



**POLICY ON PREVENTION OF
SEXUAL HARASSMENT AT WORKPLACE
OF
HOME CREDIT INDIA FINANCE PRIVATE LIMITED**

Version 4

**Approved by the Board of Directors of
Home Credit India Finance Private Limited
On
August 28, 2018**

**Vijay Dhingra
Director**

SEXUAL HARRASSMENT PREVENTION POLICY

Effective Date	<i>October 2013</i>
Version	<i>01</i>
Prepared By	<i>Human Resource Team</i>
Approved By	<i>C.E.O.</i>

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

1st Amendment Effective Date	<i>24 December 2014</i>
Version	<i>02</i>
Prepared By	<i>HR & Legal Team</i>
Approved By	<i>Board of Directors of Home Credit India Finance Private Limited</i>

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

2nd Amendment Effective Date	<i>24 June 2016</i>
Version	<i>03</i>
Prepared By	<i>IC & Legal Team</i>
Approved By	<i>Board of Directors of Home Credit India Finance Private Limited</i>

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

3rd Amendment Effective Date	<i>_____ 2018</i>
Version	<i>04</i>
Prepared By	<i>IC & Legal Team</i>
Approved By	<i>Board of Directors of Home Credit India Finance Private Limited</i>

1. Introduction:

- 1.1. This policy is being framed pursuant to the provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the rules issued thereunder (hereinafter referred to the "**The Act**").
- 1.2. The objective of 'Policy on Prevention of Sexual Harassment at Workplace' (hereinafter referred to as "**Policy**") is to create a healthy working environment for all genders of employees, in all the offices of Home Credit India Finance Private Limited (hereinafter referred to as "**the Company**"), by establishing guidelines to deter any Sexual Harassment, define the mechanism for raising concerns, their investigation and action on the findings.
- 1.3. At Home Credit India, we have Zero tolerance towards Sexual Harassment.

2. Applicability:

- 2.1. This Policy is applicable to dealing with any complaint/allegation of sexual harassment at the workplace. It is clarified that Policy shall apply only when both Affected Person and Offender (both defined hereinafter) are covered under Policy. In case where any person covered under Policy is subject to sexual harassment by any person not covered under Policy, the Company shall take reasonable and necessary steps to assist the concerned affected person in terms of support and taking preventive action.
- 2.2. Policy is applicable to all full-time/part-time employees of the Company including trainees, consultants, retainers, contract labours, probationers etc., by whatever name called (hereinafter referred to as "**Employee(s)**").
- 2.3. Employees (Heads of Departments/Senior Officers in particular) are expected to be sensitive to any circumstances or behaviour among their colleagues which appear to go against the Policy. In case occurrence of any such incidence comes to their notice, they are expected to bring the fact to the attention of Employer so that appropriate action may be taken.
- 2.4. The interpretation of IC Chairperson along with Head- Legal on any provisions of the policy shall be final & binding.
- 2.5. Except as provided in the Act, there are no exceptions to the applicability of the Policy.

3. Definitions:

- 3.1. Affected Person – Means the Employee subjected to Sexual Harassment.
- 3.2. Coordinating Members – means the employee(s) of the Company who are nominated by IC Chairperson from time to time, at each office of the Company to coordinate with the complainant, respondent and/ or witnesses in the matters of complaints made to the Internal Committee,
- 3.3. Employer – Means the person responsible for the management, supervision and control of the workplace. For the purpose of this Policy, the Board of Directors of the Company shall be deemed to be the Employer and the Chief Executive Officer of the Company has been authorised to execute

all such powers and responsibilities of an Employer under this Act/ Policy on behalf of the Board of Directors.

- 3.4. Offender/ Respondent – Means the Employee who is alleged to have committed an act of Sexual Harassment.
- 3.5. Workplace - Includes all or any of the offices of the Company wherever situated whether or not carrying on activity and includes any place visited by the Employee arising out of or during the course of employment including transportation provided by the Company for undertaking such journey or as defined by the Act accordingly.
- 3.6. Sub-Committee – means the sub-committee as may be constituted by IC from time to time to perform all or any of the following activities on behalf of the IC in the matters relating to complaints made to IC:
- 3.6.1. To review the complaints to ascertain if the same falls under the ambit of sexual harassment;
- 3.6.2. To coordinate with members of IC, Employer, Coordinating Members, complainant, respondent and/ or witnesses for issuing notices of meeting and other necessary directions as mentioned in this Policy
- 3.6.3. To conduct investigations into the complaint;
- 3.6.4. To comply with direction as may be issued by IC or Chairperson of IC.
- 3.7. Sexual Harassment – Includes any unwelcome acts or behaviour (whether directly or by implication) that is offensive to individuals, including but not limited to:
- Negative stereotyping,
 - Physical contacts and advances,
 - Epithets,
 - Sexist, racist or religious slurs,
 - Request for sexual favours through explicit or implicit communication whether by words or actions
 - Verbal or physical conduct of sexual nature.
 - Discussion of a person's physical characteristics or dress.
 - Use of offensive language or demeaning terms.
 - Narrating offensive/ demeaning jokes, or sexually explicit stories, or behaviour which have sexually oriented innuendoes.
 - Circulation or posting of offensive pictures, display of sexual visuals, sexual audios,
 - Showing pornographic or obscene materials.
 - Objectionable physical proximity or contact.
 - Transmitting any message, by mail, telephone, e-mail etc. that is obscene, lewd, suggestive or blatantly sexual in nature.
 - Actual sexual assault.
 - Any other unwelcome physical, verbal or non-verbal conduct of sexual nature
 - Stalking by means of physically following someone or via social media

The Sexual Harassment shall not include voluntary relationships between individual employees. However, in case of voluntary relationships, employees must ensure that the work environment is free from favouritism and the relationship does not affect work in any way.

