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1. PURPOSE:

The policy outlines the protocol and measures implemented at **SRM-MCH&RC** to prevent violence and harassment including sexual harassment at the workplace. There is a clear intent that at **SRM-MCH&RC** there is '**Zero tolerance**' to any form of violence or harassment (including sexual) towards any member of its work-force.

The policy on Preventing Sexual harassment at Workplace follows the guideline of the '**The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013** that came into force on 22 April 2013.

Acts of 'Sexual Harassment' within workplace are recognized as a violation of Human rights.


2. SCOPE:

- It includes the definitions related to '**violence and harassment(including Sexual)**', the policy to complain, the roles and responsibilities of the **Internal Complaints Committee (ICC)**, the method of complaint redressal with appropriate enquiry, and suitable penalty as may be necessary if the complaint is found to be proven or if found that the complaint was false.
- The policy applies to all hospital staff (refers to all management /non-management staff, Clinical and non-clinical staff, contract-workers through external agencies, students and trainees of **SRM-MCH&RC** and from other Institutions, external consultants).
- This policy also applies to all patients/Attendees, consultants. The hospital is also committed to ensuring its members are not subjected to harassment by non-employees.

3. RESPONSIBILITY:

- It is the responsibility of every member of the workforce to ensure the principle of '**Zero tolerance**'.
- Each Manager/Supervisor/HOD is responsible to provide a safe and secure working environment.
- They are responsible to communicate the policy to staff working in their area, and ensure prompt communication of any wrong-doing/complaints/ incidents to the HR department and/or the ICC authorities for suitable action.
- The chairperson and the ICC members are responsible for the action taken on complaints that are reported to them and for suitable redressal.

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4. COMMITTEE MEMBERS:

- Ms. Vishnupriya.M (GM-HR) - CHAIRPERSON
- Dr. Sundaram.A (Dean) – COMMITTEE HEAD
- Mr. Ram Natesan (COO) – COMMITTEE HEAD
- Dr. Nalini Jayanthi (HOD-Respiratory Medicine)
- Dr. Mahadevan.D.S.A (Prof-General Surgery)
- Prof. Dr. Sundari Edwin (Chief Clinical & Nursing Education Administrator)
- External (Social Worker)

5. DEFINITIONS:

Abuse/harassment: includes-

- I. Physical
- II. Sexual
- III. Psychological
- IV. Cyber bullying
- V. Verbal bullying
- VI. Personal harassment
- VII. Power harassment
- VIII. Discriminatory Harassment
- IX. Quid pro quo
- X. Retaliation

I. Physical abuse:

- The offender may be a male or a female indulging in such acts as Physically over-power co-employees or non-employees within the hospital premises
 - Physically hit another employee by hand/leg/ any other object.
 - Physically molest another
 - Physically force any form of consumption
- Examples.
- Unwelcome hugging, sexual touching or kissing
 - Standing too close and brushing up against the complainant, leaning over, invading a person's physical space

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- Patting, stroking, grabbing, blocking someone's path with the intent of making sexual advances

II. Sexual harassment

Unwelcome sexual behavior of direct or implied nature such as .

- Physical contact & advances
- Request or demand for sexual favors
- Sexually colored remarks
- Showing pornography &
- Unwelcome verbal, non-verbal or physical sexual conduct

VERBAL	NON-VERBAL
Derogatory comments of a sexual nature or based on gender	Staring
Sexual or gender based jokes or teasing	Sizing-up a person's body (looking up and down)
Comments about clothing, person's body	Derogatory gestures of a sexual nature
Requesting sexual favors, pressurizing for dates	Sexually suggestive looks-facial expression like licking lips, winking etc

III. Psychological harassment

The damage to a victim's psychological well-being often creates a domino effect, impacting their physical health, social life and work life.

Examples of Psychological Harassment

Psychological harassment in the workplace might look like:

- Isolating or denying the victim's presence
- Belittling or trivializing the victim's thoughts

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- Discrediting or spreading rumors about the victim
- Opposing or challenging everything the victim says

The major effect of psychological harassment is negative power imbalance in the victim. The most common effects of harassment and retaliation are

- Psychological stress and health impairment, loss of motivation.
- Decrease in work performance and increased absenteeism in fear of harassment.
- Loss of trust in the working environment
- Depression, anxiety and panic attacks

IV. Cyber Bullying

It is also called as online bullying. Some of the common types of cyber bullying are.


- Sending mean mails, text, etc... through mails.
- Posting hurtful messages about someone on social media.
- Spreading rumors or gossip about someone online.
- Making fun of someone in a group message or organization group.
- Threatening or intimidating someone online or in a text message

V. Verbal harassment

It can be the result of personality conflict in the workplace that has escalated beyond the casual eye, roll or something more serious. Some of the behaviors are

- Threatening
- Yelling
- Insulting the victim in front of others in public or private
- Inappropriate comments, offensive jokes, intimidation tactics
- Bullying based on their caste, color, creed, religion, personal structure, etc...

