

POLICY CONCERNING THE PROTECTION OF MINORS, VULNERABLE ADULTS, EMPLOYEES AND OTHERS FOR THE PROVINCE OF ST. THOMAS THE APOSTLE IN INDIA, CUSTODY OF MOTHER OF GOD AND THE FOUNDATION OF ST. FRANCIS – ISSUES DEALING WITH SEXUAL ABUSE AND SEXUAL MISCONDUCT BY FRIARS, STAFF AND OTHERS.

1. Preface

This policy contains a set of guidelines to help the Minister Provincial (herein referred to as Superior) and those responsible to appropriately respond to incidents of sexual abuse and sexual misconduct in the Province of St. Thomas the Apostle, Custody of Mother of God and the Foundation of St. Francis of Assisi. This policy and guidelines have been developed based on the norms promulgated by the Catholic Bishops Conference of India (CBCI).

These guidelines contain two parts:

The policy and guidelines for the protection of minors and vulnerable adults, and
The policy and guidelines for the protection of employees and others.

The policy and guidelines are inter-twined with the two main laws, namely, The Protection of Children from Sexual Offences Act, 2012 (herein after referred to as POCSO 2012) and Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013.

We hope and pray that this policy and guidelines will enable the authorities to deal with cases of sexual abuse and misconduct involving Friars, employees and others, in a spirit of compassion and justice.

2. Introduction

Every person, including a friar or priest, associated with the Province in an official capacity is accountable for maintaining the integrity of ministerial and professional relationships. If at any time, any Friar who belongs to the Province, Custody or Foundation or any employee in the employment of the Province, Custody or Foundation, engages in sexual abuse or misconduct or harassment of a minor or vulnerable adult or student-in-formation or parishioner or employee or co-worker or volunteer or student-in-institutions or any other person, they involve themselves in unethical and potentially unlawful acts.

In recent times, the Government of India has enacted laws for the protection of minors and vulnerable adults and protection of women at the workplace.

Sexual abuse of a minor and vulnerable adults and sexual harassment of persons in the workplace are intrinsically evil and criminal both in the Church and society. It does damage to the victim, the Order, the Church and to Society. When such incidents of sexual abuse and sexual misconduct arise, the friars must be able to respond in a way that shows the compassion, reconciliation, forgiveness and justice of Jesus himself, both toward the victim, the communities affected and the offender. This also calls for a commitment to transparency and accountability in dealing with such matters.

Four fundamental principles that underlie this policy and guidelines:

The protection of minors and vulnerable adults through prevention strategies;
 Developing appropriate relationship in Ministry, through formation strategies;
 Commitment to a spirit of transparency and accountability;
 Cooperation with the Society and Civil authorities.

This policy and guidelines will be dealt with under two parts:
 Sexual abuse of a minor and vulnerable adults.
 Sexual harassment of persons in the workplace.

3. Definition of Terms

Custody of Mother of God referred to as “Custody”	Under Code of Canon Law and the Constitutions of the Orders of Friars Minor, refers to the juridical entity of the Order of Friars Minor in India, at present dependent upon the Province.
Custos (referred to as “Superior”)	Refers to the Friar who has been elected or appointed as the Custos of the Custody and who is acting as such under the General Constitutions of the Order of Friars Minor.
Ephebophilia	Is sexual activity with a pubescent minor.
Foundation of St Francis of Assisi referred to as “Foundation”	Under Code of Canon Law and the Constitutions of the Orders of Friars Minor, refers to the juridical entity of the Order of Friars Minor in India, at present dependent upon the Province.
Friar	Refers to a person who is a member of the Order of Friars Minor and belongs to the Province or Custody or Foundation. The Friar may also be an ordained Deacon or Priest.
Minister General	Refers to the Friar who has been elected or appointed as the Minister General of the Order and who is acting as such under the General Constitutions of the Order of Friars Minor.
Ministry / Ministries	Refers to professional activities, such as administration and managing, institutions, school, colleges, parishes, teaching, counselling, psychological counselling, student mentoring, etc.; pastoral activities, such as working as a member of the parish team; and spiritual activities, such as, spiritual direction, retreat, confession, counselling, or mentoring of all kinds, undertaken by a Friar or Deacon or Priest.
Minor	Under Indian and Church Law, any person under the age of 18 years is a minor, especially for POCSO. Wherever the word “child or children” is used, it refers to a minor below the age of 18 years.
“Order of Friars Minor”, referred to as “Order”.	Under Code of Canon Law refers to the religious Order and juridical entity of the <i>Ordo Fratrum Minorum</i> translated as Order of Friars Minor and represented with the acronym O.F.M. The word “minor” herein has no relationship with minor, persons below the age of 18

