



SEXUAL HARRASMENT POLICY & PROCESS

SecureKloud Technologies Ltd.

SECUREKLOUD	SEXUAL HARRASMENT POLICY & PROCESS	Doc. Version	2.0
		Rev. Date:	29-Mar-21

Document Control

Prepared by	Reviewed by	Recommended by	Approved by
Work Group – Sexual Harassment Policy & Process	Middle Management	Department Heads	Executive Vice President

Document History

Version	Date	Changed By	Change Description	Remarks
1.0	2017	Team Human Resource	Original Version	Approved
1.1	22-Feb-21	Work Group	Initial Version	Modified
1.2	26-Feb-21	Department Heads	Modified Version	Modified
2.0	29-Mar-21	Executive Vice President	Recommended Version	Approved

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Objective

To follow industry best practices and fair standards in its Human Resource Management procedures SecureKloud India adheres to the following Sexual Harassment Prevention Policy in line with "The Sexual harassment of women at workplace (prevention, prohibition & redressal) Act, 2013 ("the Act)

Policy Commitment

SecureKloud is committed to provide a work environment that ensures every associate is treated with dignity, respect and provided equitable treatment. The Company is also committed to promote a work environment that is conducive to the professional growth of its associates and encourages equality of opportunity. The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its associates are not subjected to any form of harassment.

Applicability

This policy will extend to all associates of the Company including those employed on contractual basis or any internship. The policy also extends to those who are not associates of the Company, such as customers, visitors etc., but are subjected to sexual harassment at the Premises (defined hereinafter) of the Company.

Scope

The scope of the Policy is restricted to the following for all associates:

- i. Business locations of the Company
- ii. Any external location visited by associates due to or during the course of their employment with the Company such as business locations of other companies / entities, guest houses.
- iii. Any mode of transport provided by the Company (or a representative of the Company) for undertaking a journey to and from the locations.

Without any prejudice to the rights of an associate in relation to the above the scope includes, any complaint raised specifically by an associate of the Company due to being subjected to any act of sexual harassment by another associate of the Company.

- i. at any location, including but not limited to the private residences of the aggrieved associate; or
- ii. in any other mode of transport

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Purpose & Definition

Sexual Harassment includes such unwelcome sexually determined behavior (whether directly or by implication) as:

- I. Physical contact and advances.
- II. A demand or request for sexual favors.
- III. Sexually colored remarks.
- IV. Showing pornography.
- V. Any other unwelcome physical, verbal, or non-verbal conduct of sexual nature.

“Sexual Harassment” would also mean:

A. **Quid pro quo sexual harassment**, which means something in return for another.

- In the workplace, quid-pro-quo sexual harassment takes place if sexual favors are asked in exchange for any kind of special treatment on the job. Threatening an associate if he/she does not consent to such sexual advances or favors also amounts to sexual harassment. The act of ‘asking’ may either be verbal or implied and the ‘sexual conduct’ may be verbal or physical. But, in either case, it must be unwelcome.
- Direct or implied requests or offers by any associate for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

B. **Hostile work environment includes.**

- Hostile environment sexual harassment occurs when either speech or conduct of a sexual nature takes place and is seen or perceived as offensive and interferes with the work performance of the recipient, or any one or more associates.
- Hostile environment sexual harassment may also include intimidating or retaliation which includes marginalizing someone in the workplace about his / her roles and responsibilities, socially ostracizing (exclusion), intimidating someone physically, psychologically, and emotionally or someone close to or related to the victim.

This is only an indicative list of the possible acts which could be treated as sexual harassment and is not intended to be construed as an exhaustive list.

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Prevention Action

The Company will take reasonable steps to ensure prevention of sexual harassment at work which may include circulating applicable policies and other relevant information to all associates, including to all new joiners.

Responsibilities regarding Sexual Harassment

All associates of the Company have a personal responsibility to ensure that their behaviour is not contrary to this policy. All associates are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

Internal Complaints Committee (I.C.C.)

