
INITIATIVE FOR PEOPLE IN NEED (IPN)



SEXUAL HARASSMENT POLICY-2014

(Revised Edition-May 2024)

**IPN – An Agent for Social Change &
Development in Pakistan**

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INTRODUCTION

Initiative for People in Need (IPN) is a non-government, not-for-profit and non-religious, impartial, research, relief & development organization established in January, 2012. IPN was officially registered on April, 04, 2013 under the office of the provincial registrar joint stock companies & societies Peshawar, KP, under the registration of societies act XXI of 1860, with registration no 134/5/7361.

Goal

The ultimate goal of the establishment and existence of IPN is human welfare through reaching the unreachable, the most vulnerable, and above all the neediest.

Vision:

IPN envisages a developed & just society which is free from all kinds of discrimination based on race, color, religion, language & ethnicity.

Mission statement

To bring a positive change in the society while meeting the miseries of people and peoples' empowerment through peoples' participation, mobilization of available resources, a pool of professional humanitarian aid workers, & philanthropists leading to sustainable development.

IPN's Core Values

Following are the core values of the organization which determines the way and direction of actions for those who are associated with it.

1. Professionalism.

We are professionalism in terms of organizational environment and delivery of services.

2. Team work.

We believe in team work for better, effective and efficient results of activities carried out.

3. Accountability.

We believe that we are accountable to all the stakeholders we are connected with or having any direct or indirect relationship.

4. Networking.

We believe in networking for reciprocal learning, sharing of experiences and delivering the better results.

SEXUAL HARASSMENT POLICY:

IPN strictly prohibits all forms of gender-based discrimination and sexual harassment. It has adopted the protection against harassment at work place act 2009 as passed by the National Assembly on January 22, 2010. Any amendments in the law shall be adopted accordingly.

1. DEFINITION

Sexual harassment means any unwelcome sexual advance, request for sexual favors or other verbal or physical conduct of a sexual nature, passing on pornographic material in print or electronic form, or passing on written offensive messages of a sexual nature. Any such act if made a condition for employment or to obtain certain job benefits (wage increase, promotion, training opportunity, transfer or the job itself) by a person in authority is also sexual harassment.

Any expression that suggests superiority of one gender over the other should be avoided. Such expressions may include jokes that demean one gender, unwelcome references to a person's appearance or body, where they cause psychological harassment and serve to deny colleagues their dignity and respect and contribute to an

atmosphere in which inequality is emphasized. Such expressions, if persistent, may constitute gender harassment.

Recurring acts which may have a cumulative effect or a single severe incident would be considered enough to establish gender harassment.

Gender harassment includes, but not limited to: verbal harassment or abuse, subtle pressure for sexual acts, sexual advances in the pretext of narrating sexual incidents, touching, patting or pinching, leering at a person's body, demanding sexual favors accompanied by subtle or overt threats concerning employment or advancement; and physical assault including rape.

The above mentioned forms of harassment are not always distinct from each other and can occur simultaneously. Additionally, harassment can happen to men and women at all levels of job hierarchy and between all relationships of equal and unequal power. The harassment can occur outside working hours and workplace. It is the access that a perpetrator has to the person being harassed by virtue of a job situation or relation.

2. APPLICABILITY

Provisions of this section are applicable to all staff including permanent staff, contract staff, consultants, interns, volunteers, daily paid workers, visitors etc. Sexual harassment of any kind will be considered as, "misconduct" and strict action will be taken against the concerned staff member as per the procedure given below. The provisions will also be applicable to representatives of member organizations of the INITIATIVE FOR PEOPLE IN NEED (IPN) while they interact with IPN secretariat staff or attend IPN secretariat and vice versa.

The management will periodically conduct awareness sessions for the staff about sexual harassment and its consequences for victim/affected person and accused.