	years.
Paedophilia	Is sexual activity of any sort with a pre-pubescent minor.
President (referred to as “Superior”)	Refers to the Friar who has been elected or appointed as the President of the Foundation and who is acting as such under the General Constitutions of the Order of Friars Minor.
Province or St Thomas the Apostle of India, referred to as “Province”	Under Code of Canon Law and the Constitutions of the Orders of Friars Minor, refers to the juridical entity of the Order of Friars Minor in India.
Provincial or Minister Provincial (referred to as “Superior”)	Refers to the Friar who has been elected or appointed as the Minister Provincial of the Province and who is acting as such under the General Constitutions of the Order of Friars Minor.
Rape	Sexual penetration of another person without that other person’s consent. Section 375 Indian Penal Code 1860 (IPC) defines rape more elaborately.
Sexual abuse	Is a general term used to cover different kinds of sexual activity that are abusive.
Sexual assault	When someone deliberately, without the permission of the other person, touches, especially the sexual parts of that other person’s body, with the intention of obtaining sexual pleasure. Sections 3 and 7 of POCSO define sexual assault elaborately.
Sexual exploitation	Is a betrayal of trust in a pastoral relationship by developing or attempting to develop a sexual relationship with the person to whom one is ministering.
Sexual harassment	Any unwelcome sexual advance, request for sexual favours, and other verbal or physical conduct of a sexual nature. This may happen in a verbal or physical or non-verbal manner. The sections of SHWW Act 2013 also defines sexual harassment elaborately.
Sexual manipulation	When someone attempts to arouse a person’s sexual feelings in order to get that person to perform sexual acts. This may be done by seducing someone, offering sexual favours for a reward and by demanding sexual favours as “payment”.
Student-in-Formation	A person who has joined the Province or Custody or Foundation and is undergoing training and formation with an intention of becoming a full member of the Order of Friars Minor.
Student-in-institutions	A person who is studying in any of the educational institutions run by the Province or Custody or Foundation of the Order of Friars Minor.
Vulnerable adult	A person who is 18 years of age or older, who habitually lacks the use of reason and is unable to defend her/himself against sexual assault on account of her/his physical, developmental and emotional inabilities.

4. Part I: Sexual abuse of a minor and vulnerable adults

This policy takes into consideration the prevalent laws of the Church, the policy of the Catholic Bishops conference of India (hereinafter referred to as, CBCI) based on it published on 1. October, 2015 as well as the relevant civil law of India, POCSO and Indian Penal Code (hereinafter referred to as, IPC).

POCSO classifies the sexual offenses as follows:

Penetrative sexual assault, ¹

Sexual assault, ²

Sexual harassment, ³

Using a minor for pornographic purposes, ⁴

Abetment of an attempt to commit an offence. ⁵

5. Part II: Sexual Harassment of Women at Workplace

The Government of India has enacted the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 (hereinafter referred to as SHWW) which provides protection for women against sexual harassment at the workplace and for the prevention and redressal of complaints of sexual harassment. The Preamble to the SHWW Act states that sexual harassment of a woman at workplace results in violation of her fundamental rights to equality, her right to life and to live with dignity, her right to practice any profession or to carry on any occupation, trade or business, which includes a right to a

¹ **Penetrative sexual assault** refers to: penetration of penis or insertion of any object or part of body [other than penis] or manipulating any part of child's body to penetrate into vagina, mouth, urethra or anus of child or making the child do so with such person or any other person or application of mouth to penis, vagina, anus or urethra of child or making the child do so to such person or any other person. Cfr. POCSO, Sec. 3.

² **Sexual assault** refers to whoever with sexual intent touches the vagina, penis, anus or breast of the child or makes the child touch the vagina, penis, anus or breast of such person or any other person, or does any other act with sexual intent which involves physical contact without penetration is said to commit sexual assault. Cfr. POCSO, Sec. 7.

³ **Sexual harassment** refers to whoever with sexual intent utter any word or make any sound or gesture or exhibit any object or part of body; make a child exhibit any object or part of body; shows any object or media to child for pornographic purpose; constantly or repeatedly follows, watches or contacts a child by any means; threatens to use a real or fabricated depiction of any part of child's body or child involved in sexual act; entices a child for pornographic purpose. Cfr. POCSO, Sec. 11.

