



 Forward Together

PREVENTION OF HARASSMENT & SEXUAL HARASSMENT

Vistaar Financial Services Pvt. Ltd.

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POSH Introduction:

Vistaar Financial Services Private Limited (herein after known as “the Company”) strives for competitive excellence and is committed to lawful and ethical conduct and adhering to the company’s values which include Integrity, honesty and respect for people.

The Company is committed to providing a safe and conducive work environment to its employees and expects them to combine “Expertise with responsibility”. Towards this, it is essential that each employee deal with his or her colleagues and third parties with full respect and understand that his/ her behavior will be attributed to the company and can affect its reputation.

Harassment of any kind including sexual harassment is forbidden. Every employee has the right to be protected against harassment, regardless of whether the accused considers his/ her own behavior to be normal or acceptable and of whether the harassed person has the opportunity to avoid the harassment. The Company is committed to providing a work environment free of sexual harassment. Sexual harassment is a form of workplace harassment of a sexual nature that affects the dignity of men and women at work.

The Company has a goal to ensure a safe, secure and congenial work environment where employees, associates and partners will deliver their best without any inhibition, threat or fear. Accordingly, the Company has adopted this Policy on Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) (this “Policy”), the goals of which are (a) spreading awareness about the causes and consequences of sexual harassment at workplace and (b) prohibiting, preventing and deterring the commission of acts of sexual harassment at workplace. This Policy provides the procedure for the Redressal of Complaints pertaining to sexual harassment.

2. OBJECTIVES OF THE POLICY

- To fulfill the directive of the Supreme Court of India enjoining all employers to develop and implement a policy against sexual harassment of women at the work place
- To uphold employees Right to Protection against Sexual Harassment and the Right to Livelihood and towards that end for the prevention and redressal of Sexual Harassment of employees.
- To establish a mechanism for the prevention, prohibition and redress of sexual harassment of employees employed by the Company.
- To actively promote a social, physical and psychological environment that will raise awareness about and deter acts of sexual harassment of employees.
- To undertake all necessary and reasonable steps including the constitution of appropriate committees for purposes of gender sensitization and to conduct enquiries into complaints of sexual harassment.
- To uphold the commitment of the Company to provide an environment free of discrimination and violence against women.

3. SCOPE & APPLICABILITY

- This Policy applies to (a) all the employees, workers and trainees (whether in the office premises or outside while on assignment) of Vistaar Financial Services Private Limited and (b) all employees, regardless of their position, including those on contract and sub-contract work with the Company and covers sexual harassment by the Company employees of anyone connected with the Company business such as vendors and visitors.
- Where the Company employee is subject to sexual harassment by a third party or outsider while such employee is on official duty, the Company will take all necessary and reasonable steps to assist the affected person in terms of support and preventive action.
- This Policy covers harassment of women by men, of men by women or between the same sexes. Harassment is unlawful irrespective of who is involved in the behavior.
- This Policy is not restricted to the Company premises but extends to all locations wherever the Company employees have occasion to interact on company matters or engage in networking including, in vehicles, third party premises, off site where company meetings are held, social networking sites like Facebook, Twitter & other professional networking sites, like LinkedIn; provided that this Policy does not apply when employees decide to meet outside of the Company office location of their own accord and for personal reasons.

4. DEFINITIONS FOR PURPOSES OF THIS POLICY

- Management shall mean the Board of Directors of Vistaar Financial Services Private Limited.
- Internal Committee (IC) shall mean the committee formed under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
- Sexual Harassment shall mean any of the following:
 - When submission to unwelcome sexually determined behavior such as sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature, are explicitly or implicitly made a term or condition of teaching/guidance, education, employment, participation or evaluation of an employee's engagement in the Company.
 - When unwelcome sexually determined behavior, including but not limited to, sexual advances, physical and /or verbal or non-verbal or conduct, such as loaded comments, remarks or jokes, letters, phone calls, SMS or emails, gestures, exhibition of pornography, lurid stares, physical contact, stalking, sounds or display of a derogatory nature have the purpose and/or effect of interfering with an employee's work or academic performance or of creating an intimidating, hostile or offensive employment, educational or living environment.
 - When an employee uses with a sexual purpose, the body or any part of it or any object as an extension of the body in relation to other employee without his/her consent or against his/her will, such conduct will amount to sexual assault.
 - Bullying is any intimidating or insulting behavior which makes any employee feel vulnerable, humiliated and/or threatened. Legitimate and constructive criticism of an employee's performance or behavior or reasonable requests made of employees in the course of their employment will not constitute bullying.