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VI. Personal Harassment

Personal harassment is a form of workplace harassment that's not based on one of the protected classes (such as race, gender or religion). Simply, it's bullying in its most basic form and it's not illegal but can be damaging nevertheless.

Examples of Personal Harassment

Inappropriate comments, Offensive jokes, Personal humiliation, Critical remarks, Ostracizing behaviors, Intimidation tactics

VII. Power Harassment

Power harassment is a common form of workplace harassment that's characterized by a power disparity between the harasser and the harassed.

Examples of Power Harassment

Power harassment isn't limited to a certain type of behavior. It can be verbal in the form of intimidation or it can be physical in the form of acts of violence.

More often than not it's psychological. The harasser subjects the victim to:

- Excessive demands that are impossible to meet
- Demeaning demands far below the employee's capability
- Intrusion into the employee's personal life

VIII. Discriminatory Harassment

All unlawful workplace harassment is discriminatory in nature. But, unlike verbal or physical harassment, discriminatory harassment is defined by its intentions instead of how it's carried out. In this case, the bully is harassing the victim because, at least in part, they're a member of a protected class.

The more common and recognizable forms of discriminatory harassment are described in more detail below.

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- Racial Harassment

A victim may experience racial harassment because of their race, skin color, ancestry, origin country or citizenship.

- Gender Harassment

Gender-based harassment is discriminatory behavior towards a person based on their gender.

- Religious Harassment

Religious harassment is often interconnected with racial harassment, but narrows in specifically on the victim's religious beliefs.

This also includes harassment based on **disability, sexual orientation, age-based.**

IX. Quid pro quo:

Implies seeking sexual favors or making advance in exchange for work-benefits. It occurs when consent to sexually explicit behavior or speech is made a condition for employment, or refusal to comply with a 'request' leads to retaliatory action such as dismissal, demotion, difficult work conditions.

X. Retaliation:

Retaliation harassment is a subtle form of retaliation and an often-overlooked type of workplace harassment. Retaliation harassment occurs when a person harasses someone else to get revenge and to prevent the victim from behaving in such a way again.

6. PROCEDURE FOR FILING A COMPLAINT:

- 6.1. Complaint may be abuse of any nature listed above including sexual harassment. The complainant may be the person harassed or anyone negatively impacted by the acts mentioned or may be one who observes such a conduct. The alleged offender may be a man or a woman. He/she may also be the complainant's supervisor, an agent of the employer, a supervisor in another area, a co-worker or a non-employee.
- 6.2. The complaint should be given in writing .The written complaint should contain a description of each incident(s). It should include relevant dates, timings and locations; name of the respondent(s); and the working relationship between the Parties as much as possible, with clear specifics of the nature of the harassment. Vague complaints such as 'he said so' will not be entertained.
- 6.3. The complainant should directly report the harassment to the ICC committee chairperson.