⁴ **Use of child for pornographic purposes** refers to whoever, uses a child in any form of media (including programme or advertisement telecast by television channels or internet or any other electronic form or printed form, whether or not such programme or advertisement is intended for personal use or for distribution), for the purposes of sexual gratification, which includes representation of the sexual organs of a child; usage of a child engaged in real or simulated sexual acts (with or without penetration); the indecent or obscene representation of a child; shall be guilty of the offence of using a child for pornographic purposes. Cfr. POCSO, Sec. 13.

⁵ **Abetment of an offence** happens when a person abets an offence, who instigates any person to do that offence; or engages with one or more other person or persons in any conspiracy for the doing of that offence, if an act or illegal omission takes place in pursuance of that conspiracy, and in order to the doing of that offence; or intentionally aids, by any act or illegal omission, the doing of that offence. Cfr. POCSO, Sec. 16.

safe environment free from sexual harassment – all these as guaranteed by the Constitution of India. Hence it is the duty of the Province, Custody and Foundation to provide a safe working environment not only to women but to all its employees at the workplace, which is free from any form of discrimination or harassment, and to create a healthy working environment for personal as well as professional development.

In pursuance of the above, the Province lays down the following policies and procedures. The main purpose of this policy would be to:

1. Prevent sexual harassment at workplace.
2. Provide a safe and secure working environment at the workplace in which the dignity of all persons is respected and which is free from sexual harassment.
3. Resolve complaints of sexual harassment, and
4. Provide the procedure for dealing with issues and complaints of sexual harassment.

"Sexual harassment" in the workplace refers to any unwelcome sexual advance, request for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is used as the basis for employment decisions; or such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment does not refer to behavior or compliments of a socially acceptable nature. It refers to behavior that, to a reasonable person, is unwelcome, that is personally offensive, lowers morale, and consequently interferes with work effectiveness. It can be verbal, non-verbal or physical.

Sexual harassment" includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication), namely –

1. physical contact and advances.
2. a demand or request for sexual favours.
3. making sexually coloured remarks.
4. showing pornography.
5. any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

In addition to the above, the following circumstances, among other circumstances, if they occur or are present in relation to or connected with any act or behaviour of sexual nature, may amount to sexual harassment –

1. implied or explicit promise of preferential treatment in her employment or
2. implied or explicit threat of detrimental treatment in her employment; or
3. implied or explicit threat about her present or future employment status; or
4. interference with her work or creating an intimidating or offensive or hostile work environment for her; or
5. humiliating treatment likely to affect her health or safety.

The distinguishing characteristic of sexual harassment is that it is a conduct with a component, which is unwelcome, unsolicited and unreciprocated. In short, Sexual Harassment refers to all types of unwanted sexual attention.

Sexual harassment is likely to occur where an employer, supervisor, member of management or co-employee, undertakes or attempts to influence the process of employment, promotion, training, discipline, dismissal, salary increment or other benefit of an employee or job applicant in exchange for sexual favours. Sexual harassment may also occur as a result of an act by any third party or outsider.

5.1 Forms of Sexual Harassment

Sexual Harassment can be classified into three basic types:

1. Verbal Harassment.⁶
2. Physical Harassment.⁷
3. Non-Verbal Harassment.⁸

5.2 Sexual attraction verses sexual harassment - Clarification

A distinction should be made between sexual attraction and sexual harassment. Sexual attraction is attraction on the basis of sexual desire or the quality of arousing such interest. Sexual harassment differs from healthy sexual attraction because the first is unwelcome and unsolicited. Sexual conduct becomes unlawful when it is unwelcome, in the sense that the aggrieved employee did not solicit or incite it, and regarded the conduct as undesirable or offensive.

To clarify further, the unwelcome and intentional touching of a person's intimate body parts is sufficiently offensive to be considered severe, and even a single incident can be considered as harassment. Asking someone for a date may not be considered severe. But a repetitive series of non-severe incidents will be considered harassment if the offender was told to stop. It is important for the victim to communicate that the conduct is unwelcome, particularly when the alleged harasser may have some reason to believe that the advance may be welcomed because of previous consenting relationship, if any.