4. **Duties of the Company:** The Company is committed to:
 - 4.1. Treat Sexual Harassment as a misconduct under the service rules and initiate action for such misconduct.
 - 4.2. Provide safe working environment to all Employees at the Workplace including safety from person coming into contact at the Workplace.
 - 4.3. Communicate to Employee the names and contact details of the members of the Committee, and any change in constitution thereof. The names are displayed in our internal portal and also displayed on our website.
 - 4.4. Organise workshops and awareness programs informing Employees about this Act and the Policy by conducting class room sessions and other means which shall be a mandate for all employee to attend
 - 4.5. Provide necessary facilities to Internal Committee to deal with complaints, conduct inquiry and securing attendance of respondent and witnesses.
 - 4.6. Provide assistance to the Affected Person who chooses to file a complaint under the Indian Penal Code (IPC) or any other law for the time being in force.
 - 4.7. Initiate action, under the IPC or any other law, against the Offenders wherever considered appropriate on recommendations of the IC.
 - 4.8. Ensure that there is no victimization of the complainant, Affected Person and/or any witness and their career interests are not adversely affected for the reason of raising such complaint.
 - 4.9. Ensure timely submission requisite reports to the Employer of the Company, or the specified authorities, as the case may be.

5. **Internal Committee:**
 - 5.1. The Company shall constitute an Internal Committee (hereinafter referred to as the “IC/ Committee”) empowered to deal with complaints of Sexual Harassment. The Committee has been constituted after considering following criteria specified in the Act subject to amendments from time to time (such members of IC are referred as “**Core Committee Members**”):
 - 5.1.A Presiding Officer – A woman at senior level amongst the Employees
 - 5.1.B At least two members shall be from the employees committed to the cause of women, or experience in social work, or have a legal knowledge
 - 5.1.C One member shall be from NGO/ association committed to cause of women, or an Employee familiar with issues relating to sexual harassment.
 - 5.2 The majority of the members of the Committee shall be women.
 - 5.3 Core Committee Members must not be convicted for an offence and enquiry into an offence under any law for the time being in force is pending. Further he/ she should not be guilty in any disciplinary proceeding or any disciplinary proceeding should not be pending against him.
 - 5.4 The quorum of the meetings of the Committee shall be minimum three members present in person.
 - 5.5 In case Presiding Officer is not present in the Committee’s meeting, then the Committee has authority to unanimously nominate any of the woman member to chair the meeting.

- 5.6 Any reconstitution of the Committee as may be required shall be subject to the approval the Board of Directors.
- 5.7 Presiding officer and every member of the Committee shall hold office for a period not exceeding 3 years from the date of their nomination. However, such member is entitled for reappointment in case he/ she is eligible otherwise.
- 5.8 If any complaint of Sexual Harassment is made by, or received against, one or more members of the Committee, such member(s) shall neither participate in the conduct of any proceedings of the Committee nor shall try to influence any such proceedings in any manner whatsoever until the complaint has been duly resolved by the Committee. However, nothing contained herein shall prevent such member(s) to appear before the Committee as complainant or respondent and exercise all such rights which are available to a complainant/ respondent under the Act.
- 5.9 Confidentiality of the entire proceedings shall be maintained and shall not be published, communicated, or made known to public, press and media unless otherwise permitted under the Act. To this effect, a confidentiality oath has to be taken by all concerned, through an instrument of Pledge as in Annexure 1.
- 5.10 The minutes of entire proceedings of the Committee along with all evidences, recordings and copies of written submissions by the parties in respect of the complaint shall be maintained in a secured manner under the custody of IC and copy(s) of the Case report, IC decision recommendation would be shared with HR for action and updation to personal files of the concerned employees.
- 5.11 The Committee shall hold necessary inquires and meetings and initiate the necessary proceedings as may be required under the Act.

