

POSHE Solutions **Equal Opportunity Policy and Procedure**

1. **Statement of Policy**

1.1 POSHE Solutions PVT LTD., is an equal opportunities employer. This means that it is the Company's policy that there should be no discrimination, harassment or less favourable treatment or victimisation of any employee, job applicant, customer, provider of services or member of the public either directly or indirectly on the grounds of:

- 1.1.1 Race, nationality or ethnic origin;
- 1.1.2 Gender, gender re-assignment, marital or family status;
- 1.1.3 Disability;
- 1.1.4 Trade union membership or activity;
- 1.1.5 Sexual orientation;
- 1.1.6 Age;
- 1.1.7 Religion or religious beliefs;
- 1.1.8 Pregnancy and maternity.

It is also Company policy that there should be no bullying of one employee by another for any reason.

1.2 In issuing this policy, the Company has three main objectives:

- 1.2.1 To encourage its employees to take an active role in combating all forms of harassment and discrimination;
- 1.2.2 To deter employees from participating in harassment or discriminatory behaviour; and
- 1.2.3 To demonstrate to all employees that they can rely upon the Company's support in cases of harassment or discrimination at work.

1.3 The Company is fully committed to providing a good and harmonious working environment that offers equal treatment and equal opportunities for all its employees and where every employee is treated with respect and dignity.

1.4 The Company recognises that the provision of equal opportunities in the workplace is not only good management practice; it also makes sound business sense. The Company's equal opportunities policy will help all employees develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.

1.5 Whilst the Company recognises that the overall responsibility for the effective operation of this policy lies with the partners, all employees, whatever their position within the Company, have some measure of responsibility for ensuring its effective implementation. In this respect, employees should ensure that:

- 1.5.1 They co-operate with any measures introduced to develop equal opportunities;
- 1.5.2 They refrain from taking discriminatory actions or decisions which are contrary to either the letter or spirit of this policy;
- 1.5.3 They do not harass, abuse or intimidate other employees, job applicants, customers, providers of services or members of the public in a manner contrary to either the letter or the spirit of this policy;

1.5.4 They do not instruct, induce, or attempt to induce or pressurise other employees to act in breach of this policy.

1.6 Breaches of the Company's equal opportunities policy and procedure will result in the Company's disciplinary procedure being invoked against the individuals responsible or involved.

2. **Recruitment**

2.1 No vacancy will be advertised or publicised (internally or externally) in a way which discourages applications from any sector of the population;

2.2 All applications will be considered on merit. Each individual will be assessed against a set of objectives, non-discriminatory criteria that will be directly related to the demands of the particular vacancy;

2.3 All advertisements, application forms and other recruitment material will clearly state that we are an equal opportunities employer and will avoid statements or questions which tend to discourage applications for employment from any sector of the population;

2.4 All interviews will be conducted in accordance with the terms and spirit of this policy. The questions asked of candidates will be closely related to the selection criteria and will be asked in order to elicit information which will give a fair assessment of that particular applicant's ability to perform the tasks required by the vacancy. Specific questions will not be asked of candidates, which make assumptions about a candidate's commitment or ability based on any of the grounds identified in the statement of this policy;

2.5 No one sector of the population will be disadvantaged or discriminated against in relation to the terms of employment offered or applied to them. The Company will, where appropriate, make reasonable adjustments to its arrangements for interviews and conditions of employment for disable applicants where necessary to ensure that existing arrangements or conditions of employment do not place such applicants at a significant disadvantage to other applicants.

3. **Promotion**

3.1 Internal vacancies will, if possible, be filled by promotion.

3.2 The Company will however consider enlarging the pool of applicants for promotion where this proves necessary to ensure that, in accordance with its equal opportunities policy the pool of applicants is capable of fairly representing all sectors of the population.

3.3 Applicants for promotion will be considered only on the basis of their skill, aptitude, experience and suitability for the vacancy.

3.4 Assessment of those qualities identified in clause 3.3 will be made objectively and without bias by reference to selection criteria related to the demands of the vacancy.

4. **Training**

4.1 Employees involved in recruitment and the management or supervision of others will receive training to help them understand and comply with the law and our policy.

- 4.2 No employee will be denied access to training on discriminatory grounds.
- 4.3 Specific and/or additional training will be made available for disabled employees as is reasonably necessary.

5. **Monitoring**

- 5.1 The Company will regularly monitor the effectiveness of its equal opportunities procedures to ensure that they are achieving our stated aims.