Some forms of sexual conduct, which are considered innocent by some people, may be considered offensive by others. In addition, different social or cultural backgrounds may lead persons to perceive the same conduct differently. Therefore, members of the Province and

⁶ Examples of Verbal Harassment. These include the following: sexually suggestive comments; sexually provocative compliments; comments of a sexual nature; comments or remarks or observations about the sensuality of a person; repeated unwanted proposals for dates and/or sexual activities; continuous idle chatter involving sexual nature and graphic sexual descriptions; telephone conversations touching sexual aspects; derogatory sexual comments or slurs; sex-related verbal abuse or threats; sexual jokes; suggestive or insulting sounds such as whistling, wolf-calls or kissing sounds; etc.

⁷ Examples of Physical Harassment. These include the following: sexual and provocative gestures; lewd gestures or sign language to denote sexual activity; sexual looks such as leering and ogling; sexual innuendoes (overtones); any physical interference with normal work or movement; touching that is inappropriate in the workplace; etc.

⁸ Examples of Non-Verbal Harassment. These include the following: gratuitous display of sexually explicit written or audiovisual materials like pornographic posters, cartoons, drawings, books or magazines; transmission or display of offensive email, screen savers or pornographic computer images; offensive gestures or actions of a sexual nature including indecent exposure or "flashing"; persistent unwanted attention; following or stalking behaviour; unwanted sexual advances that condition an employment benefit for exchange of sexual favours; etc.

staff are expected to respect the sensitivities of others especially where there may be variations in the interpretation of acceptable behaviour. Accordingly, cultural differences may not be used as an excuse or justification for sexual harassment.

5.3 Harassment by a Third Party

Third-party sexual harassment is perpetrated not by members of the Province, Custody or Foundation or by employees but rather by outsiders. The sexual harassment may involve unwelcomed requests for sexual favors and verbal or physical harassment that creates a hostile work environment. It involves an act or omission by any third party or outsider.

6. Procedure to be followed as given by CBCI in dealing with cases involving sexual abuse of minors and vulnerable adults issued by CBCI on 27/05/2012

These norms are given by the Sacramentorum Sanctitatis Tutela as revised on May 21, 2010, other Roman documents and the provisions of Code of Canon Law. The same have been modified to suit the requirement of our Province.

A case if initiated when a formal complaint is filed. This is sent to the Superior.	
The complaint should state: name and address of victim and alleged offender; date of offence; age of victim at time of offence; brief account of offence; sign of petitioner	The complaint can also be made by a third party: parent, guardian, family member or legal delegate. If complaint is made by none of the above, then the complainant should be authorised to do so either by the victim or by the legal representative.
The Superior will take immediate notice of the complaint and initiate an inquiry as to ascertain the veracity of the case. To do this the Superior is to carefully inquire about the facts and circumstances of the allegations with the local Guardian / Team Leader of the fraternity where the accused resides.	
The Superior will meet the accused friar in a fraternal manner and inform him about the allegations being made against him. He should give the friar in question the possibility of being heard so that he can adequately respond concerning the allegations made against him. The response of the friar should be made in writing.	
The Superior will offer to meet in person with the alleged victim or the victim's guardian if he or she desires. He will maintain a compassionate and pastoral manner regardless of the demeanour of the victim, recognizing that the experience of sexual abuse and difficulty of coming forward may bring out strong emotions during the disclosure process.	
If the accused admits his faults	In cases of denial of the offence or disputing about the facts of the offence
no further investigation is required. The Superior will then proceed in accordance with the provisions of the Canon law and that of Civil Law. Cfr. POCSO, Sec. 19.	the matter calls for further investigation. The Superior should notify the accused friar that an official investigation would be conducted.
The Superior ought to deal fraternally and sympathetically with the friar who has accepted his fault. He will provide him with necessary spiritual counsel and fraternal advice and therapeutic assistance if necessary.	It shall be the duty of the Superior to entrust the responsibility of further inquiry of the offence to the Preliminary Enquiry Committee (PEC) ⁹ which will carry out its task expeditiously and submit its report within 30 days, to the Superior.
Once the case is referred to PEC the Superior will remove the accused friar from any office he holds and if he is a Deacon or Priest ask him to refrain from exercising any ministry in public. From then on he shall be under the personal jurisdiction of the Superior until the case is resolved. The Superior should either personally or by appointing another friar supervise the conduct of the accused friar closely.	