3. INQUIRY COMMITTEE

A three member inquiry committee hereafter called as, "Redressal Committee for sexual harassment Complaints" consisting of the following members will be constituted to receive complaints of sexual harassment and conduct further proceedings.

- i. A member from the Senior Management, elected by the female staff;
- ii. Two women staff members, nominated by the management and elected by the female staff;
- iii. Any other member of the Senior Management or a member of the Executive Council may be co-opted to complete the strength of the committee, in the case that one of the key members is accused or one of the key member's reports to the accused.

However, in case of the special conditions where there will be no female staff, then, the committee shall comprise of 3 members; one from the BoD, second the ED and third from the staff members as selected by the ED.

The committee members will be changed if any of the members is accused or a senior staff member is accused to whom a committee member directly or indirectly reports. In such cases strength of the committee will be completed by inviting members from the Executive Council/body or BoD . Committee meetings will be convened on need basis and the committee members will be revised after a year. It is in the interest of IPN to create and maintain a work environment free of intimidation and abuse for collective productivity and individual job satisfaction. The committee is expected to discuss and take necessary actions (training, awareness etc.) to prevent incidences of sexual harassment in the organization.

The inquiry committee will have the following powers;

1. To summon and enforce attendance of any person and examine him on oath;
2. To require the discovery and production of any document;
3. To receive evidence on affidavits;
4. To record the evidence;
5. To inquire into the matters of sexual harassment under this act and may recommend appropriate penalty against the accused. 6.

To recommend to the court of law for appropriate action against the complainant if allegations leveled against the accused are found to be false and made with mala fide intentions.

7. To treat the proceedings, statements and other evidence as confidential.
8. To regulate its own procedure for conducting inquiry and for fixing place and time of its sitting.

4. PROCEDURE

A complainant may find it difficult to report gender harassment because of fear of embarrassment, publicity, economic vulnerability, and fear of retaliation by the accused, co-worker or employer. Filing of sexual harassment complaint should not be seen as detrimental to the image of the organization, rather an opportunity to deal with problem, to restore confidence of staff members and to indicate that management takes such complaints seriously and professionally.

Any victim of sexual harassment may bring the act in the notice of concerned supervisor or any of the inquiry committee members informally, if he/she feels appropriate, without making a formal complaint. Any such informal complaint may be resolved through mediation between the parties involved and by providing advice and counseling on a strictly confidential basis. Making an informal complaint does not affect staff member's right to make a formal complaint's he /she can launch a formal complaint at any time.

If the incident reported does constitute gender harassment of a higher degree and the mediator(s) feel it should be formally taken up for disciplinary action, with the agreement of complainant, the case can be taken as a formal complaint.

Any aggrieved staff member can launch a formal complaint through her/his supervisor, or directly to any member of the inquiry committee. Whereby the supervisor or committee member approached is obligated to initiate the process of investigation, and not to cover up or obstruct the inquiry.

In case a complaint is launched against a member of senior management, to avoid the possibility of influencing the inquiry proceedings no member of the inquiry committee should be in a position where they directly or indirectly report to the accused. Any such member of the inquiry committee shall not be part of the inquiry. In such cases the

strength of committee shall be complete by inviting members from the Executive Council.

5. INQUIRY

- I. Upon receiving a formal complaint, the inquiry committee will ask the complainant to prepare a detailed statement of incidents in case the written complaint is not detailed. A statement of allegations will be drawn by the committee and sent to the accused within 3 days of receipt of complaint.
- I. The accused will be asked to respond to the statement of allegations and submit a written response to the committee within specified time (2 days) and upon his failure to do so without reasonable cause, the committee shall proceed without his participation or input.
- iv. The statements and other evidence acquired in the inquiry process will be considered confidential. The committee will ensure confidentiality during the whole inquiry process.
- v. Upon receipt of response from the accused, the committee may decide to organize verbal hearing of the complainant and the accused. Hearing (s) may be held either in presence of both the complainant and the accused, or separately, as deemed fit by the committee within 3 days of receipt of response from the accused.
- vi. The committee will enquire into the charge and may examine such oral or documentary or any other evidence in support of the charge or in defense of the accused as the committee may consider necessary and each party shall be entitled to cross-examine the witness against them. Care should be taken to avoid any retaliation against witness by giving necessary protection and/or maintaining confidentiality.
- vii. The investigation procedure should be completed as soon as possible. The inquiry and the implementation of the decision should not take more than two weeks.

