Mangrove Foundation of India

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MANGROVE FOUNDATION OF INDIA

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PREVENTION OF SEXUAL HARASSMENT (POSH) POLICY

In accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

Document Control

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1. POLICY STATEMENT

Mangrove Foundation of India (MFI) is committed to providing a workplace where every individual is treated with dignity, respect and fairness and where employees and other persons associated with MFI can work without fear of sexual harassment.

MFI has **zero tolerance for sexual harassment** and shall take reasonable and appropriate measures to prevent sexual harassment, create awareness, provide safe reporting mechanisms, and address complaints fairly and confidentially.

MFI shall comply with applicable requirements under Indian law relating to prevention, prohibition and redressal of sexual harassment at the workplace, including the **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**, and applicable rules, as amended or replaced from time to time.

Where a statutory requirement differs from this policy, the applicable law shall prevail.

2. PURPOSE

The objectives of this policy are to:

1. prevent sexual harassment at the workplace;
2. establish clear standards of professional behaviour;
3. create awareness regarding sexual harassment;
4. provide a safe and accessible mechanism for complaints;
5. establish the role and responsibilities of the Internal Committee;
6. ensure fair and impartial inquiry;
7. protect complainants, respondents and witnesses from retaliation;
8. maintain appropriate confidentiality;
9. provide appropriate interim measures where necessary;
10. ensure timely resolution of complaints;
11. establish appropriate consequences for substantiated misconduct; and
12. promote a respectful and inclusive workplace culture.

3. SCOPE

This policy applies to all persons associated with MFI, including, as applicable:

- permanent employees;
- temporary employees;
- contractual employees;
- part-time employees;
- consultants;
- interns;
- fellows;
- apprentices;

- volunteers;
- trustees and Board members;
- project staff;
- field staff;
- community outreach personnel;
- secondees;
- service providers;
- contractors;
- vendors;
- visitors; and
- other persons interacting with MFI in a work-related context.

The policy shall apply irrespective of:

- employment status;
- designation;
- seniority;
- gender;
- sexual orientation;
- age;
- disability;
- religion;
- social background;
- location; or
- work arrangement.

The statutory complaint mechanism under the POSH Act applies to the persons and circumstances covered by the applicable law. MFI may also take appropriate action under its Code of Conduct or other policies where conduct falls outside the statutory POSH framework but violates organisational standards.

4. APPLICABLE WORKPLACE

For purposes of this policy, the workplace shall be interpreted broadly and, subject to applicable law, may include:

- MFI offices;
- project offices;
- field locations;
- community programme sites;
- training venues;
- conferences;
- workshops;

- meetings;
- official travel;
- accommodation arranged for official travel;
- vehicles used for official purposes;
- work-related social events;
- partner premises when employees are performing official duties;
- online meetings;
- work-related messaging platforms;
- email and other digital communication; and
- other locations or situations connected with employment or official work.

Sexual harassment may therefore occur physically, verbally, visually, electronically or through other forms of communication.

5. DEFINITIONS

5.1 Sexual Harassment

Sexual harassment includes any unwelcome act or behaviour of a sexual nature, whether directly or indirectly, including conduct recognised under applicable law.

Examples may include:

- unwelcome physical contact or advances;
- demand or request for sexual favours;
- sexually coloured remarks;
- showing pornography or sexually explicit material;
- unwelcome sexual comments;
- repeated comments about a person's body or appearance;
- unwelcome sexual jokes;
- sexual messages or images;
- inappropriate touching;
- persistent unwanted invitations or advances;
- sexually suggestive communication;
- intrusive questions about a person's private or sexual life;
- unwanted staring or gestures of a sexual nature;
- sending sexually explicit content;
- inappropriate online communication; or
- any other unwelcome conduct of a sexual nature covered by applicable law.

The determination of whether conduct constitutes sexual harassment shall be made in accordance with applicable law and the circumstances of the case.

5.2 Complainant

A complainant is a person who alleges that they have been subjected to sexual harassment.