The Company will have a centralized redressal committee with a representation across SecureCloud India locations, to specifically address any complaints of sexual harassment. The Committee will be nominated by the Executive Vice President and Head Human Resource of SecureCloud India and would be headed by a woman associate.

In accordance with Section 4, the committee shall comprise of:

- Presiding Officer: A woman employed at a senior level in the organization or workplace.
- At least 2 members from amongst employees, preferably committed to the cause of women.
- One external member from Non-Governmental Organization, or persona familiar with the issues relating to sexual harassment.
- Not less than half of the total members would be women.

While the centrally nominated members and the NGO representative will review all cases of sexual harassment reported within the Company, on case-to-case basis, the committees will also co-ordinate preventive activities to create a sexual harassment free atmosphere via:

- Common Info mailers
- Awareness programs

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

The committee members, location Team H.R. representatives and reporting managers will be provided with necessary training inputs to handle such issues effectively and with the required sensitivity and concern.

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The Complaints Committee is responsible for:

1. Receiving complaints of sexual harassment at the workplace.
2. Review the complainant's complaint in a fair and objective manner.
3. Initiating and conducting inquiry as per the established procedure.
4. Submitting findings and recommendations of inquiries.
5. Maintaining strict confidentiality throughout the process as per established guidelines.
6. Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment.
7. Discouraging and preventing employment-related sexual harassment.

The Complaints Committee is also responsible to:

- Help the complainant and the accused find a way of solving the problem.
- Determine the facts of the case with the individuals concerned and the witnesses, if any, and prepare a report with the findings.
- Be bound in the principle of natural justice and be unbiased in their evaluation.
- Where a settlement has been arrived, the Committee shall record the settlement so arrived and forward the same to the Head Human Resource – to act as specified in the recommendation.
- The Committee shall provide the copies of the settlement as recorded to the complainant and the accused.
- Where a settlement is arrived, no further inquiry shall be conducted by the Committee.

Current nominated members of the committees are given in Annexure A

Procedure

1. To File a Complaint

- If any associate believes that (s) / he has been subjected to sexual harassment, such person may file a complaint within 3 months from the date of incident/ last incident with any member of the committee or Team H.R. representative of concerned department or send an email to harassmentcommittee@securecloud.com. The Committee can take up Complaint after 3 months if it is satisfied with the reasons provided in writing for not making the Complaint within the prescribed timelines.
- The committee member/ Team H.R. representative on receiving a complaint will inform the Committee Head. The Committee Head would arrange for a meeting within 7 days of receipt of the complaint to discuss the complaint raised.

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- Every attempt will be made to get the Complainant to provide the complaint in writing. The complaint shall include the circumstances giving rise to the complaint, the dates of the alleged occurrences, and names of witnesses, if any. The complaint shall be signed by the Complainant.
- Complaints made anonymously or by a third party must also be investigated to the extent possible.
- If the aggrieved woman is unable to lodge the complaint in account of her incapacity, the following may do so on her behalf, with her written consent: Legal heir, relative or friend, Co-worker.
- Where the aggrieved associate is unable to make a complaint on account of her / his physical or mental incapacity or death or otherwise, her / his legal heir or such other person as may be prescribed may make a complaint within 3 months of the incident.
- If the complaint does not rise to the level of sexual harassment, the Committee may determine to dismiss the complaint without further investigation after consultation with Legal Team.
- The Company shall provide legal assistance to file a complaint under I.P.C. if the harasser is not an associate of the company.