The following provisions shall be followed by the committee in relation to the inquiry:

- i. An officer may be nominated to provide advice and assistance to each party, if considered necessary.
- ii. Both parties, the complainant and the accused, shall have the right to be represented or accompanied by a collective bargaining agent representative, a friend or colleague.
- iii. No adverse action shall be taken against the complainant or the witness, given that the allegations leveled against the accused are found to be false or made with mal-intentions.
- iv. The committee shall give its findings in writing by recording reasons thereof.

6. CONDUCTIVE ENVIRONMENT FOR INQUIRY

Respective supervisors of the two staff members involved should do their best to temporarily make adjustments so that the accused and the complainant do not have to interact intensely for official purposes during the inquiry period. The management can also decide to send the accused and/or complainant on leave, in accordance with applicable procedures for dealing with the cases of misconduct, if required.

Retaliation from either party should be strictly monitored. During the process of the inquiry, evaluations, daily duties, reporting structure, and any parallel inquiries initiated should be strictly monitored to avoid any retaliation from either side.

7. EVIDENCE:

It is common that gender harassment usually occurs between colleagues when they are alone; therefore it is difficult to produce typical evidence(s). It is strongly recommended that staff should report an offensive behavior immediately to someone they trust, even if they do not wish to launch a formal complaint at the time. However, not reporting immediately shall not affect the merits of the case. Among others, following shall be considered as evidence:

- i. Detailed account of the complainant and the accused;
- ii. Witness statements;

- iii. Statements of persons with whom complaint might have discussed the incident, statements of persons from whom advice may have informally been sought;
- iv. Any other evidence including, but not restricted to: documents, circumstantial, audio or video records.

8. DECISION:

The committee will take the decision after carefully reviewing the circumstances, evidence, and relevant statements in all fairness within 30days of the initiation of inquiry. If the accused staff member is found not guilty, the compliant will be dismissed. If found guilty, the committee shall recommend the imposition of one or more of the following penalties:

I. Minor penalties: a) Oral warning/reprimands that is noted in the person's employment records; b) Written warning noted in the employment record; and/or c) Written apology along with a statement of not repeating any such act; if one such apology has already been submitted, repeat act shall lead to termination of the staff member. d) Stoppage of promotion or financial increment for a specific period; e) Demotion; f) Putting a confirm staff member on probation (except permanent staff); g) Recovery of the compensation payable to the complainant from pay or any source of the accused; II. Major penalties: a) Demotion to a lower post b) Compulsory retirement; c) Termination from service with notice period or withholding notice period salary and/or other benefits as recommended by the authority; or d) Dismissal from service without notice or pay in lieu of the notice period. e) Fine; such that part of the fine can be used as compensation for the complainant.

The disciplinary committee is to impose the penalty recommended by the inquiry committee. If the internal disciplinary committee or the Executive Council has a reason to doubt the fairness of the decision, they must express their concerns in writing and re-open the investigation.

After its imposition, the inquiry committee is to meet on regular basis and monitor the situation until they are satisfied that their recommendations have been implemented. In case the victim of harassment is in trauma, the organization will arrange for counseling, medical treatment and additional medical leave as applicable. Compensation may also be offered to the complainant in case of loss of salary or other damages.

9. APPEAL:

In case any of the parties involved is not satisfied with the penalty awarded, an appeal may be filed in the court of law.

POLICY DOCUMENT ENDS

Approved by: Members Board of Directors