⁹ **The Preliminary Enquiry Committee** (PEC) appointed by Superior with the advice of his Definitory shall consist of a member of the that Definitory and two other members, preferably a friar who is a Canonist and another friar who is of outstanding competence. In case the victim is a female, a Religious Sister should be part of this Committee.

Should the accused friar intimidate the victim or the accuser in any way, he should be cautioned about the adverse consequences of the same.
The entire procedure of the PEC should be properly documented. It shall be the responsibility of the PEC to maintain utmost confidentiality of the entire process.
Should the accused friar refuse to cooperate either with the Superior, or with the PEC, the law should be allowed to take its own course and the case be brought to the logical conclusion.
This committee will examine if there is a prima facie case based on the following: the complaint itself, an interview with the petitioner and the alleged offender, an interview with one or two significant witnesses, if necessary and other evidence, even documentary.
The PEC will present its report and conclusions to the Superior within 30 days giving the name and address of victim and alleged offender; date of offence; age of victim at time of offence; brief account of offence; sign of petitioner.
If the Superior accepts that there is a prima facie case, on his part places the PEC Report before his Definitory for a follow-up action not excluding the appropriate sanctions in accordance with the Canon Law. He will further refer the matter to the Congregation for Doctrine of the Faith in Rome for advice, sending them the entire dossier.
Simultaneously the accused friar is advised to seek legal counsel in accordance with the civil law. Should he refuse to do so, the Superior himself should report the matter to the appropriate Civil Authorities in concurrence with the Victim / Complainant. Cfr. POCSO, Sec. 19.
When it has been established that a Friar has sexually abused a minor, the Province will provide for the pastoral care and treatment of the Friar, offering him fraternal support in whatever penalties are imposed upon him by the legal system or restrictions imposed upon him by the Province.
If after proper investigation the allegation is found to be false immediate steps should be taken to restore the good name of the friar falsely accused with possible reintegration with the community to which he belonged and reinstatement of the former ministry and office when possible.

6.1 Assistance to the Victim

On receiving the complaint of sexual abuse the person so abused should be treated with utmost compassion and kindness. The initial encounter of the victim with the Friar Superior must be restricted to only seeking clarification regarding the complaint and not to negotiate any settlement of the dispute. Further, she/he may be asked to make her/his accusation in writing. If the sexual abuse took place in the context of the Sacrament of Penance the name of the victim is not to be divulged to the denounced friar. The victim must be provided with spiritual, psychological and medical assistance if necessary.

6.2 Reporting to the Minister General

On receiving an oral/written complaint from the victim/third party and having established the credibility of the accusation, the Superior is to immediately notify the Minister General of the same, even as the PEC is to begin the investigation.

After studying the report of PEC the Superior has to forward the same together with the opinion of his council regarding the credibility of the complaint to the Minister General.

If the accused friar has admitted his fault before the Superior the same fact is to be reported to the Minister General along with a summary report of the offense including the opinion of the Definitory.

6.3 Communication with Other Involved Parties

The Province shall notify the diocesan bishop where the alleged abuse took place, and where the accused Friar is currently residing, as appropriate to the circumstances.

All the reports of the accusations and the findings of the investigations shall be permanently preserved in the secret archives of the Province.

6.4 Accusations Against Employees/ Volunteers

Each time an employee is appointed for any kind of job in our friaries or its institutions, a written undertaking should be given by the employee through which he/she accepts to be fully responsible for any sexual offense of his/ hers and its consequences.

The same procedure mentioned above is to be applied while accepting the services of a volunteer in our friaries and Institutions.

If a victim/third party brings up an accusation of sexual nature against one of our employees/volunteers the Local Superior/ Head of the Institution shall make a careful inquiry about the accusation and take appropriate action if the employee/volunteer is found guilty, not ruling out the immediate dismissal/termination of the employee/volunteer from her/his job/service.

6.5 Sanctions

Though charity demands that the delinquent friar be dealt with kindness, justice demands that the grave harm done to another person through sexual abuse be rectified.

Therefore, the guilty friar has the obligation of seeking pardon from the victim, restore her/his good name and compensate her/him adequately according to the terms and conditions of settlement.

If the settlement is done in the ecclesiastical tribunal the sanctions imposed on the guilty friar according to Canon Law must be accepted by him fully and the compensation be made by him accordingly.

If the case is brought to a conclusion through a criminal court, the sentence imposed by the judge according to the law of the land is carried out , which may include both compensation and imprisonment.

If an out-of-court settlement is arrived at the guilty friar is to accept unconditionally whatever terms and obligations are laid down in that agreement.

