

University of Southampton Delhi (UoSD)

Prevention of Sexual Harassment (POSH) of Women at the Workplace & Equality Policy

1. Introduction

Below is a comprehensive employee sexual harassment policy suitable for a university environment, structured to align with both Indian legal requirements (especially the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 — “POSH Act”) and UK legal expectations (under the Equality Act 2010 and related employer duties to prevent workplace sexual harassment). The policy can be adapted for use in university HR manuals, employee handbooks, or university governance documentation

This policy has been framed in accordance with the provisions of “” and rules framed thereunder (hereinafter “the Act”) and **UK legal expectations** (under the Equality Act 2010. Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail.

University of Southampton Delhi is committed to providing a place of work that is free from sexual harassment and all forms of intimidation or exploitation. University of Southampton Delhi shall provide healthy working environment that enables employees to work without fear of prejudice, gender bias, sexual harassment and all forms of intimidation or exploitation. University of Southampton Delhi believes that all stakeholders, irrespective of their gender, have the right to be treated with dignity. All employees are expected to uphold the highest standards of ethical conduct at the workplace and in all their interactions with business stakeholders. This means that employees have a responsibility to.

- Treat each other with dignity and respect.
- Follow the law in letter and spirit. (India and UK).
- Refrain from any unwelcome behaviour that has sexual connotation (of sexual nature).
- Refrain from creating hostile atmosphere at workplace via sexual harassment.
- Report sexual harassment experienced and/or witnessed to appropriate authorities and abide by the complaint handling procedure of the company.

2. Objectives

This policy is to set the expectations of conduct and mutual respect at the workplace with regard to prevention of sexual harassment. It will provide process of inquiry and complaint redressal if these expectations are not met or are violated.

To clearly establish that University of Southampton Delhi is committed to creating a work environment free from all forms of discrimination and conduct which can be considered harassing, coercive, or disruptive, including sexual harassment.

To identify a workable definition of sexual harassment in the workplace, explain the process of complaint if sexual harassment occurs and emphasize that anyone engaging in harassing conduct will be subject to disciplinary action ranging from a warning to termination of service or legal action.

To outline the duties, responsibilities and rights of various stakeholders involved in the process.

3. Definitions

1. **“Aggrieved woman”** means in relation to 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;
2. **‘Act’** means the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013);
3. **“campus”** means the location or the land on which a Higher Educational Institution and its related institutional facilities like libraries, laboratories, lecture halls, residences, halls, toilets, student centres, hostels, dining halls, stadiums, parking areas, parks-like settings and other amenities like health centres, canteens, Bank counters, etc., are situated and also includes extended campus and covers within its scope places visited as a student of the HEI including transportation provided for the purpose of commuting to and from the institution, the locations outside the institution on field trips, internships, study tours, excursions, short-term placements, places used for camps, cultural festivals, sports meets and such other activities where a person is participating in the capacity of an employee or a student of the HEI;
4. **“covered individuals”** are persons who have engaged in protected activity such as filing a sexual harassment charge, or who are closely associated with an individual who has engaged in protected activity and such person can be an employee or a fellow student or guardian of the offended person;
5. **“employee”** means a person as defined in the Act and also includes, for the purposes of these Regulations trainee, apprentice (or called by any other name), interns, volunteers, teacher assistants, research assistants, whether employed or not, including those involved in field studies, projects, short-visits and camps;
6. **“Executive Authority”** means the chief executive authority of the HEI, by whatever name called, in which the general administration of the HEI is vested. For public funded institutions the Executive Authority means the Disciplinary Authority as indicated in Central Civil Services (Classification, Control and Appeal) Rules, 1965 or its equivalent rules;
7. **“Higher Educational Institution” (HEI)** means a university within the meaning of clause (j) of section 2, a college within the meaning of clause (b) of sub-section (1) of section 12A and an institution deemed to be a University under section 3 of the University Grants Commission Act, 1956 (3 of 1956);
8. **“Internal Committee” (IC)** means Internal Complaints Committee to be constituted by an HEI under sub regulation (1) of regulation 4 of these regulations. Any existing body already functioning with the same objective (like the Gender Sensitization Committee Against Sexual Harassment (GSCASH)) should be reconstituted as the IC;

4. Policy Definitions:

India:

Based on the **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (“POSH Act”)**, and related rules and regulations.

