



Protection from Sexual Exploitation and Abuse

This policy follows the Act of Parliament and its notification and is as per provision of “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules 2013”.

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1. Introduction

It is a core goal principle of EduWeave Foundation to ensure gender equality and gender justice through all of EduWeave Foundation interventions and practices. In keeping with this principle, it is important to ensure an organisational climate free from discrimination and harassment with a particular focus on sexual harassment, exploitation and abuse. This policy is concerned with the Protection from Sexual Exploitation and Abuse (PSEA) of adults (anyone over the age of 18). This includes direct or indirect beneficiaries of our programming, adults in the wider communities in which we work and those who come into contact with EduWeave Foundation or our employees. This policy applies to all persons working for EduWeave Foundation or on behalf of EduWeave Foundation in any capacity, including employees at all levels, volunteers, interns, external consultants, suppliers and business partners. It applies during or outside of working hours, every day of the year.

Sexual harassment, exploitation or abuse of employees occurring in the workplace or in other settings in which staff may find themselves in connection with their employment is unlawful and will not be tolerated by this organization. EduWeave Foundation takes allegations of sexual harassment, exploitation and abuse seriously and will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, prompt and appropriate corrective action as is necessary, including disciplinary action, will be taken. While this policy sets forth our goals of promoting a workplace that is free of sexual harassment, exploitation and abuse the policy is not designed or intended to limit the authority of EduWeave Foundation to discipline or take remedial action for workplace conduct which is deemed unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

2. Definitions

For the purposes of this Policy

- “Staff” shall mean any person employed by EduWeave Foundation including EduWeave Foundation associates whether full- time, part-time, temporary, voluntary, seconded, contracted or casual and also researchers, trainees, consultants and employees of project partner.
- “NGOs” for the purposes of this policy means any non-governmental organisation operating on a secular non-profit basis and involved in work concerning gender justice.
- “Sexual harassment” includes any unwelcome sexually determined behaviour (whether direct or by implication) such as
 - physical contact and advances either physical and non –physical
 - a demand or request for sexual favours
 - sexually coloured remarks
 - showing pornography
 - creating a hostile work environment
 - any other unwelcome “sexually determined behaviour” be it physical, verbal or nonverbal
- “Sexual Exploitation” is any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.
- “Sexual Abuse” is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. This would include forced marriage and sexual slavery and also includes sexual activity with a child (any person under the age of 18)
- “Survivor” is the person who it is alleged has been the subject of sexual harassment, abuse or exploitation.
- “Complainant” is the person who raises a complaint (this may or may not be the survivor).
- “Respondent” is the person against whom the allegation, complaint or concern has been raised.
- “Suspicion of misconduct” is a concern that has been raised through any of the reporting pathways. This suspicion is assessed at an initial case conference / stakeholder panel.
- “Allegation of misconduct” is if, at case conference / stakeholder panel stage there is a decision to investigate the suspicion of misconduct then it is treated as an allegation of misconduct;
- “Outcome of Investigation” is once an allegation is investigated and the investigation report is reviewed, the resulting recommendations are referred to as the ‘outcome of investigation’.

3. Policy Statement

EduWeave Foundation has a zero-tolerance policy towards sexual harassment, exploitation, and abuse. At EduWeave Foundation we believe all people have a right to live their lives free from sexual violence and any abuse of power regardless of age, gender, sexuality, sexual orientation, disability, religion or ethnic origin. We recognize that there are unequal power dynamics across the organization and in relation to those we serve, and that we face the risk of some people exploiting their position of power for personal gain. EduWeave Foundation will not tolerate its employees, volunteers, consultants, partners or any other representative associated with the delivery of its work carrying out any form of sexual harassment, sexual exploitation or sexual abuse. EduWeave Foundation commits to supporting survivors, improving safeguarding capacity, reporting, investigating, responding to, and preventing sexual harassment and sexual exploitation and abuse.

4. Principles and Commitments

EduWeave Foundation is committed to achieving full, ongoing implementation of the Six Core Principles relating to Sexual Exploitation and Abuse.

4.1 Sexual exploitation and abuse conducted by Employees will be terminated from work and disciplinary action will be taken against him/her.