- Any behaviour that falls in the list below or has the same impact as any of the listed item, on an employee:
 - (a) Any taunting snide remarks based on sex (including pregnancy, childbirth or related medical condition), sexual orientation, gender identity, marital status or personal appearance.
 - (b) Phone calls or electronic messages that is abusive or offensive to employees and are remarks based on sex.
 - (c) Intrusive questions about sexual activity, tales of sexual exploits, comments about people's bodies or asking irrelevant personal questions of a sexual nature to an employee.
 - (d) Repetitive unwanted advances (requests for dates or social contact) towards someone or displaying of books, photographs, paintings, films, pamphlets, packages, etc. containing 'indecent representation of women/men'.
 - (e) Viewing or sharing through letters, phone calls, electronic instant messaging or e-mail messages any pornographic posters, Internet sites, cartoons or drawings of sexual nature.
 - (f) Telling of lewd jokes, offensive language, singing vulgar songs, etc.
 - (g) Offensive gestures, staring, leering or whistling with the intention to insult or discomfort someone or another who may hear or see such behavior.
 - (h) Intentional touching of the body that makes a person uncomfortable. Any displays of affection that can make others uncomfortable or are inappropriate at the workplace even if the recipient welcomes it; or Indecent exposure.
- Sexual harassment is emotionally abusive and creates an unhealthy, unproductive atmosphere at the workplace. Sexual harassment cases can be classified into two categories - quid pro quo and creation of a hostile working environment:
 - (a) Under the quid pro quo (meaning- this for that) form of harassment, a person or authority, usually the superior of the victim, demands sexual favors for getting or keeping a job benefit and threatens to fire the employee if the conditions are not met.
 - (b) A hostile work environment arises when a co-worker or supervisor creates a work environment through verbal or physical conduct that interferes with another co-worker's job performance or creates the workplace atmosphere that is intimidating, hostile, offensive or humiliating and experienced as an attack on personal dignity.
 - However, an employee who is sexually harassed can complain about the same even if there is no adverse job consequence.

5. EMPLOYEES' RIGHTS AND RESPONSIBILITIES UNDER THIS POLICY:

- Any employee who believes he or she has been the target of sexual harassment is encouraged to inform the offending person orally or in writing that such conduct is unwelcome and offensive and must stop.
- If the employee does not wish to communicate directly with the offending person, or if such communication has been ineffective, the employee has multiple avenues for reporting allegations of sexual harassment and/or pursuing resolution.

- Subject to the reporting procedures set forth in Section 8.1, employees are encouraged to report the unwelcome conduct as soon as possible to a responsible department or Company official. It is usually most effective although it is not required that the official be within the employee's supervisory chain. Responsible department officials include first- or second-line supervisors, the offending person's supervisor, or any Executive Committee members at the Company's corporate office.
- In addition to reporting sexual harassment concerns to a responsible department official, employees who believe they have been subjected to sexual harassment may elect to pursue resolution in several ways, including through mediation, which is an informal way to resolve office problems using a trained mediator who facilitates communication between the parties to the dispute. If an employee chooses to attempt resolution through mediation, management is obligated by this Policy to send a representative to the table. If a resolution is not reached, the parties may continue to pursue their rights in any other appropriate forum. Employees may ask for the assistance of a mediator by contacting the Company's management.

6. WHAT CAN YOU DO AS A CO- EMPLOYEE? – RESPONSIBILITY:

- Do not disbelieve an employee when he/ she share his or her own concerns about sexual harassment. Remember sexual harassment is 'unwelcome' behavior. Do not trivialize the matter.
- Remember that it is difficult to speak about sexual harassment. Hence if a colleague is talking about it, he/ she will require a lot of encouragement and support.
- Encourage the recipient to (a) approach the offending person directly (and, if you wish, offer to accompany him/her when confronting the offending person), (b) use other informal resolution methods or (c) report the matter in accordance with Section 8.1.
- You may take action to intervene to see that the sexual harassment is stopped.