Intent: to prevent, prohibit, and provide recourse against workplace sexual harassment, including through an **Internal Committee (IC)**.

The law requires training, preventive mechanisms, and redressal procedures covering all workers and employees with an emphasis on protection of women

Complainant / Aggrieved Person:

Refers to any Aggrieved Woman or aggrieved person / any complainant as defined under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, including a woman of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment at the workplace.

For the purpose of this policy, this shall include:

- i. Employees (permanent, temporary, contractual, trainees, interns, consultants);
- ii. Students, research scholars, and academic participants.
- iii. Any woman visiting or associated with the organisation, including vendors, service providers, or third parties;
- iv. Any individual covered under the definition of employee or worker as per the Equality Act 2010 (UK), where applicable.

The term also extends to complaints arising within the workplace, which shall include the organisation's premises, campuses, offices, virtual/digital work environments, transportation provided by the employer, and any place visited in the course of employment or engagement.

For clarity, Employer, Employee, Workplace, and Campus shall be interpreted in accordance with the definitions provided under the POSH Act, along with applicable institutional policies.

UK:

- i. Sexual harassment is unlawful under the **Equality Act 2010** and employers have a legal duty to take **reasonable steps to prevent sexual harassment** of workers.
- ii. The **Worker Protection (Amendment of Equality Act 2010) Act 2023** imposes a positive duty on employers to prevent sexual harassment, not just respond to it.
- iii. UK guidance emphasises risk assessment, prevention, clear complaint mechanisms, and training.

This Policy integrates key expectations from both jurisdictions and university best practice.

- a) Complainant Employee: Refers to any woman employee (as per section 2(a) of SHWW Act) or any member of staff under the UK Equality Act (2010) who has lodged a complaint of sexual harassment at workplace and has been subjected to any act of sexual harassment by another employee (hereinafter referred to as 'respondent').
- b) Respondent: A person against whom the aggrieved party has made the complaint.
- c) Employee: A person employed at a workplace for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with or, without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a coworker, a contract worker, probationer, trainee, apprentice or called by any other such name.
- d) Company: Any person responsible for the management, supervision and control of the workplace and the person discharging contractual obligations with respect to his/her employees.
- e) District Officer: Officer designated by the Government to exercise power or discharge functions under the Sexual Harassment of Women at Workplace Act 2013.

"Workplace" means the campus of a HEI, including-

- i. any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the appropriate HEI's ;
- ii. Any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereof in HEIs;

- iii. any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey for study in HEIs..
- f) Sexual Harassment: The following behaviors are considered inappropriate within University of Southampton Delhi's working environment and are liable for disciplinary action and legal action if necessary:
 - i. Unwelcome sexual advances involving verbal, non-verbal or physical conduct, implicit or explicit.
 - ii. Physical contact and advances.
 - iii. Demand or request for sexual favors;
 - iv. Sexually coloured remarks, including but not limited to vulgar/ indecent jokes, letters, phone calls, text messages, e-mails, gestures, etc.
 - v. Showing pornography or the likes.
 - vi. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
 - vii. Physical contact and advances such as touching, stalking, sounds which have explicit and/or implicit sexual connotation/ overtones, molestation, etc.
 - viii. Display of pictures, signs, etc. with sexual nature/ connotation/overtone in the work area and work-related areas.
 - ix. Verbal or non-verbal communication which offends the individual's sensibilities and affect her/his performance and has sexual connotation/ overtone/ nature.
 - x. Teasing, innuendos and taunts, physical confinement and/or touching against one's will and likely to intrude upon one's privacy.

The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:

- i) Implied or explicit promise of preferential treatment in the employment.
- ii) Implied or explicit threat or detrimental treatment in the employment.
- iii) Implied or explicit threat about the present or future employment status.
- iv) Interference with the work or creating an intimidating or offensive or hostile work environment.
- v) Humiliating treatment likely to affect health or safety. An alleged act of Sexual Harassment committed during or outside of office hours falls under the purview of this policy.

Any conduct violating dignity or creating a degrading atmosphere whether in person or online.
(Aligned with both Indian and UK definitions of harassment.)

5. Institutional Structures:

A. India: Internal Committee (IC)

- i. Constituted in line with the POSH Act with an external member and trained representatives.
- ii. Responsibilities include receiving complaints, conducting inquiries, recommending action, and ensuring awareness.
- iii. The IC should be publicised and contact details shared with all employees and students.

