

10

THE POLICY FOR PREVENTION OF SEXUAL HARASSMENT THE POLICY STATEMENT

THE POLICY FOR PREVENTION OF SEXUAL HARASSMENT THE POLICY STATEMENT

Montfort College shall commit to maintain a workplace free from sexual harassment.

Objectives of the Policy

- To fulfil the directive of the Supreme Court, as per UGC directives and the affiliating University in respect of implementing a policy against sexual harassment in the institution.
- To evolve a mechanism for the prevention and redressal of sexual harassment cases and other acts of gender-based violence in the institution.
- To ensure the implementation of the policy in letter and spirit through proper reporting of the complaints and their follow-up procedures.
- To provide an environment free of gender-based discrimination.
- To create a secure physical and social environment which will deter acts of sexual harassment.

Scope of the Policy/Jurisdiction

The rules and regulations outlined in this policy shall be applicable to all complaints of sexual harassment made:

1. By a member of the institution against any other member irrespective of whether the harassment is alleged to have taken place within or outside the campus.
2. By an outsider against a member of the college or by a member of the college against an outsider if the sexual harassment is alleged to have taken place within the campus.
3. By a member of the college against an outsider if the sexual harassment is alleged to have

taken place outside the campus. In such cases the Committee shall recommend that the college authorities initiate action by making a complaint with the appropriate authority. Further, the committee shall actively assist and provide available resources to the complainant in pursuing the complaint.

Implementation of the Policy Formation of the Internal Complaints Committee (ICC)

The committee shall be constituted by incorporating the following members.

- (a) A Presiding Officer who shall be a woman faculty member employed at a senior level at the educational institution.
- (b) Not less than two teaching employees and two non-teaching employees, preferably committed to the cause of women or who have had experience in social work or have legal knowledge.
- (c) Not less than three students, who shall be enrolled at the undergraduate or masters, levels.
- (d) One member from among non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment. Provided that at least one-half of the total Members so nominated shall be women.

Powers of the Committee

- 1. The Committee shall have the power to summon witnesses and call for documents or any information from any employee/student.
- 2. If the Committee has reason to believe that an employee/student is capable of furnishing relevant documents or information, it may direct such person to produce such documents or information by serving a notice in writing on that person, summoning the person, or calling for such documents or information at such place and within such time as may be specified in the written notice.
- 3. Where any relevant document or information is recorded or stored by means of a mechanical, electronic or other device, the Committee shall have the power to direct that the same be produced, or that a clear reproduction in writing of the same be produced.
- 4. Upon production of documents / information called for by it, the Committee shall have the power to (i) make copies of such documents / information or extracts there from; or (ii) retain such documents / information for such period as may be deemed necessary for purposes of the proceedings before it.
- 5. The Committee shall have the power to issue interim directions to / with regard to any person participating in the proceedings before it.
- 6. The Committee shall have the power to recommend the action to be taken against any person found guilty of (a) sexually harassing the complainant; (b) retaliating against / victimizing the complainant or any other person before it; and (c) making false charges of sexual harassment against the accused person.

Disciplinary actions that can be taken by the college

Appropriate disciplinary action may range from verbal warning to determination/dismissal or any other remedial action deemed appropriate.

Procedure for Reporting Sexual Harassment:

Prompt reporting enables the College to stop the harassment before it becomes severe or pervasive. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behaviour immediately. Any individual who believes they have been the victim of or has witnessed any form of sexual harassment, shall promptly give notice of their claim to any member of the ICC. Outsiders who have experienced sexual harassment within the premises shall report to the Principal.

Informal complaints mechanism

An individual who feels he or she has been sexually harassed may desire to resolve their complaint informally. This may be resorted to when the impact on the victim is not severe in nature. This approach shall result in an informal way to resolve the complaint raised, e.g., through counselling, training, education or other non-disciplinary methods.

If the victim wishes to deal with the matter informally, the designated person shall:

- Give an opportunity to the alleged harasser to respond to the complaint
- Ensure that the alleged harasser understands the complaints mechanism
- Facilitate discussion between both parties to achieve an informal resolution which is
- Acceptable to the complainant, or refer the matter to a designated mediator to resolve the matter
- Follow up after the outcome of the complaints mechanism to ensure that the behaviour has stopped.
- Attempts to resolve an informal complaint will be completed within 30 days from the date of receipt of the complaint by the investigator. The complainant and alleged offender will be informed in writing of the outcome.
- A record would be kept in Director's office about any informal complaint and its resolution.

Formal complaints mechanism

If the victim wants to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the victim, the formal complaint mechanism shall be used to resolve the matter.

Time frame for reporting

- Any individual who believes he or she has been sexually harassed within our campus, or who believes they have observed sexual harassment taking place with someone else, shall report the matter immediately to any member of the ICC (Internal Complaints Committee).

