

# 01. SEXUAL HARASSMENT - 2015

## ANNEXURE #4

### CANSUPPORT POLICY ON SEXUAL HARASSMENT

#### 1. PREAMBLE

- 1.1. CanSupport is committed to creating and maintaining a healthy working environment that enables staff, volunteers and third parties to work to the best of their ability without fear of prejudice, ill-treatment, gender bias and sexual harassment. The organisation believes that all those who work for it have the right to be treated with respect and dignity at all times.
- 1.2. This Policy deals specifically with the issue of sexual harassment related to the working of the organisation. Sexual harassment at the work place or even outside the workplace which affects anyone working at CanSupport is a grave offence and is, therefore, liable to invite severe punishment.
- 1.3. This Policy has been established in response to the Supreme Court directive requiring organisations to lay down guidelines for the handling of sexual harassment.

#### 2. DEFINITION OF SEXUAL HARASSMENT

- 2.1. "**Sexual harassment**" is defined in this Policy as any form of unwelcome sexually determined behaviour. It shall include but is not limited to –
  - (i) situations where unwelcome sexual advances, requests for sexual favours, and verbal or physical conduct of a sexual nature, explicitly or implicitly, are made a condition of instruction, employment, participation, evaluation or promotion of a person
  - (ii) situations where unwelcome sexual advances, verbal, non-verbal, or physical conduct such as loaded comments, slander, remarks or jokes, letters, phone calls or e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, making sounds or display of a derogatory nature have the purpose or effect of interfering with an individual's ability to perform her/his duties or of creating an intimidating, hostile or offensive work environment



### 3. OTHER DEFINITIONS




- 3.1. "Members"** means any person who is enrolled as a member of the Society;  
**"Staff"** means any person on the pay roll of the organisation;  
**"Volunteers"** means those who are working for any of the organisation's programmes on a pro-bono basis;  
**"Contractors"** means members of third parties working on contract, short term or part-time basis as suppliers or consultants;  
**"Visitors"** includes all persons who visit the work premises in order to observe or evaluate an activity, or to make donations or to obtain information or to participate in programmes or events.
- 3.2. "Unwelcome"** means any conduct by the first party which is not pro-actively encouraged by the second party.
- 3.3. "Complainant"** means the person against whom a sexual harassment act is alleged to have been committed. **"Defendant"** means the person who is alleged to have committed such an act.
- 3.4. "Premises"** means any location, building or area where CanSupport programmes, events or activities are taking place

### 4. SCOPE

- 4.1.** This Policy and the rules and procedures it contains shall apply in all cases where a formal complaint is made by any member, staff member, volunteer, contractor or visitor against another person who may be a member, staff member, volunteer, contractor or visitor, that an incident of sexual harassment has occurred on or off the premises.

### 5. NOTIFICATION AND PUBLICITY


- 5.1.** The full Policy will be displayed on the CanSupport website. An abridged version of this Policy will be prominently displayed at all CanSupport premises.
- 5.2.** This Policy will be shared with every member of CanSupport and her/his signature taken as indication of having understood and accepted it.
- 5.3.** All new joinees, whether staff, volunteers or contractors will explicitly be made aware of this Policy and their signature taken as indication of their having understood and accepted it.

- 5.4.** All official contractual documents will carry the following statement in small print – “CanSupport operates a formal Policy on Sexual Harassment which may be viewed on its website. By agreeing to work with CanSupport you voluntarily hold yourself accountable under this Policy.”

## **6. GENDER RELATIONS COMMITTEE**


- 6.1.** A Gender Relations Committee ( GRC) will be constituted by the Management Committee of Can Support to manage all issues related to the operation of this Policy.
- 6.2.** The GRC will be made up four members as follows:
- (i) Chairperson - to be a reputed female person appointed from within the organisation
  - (ii) Member – to be a female member drawn from within the ranks of staff
  - (iii) Member – to be a female member drawn from the Managing Committee.
  - (iv) Member – a senior female member of a reputed NGO that has been active in defending the rights of women.
- 6.3.** The members of the GRC will be appointed by the Managing Committee of CanSupport and will hold office for a period of one year and may be re-appointed for a maximum of five years. They will be accountable for operating this Policy to the Managing Committee of CanSupport
- 6.4.** The GRC will have three objectives –
- 1)** To investigate complaints about sexual harassment in accordance with this Policy and recommend action to be taken by management
  - 2)** To suggest changes in work arrangements and other policies to promote positive, harmonious gender relations in CanSupport
  - 3)** To keep the Managing Committee of CanSupport abreast of significant developments in the field of Gender Relations



- 6.5.** The GRC will meet at least once every quarter, unless there are complaints that require more frequent meetings. A quorum of three members is required to be present for the proceedings of the GRC to take place. All communications with the Complainant, Defendant and Witnesses will be made in writing. All sittings of the GRC will take place at locations other than at CanSupport premises and all its proceedings will be kept in the strictest confidence.
- 6.6.** A register will be maintained for recording in writing the attendance and proceedings of the GRC. These shall serve as the confidential minutes of the proceedings and shall be signed by all the members present. The Chairperson will be the custodian of the Register of Proceedings of the GRC. A separate case folder will be maintained for each case handled by the GRC.
- 6.7.** The working practices of the GRC shall be amended by such rules as may be framed by the orders of the Managing Committee, the Supreme Court or any other legislation enacted hereon.
- 6.8.** The names and contact telephone numbers of the members of the GRC will be informed to all persons involved with CanSupport.