B. UK: University Reporting & Support Structure

- i. A designated **Harassment Response Officer / HR** or equivalent body to manage reports and investigations.
- ii. Confidential support, counselling referrals, and academic/staff support services available to complainants.
- iii. Mechanisms to handle complaints of sexual harassment by staff, students, or third

parties.

6. Purpose & Scope

This guideline takes complete cognisance of the latest legislation by the Government of India “The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act 2013 and UK legal expectations (under the Equality Act 2010) and its rules notification published. This Act is to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for the matters connected herewith or incidental thereto. As noted above the Equality Act (2010) is also a guiding document and refers to all staff and the nine protected characteristics of which this policy uses as guiding principles.

This guideline is applicable to.

- All Fulltime employees of University of Southampton Delhi
- All temporary employees, contract employees, trainees, service providers and visitors to the office/workplace premises, including visiting staff from UoSD and UoS

This Policy aims to:

- Create and maintain a safe, respectful, and inclusive workplace and academic environment for all employees and students free from sexual harassment, abuse of power, discrimination and victimisation.
- Comply with applicable legal frameworks in India and the United Kingdom, and applicable university regulations on sexual harassment.
- All employees (teaching, non-teaching, research staff, contract workers) and students in their interactions with employees.
- Interactions within campus, at institutional events, fieldwork, online forums/communication relating to university activities, and during any work/study-related travel.

This Policy applies to:

- All employees (teaching, non-teaching, research staff, contract workers) and students in their interactions with employees.
- Interactions within campus, at institutional events, fieldwork, online forums/communication relating to university activities, and during any work/study-related travel.

7. Key Legal References:

This Policy integrates key expectations from both India and the UK:

➤ **India:**

- Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules (POSH Act). [Sexual Harassment of Women at Workplace \(Prevention, Prohibition, and Redressal\) Act, 2013\(SH Act, 2013\) | Department of Women and Child Development](#)

Intent: to prevent, prohibit, and provide recourse against workplace sexual harassment, including through an **Internal Committee (IC)**.

The law requires training, preventive mechanisms, and redressal procedures covering all workers and employees with an emphasis on protection of women

➤ **United Kingdom:**

- Equality Act 2010 — unlawful discrimination & harassment protections.

Commented [NG1]: Its IC (Internal Committee) after the Amendment to the Act.

- Worker Protection (Amendment of Equality Act 2010) Act 2023 — preventative duties.
- EHRC Guidance on preventing and handling sexual harassment at work.

8. Redressal Mechanism

In compliance with the Act, any complaint under this policy shall be followed by a formal redressal mechanism as described in this Policy.

Reporting & Investigation Procedures:

- In urgent or criminal situations, complainants may also notify police, and additional legal measures can be pursued concurrently (India: POSH & IPC provisions; UK: police or tribunal complaints).
- **Investigation Process:** Complaints will be investigated impartially, within defined timelines set in institution rules.
- **Interim Measures:** Possible interim transfers, leave, changes in duties, or no-contact orders during investigation if necessary.

8.1. Internal Complaints Committee

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, Internal Complaints Committees (IC) have been appointed for all administrative units / offices of University of Southampton Delhi.

The detail of the committee is notified to all covered persons at the location (workplace). The committee at each location comprises of:

1. Presiding Officer: A woman employed at a senior level in the organization or workplace
2. At least 2 members from amongst employees, committed to the cause of women or who have had experience of social work or have legal knowledge.
3. One external member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment
4. At least one half of the total members nominated being women.

The committee will be responsible for:

- Receiving complaints of sexual harassment at the workplace
 - Initiating and conducting inquiry as per the established procedure
 - Submitting findings and recommendations of inquiries
 - Coordinating with the employer in implementing appropriate action
 - Maintaining strict confidentiality throughout the process as per established guidelines
 - Submitting annual reports in the prescribed format
- **Refer: Annexure 1 (IC Committee members details)**

8.2. Lodging a Complaint

An aggrieved woman or any staff member or any complainant may make, in writing, a complaint of sexual harassment at workplace to the Internal Committee within a period of 3 months from the date of incident/ last incident.

The Internal Committee can extend the timeline by another 3 months for reasons recorded in

writing, if satisfied that these reasons prevented the lodging of the complaint within the period. Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Complaint Committee shall render all reasonable assistance to the women for making the complaint in writing.