7 THE INTERNAL COMMITTEE –REPORTING CHANNEL (IC)

The Internal Committee shall be constituted of a minimum of 4 members where at least 50% of the total members shall be women, with two woman employees, one of whom should be having competency in POSH Guidelines, who shall be a Chairperson and Presiding Officer of the committee, one external woman officer, having competency and practice in POSH Guidelines, one Senior Management/ employee of the Company from Human Resource Management, one Senior employee of the Company from the Management.

8. DEALING WITH THE COMPLAINT:

The Reporting Process:

- Any employee who is the recipient of behavior that can reasonably be construed as constituting sexual harassment is expected to report the same at the earliest. A written complaint relating to sexual harassment shall be lodged within 3 months from the date of the alleged offence to the ICC giving details of the incident. Any delay in reporting must be explained to the ICC with sufficient cause. If an employee knows of or suspects the occurrence of such harassment to anyone else, he/she should encourage the recipient employee to report the same and could offer to speak for/accompany the person if the individual needs support.
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- Complaints under this Policy may be lodged with the reporting manager, any member of the ICC or any senior leader in the Company including the Directors. Complaints must be made in writing so as to enable a formal investigation and inquiry into the matter. Appropriate measures will be taken by the authorities to ensure confidentiality to the extent possible and that each party gets a fair hearing.
- Note: Employees are expected to use the reporting channels and must NOT publicize an alleged incident of sexual harassment.
- Any questions/clarifications an employee may have in regard to reporting can be raised with the reporting manager, any member of the ICC or any senior leader of the Company.

Investigation Process:

- Any complaint received by the ICC shall be kept confidential by the members of ICC to the extent possible.
- The person accused will be informed that a complaint has been filed against him/her and no unfair acts of retaliation or unethical action will be tolerated.
- The ICC shall ensure that a fair and just investigation is undertaken immediately. The investigation process shall be initiated within five working days of receiving the complaint and shall be completed within 90 days of the receipt of the complaint.
- Both the complainant and the alleged accused initially will be questioned separately with a view to ascertain the veracity of their contentions. If required, the person who has been named as a witness will need to provide the necessary information to assist in resolving the matter satisfactorily.
- The complainant and the accused shall be informed of the outcome of the investigation. If the investigation reveals that the complainant has been sexually harassed as claimed, the accused will be disciplined accordingly.
- If the ICC finds that the complainant was/has been sexually harassed in violation of the law:
- The victim of sexual harassment has the option to seek transfer of the person who harassed him/her or his/her own transfer; and
- The ICC can determine the compensation including monetary damages, if any (please note, employee cannot opt conciliation in lieu of money) on the basis of loss of career opportunity, hospitalization cost, mental trauma, pain, agony, financial status of respondent and paying capability etc. Complainant can also seek leave or transfer on the basis of it.

The Resolution Process:

- Every reported complaint of sexual harassment will be reviewed by the ICC. The ICC shall ensure that a fair and just investigation is undertaken immediately and in accordance with the timeframe set forth in Section 8.2.3 and action will be taken by the ICC in accordance with Section 9, as appropriate, within 60 days of completion of the investigation.
- Based on the type and severity of the complaint as assessed by the ICC, appropriate resolution process will be suggested in consultation with the complainant and accused. This may be a mediated resolution or a full-fledged investigation by the ICC. If mediation is successful with both parties, they must accept the same in writing. The investigation will be done promptly, thoroughly and in as confidential a manner as possible. The investigation process and end result will be documented in writing.
- Those found guilty will be subjected to appropriate disciplinary action.

9. DISCIPLINARY ACTION:

- Where any misconduct is found by the ICC, appropriate disciplinary action shall be taken against the accused. Disciplinary action may range from and include oral/written warnings, transfer or a change of role, withholding promotion, suspension or even dismissal. This action shall be in addition to any legal recourse sought by the complainant in a court of competent jurisdiction.

10. CONFIDENTIALITY:

- It shall be the duty of everyone (including the members of the ICC, the complainant, the defendant, witnesses and other participants) involved in the process to ensure that all incidents/grievances/complaints lodged under this Policy are kept as confidential as is possible. Any person (including witnesses) who breaches confidentiality shall be subject to disciplinary action.

