

POLICY ON
PREVENTION OF
SEXUAL HARASSMENT

Document Release Notice	
Document Title:	Prevention of Sexual Harassment Policy
Version No.:	1.0
Date of Release:	1 April 2021
Approved by:	Internal Complaints Committee

Revision History				
ReleaseNo.	Release Date	Change details	Amended by	Approved by
1.0	1 April 2021	First Release		Internal Complaints Committee

TRUE NORTH POLICY ON PREVENTION OF SEXUAL HARASSMENT: KEY HIGHLIGHTS

At True North (the “**Firm**”), we have zero tolerance for Sexual Harassment. We value every single individual working at the Firm and wish to protect their dignity. With an objective to create a safe and conducive work environment, the Firm has framed a policy (“**Policy**”) in line with the provisions of the *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013* (the “**Act**”). The key features of the Policy are:

- The Policy extends to all employees, and to all individuals engaging with the Firm for any other purpose whatsoever including but not limited to advisors, visitors, business partners, and contractual resources, and applies to any alleged act of sexual harassment against individuals at the workplace, whether the incident has occurred during or beyond office hours.
- Any person (an “**Aggrieved Individual**”) who has encountered “**Sexual Harassment**” at the workplace may report the same to the Internal Committee formed by the Firm for this purpose (the “**IC**”). All such reports shall be treated by the IC with the adequate degree of confidentiality and sensitivity. ‘Sexual Harassment’ includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication):
 - physical contact and advances; or
 - a demand or request for sexual favours; or
 - making sexually coloured remarks; or
 - showing pornography; or
 - any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.
- Aggrieved Individuals must submit their complaints in writing to the IC, which may conduct either a conciliation process, or an inquiry process, in the manner described in the Policy;
- The IC is empowered under the Policy to provide interim reliefs to Aggrieved Individuals, and such persons should enquire with the IC about these, as well as other reliefs that may be available to them;
- The IC is also empowered to recommend various punishments, extending from a written apology to termination of services, in the event a person is found to have committed Sexual Harassment at the workplace;
- Regardless of the outcome of any complaint made in good faith, the Aggrieved Individual lodging the complaint and any person providing information, or any witness, will be protected from any form of retaliation.

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1. INTRODUCTION

At True North (the “**Firm**”), we are committed to providing a safe, collaborative and inclusive environment based on a foundation of fairness and respect for all employees. With this objective, the policy on Prevention of Sexual Harassment (the “**Policy**”) has been framed, in line with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (the “**Act**”). In the event of any conflict between the provisions or processes provided in the Act and this Policy, the provisions of the Act shall prevail.

This Policy details the relevant terms and definitions relating to sexual harassment in the workplace; complaint and redressal mechanisms; and relevant guidelines for all employees.

The objectives of this policy are:

- To promote a safe, discrimination-free work environment for all employees.
- To encourage employees to understand their responsibilities and take an active role in preventing sexual harassment.
- To establish a clear framework on raising complaints related to sexual harassment and its addressal.





2. DEFINITIONS

The definitions of the key terms used in this Policy are as set out below:

- **“Sexual Harassment”** includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication):
 - Physical contact and advances; or
 - A demand or request for sexual favours; or
 - Making sexually coloured remarks; or
 - Showing pornography; or
 - Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature

The following circumstances, among other circumstances, if occur or are present in relation to any act or behaviour of sexual harassment may amount to sexual harassment:

- Implied or explicit promise of preferential treatment in employment; or
- Implied or explicit threat of detrimental treatment in employment; or
- Implied or explicit threat about present or future employment status; or
- Interference with work or creating an intimidating or offensive or hostile work environment; or
- Humiliating treatment likely to affect health or safety.
- **“Aggrieved Individual”** means, in relation to the Workplace, a person, of any age whether employed or not, who alleges to have been subjected to any act of Sexual Harassment by a Respondent.

- **“Employee”** means a person employed at the Firm for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor with or, without knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether terms of employment are expressed or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name;
- **“Internal Committee”** or “IC” means the committee constituted by the Firm to investigate complaints of sexual harassment, in the manner prescribed under the law and as set out in this Policy;
- **“Management”** means the Managing Partner of the Firm;
- **“Respondent”** means a person against whom a complaint of Sexual Harassment as set out in this policy has been made;
- **“Workplace”** includes any place visited by an Employee arising out of or during the course of the employment including transportation provided by the Firm and outstation stay for work related purposes.



3. SCOPE AND EFFECTIVE DATE

This Policy extends to all employees, and to all individuals engaging with the Firm for any other purpose whatsoever including but not limited to Advisors, Designated Partners, Trustees, Directors, visitors, service providers, and contractual resources, and applies to any alleged act of sexual harassment against individuals at the workplace, whether the incident has occurred during or beyond office hours.