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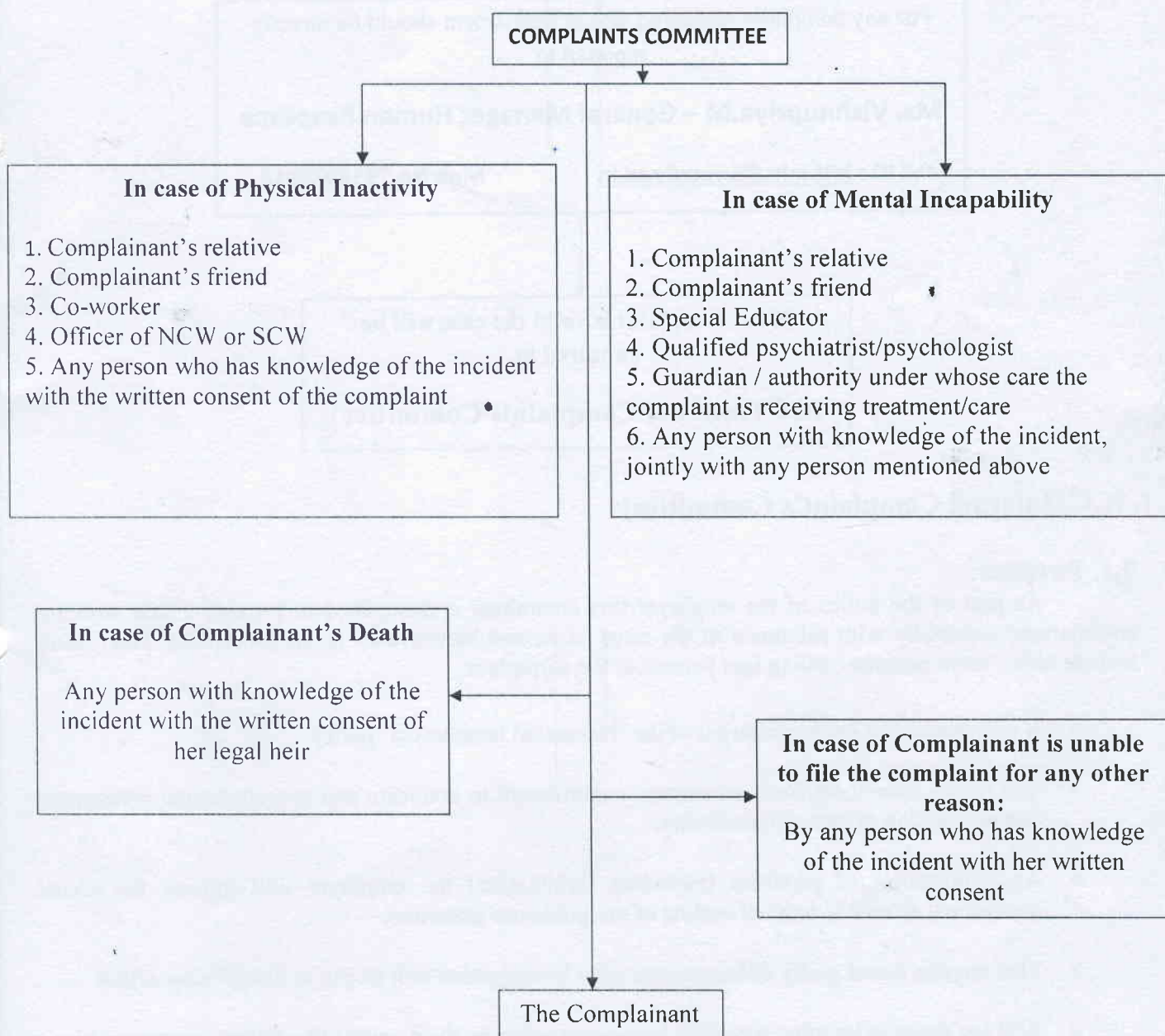
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PROCEDURE FOR FILING A COMPLAINT FLOWCHART



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ESCALATION MATRIX

For any complaint regarding sexual harassment should be directly reported to

Ms. Vishnupriya.M – General Manager Human Resource

Mail ID : hrd.mhs@srmuniv.ac.in

Mob No.7358026018

**If the complaint is valid the case will be
enquired in**

ICC (Internal Complaints Committee)

7. ICC (Internal Complaint's Committee):

7.1. Purpose:

As part of the duties of the employer this committee is designated to provide a safe working environment especially with reference to the issue of Sexual harassment- at the workplace which shall include safety from persons coming into contact at the workplace.

- It will ensure the implementation of the 'No-sexual harassment' policy
- The policy should set forth an express commitment to eradicate and prevent sexual harassment and prohibition of sexual harassment.
- An explanation of penalties (including termination) the employer will impose for sexual harassment & with a detailed outline of the grievance procedure
- That anyone found guilty of harassment after investigation will be put to disciplinary action
- Will lay down strict rules regarding harassment of or by third parties like clients, customers etc.

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- Express provision to keep all sexual harassment complaints and procedures confidential & time bound.

7.2. Membership:

- Chairperson shall be a woman employee at a senior level at the workplace from amongst the employees
- Not less than two members from among the employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge
- 50% members should be women
- Third-party representative from an NGO or any other agency conversant with sexual harassment.

The Chairperson or any member of the committee shall be removed from the membership of the same if the following occurs, and the vacancy so created shall be filled in by fresh nomination.

- Has been convicted of an offence or an enquiry into an offence under any law for the time being in force is pending against the individual; or
- Found guilty in any disciplinary proceedings or a disciplinary proceeding is pending; or
- Has so abused his/her position as to render continuance in office prejudicial to the public interest.

Tenure of membership – 2 years. However to maintain continuity in its functioning, all members of the committee are reviewed annually and will be selected accordingly.

8. COMPLAINTS REDRESSAL:

8.1. Non-sexual harassment:

This includes Psychological, Cyber, Personal, Power, Discrimination, Quid Pro Quo, Retaliation.

These may be reported to authorities mentioned in 4 (above). After due investigation the complaint may be resolved through conciliation.

8.2. Sexual Harassment:

This includes Physical, Verbal and sexual harassments.