## **7. COMPLAINT HANDLING PROCESS**

- 7.1.** Any CanSupport member, staff member, volunteer, contractor or visitor who feels that she/he is being sexually harassed should make her/his objections known to the offending party in the strongest possible terms immediately, and on the spot preferably in the presence of witnesses. Where no witness is available a video or audio recording of the offense may be made, if possible.
- 7.2.** The Complainant should submit full details of the alleged offence to any member of the GRC in a written complaint with her/his name and signature and relationship to CanSupport, as soon as possible after the occurrence of the incident.
- 7.3.** The GRC will initiate a separate confidential folder for each of the complaints received by it and will use it to hold all its written communications related to the case.
- 7.4.** The GRC will hold a meeting with the Complainant within a week of the receipt of the complaint, at which it shall hear the Complainant seek clarifications and take on record her/his allegations as well as their own observations. The Complainant may also present any oral, written or digital evidence or any other corroborating material to substantiate her/his complaint.



- 7.5.** If the Complainant does not wish to depose personally due to embarrassment, a female colleague for a female complainant and a male colleague for a male complainant may meet the GRC and depose on her/his behalf.
- 7.6.** Thereafter, the Defendant may be called for a deposition before the GRC and an opportunity will be given to him/her to provide an explanation or defense.
- 7.7.** In the event that the GRC believes that the complaint does NOT amount to one of sexual harassment as defined above, the complaint would be dropped after recording the reasons, and the findings will be explained to the Complainant.
- 7.8.** The GRC will take care to ensure that at no time do the complainant and the defendant come face to face. If the seriousness of the complaint justifies it, the GRC may recommend to the management that suitable arrangements be made to keep the complainant and defendant apart.

## **8. ENQUIRY PROCESS**

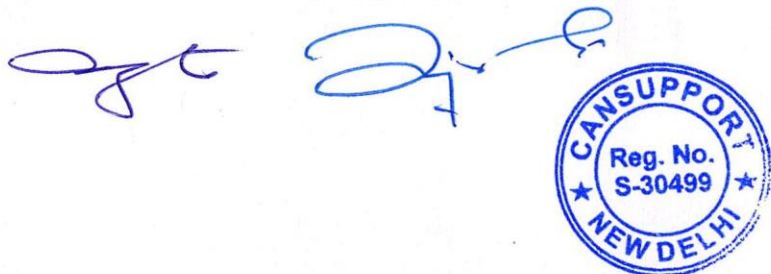
- 8.1.** In the event that the GRC believes that an offence under this Policy has indeed taken place but it is, prima facie, in the nature of a minor and excusable infringement, it may decide to deal with it in a lenient manner by obtaining a written apology from the Defendant, a written acceptance by the complainant and closing the matter, while taking it on record.
- 8.2.** If however the GRC believes that the infringement is of a more serious nature, it will immediately order a formal enquiry into the complaint by preparing and issuing a charge sheet to the defendant, giving her/him an opportunity to submit a written explanation within three days.
- 8.3.** In the event that the Defendant does not respond within the stipulated period, the GRC may decide to proceed with the enquiry ex-parte.
- 8.4.** The Complainant shall be provided with a copy of the written explanation submitted by the Defendant.
- 8.5.** In case the Complainant and/or the Defendant wish to call any witnesses to substantiate his/her case, they should make a request in writing to the GRC giving the names of the witnesses whom they propose to call.

- 8.6.** If the Complainant and/or the Defendant wish to present any documents by way of evidence before the GRC, she/he shall supply original copies of such documents together with self-attested copies.
- 8.7.** The GRC shall provide every reasonable opportunity to the Complainant and to the Defendant, for putting forward and defending their respective cases.
- 8.8.** In case the complaint is found to be false, motivated or frivolous the Complainant shall be liable for appropriate disciplinary action as recommended by the GRC to the Managing Committee, through its President.
- 8.9.** The GRC shall complete the "Enquiry" within the shortest possible period but in any case within three months. It will communicate its findings and its recommendations for action in writing to the the Managing Committee, through its President. The report of the GRC shall be treated as adequate basis for awarding the appropriate punishment.
- 8.10.** The President will direct appropriate action in accordance with the recommendation proposed by the GRC and will inform the Managing Committee and the GRC of the action taken.
- 8.11.** In case the GRC finds the degree of the offence serious enough to be covered under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Managing Committee, through its President, for making a Police Complaint and following it through to a conclusion, after dismissing the Defendant from the organisation.




## **9. OTHER POINTS TO BE CONSIDERED**

- 9.1.** The GRC may recommend to the Managing Committee, through its President that action be taken which may include reprimand, withholding of increment or promotion, suspension without pay, transfer, dismissal or any other appropriate disciplinary action thought fit.
- 9.2.** Where any third party or outsider is found to be guilty of sexual harassment against a member, staff member or a volunteer, the Managing Committee shall take all reasonable and necessary steps to assist the Complainant in terms of ongoing support and security.



- 9.3.** The M a n a g i n g Committee o f C a n S u p p o r t shall, at its discretion, internally publish brief details of cases and the related disciplinary action taken as a deterrent to similar behavior by others.
- 9.4.** The Managing Committee may request the Chairperson of the GRC to submit monthly, quarterly or annual reports on its activities and progress in maintaining and enhancing harmonious Gender Relations in CanSupport.
- 9.5.** The Managing Committee shall provide all necessary support to the GRC and the management team for the purpose of ensuring full, effective and speedy implementation of this Policy.

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<b>POSH MEMBERS 2025 - 2027</b>				
<b>S. No</b>	<b>Name</b>	<b>Designation</b>	<b>Phone Number</b>	<b>Email</b>
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Please note CanSupport IC is registered on the [She-Box portal](#) of Ministry of Women and Child Development, where all IC committee and workshop related information is updated.