7. Procedure to be followed in dealing with cases involving sexual harassment of women in the workplace

A set of procedures are necessary in order to ensure that:

complaints of sexual harassment are considered seriously and sympathetically and are dealt with promptly and confidentially;
complainants are protected against victimization or retaliation for lodging complaints; and
the rights of both the complainant and the alleged harasser are respected.

The SHWW Act provides for the constitution of the Complaints Committee, a body constituted in order to resolve complaints of sexual harassment.

The Complaints Committee will consist of four members, out of which not less than two shall be women. The Committee Members, including its Presiding Officer, who shall be a woman, employed at a senior level at the workplace from amongst the employees, and one member, from amongst non-governmental organisation or associations, committed to the cause of women or a person familiar with the issues relating to sexual harassment, will be nominated by the management.

The members of the Complaints Committee shall hold office for a period not exceeding 3 years.

The Complaints Committee shall have the duty to inquire into every complaint of alleged sexual harassment as per the Service Rules applicable to the management employees and to act with impartiality, considering the rights of all parties. Employees will be allowed to raise issues of sexual harassment in meetings and in other appropriate forums and such issues should be affirmatively discussed in Employer-Employee Meetings. Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the Committee shall take all steps necessary and reasonable, to assist the affected person in terms of support and preventive action.

Any employee found guilty of sexual harassment shall be subject to appropriate penalty under the Service Rules.

The management may:

1. arrange for the redeployment of one or both parties;
2. initiate disciplinary proceedings against the Respondent;
3. arrange counseling for either or both parties, if necessary;
4. take such other action as it sees fit.

All the proceedings of the Complaints Committee shall be incamera proceedings in order to maintain confidentiality.

The Committee shall take utmost care to ensure that confidentiality is maintained at all stages. Complainants and respondents will be advised at all stages to maintain confidentiality and to discuss the complaint only with those who have an official responsibility for dealing with it.

All employees involved in the informal or formal resolution of complaints of sexual harassment shall ensure that they have no conflict of interest or bias in relation to any party to the complaint and that there is no perception by the parties that they have a conflict of interest or bias. Persons having concerns about perceptions of possible conflict of interest or partiality should exclude themselves from the process.

Complaints of victimization will be treated seriously. Victimization of complainants is unlawful. Victimization includes any unfavourable treatment of a person who has been involved with a sexual harassment complaint. Unfavourable treatment could include adverse changes in the working environment, denial of training or promotion, making negative, unfounded or belittling comments, etc. Complaints of victimization related to a sexual harassment complaint may result in disciplinary action.

All the Committee members shall endeavor to create awareness and be aware of issues involved in sexual harassment. They shall enhance their skills in communication, conflict resolution and conciliation, and be informed of the legal issues relating to sexual harassment. Information of the policy and procedures concerning sexual harassment will be provided to new staff at induction.

This policy and procedures document does not constitute a waiver of any of the statutory and common law rights of both parties and it shall be open to both parties to exercise any of their legal rights.

The Complaints Committee must make an annual report with respect to the complaints received and action taken by them as required by the Act. The management will also report on the compliance with the aforesaid guidelines including on the reports of the Complaints Committee to the Government department.

This policy and procedures document shall be subject to review at an interval of three years. However, the management may, in its discretion, direct anticipating or postponing the review for reasons to be recorded in writing.

8. Duties and Responsibilities of the Management in the prevention of sexual harassment

All members of the Province, Custody, Foundation and staff are responsible for upholding the policy for prevention of sexual harassment and must take steps in order to prevent sexual harassment. Some of the responsibilities and duties in this regards would be to take preventive steps in some of the following ways:

1. notifying, publishing and circulating express prohibition of sexual harassment;
2. prominently displaying the policy and guidelines, including the procedures for resolving complaints, in order to create awareness among employees and the penal consequences of sexual harassments;
3. constituting the Internal Complaints Committee;
4. providing a safe and appropriate working environment at the workplace;
5. ensuring that a woman employee has no reasonable ground to believe that she is disadvantaged in connection with her employment;
6. ensuring that staff and other employees are aware of appropriate and acceptable standards of behaviour;
7. taking early corrective action to deal with behaviour that may constitute sexual harassment;
8. organising workshops and awareness programmes for sensitizing employees on this issue;

9. conducting orientation programmes for the members of the Internal Complaints Committee;
10. etc.