2. Process of Enquiry

Resolution procedure through conciliation in accordance with Section 10:

- Once the complaint is received, before initiating the inquiry, at the request of the complainant, the committee may, at the request of the complainant, take steps to conciliate the complaint between the complainant and the respondent provided that no monetary settlement shall be made as a basis of conciliation.
- It is made clear to all parties that conciliation in itself does not necessarily mean acceptance of complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings cleared.
- In case a settlement is arrived at, the committee records & reports the same to the employer for taking appropriate action. Resolution through conciliation happens within 2 weeks of receipt of complaint. The committee provides copies of the settlement to complainant & respondent. Once the action is implemented, no further inquiry is conducted.
- The Committee will ask the complainant to prepare a detailed statement of incidents / allegations. The Presiding Officer or any Member of the I.C.C. can render reasonable assistance to the person for making complaint in writing in case they are unable to do so & will be shared with the accused.

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- The accused will be asked to prepare a response to the statement of allegations and submit to the Committee within one week.
- The statements and other evidence obtained in the inquiry process will be considered confidential.
- The Committee will organize verbal hearings with the complainant and the accused.
- The Committee will take testimonies of other relevant persons and review the evidence wherever necessary. The committee should ensure that sufficient care is taken to avoid any retaliation against the witnesses.
- During the inquiry process, the complainant and the accused would be expected to refrain from any form of threat, intimidation or influencing of witnesses.
- The committee will conduct inquiry in accordance with the practices of natural justice, i.e. the complainant will be offered to the accused for cross-examination and vice versa.
- The Committee will arrive at a decision after carefully and fairly reviewing the circumstances, evidence, and relevant statements.
- The Committee will ensure confidentiality during the inquiry process and will ensure that while investigating a complaint:
 - a. Both parties will be given reasonable opportunity to be heard along with witnesses and to produce any other relevant documents.
 - b. Upon completion of the investigation, both parties will be informed of the results of the investigation.
- The committee will be empowered to do all things necessary to ensure a fair hearing of the complaint including all things necessary to ensure that victims or witnesses are neither victimized nor discriminated against while dealing with a complaint of sexual harassment. In this regard the committee will also have the discretion to make appropriate interim recommendations in relation to an accused person (pending the outcome of a complaint) including suspension, transfer, leave, change of work location etc.
- The investigation into a complaint will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.
- The committee will investigate, prepare an enquiry report with recommendations within 4 weeks.

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3. Decision and Action

Once the investigation is completed, a determination will be made regarding the validity of the harassment allegations. If it is determined that harassment has occurred; prompt, remedial action will be taken. The Presiding officer must submit the detailed information with the recommendations to the Executive Vice President / Team H.R. Head and agree on the applicable disciplinary action.

The disciplinary action will be carried out by the Team H.R. department in consultation with Executive Vice President. Such disciplinary action may even include transfer, demotion, or termination.

4. Documentation

The Management shall keep complete and accurate documentation of the complaint, its investigation, and the resolution thereof. The incident would be documented in both the complainant's and the accused's files ensuring confidentiality.

As per the Act, "the employer shall include in its report the number of cases filed, if any, and their disposal under this act in the Annual report of the company or where no such report is required to be prepared, intimate such number of cases, if any, to the district officer."

False Accusations

- a. The complaint of sexual harassment made by any associate shall be taken up with utmost seriousness by Company. However, there shall be zero tolerance for any false accusation.
- b. If the I.C.C. concludes that the allegation was made with malicious intent or the aggrieved person or any other person making the complaint on behalf of the aggrieved person produced false or forged or misleading documents to prove his / her case, the I.C.C. may recommend action to be taken against the person who has made the complaint, including termination of service. A similar recommendation for taking action would be recommended against any witness whom the I.C.C. concludes that he / she has given false evidence or produced forged or misleading documents.
- c. It is to be noted that this statement is not intended to discourage associates from coming forward with any complaints. SecureKloud Technologies recognizes and expects that some claims may be difficult to prove or support or may not in fact be found to raise to the level of seriousness deemed necessary to constitute Sexual Harassment. These types of complaints will not be false accusations.