- Students may also report incident of sexual harassment to any one of the faculty members who shall in turn report it to the members of ICC.
- Any aggrieved woman employee may make in writing a complaint of sexual harassment at workplace to the Internal committee/ Local Committee within 3 months from the date of incident or within 3 months of the date of the last incident in case of a series of incident (Section 9(1)). Sexual Harassment of Women at Workplace (Prevention, Prohibition And Redressal) Act & Rules, 2013
- The Internal Committee can extend the time limit not exceeding another 3 months if it is satisfied that the circumstances were such which prevented the woman from filing the complaint within the said period (Section 9(1)).
- The members of ICC shall be available to provide information and clarification regarding the college policy, besides being authorized to investigate and resolve complaints. Investigation and resolution of the complaints shall be carried out through proper channels as described further in this pamphlet. Information disclosed to the committee members by anyone would be treated as confidential to the extent that it does not impede the investigation, redress of complaint and prevention of further occurrence of the issue.

Points to be included in the written complaint

1. Mention your name, department as well as the position of the person that allegedly committed harassment.
2. Describe the incident with details like date, location, and also, the presence of any witnesses.
3. Highlight the effect of the incident.
4. Mention the name of other individuals who might have been subjected to the same or similar harassment.
5. Include any other information that is important.

Procedure for Investigation

The person carrying out the investigation shall:

- Interview the victim and the alleged harasser separately.
- Interview other relevant third parties separately.
- Decide whether or not the incident(s) of sexual harassment took place.
- Produce a report detailing the investigations, findings and any recommendations.
- If the harassment took place, decide what the appropriate remedy for the victim is.
- Follow up to ensure that the recommendations are implemented, that the behaviour has stopped and that the victim is satisfied with the outcome.

- If it cannot determine that the harassment took place, he/she may still make recommendations to ensure proper functioning of the workplace.
- Keep a record of all actions taken.
- Ensure that the all records concerning the matter are kept confidential.

Appeal against Resolution/Disciplinary Action

Filing an Appeal: Either the complainant or person accused can file an appeal against any decision concerning the resolution of the complaint. An appeal by either party must be made in writing, given to the HOD of Counselling and Psychology or to the Director within 30 working days of receipt of the resolution/disciplinary action notice. The written appeal must state in detail, the reason(s) for such an appeal.

No disciplinary or other action shall be taken against the alleged offender during the appeal process although temporary/ interim measures may remain in place. But the college in its discretion may at any point in the investigation process elect to place the alleged offender on administrative leave, with pay, or implement a temporary assignment.

Appeal Hearing / Committee Recommendation: The committee appointed by the Director will conduct a formal hearing and allow the complainant and accused person ("the party") to present relevant information. The committee shall have sole discretion regarding personal appearance of any witness, whether to consider only the party's statements and review only the written record, or any other matter regarding the conduct of the hearing. The hearing will not be considered a judicial hearing, but rather an internal hearing where the complainant and the alleged offender are present. Legal counsel will not be permitted to be present during any part of the committee hearing. The formal hearing shall be audio taped and transcribed. The committee deliberations shall be in camera (closed to all persons other than the committee members) and shall not be audio taped. Its recommendation will be determined by a majority vote, shall be in writing and delivered to The HOD, the Principal and the Director of Montfort College.

Review and Recommendation:

The Director shall review the appeal and the committee recommendations. He may affirm, amend or return it for further deliberation by the committee. The Director's review and decision will be conducted in an expeditious manner, considering all circumstances. It shall be the final decision and reported in writing to the complainant, person accused and the ICC.

Sensitizing and Assertiveness Training:

Training in the implementation of the College policy against sexual harassment shall be provided to all employees, in accordance with the provisions of State law. Attendance at such training sessions shall be mandatory for all. In addition, periodic refresher classes on awareness and sensitivity training shall be conducted. Comprehensive information regarding what constitutes sexual harassment and what does not, how to deal with it and how to prevent it around the college campus shall be made available to all students in the form of a computer presentation and/ or in written format. Such information shall be

available for all to read, in college library. Video-graphing (with help of volunteers) of some fictitious incidents where this offence is blatant/ outright and some, where offence is masked/ subtle could be done and shown to all during refresher classes. This could be more efficacious than reading out a pamphlet, in driving home the subtler nuances of sexual harassment.

Internal Complaint Committee (Anti-Sexual Harassment)

Sl. No	Name	Designation	Contact No.	Email id
1	Dr Lily David	Convenor	9341496622	lily@montfortcollege.edu.in
2	Mrs.Sritha Sandon	Member	9980285644	srithasandon@montfortcollege.edu.in
3	Mrs.Shamala Rudrappa	Member	9964033217	shamala@montfortcollege.edu.in
4.	Mrs.Dorathy Dominic	Member	9741776645	dorathy@montfortcollege.edu.in
5.	Mrs.Saritha Mathew	Member	9448431065	saritha@montfortcollege.edu.in
6	Mr. Mohana Rangan	Member	9986070803	
7	Dr.Janet Parameshwar	Member	9448505171	drjanet_drjanetp@yahoo.com
8	Ms.Mahima	Student Rep	9844354796	mahima@montfortcollege.edu.in
9	Ms.Tanya Khataria	Student Rep	9007003392	tanya@montfortcollege.edu.in
10	Ms.Neha Dugar	Student Rep	9999779857	neha@montfortcollege.edu.in

SAMPURNA