1. If the Aggrieved staff member is unable to make a complaint on account of her physical incapacity, a complaint may be filed by.
 - i. her relative or friend; or
 - ii. her co-worker; or
 - iii. an officer of the National Commission for Women or State Women's Commission; or
 - iv. any person who has knowledge of the incident, with the written consent of the Aggrieved Staff Member
2. If the Aggrieved Staff Member is unable to make a complaint on account of her mental incapacity, a complaint may be filed by.
 - i. her relative or friend; or
 - ii. a special educator; or
 - iii. a qualified psychiatrist or psychologist; or
 - iv. the guardian or authority under whose care she is receiving treatment or care; or
 - v. any person who has knowledge of the incident jointly with the AggrievedStaff member's relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care
3. If the Aggrieved staff member for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with her written consent.
4. If the Aggrieved staff member is deceased, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.

The complaint shall be submitted by the complainant to the IC in writing or shall be submitted to the IC electronically at **icc.uosd@soton.ac.uk**. The complaint can also be physically submitted to any IC member.

8.3. Receiving a Complaint (Guidelines)

Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed and it requires tact and discretion while receiving the complaint.

The following points are to be kept in mind by the receiver of the complaint:

- i. All complaints must be received with sensitivity and seriousness. The complainant

should be assured that the University of Southampton Delhi takes such concerns seriously and that the matter will be reported to the appropriate committee for prompt and appropriate action.

- ii. The receiver must avoid any pre-judgment of the situation. Detailed written notes should be taken during the interaction, capturing the complainant's account as accurately as possible, preferably in their own words. A clear, factual, and concise description of the incident(s) should be prepared and subsequently validated with the complainant.
- iii. All records and notes must be maintained with strict confidentiality. Prior consent of the complainant should be obtained before proceeding with a formal investigation.
- iv. The complainant should be informed that while confidentiality will be maintained to the extent possible, the respondent will need to be notified, and individuals directly involved in the investigation process (including witnesses) may become aware of the complainant's identity. Due care must be taken to ensure that neither the complainant nor the respondent is subjected to any form of disadvantage, bias, or victimisation.
- v. In cases where the interaction or meeting is conducted through electronic means, appropriate records may be maintained, including video recording, with the prior knowledge and consent of the complainant, ensuring adherence to confidentiality and data protection requirements..

8.4. Resolution procedure through conciliation

- i. Upon receipt of a complaint and prior to initiating a formal inquiry, the Committee may, at the **written request of the aggrieved person**, attempt conciliation between the complainant and the respondent.
- ii. Conciliation shall be undertaken strictly on a voluntary basis. No monetary settlement shall be made as a basis of conciliation.
- iii. The Committee must ensure that the request for conciliation is made without any coercion, undue influence, intimidation, or pressure from any party, including supervisors, management, or members of the Committee. The complainant shall be informed of their right to withdraw from conciliation at any stage and opt for a formal inquiry.
- iv. In situations where there is any indication of coercion, power imbalance, or lack of free consent, the Committee shall decline or discontinue conciliation and proceed with a formal inquiry in accordance with the prescribed procedure.
- v. Where a settlement is arrived at through conciliation, the Committee shall record the terms of settlement and submit the same to the Employer for appropriate action. No further inquiry shall be conducted in such cases unless the terms of settlement are not complied with. The committee shall provide copies of the settlement to complainant & respondent. Where a settlement is arrived at, no further inquiry is to be conducted by the committee.

8.5. Resolution procedure through formal inquiry

The committee will initiate inquiry in the following cases:

- No conciliation is requested by aggrieved Staff Member
- Conciliation has not resulted in any settlement
- Complainant informs the committee that any term or condition of the settlement arrived through conciliation, has not been complied with by respondent

8.5.1. Manner and Procedure of inquiry into complaint:

Complainant should submit the complaint along with supporting documents and the names of the witnesses, if any.