6. **Harassment**

- 6.1 Harassment is either:

- 6.1.1 Unwanted conduct whether verbal or not, which is of a sexual or racial nature or which refers to or is based on someone's race and/or gender and /or disability which affects the dignity of men or women at work; or
- 6.1.2 Bullying of colleagues, especially junior colleagues by intimidatory behaviour; or
- 6.1.3 Unfavourable conduct at work, whether verbal or non-verbal, towards someone based on his/her disability which could affect his/her dignity at work.

- 6.2 Harassment or any form of discrimination will not be tolerated under any circumstances and a member of staff who harasses or discriminates against another employee or client or customer of the Company, will be subject to the Company's disciplinary procedure. In serious cases, such behaviour may constitute gross misconduct and result in summary dismissal.

- 6.3 Harassment generally may include any unwanted verbal or physical abuse and/or advances and /or behaviour which an employee may find offensive and which causes them to feel threatened, humiliated, patronized, distressed or harassed. It will not necessarily be a defence that such incidents consist of words or behaviour which might be claimed to be "common place" or which were intended as a joke or were not intended to be offensive.

- 6.4 Harassment may be deliberate or unconscious, open or cover, direct or indirect, an isolated incident or a series of repeated actions. It may also include, in certain circumstances, off-duty conduct.

- 6.5 It is the duty and responsibility of the Company and every employee to stop all types of harassment and discrimination in the workplace. It is only through the efforts of individual employees that harassment and discrimination can be eradicated.

We must all recognize that every employee in the Company has the right not to be subjected to any form of harassment or discrimination.

- 6.6 Racial Harassment

- 6.6.1 Racial harassment is racial discrimination and is contrary to the Company's equal opportunities policy. It is also unlawful. This type of harassment will not be tolerated under any circumstances and the Company will take prompt action upon becoming aware that such incidents have taken place.

- 6.6.2 Examples of racial harassment may include:
 - 6.6.2.1 Abusive language and racist jokes;
 - 6.6.2.2 Racial name calling;
 - 6.6.2.3 The display or circulation of racially offensive written or visual material including graffiti;
 - 6.6.2.4 Physical threats, assault and insulting behaviour or gestures;
 - 6.6.2.5 Open hostility towards workers of a particular racial group, including organized hospitality in the workplace;
 - 6.6.2.6 Unfair allocation of work and responsibilities;
 - 6.6.2.7 Exclusion from normal workplace conversation or social events, ie. Being “frozen out”.
- 6.6.3 The above examples are not exhaustive and each incident of harassment or discrimination will be viewed on its individual facts.

6.7 Sexual Harassment

- 6.7.1 Sexual Harassment is similarly sex discrimination, unlawful and contrary to the Company’s equal opportunities policy. It is defined as unwanted behaviour of a sexual nature by one employee towards another.
- 6.7.2 Examples of sexual harassment may include:
 - 6.7.2.1 Insensitive jokes and/or pranks;
 - 6.7.2.2 Lewd comments about appearance;
 - 6.7.2.3 Unnecessary bodily or physical contact;
 - 6.7.2.4 Displays of sexually offensive material, for example pin ups and calendars;
 - 6.7.2.5 Request for sexual favours;
 - 6.7.2.6 Speculation about an employee’s private life and/or sexual activities;
 - 6.7.2.7 Threatened or actual sexual violence;
 - 6.7.2.8 Threat of dismissal, loss of promotion etc for refusal of sexual favours;
 - 6.7.2.9 Exclusion from normal workplace conversation and social events.
- 6.7.3 Whilst the above lists gives examples of sexual harassment, harassment takes many forms from relatively mild sexual banter to actual physical violence and the above examples are not intended to be exhaustive.
- 6.7.4 Harassment of an individual in this manner on the basis of their sexual orientation (ie, because they are homosexual, transsexual or undergoing ‘sex change treatment’) will also be regarded by the Company as sexual harassment and will not be tolerated.

6.8 Harassment on grounds of disability

- 6.8.1 Harassment of an individual who has a disability or who has had a disability in the past is unlawful. It is also contrary to the Company’s equal opportunities policy, which seeks to ensure that people with disabilities receive treatment that is fair, equitable and consistent with their skills and abilities
- 6.8.2 In accordance with statutory requirements, the Company recognizes that a person with a disability is someone who has or has had a physical or mental impairment that has a substantial and long-term adverse effect on his/her normal day-to-day activities. Therefore, depending on individual circumstances a person, who has been seriously injured, has or had a progressive illness,

significant learning difficulties or poor hearing, vision or mobility may be a person with a disability.