This Policy may be amended from time to time, based on changes in the Firm's internal policies, or changes to the Act, or the rules and regulations thereunder, or applicable law.



4. INTERNAL COMMITTEE (IC)

The Firm has constituted an IC for the redressal of Sexual Harassment complaints and for ensuring time-bound treatment of such complaints.

The IC will comprise the following four members:

- The Presiding Officer, who shall be a senior woman executive of the Firm;
- At least 2 other employees from the Firm; and
- One external member, familiar with issues relating to Sexual Harassment.

At least one half of the total IC members shall be women.

The tenure of the IC members shall be 3 years from the date their appointment as IC members. The current members of the IC are listed in Annexure A. The guidelines for the IC are detailed in Annexure C of this Policy.





5. COMPLAINT PROCESS

Any Aggrieved Individual may submit a complaint of Sexual Harassment to any member of the IC in writing or over email at the earliest, but no later than 3 months from the date of occurrence of an incident of Sexual Harassment, or, in case of a series of such incidents, 3 months from the date of the last such incident. The period of 3 months for filing a complaint may be extended by the IC by another 3 months, for reasons recorded in writing. Provided that where the Aggrieved Individual cannot make such complaint in writing, the Presiding Officer or any member of the IC shall render all reasonable assistance to the Aggrieved Individual for making the complaint in writing.

At the time of filing the complaint, the Aggrieved Individual shall submit to the IC six copies of the complaint, along with supporting documents and the names and addresses of the witnesses, if any.

(i) Where the Aggrieved Individual is unable to make a complaint on account of their physical incapacity, a complaint may be filed by-

- Their relative or friend; or
- Their co-worker; or
- An officer of the National Commission for Women or State Women's Commission; or
- Any person who has knowledge of the incident, with the written consent of the Aggrieved Individual;

(ii) Where the Aggrieved Individual is unable to make a complaint on account of their mental incapacity, a complaint may be filed by-

- Their relative of friend; or
- A special educator; or
- A qualified psychiatrist or psychologist; or

- The guardian or authority under whose care they are receiving treatment or care; or
- Any person who has knowledge of the incident jointly with their relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care they are receiving treatment or care;

(iii) Where the Aggrieved Individual 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 their written consent;

(iv) Where the Aggrieved Individual is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of their legal heir.

The IC will record the complaint received and keep the contents thereof confidential. The Aggrieved Individual may also submit to the IC any corroborative material in support of their complaint, with documentary proof, if applicable/available, or a list of witnesses to the incident(s) to substantiate such complaint. The Firm understands that many incidents of Sexual Harassment may not have any evidence or witnesses to support the complaint, and the Firm encourages any Aggrieved Individuals who do not have any evidence or witnesses to approach the IC nevertheless.

The IC will forward a copy of the complaint filed by the Aggrieved Individual to the Respondent within 7 working days of its receipt and provide an appropriate time (not exceeding 10 working days from the date on which the IC receives the complaint documents) to the Respondent to respond in writing to the allegations in the complaint. The Respondent may attach documentary evidence and a list of witnesses to the incident(s), if applicable, to their response.



6. REDRESSAL PROCESS

The IC may commence the redressal process only when a complaint is submitted by an Aggrieved Individual.

Upon the receipt of a written complaint and subsequent to the receipt of response from the Respondent, the IC shall proceed with the following processes, in the manner set out in this Policy:

CONCILIATION PROCESS

Prior to initiating an inquiry into the complaint, the IC may, at the request of the Aggrieved Individual, take steps to settle the matter between the Aggrieved Individual and the Respondent through conciliation, provided that no monetary settlement shall be made as a basis of conciliation.

If a settlement is reached between the Aggrieved Individual and the Respondent, the IC shall record the settlement so arrived and forward the same to the Management, the Aggrieved Individual, and the Respondent.

In the event a settlement is reached between the Aggrieved Individual and the Respondent under this clause, no further enquiry shall be carried out by the IC, except in cases mentioned in the point below.

INQUIRY PROCESS

The IC shall, where the Respondent is an Employee, initiate inquiry in the following cases:

- Where no conciliation is requested by the Aggrieved Individual;
- Where conciliation has not resulted in any settlement; or

- Where the settlement has been agreed to, and the Aggrieved Individual informs the IC that the Respondent has breached any term or condition of the settlement.

A quorum of 3 members, including the Presiding Officer and the external member, must be present for the inquiry proceedings to take place. The inquiry will be conducted confidentially, and upon the Aggrieved Individual's written request, the IC may, at its sole discretion, grant any one or more of the following interim reliefs during the pendency of the inquiry:

- Allow the Aggrieved Individual or the Respondent to work from home.
- Grant paid leave to the Aggrieved Individual, for a period up to 3 months. The leave so granted shall be in addition to the leave that the Aggrieved Individual may otherwise be entitled to.
- Send the Respondent on unpaid leave during the pendency of inquiry.
- Restrain the Respondent from reporting on the Aggrieved Individual's work performance or writing their confidential report, and assign the same to another person.