- i. The Complainant should submit a written complaint along with supporting documents and the names of witnesses, if any, to enable the Committee to proceed with a **formal inquiry**, where applicable.
- ii. The Committee shall hold a preliminary meeting with the Complainant within seven (7) days of receipt of the complaint, and in any case, not later than one week.
- iii. At the first meeting, the Committee shall hear the Complainant and record her allegations in detail. The Complainant may submit any corroborative material, including documentary evidence, or provide details of oral or written evidence to substantiate the complaint.
- iv. **These steps are applicable in cases where a formal inquiry is to be conducted.** In instances where the Complainant has submitted a written request for conciliation under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the Committee shall not undertake detailed evidence collection or recording of findings at this stage, and shall instead facilitate conciliation in accordance with the prescribed process. The Committee shall proceed with the enquiry and communicate the same to the Complainant and Respondent.
- v. Upon receipt of the complaint, the committee will send 1 copy of the complaint to Respondent within 7 working days of receiving the complaint.
- vi. Respondent shall reply with all supporting documents within 10 working days of receiving the copy of the complaint.
- vii. Thereafter, the Respondent may be called for a deposition before the Committee and an opportunity will be given to him to give an explanation, where after, an inquiry shall be conducted and concluded.
- viii. The Complainant shall be provided with a copy of the written explanation submitted by the Respondent.
- ix. If the Complainant or the respondent desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es that they propose to call.
- x. The Committee shall call upon all witnesses mentioned by both the parties.
- xi. The Committee shall provide every reasonable opportunity to the Complainant and the Respondent to present and defend their respective cases, ensuring adherence to the principles of natural justice.
- xii. Upon review of the complaint, the Committee shall frame clear and specific charges/allegations based on the submissions made by the complainant. These charges shall be communicated in writing to the Respondent by electronic media, seeking a formal response within a stipulated timeline.
- xiii. If either party desires to submit documents as evidence before the Committee, the same shall be provided as original copies or duly certified true copies. Signatures shall be affixed on the respective documents to certify their authenticity.
- xiv. Both parties shall have the right to present witnesses in support of their case. Witnesses may include employees, students, contractual staff, or any individual who has direct knowledge of the incident or relevant facts. The Committee may also call upon any person it deems necessary for the purpose of the inquiry.
- xv. The Committee shall take strict measures to prevent retaliation or victimisation of the Complainant, Respondent, or any witnesses. Any instance of intimidation, threat, or adverse action against individuals participating in the inquiry shall be treated as a serious misconduct and may lead to separate disciplinary action.
- xvi. In cases where there is a concern regarding witness safety or potential retaliation, the

Committee may adopt appropriate safeguards, including confidential handling of identities (to the extent possible), interim relief measures, or separate recording of statements.

- xvii. No legal practitioner shall be permitted to represent either party at any stage of the inquiry proceedings. The Complaints Committee is to make inquiry into the complaint in accordance with the principles of natural justice
- xviii. In conducting the inquiry, a minimum of three committee members including the Presiding Officer are to be present
- xix. The employer shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy
- xx. Where sexual harassment occurs as a result of an act or omission by any third party or outsider, University of Southampton Delhi shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

- i. In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof. If the complainant or respondent desires to cross examine any witnesses, the Committee facilitates the same and records the statements. In case complainant or respondent seeks to ask questions to the other party, they may give them to the Committee which asks them and records the statement of the other party.
- ii. Any such inquiry is completed, including the submission of the Inquiry Report, within 90 days from the date on which the inquiry is commenced. The inquiry procedure should ensure absolute fairness to all parties.

8.5.2. Interim relief

During pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the employer to:

- i. Transfer the complainant or the respondent to any other workplace;
- ii. Grant leave to the aggrieved staff member for a period of up to three (3) months, in addition to the leave otherwise entitled;
- iii. Restrain the respondent from assessing the complainant's work performance or influencing employment-related decisions;
- iv. Grant such other relief as may be appropriate in the interest of justice and safety.
- v. **Suo Moto Interim Measures:** In situations where the complainant has not expressly requested interim relief, but the Committee is of the opinion that there exists a **risk to safety, potential for retaliation, interference with the inquiry, or an adverse work environment**, the Committee may recommend appropriate interim measures **suo moto**, with reasons recorded in writing.
- vi. In such cases, the Committee shall ensure that the measures are **proportionate, non-punitive in nature**, and implemented only to safeguard the integrity of the inquiry and the well-being of the parties involved.

Once the recommendations of interim relief are implemented, the same is informed too the committee.

8.5.3. Termination of Inquiry

Committee may terminate the inquiry or give ex-parte decision, if the complainant or respondent is respectively absent for 3 consecutive hearings without sufficient reason. 15 day written notice is to be given to the party before termination of enquiry or ex-parte order.

8.5.4. Action to be taken after inquiry

Post the inquiry, the committee submits its report containing the findings and recommendations to the employer within 10 days of completion of the inquiry.