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These may be reported to authorities mentioned in 4 (above). This will be addressed through the ICC (Internal Complaints Committee)

COMPLAINT REDRESSAL FLOWCHART

Incidence of workplace sexual harassment to be reported within 3 months Mail ID : hrd.mhs@srmuniv.ac.in Mob No.7358026018

Informal

Conciliation

The respondent fulfills his/her obligations as agreed upon; the case is closed

The respondent fails to fulfill his/her obligations as agreed upon; an enquiry will commence

Formal

The complaint will be dealt by ICC Committee

One copy of the complaint to be submitted to the respondent, to which the respondent needs to reply within 10 days

Inquiry report to be completed within 90 days by the ICC Committee

Report of the findings to be submitted to the chairperson within 10 days of completion of the

Complaint not upheld:
Recommended to chairperson that no action is required to be taken

Complaint upheld:
Recommended to be implemented by chairperson within 60 days of receipt of report

If not satisfied the respondent can appeal to a tribunal/court within 90 days

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9. Time frame for process to be completed

Submission of complaint	Within 3 months of the last incident
Notice to the respondent	Within 7 days of receiving copy of the complaint
Completion of inquiry	Within 90 days
Submission of report by ICC	Within 10 days of completion of inquiry
Implementation of recommendations	Within 60 days
Appeal	Within 90 days of the recommendations

10. Confidentiality:

The contents of the complaint, the identity and addresses of the complainant, alleged offender and any witness(s), the information related to any conciliation, inquiry proceedings, and recommendation of the committee must not be published, communicated or made known to other persons not related to the process, the public, press or media.


Persons entrusted with the responsibility of handling / dealing with the complaint/inquiry/ recommendations breaks the rules of confidentiality, action can be directed against such a person as per hospital rules.

11. False or malicious complaint or false evidence:

Urgent disciplinary action will be recommended in the following instances also-

- Against the complainant or 'aggrieved woman' -If the committee arrives after inquiry that the complaint made was false and malicious, or the complainant has produced forged or misleading documents.
- Against the witness(s) - If the committee arrives after inquiry that the witness(s) has given false evidence or has produced forged or misleading documents.
- Mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant.
- If the complaint is proved to be false the chairperson's decision will be followed accordingly as per hospital policy

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12. ICC –Internal Complaints Committee - Report:

The Committee meets at regular intervals on reception of complaints or quarterly. The committee must provide an Annual report on the activities and the cases it has dealt with to the organization head.

13. ROLE OF MANAGER/SUPERVISORS IN PREVENTING ABUSE AND SEXUAL HARASSMENT:


- All employees must realize that Sexual harassment is a cognizable offence that is a violation of Human Rights.
- Understand the need to maintain harmony at the workplace and SRM-MCH&RC 'zero tolerance' to any form of sexual harassment.
- Create awareness on the rights of Employees in terms of their complaints redressal especially harassment (including sexual) and abuse by other employees, supervisors, vendors, visitors to the hospital.
- Be approachable to those working under your supervision to feel free to discuss any abuse at the workplace so that the same may be reported to appropriate authorities.
- Create awareness about the existence of ICC (Internal Complaints Committee), so that employees could approach if they face any sexual harassment or gender related issues.
- Be aware that sexual harassment is punishable under the Indian Penal Code, Section 509, so as to act as a deterrent to such behavior.

14. ROLE OF THE MANAGEMENT:

SRM-MCH&RC Management is very firm in its commitment to provide a workplace free of Abuse, violence or sexual harassment.

- It will be responsible to provide safe and secure environment for working.
- Ensure that it implements recommendations after thorough inquiry into complaints related to Abuse, violence or sexual harassment.
- Provide necessary facilities to ICC (Internal Complaints Committee) for dealing with complaints and conducting inquiries.

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- Provide assistance to the aggrieved if he/she so chooses to file a complaint in relation to offence under the Indian Penal Code or any other law for the time under force.
- Propose to initiate action under the Indian Penal Code or any other relevant law at the time under review, against offender(s), or if the aggrieved so desires, when the offender is not an employee in the workplace at which the incident of sexual harassment took place.
- Ensure timely submission of reports by **ICC, (Internal Complaints Committee)** regarding any complaints.

15. AWARENESS TRAINING:

Sexual Harassment awareness programs is addressed during induction and also once in 3 months, through the Human Resource Department. The following are the inclusion of the training program

- All employees, men and women, to recognize sexual harassment, how to deal with it, the method to report complaints and complaint redressal systems.
- Ensure proper understanding and implementation of policy.
- Communicating what defines acceptable behavior and what is not, in a non-threatening atmosphere.
- Involving external resources who are experienced in dealing with gender issues for interactive sessions.

16. REFERENCES:

1. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (Ministry of Law and Justice- Government of India).

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Prepared By

Name: Ms. Vishnupriya

Signature:

Approved By:

Signature Of Dean:

Signature Of COO:

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