Under the POSH Act, the statutory definition and eligibility requirements applicable to a complaint shall apply.

5.3 Respondent

The respondent is the person against whom a complaint has been made.

5.4 Internal Committee

The Internal Committee ("IC") means the committee constituted by MFI in accordance with applicable law for receiving and addressing complaints of sexual harassment.

5.5 Employer

For purposes of the applicable law, the employer shall be interpreted in accordance with the relevant statutory framework and MFI's organisational structure.

6. GUIDING PRINCIPLES

MFI shall handle POSH matters according to the following principles:

6.1 Dignity and Respect

Every person shall be treated with dignity and respect.

6.2 Zero Tolerance

Sexual harassment is unacceptable regardless of the position or seniority of the person involved.

6.3 Fairness

Complaints shall be considered fairly and without predetermined conclusions.

6.4 Impartiality

The Internal Committee shall act independently and impartially.

6.5 Confidentiality

Information concerning complaints and inquiries shall be handled confidentially to the extent required by law.

6.6 Non-Retaliation

Retaliation against complainants, witnesses or other participants acting in good faith is prohibited.

6.7 Natural Justice

The respondent shall be given a reasonable opportunity to respond to allegations and participate in the inquiry in accordance with applicable law.

6.8 Timeliness

Complaints shall be addressed within the timelines prescribed by applicable law and organisational procedures.

6.9 Survivor/Complainant Sensitivity

MFI shall seek to minimise unnecessary distress, exposure and repetition of the complainant's account.

7. PREVENTION OF SEXUAL HARASSMENT

MFI shall take reasonable steps to prevent sexual harassment through:

- dissemination of this policy;
- awareness programmes;
- employee induction;
- periodic training;
- communication of reporting channels;
- appropriate workplace practices;
- visible information regarding the Internal Committee;
- leadership commitment;
- appropriate action on substantiated misconduct; and
- periodic review of workplace risks.

8. RESPONSIBILITIES OF MFI

MFI shall, as applicable:

13. provide a safe working environment;
14. display information concerning the POSH policy and Internal Committee;
15. constitute the Internal Committee where required by law;
16. provide appropriate facilities and support to the Internal Committee;
17. organise awareness and training programmes;
18. provide a mechanism for making complaints;
19. maintain appropriate confidentiality;
20. assist the Internal Committee in conducting inquiries;
21. take appropriate action based on findings;
22. protect persons from retaliation;
23. maintain relevant records;
24. comply with applicable statutory reporting requirements; and
25. periodically review the effectiveness of POSH measures.

9. INTERNAL COMMITTEE

9.1 Constitution

Where required under applicable law, MFI shall constitute an Internal Committee in accordance with the statutory requirements.

The constitution, composition, eligibility and tenure of members shall comply with applicable law.

9.2 Composition

Subject to applicable law, the Internal Committee should include:

- a senior woman employee as Presiding Officer;
- other members from among employees who meet applicable requirements; and
- an external member from an appropriate organisation, association or person familiar with issues relating to sexual harassment, as required by law.

The actual composition shall be documented in the formal constitution order.

9.3 Independence

The Internal Committee shall be provided reasonable independence and resources to perform its responsibilities.

9.4 Term

The tenure of members shall be in accordance with applicable law.

9.5 Vacancy

Where a member leaves, becomes ineligible or is otherwise unable to serve, MFI shall appoint a replacement in accordance with applicable requirements.

10. RESPONSIBILITIES OF THE INTERNAL COMMITTEE

The Internal Committee shall, as applicable:

- receive complaints;
- assess whether a complaint falls within its jurisdiction;
- explain the complaint process;
- provide appropriate procedural information;
- facilitate conciliation where legally permissible and requested;
- conduct inquiries;
- provide both parties a fair opportunity to present their case;
- review relevant evidence;
- call persons/witnesses where appropriate;
- examine documents;
- maintain appropriate records;
- recommend appropriate action;
- recommend interim measures where appropriate;
- protect confidentiality;
- monitor compliance with recommendations; and
- prepare statutory reports where required.