8.5.5. Complaint unsubstantiated

Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it will recommend to the employer that no action is required to be taken in this matter.

Furthermore, the committee ensures that both parties understand that the matter has been fully Investigated and the matter is now concluded.

8.5.6. Complaint substantiated

Where the committee arrives at the conclusion that the allegation against the respondent has been proved it will recommend to the employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:

- i. Counselling
- ii. Censure or reprimand
- iii. Apology to be tendered by respondent
- iv. Written warning
- v. Withholding promotion and/or increments
- vi. Suspension
- vii. Termination
- viii. Or any other action that the employer may deem fit.

University of Southampton Delhi is required to act upon the recommendations within 60 days and confirm to the committee.

Post implementation of the actions a follow up with the complainant should also occur to ascertain whether the behaviour has in fact stopped, the solution is working satisfactorily and if no victimization of either party is occurring by Human Resources department

8.5.7. Penal Consequences of Sexual Harassment

In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be

initiated by the employer for making a Police Complaint.

9. Malicious Allegations

Where the committee arrives at the conclusion that the allegation against the respondent is malicious or the aggrieved Staff member or any other person making the complaint has made the complaint knowing it to be false, or the aggrieved Staff Member 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.

A complaint shall be treated as malicious or false **only when the Committee, after conducting a full inquiry**, establishes that:

- i. The allegation was made **with deliberate intent to mislead**, fabricate, or falsely implicate the respondent; and
- ii. There is **substantive evidence of malafide intent** and not merely lack of evidence or inability to substantiate the complaint.
- iii. Mere inability to prove an allegation or lack of sufficient evidence **shall not be construed as a false or malicious complaint**.
- iv. The Committee must record **clear and reasoned findings**, supported by evidence, before concluding that a complaint is malicious.
- v. If a complaint is determined to be malicious, the Committee may recommend action against the complainant in accordance with applicable service rules. However, such action shall be **proportionate and based on the severity of the misconduct**.
- vi. The Committee shall exercise **utmost caution** in arriving at such a conclusion to ensure that this provision is not misused to discourage genuine 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.

10. Confidentiality, Data Protection

10.1. Data Protection, Digital Evidence Governance and Confidentiality Compliance

The Institution recognises that complaints received under this Policy involve the processing of sensitive personal data of employees and students and may include electronic communications arising within academic, administrative, residential, research, and digital learning environments. Accordingly, all complaint-related processing shall be undertaken in compliance with applicable provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the University Grants Commission Regulations, 2015, the Digital Personal Data Protection Act, 2023, and the Information Technology Act, 2000.

10.2. Status of the Institution as Data Fiduciary

For the purposes of complaint handling under this Policy, the Institution shall function as a Data Fiduciary in respect of personal data processed during:

- i. complaint submission
- ii. inquiry proceedings
- iii. witness examination
- iv. interim measures
- v. disciplinary recommendations

- vi. appeal processes
- vii. implementation of corrective action

Processing of such personal data shall be deemed necessary for compliance with statutory obligations and institutional responsibilities relating to campus safety and grievance redressal.

The **following** categories of information shall be treated as confidential restricted access personal data:

- i. identity of complainant
- ii. identity of respondent
- iii. identity of witnesses
- iv. research-supervision relationships
- v. academic evaluation records relied upon during inquiry
- vi. hostel-residency information
- vii. attendance and movement records
- viii. electronic communications submitted as evidence
- ix. Internal Committee proceedings and recommendations
- x. action-taken reports

Access shall remain strictly role-based and limited to authorised persons on a need-to-know basis.

10.3. The Institution shall ensure:

- i. purpose limitation in processing complaint-related data
- ii. storage limitation consistent with statutory retention requirements
- iii. restricted circulation of inquiry records
- iv. secure storage of digital evidence
- v. controlled access to Internal Committee files
- vi. safe archival or destruction after expiry of retention period

10.4. Where required by applicable law or institutional procedure, informed consent shall be obtained prior to processing:

- i. recorded statements
- ii. CCTV extracts
- iii. LMS logs
- iv. video-conference recordings
- v. electronic transcripts submitted during proceedings

10.5. No person shall publish, communicate, disclose, or make known to the public, media, institutional forums, student bodies, or third parties:

- i. contents of complaint
- ii. identity or addresses of parties
- iii. witness details
- iv. inquiry proceedings
- v. recommendations of the Internal Committee
- vi. action taken by the Institution

Unauthorised disclosure shall invite disciplinary proceedings under institutional service rules or student conduct regulations in addition to consequences under applicable law.