The IC shall interview the Aggrieved Individual, Respondent and relevant witnesses, if any, as part of its inquiry process and shall conduct a free and fair inquiry into the complaint following the principles of natural justice; and shall complete the inquiry into the complaint within 90 days including all confidential interviews and examination of evidence.

Within 10 days of completion of the inquiry, the IC shall submit a report of its findings and recommendations (a "Report") to the Management.

Where the IC arrives at a conclusion that the allegation against the

Respondent has not been proved, it shall recommend to the Management that no action be taken in the matter, and where the IC finds the Respondent to be guilty of Sexual Harassment, it shall recommend any of the following actions depending on the severity, frequency and impact of the Sexual Harassment:

- Written apology;
- Written warning;
- Reprimand or censure;
- Counselling;
- Withholding of promotion;
- Withholding of increment/ bonus; or
- Termination.

The IC may also award compensation to the Aggrieved Individual to be paid by the Respondent found guilty of Sexual Harassment after considering the following factors:

- Any mental trauma, pain, suffering and emotional distress caused to the Aggrieved Individual;
- Any loss in the career opportunity due to Sexual Harassment;
- Medical expenses incurred by the Aggrieved Individual for physical or psychiatric treatment;
- The income and financial status of the Respondent; and
- The feasibility of such payment in lump sum or in instalments.

If the IC determines that the complaint does not relate to an incident/s of Sexual Harassment, it shall conclude the inquiry after recording the reasons and the complaint shall then be forwarded to the Human

Resources, if required. If the IC determines that the complaint against the Respondent is malicious, or the Aggrieved Individual has produced any forged or misleading document, it may recommend to the Management that appropriate disciplinary action, including but not limited to written apology or warning, withholding of increment/ bonus or even termination, be taken against the Aggrieved Individual provided that:

- (i) a mere inability to substantiate a complaint or provide adequate proof need not attract action against the Aggrieved Individual under this section, and
- (ii) the malicious intent on part of the Aggrieved Individual shall be established after an inquiry in accordance with the procedure prescribed, before any action is recommended.

The IC shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the Aggrieved Individual or Respondent fails, without sufficient cause, to present themselves for three consecutive hearings convened by the Presiding Officer. Provided that such termination or ex-parte order may not be passed without giving a notice in writing, fifteen days in advance, to the party concerned. The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the IC.



7. APPEAL

In the event any party is aggrieved at the recommendations of the IC, such person, where permissible, may file an appeal with the appellate authority notified in Section 2(a) of the Industrial Employment (Standing Orders) Act, 1946 within 90 days from the date of such recommendation.



8. RETALIATION

This policy recognizes retribution or retaliation in the context of reporting acts of Sexual Harassment as a serious violation. Regardless of the outcome of any complaint made in good faith, the Aggrieved Individual lodging the complaint and any person providing information or any witness, will be protected from any form of retaliation. The report and investigation of allegations of retaliation will follow the procedures set forth in this Policy and will be treated as an additional complaint and inquired into similarly. The Firm shall have the authority, in its discretion, to impose severe disciplinary actions on any person who is found to have retaliated against an individual for reporting Sexual Harassment, or for participating in an investigation of allegations of such conduct.



9. PROHIBITION OF PUBLICATION

The identity and personal information of the Aggrieved Individual, Respondent and witnesses, any information relating to conciliation or inquiry proceedings, the recommendations of the IC, and the action taken by the Firm under the provisions of this Policy shall not be published, communicated or made known to the public, press or media in any manner.

10. OUR RESPONSIBILITIES AS EMPLOYEES

The Firm expects all its employees to comply with this Policy towards creating a respectful and dignified work environment for all. We must:

- Familiarize ourselves completely with the content of this Policy;
- Cooperate with any measures introduced to promote equal opportunities;
- Make sure we understand and respect the sensitivities of co-workers and other people in the workplace;
- Refrain from discriminatory, offensive or disrespectful behaviour, or any behaviour which is in contradiction to the letter or the spirit of this policy;
- Make sure we extend support to any person who we suspect is being sexually harassed;
- Report instances of Sexual Harassment and retaliation without fear;
- Maintain confidentiality regarding any aspect of a complaint or an inquiry of which we may have information or may be included.

Some frequently asked questions have been listed in Annexure B for a better understanding of the Policy.

11. POLICY IMPLEMENTATION AND REVIEW

This Policy will be implemented and reviewed by the Firm on a need basis. The Firm reserves the rights to amend, abrogate, modify, rescind, reinstate the entire Policy or any part of it at any time.

