in the employee's file.
- Withholding of Promotion or one or more increments

- Disallow the person from being associated with Educate Girls
- Disallow the person from entering Educate Girls offices or attend meetings, events, trainings etc.
- Suspension or termination of services of the employee found guilty of the offence

COMPLAINT UNSUBSTANTIATED

Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the employer that no action is required to be taken in this matter. Further, the committee ensures that both parties understand that the matter has been fully investigated, that the matter is now concluded and neither will be disadvantaged within the Organisation.

MALICIOUS ALLEGATIONS

Where the committee arrives at the conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer to take action against the woman or the person making the complaint.

The action recommended should be similar to the ones proposed for the respondent in case of substantiated complaints.

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 a separate inquiry.

APPEAL

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the appellate authority in accordance with the Act and rules, within 90 days of the recommendations being communicated.

f. CONFIDENTIALITY:

Educate Girls understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.



To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the organisation except where disclosure is required under disciplinary or other remedial processes.

In conclusion, Educate Girls reiterates its commitment to providing its employees, a workplace free from harassment/ discrimination and where every employee is treated with dignity and respect.

Complaint unsubstantiated

Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the employer that no action is required to be taken in this matter. Further, the committee ensures that both parties understand that the matter has been fully investigated, that the matter is now concluded and neither will be disadvantaged within the Organisation