The Internal Committee shall not act as an advocate for either party.

11. MAKING A COMPLAINT

11.1 Written Complaint

A complaint should ordinarily be made in writing to the Internal Committee within the period prescribed by applicable law.

The complaint may be submitted through:

- physical written complaint;
- official email;
- designated complaint form; or
- another accessible mechanism established by MFI.

POSH Complaint Email: *[POSH Email ID]*

Presiding Officer: *[Name and Designation]*

Office Address: *[Address]*

11.2 Assistance in Writing a Complaint

Where a complainant is unable to prepare a written complaint, reasonable assistance should be provided to document the complaint, consistent with applicable law.

11.3 Information in a Complaint

Where possible, a complaint should include:

- name of complainant;
- contact details;
- name of respondent, where known;
- description of the incident(s);
- date/time;
- location;
- relevant communications;
- names of witnesses, if known;
- supporting documents; and
- other relevant information.

A complainant should not be required to provide information that is not reasonably available to them.

12. COMPLAINTS INVOLVING SENIOR MANAGEMENT OR BOARD MEMBERS

Where the respondent is:

- a senior management member;
- CEO/Executive Director;
- Trustee;
- Board member;
- senior office bearer; or
- a person who could create a conflict for the Internal Committee,

appropriate safeguards shall be established to protect the independence of the process.

A person who has a conflict of interest shall not participate in the relevant proceedings.

Where required, MFI shall seek appropriate independent legal or procedural support.

13. COMPLAINTS INVOLVING THE INTERNAL COMMITTEE

If a complaint concerns a member of the Internal Committee, that member shall disclose the conflict and shall not participate in the matter where such participation would compromise impartiality.

The organisation shall make appropriate arrangements consistent with applicable law.

14. ANONYMOUS COMPLAINTS

MFI may receive anonymous information or complaints.

However, the statutory inquiry process may require identification of the complainant and compliance with applicable procedural requirements.

Anonymous information may nevertheless be considered for preventive action, risk assessment or organisational intervention where appropriate.

15. PRELIMINARY ASSESSMENT

Upon receiving a complaint, the Internal Committee shall assess:

- whether the complaint falls within its jurisdiction;
- whether the alleged conduct may constitute sexual harassment;
- whether immediate safety concerns exist;
- whether interim measures may be appropriate;
- whether there are conflicts of interest;
- whether additional information is required; and
- what procedural steps are required under applicable law.

A preliminary assessment shall not be treated as a final finding.

16. CONCILIATION

Where permitted by applicable law, a complainant may request conciliation before commencement of a formal inquiry.

Any conciliation process shall:

- be voluntary;
- not be forced upon the complainant;
- comply with applicable law;
- be appropriately documented; and
- not involve monetary settlement where prohibited by law.

Where a settlement is reached, the Internal Committee shall deal with it in accordance with applicable statutory requirements.

17. FORMAL INQUIRY

Where a formal inquiry is required, the Internal Committee shall conduct the inquiry in accordance with applicable law and principles of natural justice.

The inquiry may include:

26. providing the respondent with the allegations;
27. allowing the respondent an opportunity to respond;
28. reviewing relevant documents;
29. considering witness statements;
30. examining electronic communications;
31. allowing parties to present relevant information;
32. asking appropriate questions;
33. maintaining inquiry records; and
34. preparing findings based on the evidence available.

The Internal Committee shall avoid unnecessary delay.

18. PRINCIPLES OF NATURAL JUSTICE

The inquiry should provide:

- notice of allegations;
- reasonable opportunity to respond;
- impartial decision-makers;
- consideration of relevant evidence;
- reasonable opportunity to present relevant information;
- protection from intimidation; and
- a reasoned outcome based on the evidence.

Neither the complainant nor respondent shall be presumed to have established their case merely because a complaint has been made or denied.