- Sexual activity with children (persons under the age of 18) is prohibited.
- Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior by EduWeave Foundation Employees is prohibited at all times. Eduweave Foundation's Code of Conduct strictly prohibits the exchange of sex for money. EduWeave Foundation does not make judgment against individuals who participate in selling sex in exchange for money or something else such as gifts or material support ("transactional sex"). However, EduWeave Foundation has banned buying sex in order to prevent sexual exploitation and abuse from occurring.
- Sexual relationships between EduWeave Foundation Employees and beneficiaries are forbidden.
- EduWeave Foundation employee must declare any previously existing relationships with beneficiaries to their line managers or senior management of the organization.
- Where an EduWeave Foundation Employee develops concerns or suspicions regarding sexual abuse or exploitation or sexual harassment by a fellow worker, whether in EduWeave Foundation or not, he or she must immediately report such concerns via the established committee.

- EduWeave Foundation Employees are obliged to create and maintain an environment that prevents sexual exploitation and abuse and child abuse and promotes the implementation of this Policy.
- EduWeave Foundation Managers at all levels have particular responsibilities to support and develop systems, which maintain this environment.

4.2 EduWeave Foundation Commitments

EduWeave Foundation is dedicated to fulfilling the following commitments to prevent and respond to sexual exploitation and abuse and sexual harassment as highlighted in the six Core Principles above.

- Safe Organizational Culture: EduWeave Foundation will make every effort to create and maintain a safe organizational culture for all those who work for and with EduWeave Foundation, as well as those in the communities where EduWeave Foundation operates through robust prevention and response work, offering support to survivors, and holding those responsible for sexual harassment, exploitation or abuse to account.
- Reporting Sexual Harassment, Exploitation and Abuse (SHEA): Provide training and information to all EduWeave Foundation Employees, particularly focal points for receiving complaints, to ensure they understand their obligations and how to discharge their duties should they receive a complaint. A particular emphasis should be made on confidentiality.

4.2.3 Responding to SHEA (sexual harassment, exploitation or abuse) Reports:
 EduWeave Foundation will respond in a professional and timely manner to all concerns or allegations of sexual harassment, exploitation or abuse. All concerns or allegations will always be taken seriously, and investigated and acted upon where appropriate, in line with our safeguarding principles listed below.

- Robust and accountable case management: All allegations of SHEA, and subsequent follow-up, will be documented in a secure and confidential database to ensure accountability. The report will be officially acknowledged within 24 hours, and a safeguarding team will convene a case conference to assess immediate risks and next steps within 72 hours.
- Investigations: EduWeave Foundation will carry out independent, safe, and discreet investigations, through trained investigators working with EduWeave Foundation's Safeguarding Teams, recognizing the rights of and duty of care to everyone involved, including the complainant and/or survivor, witnesses and the subject of complaint (SoC).

- Accountable decision-making: EduWeave Foundation will take appropriate action against EduWeave Foundation Employees who are found to have committed SHEA. This may include administrative or disciplinary action, and/or referral to the relevant local authorities if appropriate and safe to do so. An independent and gender representative decision-making panel will be assigned in every investigation to ensure impartiality, transparency, and accountability
- Survivor Support: Survivors of SHEA are entitled to specialized support services. EduWeave Foundation commits to refer survivors to competent support services as appropriate and available and according to the wants and the needs of the survivor. Support may include specialist psychosocial support such as counseling, medical assistance, legal counseling and access to EduWeave Foundation Employee Assistance Programs (where available).
- Constitution of Internal Complaint Committee (ICC) - An Internal complaint committee will be constituted with a five-member nominated team comprising of:
 - Five persons of whom three shall be women including a Chairperson who shall also be a woman; Chairperson/ Presiding Officer should be at least at the level of Programme Manager of EduWeave Foundation staff.
 - One staff members of EduWeave Foundation
 - One member shall be a clinical psychologist; It is advisable that the clinical psychologist is external to EduWeave Foundation.
 - One third party/NGO representative/lawyer familiar with the issue of sexual harassment;
 - In addition to the five persons, ICC may also include an advisor or invitee who should preferably be female.