10.6. Any Internal Committee member, employee, administrator, or institutional representative who discloses confidential information obtained during proceedings without authorisation shall be liable for:

- i. disciplinary action under applicable service rules or student regulations
- ii. removal from committee membership (where applicable)
- iii. institutional penalties as per governing statutes
- iv. consequences under applicable confidentiality and data-protection law

Please refer: Global Code of Conduct [Global Code of Conduct](#)

11. 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 within 90 days of the recommendations being communicated.

12. Awareness

Awareness sessions are to be organized to:

- i. Formulate and widely disseminate an internal policy or charter or resolution or declaration for prohibition, prevention and redressal of sexual harassment at the workplace intended to promote gender sensitive safe spaces and remove underlying factors that contribute towards a hostile work environment against women.
- ii. Carry out orientation programs and seminars for the Members of the IC.
- iii. Conduct capacity building and skill building programs for the Members of the IC.
- iv. Declare the names and contact details of all the Members of the IC.
- v. Use modules developed by the State Governments to conduct workshops and awareness programs for sensitizing the employees with the provisions of the Act.
- vi.

13. Legal Compliance

The IC shall in each calendar year prepare, in such format as may be prescribed, an annual report and submit the same to the employer and the District Officer (as defined in the Act). **The report shall have the following details:**

- number of complaints of Sexual harassment received in the year
- number of complaints disposed of during the year
- number of cases pending for more than 90 days
- number of workshops or awareness program against Sexual Harassment carried out
- nature of action taken by the employer or District Officer

14. *Duties of Employer*

Every employer shall—

- (a) provide a safe working environment at the workplace with shall include safety from the persons coming into contact at the workplace.
- (b) display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting, the Internal Committee.
- (c) organise workshops and awareness programmes at regular intervals for sensitising the employees with the provisions of the Act and orientation programmes for the members of the Internal Committee in the manner as may be prescribed.
- (d) provide necessary facilities to the Internal Committee for dealing with the complaint and conducting an inquiry.
- (e) assist in securing the attendance of respondent and witnesses before the Internal

Committee, as the case may be.

- (f) make available such information to the Internal Committee as the case be, as it may require having regard to the complaint.
- (g) provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code (45 of 1860) or any other law for the time being in force;
- (h) cause to initiate action, under the Indian Penal Code (45 of 1860) or any other law for the time being in force, against the perpetrator, or if the aggrieved woman or Staff member so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place.
- (i) treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct.
- (j) monitor the timely submission of reports by the Internal Committee.

15. Accountability and Reporting

- IC to submit an annual progress report to the Campus Executive Board (COB & CEB).
- Conduct periodic external audits and stakeholder consultations.

16. Policy Review

This policy shall be reviewed every three (3) years or earlier if required, by the Posh Consultation with the IC committee & COO

Document Control and Version History

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Version	V1.1
Primary Author	Uttara Sawant
Approving Authority	Campus Executive Board/COB
Reviewed by	Navmallika Gupta
Date of Approval	
Date of Review	

Annexure 1:
IC Member Details

The Composition of Committee shall be as follows:

Sr .	Name	Designation	Email	Phone	R&R
1	Nalini Sharan	Head of Student Experience	n.sharan@soton.ac.uk	+91 8802800452	Presiding Officer
2	Sudhanshu Tamta	Curriculum & QA Lead	s.tamta@soton.ac.uk	+91 8077171931	Member
3	Uttara Sawant	Head of HR	u.sawant@soton.ac.uk	+91 9833630521	Member
4	Aparna Pasumarthy	Assistant Professor of Computer Science	A.Pasumarthy@soton.ac.uk	+91 8106661122	Member
5	Kumari Apeksha	Assistant Head of Outreach & Conversion	K.Apeksha@soton.ac.uk	+91 95600959086	Member
6	Raj Swami	IT Manager	R.Swami@southampton.ac.uk	+91 9899011330	Member
7	Vinod Chauhan	EA To Academic Provost	v.chauhan@soton.ac.uk	+91 8392939343	Secretary
8	Navmallika Gupta	External Member	navmallika@counselquest.co.in	NA	External Member