19. EVIDENCE

Relevant evidence may include:

- written communications;
- email;
- text messages;
- messaging applications;
- photographs;

- video;
- audio, where lawfully available;
- documents;
- workplace records;
- attendance records;
- travel records;
- witness statements; and
- other relevant information.

The Internal Committee shall determine relevance and admissibility in accordance with applicable requirements.

20. DIGITAL AND ONLINE HARASSMENT

Sexual harassment may occur through digital platforms, including:

- email;
- messaging applications;
- video conferencing;
- social media;
- workplace collaboration platforms;
- SMS;
- digital images;
- inappropriate comments; or
- other electronic communications.

The fact that conduct occurs online does not by itself remove it from the scope of this policy where it is connected with the workplace or official work.

21. INTERIM MEASURES

Where appropriate and subject to applicable law, MFI may take interim measures during an inquiry, including:

- changing reporting arrangements;
- changing work location;
- temporary reassignment;
- granting leave where legally appropriate;
- restricting direct contact;
- modifying work schedules;
- providing safety measures; or
- other reasonable measures.

Interim measures should not be used as punishment before findings are reached.

22. CONFIDENTIALITY

All persons involved in a POSH matter shall maintain confidentiality to the extent required by law.

Confidential information may include:

- identity of complainant;
- identity of respondent;
- witness details;
- statements;
- evidence;
- inquiry proceedings;
- recommendations;
- outcomes; and
- other sensitive information.

Information shall be disclosed only to persons who are legally entitled or legitimately required to receive it.

23. NON-RETALIATION

MFI prohibits retaliation against a person because they:

- made a complaint in good faith;
- participated in an inquiry;
- provided evidence;
- served as a witness;
- assisted a complainant; or
- otherwise participated legitimately in the process.

Retaliation may include:

- threats;
- intimidation;
- adverse treatment;
- inappropriate work-related pressure;
- exclusion intended as punishment;
- harassment;
- unjustified adverse employment action; or
- other retaliatory conduct.

Alleged retaliation shall be addressed promptly.

24. PROTECTION OF THE RESPONDENT

MFI shall also ensure that the respondent:

- is treated with dignity;
- receives information required under the applicable process;

- has an opportunity to respond;
- is protected from harassment or intimidation;
- is not presumed guilty solely because a complaint has been made; and
- receives a fair process.

This does not prevent MFI from taking legitimate interim protective measures.

25. WITNESS PROTECTION

Persons providing information or evidence should be protected from intimidation and retaliation.

Witnesses should be informed that:

- information must be truthful;
- confidentiality should be maintained;
- retaliation is prohibited; and
- interference with the inquiry is unacceptable.

26. MALICIOUS OR FALSE COMPLAINTS

MFI recognises that a complaint that cannot be substantiated is not necessarily false or malicious.

Action concerning a knowingly false or malicious complaint shall be considered only where there is sufficient evidence that the complaint or evidence was deliberately fabricated or submitted in bad faith and in accordance with applicable law.

A complainant shall not be penalised merely because the allegation could not be established.

27. OUTCOME OF INQUIRY

Following the inquiry, the Internal Committee shall prepare its findings and recommendations in accordance with applicable law.

Possible outcomes may include:

- finding that the allegation is not established;
- finding that the allegation is established;
- recommendation for disciplinary action;
- workplace corrective measures;
- counselling or training;
- changes to workplace practices;
- other action permitted by law and organisational policy.

The outcome shall be based on the evidence and applicable legal standards.

28. DISCIPLINARY ACTION

Where misconduct is established, appropriate action may be taken in accordance with:

- applicable law;
- employment terms;
- MFI's disciplinary procedures; and
- the seriousness of the misconduct.

Depending on the circumstances, disciplinary measures may include:

- written warning;
- formal reprimand;
- mandatory training;
- counselling;
- change of responsibilities;
- suspension where legally permissible;
- termination where legally permissible; or
- other appropriate action.

Any action shall follow due process and applicable law.