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Awareness

- a. All the Associates, Customers, Vendors, Partners and Visitors shall have access to this Policy at any given point of time and clarification related to this Policy shall be addressed by the Team H.R.
- b. A brief shall be given to all existing associates regarding the features of this Policy immediately on formulation of the Policy and to new associates in SecureKloud Technologies during their initial Induction.
- c. Company shall also display conspicuously at the workplace, the penal consequences of indulging in acts that may constitute sexual harassment and the composition of the I.C.C.

Protection to Complainant / Victim

The Company is committed to ensuring that no associate who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action.

The Company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

Confidentiality

The Company 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.

Access to Reports and Documents

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

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Responsibility of Associates

The below is only an indicative list of basic Do's & Don'ts and is not to be construed as an exhaustive list.

Do's

- Know SecureCloud Technologies Anti-Sexual Harassment Policy.
- Be aware of inappropriate behaviors and avoid the same.
- Say "NO" if asked to go to places, do things or participate in situations that make you uncomfortable.
- Trust your instincts. Walk away from uncomfortable situations.
- Say "NO" to offensive behavior as soon as it occurs.
- Refrain from taking discriminatory actions or decisions which are contrary to the spirit of this policy.
- Maintain confidentiality regarding any aspect of an inquiry to which they may be party to.

Don'ts

Verbal Harassment

- Sexually suggestive comments or comments on physical attributes.
- Offensive language that insults or demeans a colleague, using terms of endearment.
- Singing or humming vulgar songs.
- Requests for sexual favors, sexual advances, coerced acts of a sexual nature.
- Requests for dates or repeated pressure for social contact.
- Discussing sexual activities, sexual prowess or intruding on the privacy of an associates.
- Sexually colored propositions, insults, or threats.
- Graffiti in the office premises.

Non-verbal harassment

- Offensive gestures, staring, leering, or whistling with the intention to discomfort another.
- Even if not directly done to a particular individual, uttering a word, making a gesture, or exhibiting any object with the intention that such word, gesture, or object be heard or seen by associates.
- Sounds, gestures, display of offensive books, pictures, cartoons, magazines, calendars, or derogatory written materials at one's workplace.
- Showing or mailing pornographic posters, Internet sites, cartoons, drawings.
- Suggestive letters, phone calls, SMS, electronic instant messaging, or e-mail messages.

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Physical harassment

- Physical contact or advances.
- Intentional touching of the body e.g. Hugs, kisses, brushing, pinching that make others uncomfortable.
- Any displays of affection that make others uncomfortable or are inappropriate at the workplace.

General Instructions

- Any information relating to conciliation and inquiry proceedings, recommendations of the Committee and the action taken shall not be published, communicated, or made known to the public, press / media in any manner.
- Where any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action to be taken, contravenes, he / she shall be liable for action as per the company's disciplinary policy.

Approving Authority

Any exceptions or deviations or revision must be approved by recommended by the I.C.C. and approved by the Executive Vice President of the company before such an exception on deviation is made. Any revision of this policy must also be approved by the Executive Vice President before it becomes effective. Any question of interpretation or applicability of any aspect of this policy will be settled by the Head of the Human Resource Department.

The above policy supersedes all existing systems and procedures prevailing in the organization and this comes into effect from 29-Mar-21.

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ANNEXURE – A

Composition of Internal Complaints Committee – Chennai

Sl. No	Name	Designation	Membership
1	Geetha S	Director – Marketing	Presiding officer
2	Asha Shyam	Consultant – Technical Writer	Member
3	Jayakumar K	Director	Member
4	Sriram S	Program Manager	Member
5	Vijayasree Mahadevan	N.G.O. Member	External N.G.O. Rep.
6	Cynthia V	Assistant Manager – H.R.	Facilitator

Type of Records	Nature of Records	Retention	Department
Written Complaint	Hard copy	2 Years	Human Resource
Explanation Letter	Hard copy	2 Years	Human Resource
Investigation Report	Hard copy	2 Years	Human Resource