4.2.3.1 Working of ICC

- Membership to the ICC shall generally be for a period of two years and not exceeding three years. Thereafter, new appointments shall be made. At least 2 members and not more than 3 should be retained for continuity. Tenure of a particular member may exceed two years to the extent necessary in order to ensure continuity as mentioned above.
- A member of the ICC shall cease to hold membership should any one of the following conditions arise: -
 - Upon s/he ceasing to be a staff of EduWeave Foundation, in case the member is an EduWeave Foundation employee
 - Any member of the ICC without any valid reason remains absent without permission of the ICC from three consecutive meetings
 - Any member of the ICC against whom a complaint of sexual harassment, violation of EduWeave Foundation's code of conduct or violating confidentiality or criminal charges are made and *prima facie* established.

- In the event of any vacancy on the ICC due to resignation, termination, death or for any other reason whatsoever the same shall (within a period of two months of such vacancy) be filled in accordance with the procedures prescribed by this policy.
- The Chairperson of ICC will be required to present a quarterly report on the activities of the ICC to the Director of the organization. Care must be taken not to breach confidentiality in these reports.
- All regular meetings of the ICC shall be fixed by the chair persons through mutual consultation among the members.
- The ICC shall be required to present a yearly Plan & Budget for preventive activities. This will form part of the organizational budget. The travel expenses and boarding and lodging of external members / advisors will be borne by EduWeave Foundation/ICC.
- The meeting of the Internal Complaint Committee shall be held once every quarter.
- Members shall be intimated of meetings and agenda in writing and/or by electronic communication by the Member Secretary at least two (2) days in advance.
- The Chairperson shall call an emergency meeting within two working days of the receipt of a complaint of sexual harassment at workplace.
- Minutes of all meetings shall be recorded, confirmed and adopted. The Chairperson shall circulate the minutes of a meeting and the resolutions so passed to all Members of the ICC within seven (7) days of the holding of the meeting or the passing of the resolution.

4.2.3.2 The First Instance Persons (FIPs):

- FIPs will be nominated by the concerned Unit/Region/projects, after an appropriate process of consultation within Regions/Units/projects.
- FIPs need to have a strong commitment to women's rights and gender equality. They should also understand that complaints of SHEA are of a sensitive nature and confidentiality of all parties concerned, especially the complainant and accused, has to be respected.
- FIPs will need to co-ordinate preventive activities within their Unit / Region/ Project to create a SHEA free atmosphere. The responsibility for ensuring that such activities take place lies with the Management of EduWeave Foundation.
- FIPs will be responsible for taking steps to ensure that cases of SHEA in EduWeave Foundation are brought to the notice of ICC.
- FIPs would be sufficiently trained and capacitated to deal with informal complaints of SHEA with the report to the ICC.
- The Senior Manager of EduWeave Foundation will, in coordination with the Chairperson of the ICC ,ensure that at least 2 workshops are held every year to enable FIPs to upgrade their knowledge and skills.

- FIP & the Regional/ Project Manager have to inform all new staff of PSEA Policy.
- The names and contact details of all members of the ICC as well as First Instance Persons (FIPs described below) shall be prominently displayed on the main notice board of all EduWeave Foundation offices.
- First Instance Persons (“FIP”s) at the various levels of EduWeave Foundation (as it shall deem fit) `shall be appointed by the management. They may provide first instance intervention in case of any complaint of SHEA. The ICC shall undertake to impart training to such FIPs to equip them to respond effectively to first instance reports of SHEA.

4.3 Embedding PSEA into EduWeave Foundation work

- Safer Recruitment: In compliance with applicable laws, EduWeave Foundation is committed to prevent perpetrators of SHEA from being (re)hired or (re)deployed. Managers and Human Resource teams will ensure robust recruitment screening processes for all personnel, including employees, volunteers, consultants and other representatives.
- Partnership Agreements: EduWeave Foundation will ensure that, when engaging in partnerships, sub-grant or sub-recipient agreements, these agreements:
 - Incorporate this Policy as an attachment;
 - Include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers to abide by a Code of Conduct that is pursuant to the standards of this Policy; and
 - Expressly state that the failure of those entities or individuals, as appropriate, to take preventive measures against sexual exploitation and abuse and sexual harassment, to investigate and report allegations thereof, or to take corrective actions when SHEA has occurred, shall constitute grounds for EduWeave Foundation to terminate such agreements.
- Staff and partner training: EduWeave Foundation Employees must receive as part of their induction trainings on PSEA and Safeguarding when they join EduWeave Foundation, including a briefing on EduWeave Foundation’s policies and values, the Code of Conduct, information about how to report concerns, and advice about where to seek further information about safeguarding and safer practices across the organization. Anyone working directly with beneficiaries on behalf of EduWeave Foundation must receive additional training on how to receive complaints and handle them in a safe and confidential manner.
- Beneficiary Accountability: EduWeave Foundation commits to promoting accountability towards our beneficiaries and the communities where we work by:

- Being transparent about EduWeave Foundation programming, activities, and services beneficiaries are entitled to;
- Raising awareness about EduWeave Foundation’s Code of Conduct, safeguarding policies, and reporting channels;
- Actively seeking feedback from communities on EduWeave Foundation’s work, individual behaviors, and complaints;
- Presenting feedback to communities on what changes have been made resulting from community feedback. The above steps should occur regularly throughout the lifecycle of the program or activity.

4.3.1 Roles and Responsibilities

- All EduWeave Foundation Employees: Everyone who works on behalf of EduWeave Foundation is required to report any suspicions or incidents of SHEA or others. Failure to report to a relevant person suspicion of SHEA relating to someone else is a breach of EduWeave Foundation policy, and could lead to disciplinary action being taken against employees and the termination of EduWeave Foundation’s relationship with non-employees.
- There is no obligation for an individual to report any incident that has happened to them.
- Senior management: EduWeave Foundation senior Management hold overall accountability for this policy and its implementation.
- Safe Guarding (SG) Focal Points: Provide support to prevent and respond to SHEA alongside their substantive roles. Raising awareness and promoting best practices by receiving concerns, supporting survivors and reporting concerns in a confidential manner within their Affiliate channel.
- Managers: Responsible for promoting awareness of this policy with people they manage and for supporting/developing systems that create and maintain a safe working environment. This also includes the responsibility for ensuring that all staff receive regular PSEA training, with a particular emphasis on staff that are in direct contact with the people we serve. Managers should prioritize PSEA awareness raising for themselves and their teams.
- Program Teams: Consult with beneficiaries (in a safe, accessible, and culturally appropriate way), to ensure that beneficiaries and those working on behalf of EduWeave Foundation are familiar with
- EduWeave Foundation’s Code of Conduct, how to raise complaints and concerns, and that EduWeave Foundation will take action when this happens. Program Teams should also clearly explain what goods and/or services the beneficiaries are entitled to and how beneficiaries are selected.

5. Raising a complaint or concern

EduWeave Foundation Employees have a responsibility to report any suspicion or concern of SHEA. Any individual can raise a concern/complaint to EduWeave Foundation about an incident they have experienced, witnessed, or heard about concerning an EduWeave Foundation staff member or partner (suppliers, partners, contractor, etc.) without fear of retribution to the Internal Complaint Committee in writing.

5.1 Reporting Channels

- All the employees and beneficiaries of EduWeave Foundation can raise a concern or make a complaint to EduWeave Foundation about something they have experienced or witnessed without fear of retribution to the ICC.
- Any person who believes that or who has been subjected to Sexual Harassment by Respondent, shall file a complaint in writing at the earliest point of time and in any case within 3 (three) months of the alleged incident of Sexual Harassment and in a series of incidents, within a period of 3 (three) months from the date of the last incident. The survivor can raise a complaint to either the FIP or the ICC. Where such a complaint cannot be made in writing, the Chairperson of the ICC or any member of the ICC shall render all reasonable assistance to the complainant for making the complaint in writing.
- Such a complaint should be made to the ICC or to any member of the ICC (along with the supporting documents and list of witnesses, if any) or to the FIPs.
- Where the survivor cannot make a complaint on account of:-
 - physical incapacity, his/her relative or friend or co-worker or an officer of the National Commission for Women or State Women's Commission or any person who has knowledge of the incident, with the written consent of the person, may make a complaint; or
 - mental incapacity, his/her relative or friend or a special educator or a qualified psychiatrist or psychologist or the guardian /authority under whose care s/he is receiving treatment or any person who has knowledge of the incident jointly with any of the above may make a complaint; or
 - death, any person who has knowledge of the incident, with the written consent of his/her legal heir; or
 - iv. any other reason, any person who has knowledge of the incident, with his/her consent.