29. COMPLAINTS AGAINST NON-EMPLOYEES

Where a complaint involves:

- vendor personnel;
- consultants;
- contractors;
- partners;
- community representatives;
- visitors; or
- other external persons,

MFI shall take appropriate action within its authority and may:

- restrict access to MFI premises;
- notify the relevant organisation;
- modify the working arrangement;
- suspend engagement where appropriate;
- take contractual action; or
- refer the matter to the appropriate authority where required.

30. COMPLAINTS INVOLVING FIELD AND COMMUNITY SETTINGS

Because MFI may operate in field and community environments, special attention shall be given to situations involving:

- field visits;

- community meetings;
- conservation sites;
- project camps;
- travel;
- accommodation;
- community mobilisation;
- training programmes; and
- interaction with local stakeholders.

MFI shall establish appropriate professional boundaries for field personnel and shall communicate reporting channels to programme staff.

31. THIRD-PARTY AND PARTNER RESPONSIBILITIES

Where MFI engages partners, contractors or service providers, relevant agreements may include requirements relating to:

- prevention of sexual harassment;
- safeguarding;
- professional conduct;
- reporting of serious incidents;
- cooperation with investigations; and
- compliance with applicable law.

32. TRAINING AND AWARENESS

MFI shall undertake appropriate awareness initiatives.

Training may cover:

- meaning of sexual harassment;
- examples of inappropriate conduct;
- workplace rights and responsibilities;
- reporting channels;
- role of the Internal Committee;
- confidentiality;
- non-retaliation;
- digital harassment;
- fieldwork considerations; and
- prevention strategies.

The organisation should maintain records of training and awareness activities.

33. POSH INFORMATION DISPLAY

34. ANNUAL REPORTING AND STATUTORY COMPLIANCE

MFI shall comply with applicable statutory reporting and record-keeping requirements relating to POSH.

The Internal Committee shall maintain appropriate records and prepare reports required by applicable law.

Where annual reporting is required, MFI shall ensure timely submission to the relevant authority.

35. RECORD KEEPING

The Internal Committee shall maintain appropriate records of:

- complaints received;
- dates of complaints;
- inquiry proceedings;
- evidence;
- notices/communications;
- recommendations;
- actions taken;
- annual reports; and
- other documents required by law.

Records shall be stored securely with appropriate access restrictions.

36. DATA PROTECTION

Information relating to POSH complaints is highly sensitive.

MFI shall take reasonable measures to protect such information from:

- unauthorised access;
- unauthorised disclosure;
- alteration;
- loss;
- destruction; or
- inappropriate use.

Digital records shall be appropriately secured.

37. COMMUNICATION WITH MEDIA AND EXTERNAL PARTIES

No employee, trustee or other representative shall publicly disclose confidential information relating to a POSH complaint unless legally authorised or required.

Media enquiries shall be directed to the authorised MFI spokesperson.

38. ROLE OF MANAGEMENT

Management shall:

- support implementation of the policy;
- provide resources to the Internal Committee;
- facilitate training;
- maintain a safe workplace;
- protect confidentiality;
- implement recommendations appropriately;
- prevent retaliation;
- maintain required records; and
- report significant systemic concerns to the appropriate governance authority.

39. ROLE OF EMPLOYEES

Employees are expected to:

- maintain professional conduct;
- respect colleagues;
- avoid unwelcome sexual conduct;
- cooperate with legitimate inquiries;
- maintain confidentiality;
- report concerns appropriately; and
- avoid retaliation or interference.

40. ROLE OF THE BOARD

The Board/Governing Body shall provide appropriate oversight to ensure that MFI maintains a functioning POSH framework.

The Board shall not interfere improperly in individual inquiries.

Where a complaint concerns a Trustee or senior governance officer, appropriate independent mech

41. POSH COMMITEE

Role	Requirement	Notes	Institution Name
Presiding Officer	Senior woman employee	Sri Devi	MFI
Internal Members	At least 2 employees	1,Ruby 2) Mupasara 3) Abdulrahman 4) Riyas	MFI
External Member	1 Mandatory	1) MunniKrishna	NYSS

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