11. PROTECTION AGAINST RETALIATION:

- Regardless of the outcome of a complaint made in good faith, the employee lodging the complaint and any person providing information or any witness, will be protected from any form of retaliation.
- While dealing with complaints of sexual harassment, the ICC shall ensure that the Complainant or the witness are not victimized or discriminated against by the accused. Any unwarranted pressures, retaliatory or any other type of unethical behavior from the accused against the complainant while the investigation is in progress should be reported by the complainant to the ICC as soon as possible. Disciplinary action will be taken by the ICC against any such complaints that are found genuine.
- Retaliation will be treated as seriously as an alleged case of harassment and will apply even if the original complaint of harassment is not proven. Retaliation will be treated as a gross misconduct and the Company will take appropriate action to address any instance of retaliation.

12. DOCUMENTING HARASSMENT:

- Documenting the harassment is important for use as evidence in a case or complaint. You should: (a) photograph or keep copies of any offensive material at the workplace; (b) keep a journal with detailed information on instances of sexual harassment; (c) note the dates, conversation, frequency of offensive encounters, etc.; and (d) obtain copies of your work records (including performance evaluations) and keep these copies.
- Take all letters of commendation, awards, thank you's and anything at all that will corroborate your positive job performance. Pay special attention to documents that your superiors have provided lauding you and your work. If possible, ask your clients, staff, and peers for letters of commendation.
- If you desire to pursue your judicial remedies as described in Section 14, please note that every document that you use during trial must be authenticated by a witness. Keep this in mind during your depositions when the defense asks you where you obtained a document. If you are not clear about where you got the document, and who can authenticate it, you will not be able to use it during your trial.
- The ICC shall keep complete and accurate documentation of the complaint, its investigation and the resolution thereof. The incident would be documented in both the complainant's and the accused's files with the full report of the ICC.
- The ICC will send an annual report regarding matters reported to it under this Policy, as well as any such complaint outcome, to the management of the Company.

13. DISSEMINATION OF THE POLICY:

- A copy of this Policy shall be given to all employees including any new employees and each employee shall sign a statement acknowledging that he/she has received and read, understood and will comply with this Policy.

14. JUDICIAL REMEDY:

- An employee who feels that a sexual harassment complaint or a retaliation complaint did not receive prompt and fair response/resolution may contact the MD & CEO/COO.
- Additionally, nothing in this Policy shall prevent the complainant or the accused from pursuing formal legal remedies or resolution through Government agencies or the courts of law of the country.

15. COMPLAINTS MADE WITH A MALICIOUS INTENT:

- This Policy has been developed as a tool to ensure that in the interest of justice and fair play, our employees have a forum and procedures to report instances of sexual harassment. However, if on investigation, it is revealed that the complaint was made with a malicious intent and with the motive of maligning the concerned individual / tarnishing his/her image in the company and to settle personal/professional scores, strict action will be taken against the complainant. This disciplinary action could include termination of employment.

16. GENERAL:

- The Company reserves the right to modify and amend the provisions of this Policy, so as to comply with applicable legal requirements, internal policies, or with a view to alter the provisions of this Policy to the extent deemed necessary, appropriate or desirable by the Company from time to time.

Note: Ignorance of any aspect of this Policy cannot be used as defense during an inquiry on the matter.

Details of Internal Committee Members of Vistaar Financial Services Private Limited:

Sl No.	Name	Designation	Phone No.	Email Id
1.	Mr. Sudesh Chinchewadi	Chief Business Head	9686667294	sudesh.chinchewadi@vistaarfinance.com
2.	Ms. Sudha Jayaram	External Committee Member	9449850684	sudha@resonanceconsulting.in
3.	Mr. Manas Satpathy	Vice President – Human Resource	9742356060	manas.satpathy@vistaarfinance.com
4.	Ms. Ananya Mohapatra	Product Manager	9337164089	ananya.mohapatra@vistaarfinance.com
5.	Ms. Alina Mufti	Deputy Manager - Legal and Compliance	9535190186	alina.mufti@vistaarfinance.com

The email can also be sent at posh@vistaarfinance.com