5.2 Confidentiality

Complaints can be made anonymously. Every effort will be made to maintain confidentiality throughout the complaints process. Information that identifies individuals involved in a complaint will be limited to essential personnel and will not be shared further without obtaining the informed consent of those involved,

except if someone's life is at risk, a child is at risk, or as required by law in consultation with legal counsel and where safe to do so.

Non-identifying information will be shared as per reporting requirements.

Staff involved in the complaints process will be made aware of the importance of maintaining confidentiality and may be asked to sign a confidentiality agreement. Employees who breach confidentiality may be subject to disciplinary action up to and including termination of employment.

EduWeave Foundation will take action against anyone, whether they are the subject of a complaint or not, who seek or carry out retaliatory action against complainants, survivors or other witnesses. Employees may be subject to disciplinary action, up to and including termination of employment.

5.3 Complaints about EduWeave Foundation's Partners

Where EduWeave Foundation receives a complaint about a partner organization, EduWeave Foundation will expect the partner to respond safely, quickly and appropriately. EduWeave Foundation will assist the partner to ascertain its reporting obligations.

Where appropriate, EduWeave Foundation will work with the partner to address the issue through an appropriate independent investigation. If the outcome is that abuse has occurred, ongoing work with the partner cannot involve the individual(s) concerned.

6. Procedure of dealing with complaints related to SHEA

On receipt of complaint, the ICC shall forward a copy of the same to the Respondent within 7 (seven) working days. The Respondent shall file his/her reply to the complaint along with his/her list of documents and witnesses at the earliest and in any case not later than 10 (ten) working days from the date of receipt of the copy of complaint from the ICC.

The Internal Complaint Committee may, before initiating an inquiry and at the request of the survivor take steps to settle the matter between the survivor and the Respondent through conciliation, provided that no monetary compensation shall be made as the basis of conciliation. If the settlement is arrived at during conciliation proceedings, ICC will record the settlement and provide copies of the suitable action as per the settlement, each to the survivor as well as the Respondent and also to the Employer. No further inquiry shall be conducted where a settlement has been arrived post conciliation.

If the survivor informs the ICC that any such settlement is not complied with or where no settlement is arrived at, then in such a case, the ICC shall proceed with an inquiry. The ICC shall give both the parties (Survivor and Respondent) an opportunity of being heard and a copy of the findings shall be made available to both the parties to follow the principles of natural justice. Both the parties will also be required to submit the evidences in support of their statements.

While conducting inquiry, the ICC shall also examine the witnesses, and determine if there are any individuals with direct or indirect information regarding the complaint and, if so, ICC shall also examine them or obtain information from such other individuals and make such enquiries as it thinks fit.

7. Process of Inquiry:

- Upon receiving a formal complaint, the ICC shall ask the Complainant to prepare a detailed statement of incidents if written complaint is sketchy. A statement of allegations will be drawn up by the ICC and sent to the accused.
- The accused will be asked to prepare a response to the statement of allegations and submit to the Committee within the given time.
- The statements and other evidence obtained in the inquiry process will be considered confidential materials.
- An officer in the organization could be designated to provide advice and assistance to each party if requested by either of them. Similarly, the complainant and the accused will have the right to be represented or accompanied by a member of staff of EduWeave Foundation a friend or a colleague.
- The ICC will organize verbal hearings with the complainant and the accused.
- The ICC will take testimonies of other relevant persons and review the evidence whenever necessary. Care should be taken to avoid any retaliation against the witnesses by giving necessary protection.
- The ICC will take its decision after carefully reviewing the circumstances, evidence and relevant statements in all fairness.
- If the accused, being provided fair opportunity to participate in the inquiry and defend him/herself fails to participate in the inquiry, the ICC may conduct the inquiry ex parte.
- The ICC will ensure confidentiality during the inquiry process.
- In the course of investigating any complaint of sexual harassment, the ICC shall ensure that the principles of natural justice are adhered to namely:-
 - Both parties shall be given reasonable opportunity to be heard along with witnesses and to produce any other relevant documents before the ICC;
 - Upon completion of the investigation, both the parties will be informed of the results of that investigation.
 - Documents which form part of the official record shall also be given to the complainant if need be.