ANNEXURE A

MEMBERS OF INTERNAL COMMITTEE

Name	Designation	Role in IC	Contact Coordinates
Paras Nayyar	Chief Financial Officer	Presiding Officer	Paras@truenorth.co.in
Joylyn Largo-Afonso	Director- HR	Member	Joylyn@truenorth.co.in
Srikrishna Dwaram	Partner	Member	Srikrishna@truenorth.co.in
Sana Hakim		External Member	

ANNEXURE B

FREQUENTLY ASKED QUESTIONS

1. What is considered sexual harassment?

Sexual harassment can include (but is not limited to) any one or more of the following unwelcome acts or behaviour (whether directly or by implication), such as:

- An unwelcome act of inappropriate physical intimacy, like grabbing, brushing, touching; etc.
- An unwelcome remark with sexual connotations, such as sexually explicit comments or compliments / jokes with sexual connotations/ making sexist remarks; etc.
- Sharing of any sexually explicit visual material, in the form of pictures / cartoons / screen savers on computers /any offensive written material or SMSs /pornographic e-mails; etc.
- Engaging in any other unwelcome conduct of a sexual nature, which could be verbal, or even non-verbal, like staring to make the other person uncomfortable, making offensive gestures, kissing sounds; etc.
- Making an unwelcome demand or request (whether directly or by implication) for sexual favours;
- A superior requesting or implying a request for sexual favours from a junior in return for advancement or benefits or negative threats whether direct or implied;
- A person in power making intrusive inquiries or references about the private lives of employees, or persistently asking them out;

Please remember that in cases of sexual harassment, the intent of the perpetrator is irrelevant; and it is the impact on the aggrieved person that is considered pertinent.

2. What should I do if I think I am being sexually harassed?

Please let an IC member know right away and file a complaint with them over email. Unfortunately, ignoring sexual harassment does not make it go away.

3. What should I do if I feel I have been discriminated against or harassed, but I don't think it is sexual harassment?

Please let your supervisor or human resources know right away. The Firm prohibits discrimination or harassment on the basis of race, colour, religion, sex, sexual orientation, gender identity, gender expression, marital status, age, disability, nationality, or background.

4. I'm being harassed by someone who is not an employee, but who visits the Firm to conduct business. Is there anything I can do?

Yes, you can report the issue as Sexual Harassment. The policy applies to the extended workplace, as well as situations involving an external stakeholder.

5. Will my complaint be treated confidentially?

The Firm will make every effort to handle inquiries, complaints and related proceedings in a manner that protects the privacy of all parties. Each situation is resolved as discreetly as possible, and information is shared only with those who need to know such information in order to investigate and resolve the matter. The Firm will be sensitive to the

feelings and situation of the alleged victim and anyone who reports sexual harassment. However, the Firm will need to address the issue and try and get as much information as possible while keeping the information confidential. All employees are also required to follow confidentiality.

6. How will a false allegation of sexual harassment be handled?

When someone intentionally reports information or incidents that they know to be untrue, or lies to make a claim, or makes a malicious complaint, or provides false or forged documents during a complaint or an inquiry; it is considered as a fraudulent claim. Disciplinary action may be imposed on individuals who make false allegations of sexual harassment upon enquiry of the same. Failure to prove a claim of harassment is not equivalent to a false allegation.

ANNEXURE C

IC GUIDELINES

All IC members must consider the prevention of Sexual Harassment in the workplace as their responsibility and obligation; and must proactively initiate measures to achieve the same, including communicating to employees, and sensitizing and educating them through periodic trainings. In addition, they must:

- Familiarize themselves with the details of the Act, and its rules; and any other amendments or notifications that may be made;
- Meet regularly to update themselves on and review the details of any complaints that may have been made, and inquiries conducted;
- Be responsible for submitting an annual report on all complaints of this nature to both the Management, as well the District Officer notified under the Act, in the manner prescribed;
- Keep in mind the covert and insidious nature of Sexual Harassment, and stay sensitive to the practical and societal difficulties in reporting such acts; and
- Be sensitive to the difficulties in providing direct or corroborative evidence of such incidents.

Further, while conducting an investigation, IC members shall follow their own code of conduct, and they shall:

1. Be cognizant of the implicit and explicit power equations between all parties, including organizational hierarchy and influence as well as relative socio-economic differences, while evaluating testimonies and evidence;

2. Not conduct any inquiry or allow any evidence about the Aggrieved Individual's personality, character, personal life, general behaviour or personal and sexual history;
3. Guard against any bias in their own perception or investigation;
4. Keep both parties reasonably informed at their discretion about the status of the complaint and inquiry;
5. Stay impartial to both parties, and follow the principles of natural justice in their inquiries; and
6. Evaluate all testimonies and evidence applying a balance of probabilities.