6. Complaint & Inquiry Procedure:

- 6.1 The Complainant shall report the incident of Sexual Harassment via e-mail at reportabuse@homecredit.co.in along with supporting evidences and names, addresses of the witnesses. The complaint can also be made to the Core Committee Members, or the Coordinating Members in writing along with supporting documents and the names and addresses of the witnesses. Under exceptional circumstances (eg. physically/ mentally incapability), the Complainant may make a verbal complaint to any of the Core Committee Members/ Coordinating Members. In such case, the complaint shall be reduced in writing and the confirmation of the Complainant shall be obtained on the facts stated in complaint before presenting the case before the Committee. A written complaint can also be sent in post/courier/delivered by hand to any member of the IC or the Coordinating members or HR or Ombuds Office at the following address:
Home Credit India Finance Private Limited, Infinity Towers, Tower – C, 3rd Floor, DLF Phase -2, Gurugram - 122002
- 6.2 The Complainant shall report the incident of Sexual Harassment within a period of 3 months from the date of last incident. The IC may, for the reasons recorded in writing, extend the time not exceeding 3 months.
- 6.3 The family member (i.e. spouse, parents and children) or any other person authorised in writing by the Affected Person may also file a complaint and pursue the complaint proceedings on behalf of the Affected Person.

- 6.4 As far as possible, the complaint should be accompanied by credible and relevant materials, details, etc. concerning the incident. No party shall be allowed to bring in any legal practitioner for representation before the Committee.
- 6.5 On receipt of complaint, the details of the complaint shall be communicated to the Respondent/ Offender within 7 working days of receipt of Complaint. Basis the preliminary review of the complaint, the investigating team identifies whether there is a need for interim protection for the complainant. If the situation merits interim protection, the IC meeting is convened to discuss the interim steps and recommend to the management measures to protect and safe guard the complainant. Relief measures may include and not limited to a schedule/shift change, transfer/change of the function or leave of absence up to 3 months, personal safety while travelling for work etc. as deemed necessary.
- 6.6 The Committee shall make inquiry as per principal of natural justice and may authorise Sub-Committee to conduct necessary investigation.
- 6.7 Inquiry Proceedings to be completed within a period of 90 days from the receipt of Complaint.
- 6.8 While conducting the enquiry proceedings, the Committee/ Sub-Committee shall check following circumstances, among other circumstances, if it occurs or is present in relation to or concerned with any act or behaviour of sexual harassment:
- a) Implied or explicit promise of preferential treatment in her employment;
 - b) Implied or explicit threat of detrimental treatment of her employment;
 - c) Implied or explicit threat about her present or future employment status;
 - d) Interference with work or creating an intimidating or offensive or hostile work environment for her; or
 - e) Humiliating treatment likely to affect health or safety.
- 6.9 If the Committee concludes that allegation is proved against Offender, it will recommend employer to take any of the following action-
- a) To take action for sexual harassment as a misconduct (Written apology, Warning, Reprimand/ censure, Withholding of promotion, Withholding of pay rise, Termination, Undergoing counselling session).
 - b) To deduct from salary of Offender appropriate sum to be paid to Affected Person or direct Offender to pay such sum if deduction not possible. For the purpose of determining the sums to be paid to the aggrieved woman the IC shall have regard to (i) the mental trauma, pain, suffering and emotional distress caused to the aggrieved woman, (ii) the loss in the career opportunity due to incident of sexual harassment, (iii) medical expenses incurred by the victim for physical treatment and (iv) the income and financial status of the respondent
 - c) Recommend taking necessary police action or criminal legal proceedings as per the provisions of Indian Penal Code, 1860
- 6.10 If the Committee concludes that complaint is false/ malicious, it may recommend the Employer any of the aforesaid action against the complainant.
- 6.11 The Committee to provide a report of its findings within 10 days from the date of completion of inquiry to the Employer and such findings may be made available to the concerned parties.
- 6.12 The Employer shall instruct necessary action based on the findings/ recommendations of the Committee within 60 days of receipt of such findings/ recommendations.

PLEDGE

At HCIFPL (Home Credit India Finance Private Limited), we provide excellence in NBFC Sector. We pledge to treat others as we wish to be treated ourselves. We continuously evaluate and improve our performance.

I pledge to keep all information, data in any form tangible or intangible which I have received by virtue of my work or intelligence gained while handling information related to Sexual Harassment cases directly or indirectly. I also understand that any breach of such information intentionally or unintentionally could pose a serious threat to the organization for which I can be held accountable for.

I respect the confidentiality of my colleagues who have raised their concerns to IC or are responding to the same as defendant or statements given as the witnesses in this process, I also understand that by sharing this information I may be jeopardizing the investigation process which may lead to an unfair judgment and severely harm the reputation of the person concerned.

Remain conscious of the enormous responsibility being a part of the investigation process for all sexual harassment cases and optimize resources, while delivering exemplary service. I am committed to my colleagues

Treat colleagues with dignity, respect and compassion; value and respect differences in background, experience, culture, religion and ethnicity.

I understand that I am expected to embrace and up-hold these standards and pledge to do so in the conduct of my responsibilities and in my daily interactions with our members, co-workers, peers, volunteers, families and visitors.

Name _____ Employee ID _____

Signature _____ Date _____

I take pledge that I will be adhering to all the guidelines mentioned herein and all other process and policies notified to me from time to time. I shall also ensure that I'll promote this behaviour within the team & group etc. wherever I am a part of. With this I also acknowledge this this pledge which is signed by me is my personal commitment and shall become a part of my permanent record at Home Credit India.