- The ICC shall be empowered to do all things necessary to ensure a fair hearing of the complaint including all things necessary to ensure that victims or witnesses are neither victimised nor discriminated against while dealing with a complaint of SHEA. In this regard the ICC shall also have discretion to make appropriate interim recommendations vis-à-vis an accused person pending the outcome of a complaint including suspension, transfer, leave, change of office etc. The complainants should have the option to seek transfer of the perpetrator or seek his/her own transfer.
- In the event, the ICC determines that SHEA has occurred, it will make appropriate recommendations as to necessary action to be instituted to remove the offensive conduct and, where appropriate, to institute disciplinary action. The complainant's views may be taken into consideration for this purpose.
- Given that EduWeave Foundation views any finding of SHEA a serious violation of human rights, if it is determined that inappropriate conduct has been committed by a staff, appropriate action will follow under the circumstances. Such action may range from counselling to termination from employment, and may include such other forms of disciplinary action the ICC deems appropriate under the circumstances. The ICC will be guided by HR procedures for disciplinary action within EduWeave Foundation. If the aggressor is guilty of serious SHEA or has repeatedly(second time) committed acts of SHEA then s/he must be dismissed. In appropriate cases s/he may also be required to pay monetary compensation. If the offence is of the serious nature, (which involves challenging modesty of the complainant or any kind of molestation), then the complaint shall be lodged under Section 354 of the IPC with the consent of the complainant.
- The inquiry committee will submit the inquiry report within 10 days from the date completion of the inquiry.
- Sexual harassment by line managers or by colleague senior to the survivor, then such acts will be considered to be very serious and will attract higher penalties.
- Interim relief to the survivor should be assured.
- However, if the ICC finds the allegations made by the complainant are false and malicious, the complainant will be subjected to disciplinary action which may include; transfer, reprimand, suspension or dismissal as per EduWeave Foundation HR Policy.”

Third Party Harassment

Where SHEA occurs as a result of an act or omission by any third party or outsider, EduWeave Foundation will take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

Management Obligations:

- Management of EduWeave Foundation shall provide all necessary assistance for the purpose of ensuring full, effective and prompt implementation of this policy. It shall further be bound by the decisions of the ICC and shall implement the same expeditiously.
- The support to be provided to ICC includes :-
 - Secretarial and administrative support for training and other preventive actions.
 - Secretarial support during SHEA enquiries
 - Adequate financial resources for all activities
 - Time planning for members of ICC, especially EduWeave Foundation staff
 - Prompt / timely action based on the recommendations of the ICC
 - Proper fund allocation to support (related to) the Enquiry Committee.
- The responsibility for preventive activities (regarding SHEA) rests with the Management of EduWeave Foundation.
- The responsibility of taking prompt action on ICC recommendations lies with the Director of EduWeave Foundation. Recommendations of the ICC shall be binding on the Director. However, if the Director has a difference of opinion he/she may ask the ICC to review its decision. The final decision will, however, be that of the ICC. Action on ICC recommendations should be taken within 2 weeks of the recommendation being made and reported back in four weeks to the ICC.
- EduWeave Foundation is expected to provide adequate protection to ICC and Enquiry Committee members in case of threats and any retaliation. Support and protection must also be provided (by Management) if matters go to Court. Management should in all cases defend the ICC & the complainant.
- In the event the conduct complained of amounts to a specific offence under the Association Penal Code or under any other law in existence, the ICCL, subject to the wishes of the complainant, shall take appropriate action in making a complaint with the appropriate authority. The EduWeave Foundation management will have to provide all manner of support required in such instances.
- The EduWeave Foundation Management will actively assist and do all that is necessary to ensure the safety of a complainant in the office premises or otherwise in respect to any duties/activities performed in connection with her work, which take place outside office premises.
- The proceedings under this policy shall not be stalled or postponed merely because the Complainant is proceeding against the accused under any other provision of law.