- 6.8.3 Harassment on grounds of disability may include the following:
 - 6.8.3.1 Abusive or insensitive language;
 - 6.8.3.2 Inappropriate jokes or pranks;
 - 6.8.3.3 Non-verbal offensive gestures (e.g. Staring at a particular affliction);
 - 6.8.3.4 Inappropriate assumptions about the capabilities of a disabled person;
 - 6.8.3.5 Unfair allocation of work and responsibilities;
 - 6.8.3.6 Exclusion from normal workplace conversation or social events;
 - 6.8.3.7 Physical mistreatment (eg jostling or assault).
- 6.8.4 The above examples are not exhaustive and each incident of harassment or discrimination will be viewed on its individual facts.
- 6.8.5 As party of the Company's equal opportunities policy we will make every effort, if a disabled person joins the Company or if an existing employee becomes disabled, to make such adjustments as are required by law, whether in their existing job or in a suitable available alternative.
- 6.8.6 The Company will seek to ensure that the needs of people with disabilities are considered generally in both the context of the Company's working practices and in the nature of its premises and continuing services.

7. **Victimisation**

- 7.1 Victimisation occurs when a member of staff treats another member of staff less favourable
 - 7.1.1.1 Because that other person has brought proceedings alleging that he or she has been discriminated against contrary to this Policy; or
 - 7.1.1.2 Has indicated that they intend to make such a claim or claims; or
 - 7.1.1.3 They have assisted a colleague to make a claim.
- 7.2 Victimisation will not be tolerated under any circumstances and any member of staff who victimizes another employee, will be subject to the Company's disciplinary procedure. In serious cases, such behaviour may constitute gross misconduct resulting in summary dismissal.

8. **Complaints and Disciplinary Action**

- 8.1 Where an employee believes that he/she is being harassed, victimized or discriminated against contrary to the law or to the equal opportunities policy he/she can invoke the complaints procedure, whether formal or informal, against the harasser or discriminator.
- 8.2 Every complaint will be investigated and dealt with sympathetically and without bias and as quickly as is practicable.
- 8.3 Every effort will be made to ensure that the individuals who make a complaint in good faith will not suffer any further detriment or be victimized because of making such a complaint. Any complaint of victimization will be dealt with seriously, promptly and confidentially. Victimisation will result in disciplinary action, which may include summary dismissal.
- 8.4 Informal Procedure

- 8.4.1 Prior to adopting the formal procedure set out below an informal approach may be taken.
- 8.4.2 If an individual feels that he/she is or has been subjected to harassment and/or discrimination or victimization and considers that the informal procedure is appropriate he/she should, if possible, advise the harasser that the behaviour is unwelcome must be stopped and is interpreted as harassment and/or discrimination and/or victimization as defined by the Company's policy statement. If preferred, this may be in writing.
- 8.4.3 If the behaviour does not cease or the employee finds approaching the harasser difficult, further informal assistance is available. Employees, who wish to discuss such a complaint in confidence, should contact the Customer Services Director.


8.5 Formal Procedure

- 8.5.1 Where the informal method fails or serious harassment or discrimination occurs or if the individual prefers, employees are advised to bring a formal complaint against the alleged harasser or discriminator and to seek assistance as above in doing so. The complaint should be made in writing and, where possible, state the following:
 - 8.5.1.1 The name of the alleged harasser/discriminator;
 - 8.5.1.2 The nature of the harassment/discrimination/victimization;
 - 8.5.1.3 The date and time when the harassment/discrimination or victimisation occurred;
 - 8.5.1.4 The names of any witnesses to the harassment/discrimination or victimization; and
 - 8.5.1.5 Details of any action, which may already have been taken by the complainant to stop the harassment/discrimination or victimization.
- 8.5.2 The complaint should be sent or given to the Operations Director where a complaint of harassment, discrimination or victimization is received; consideration will be given to whether it would be helpful and/or practicable to separate the alleged harasser/discriminator from the complainant. This may involve the temporary transfer of the alleged harasser/discriminator or the complainant to another department or suspension with pay until the complaint has been resolved
- 8.5.3 The Operations Director will carry out a thorough investigation as quickly as possible, maintaining as much confidentiality as possible at all times. The complainant should be aware, however, that if the complaint is to be properly investigate, other employees may have to be asked for witness statements.
- 8.5.4 All employees involved in the investigation are expected to respect the need for confidentiality. Failure to do so will be considered a disciplinary offence.
- 8.5.5 Copies of any witness statements taken will be made available to the alleged harasser and the complainant. Witnesses will be encouraged to appear at any hearing if requested by either party. It is acknowledged that some witnesses may be reluctant to do so. In these circumstances, the Operations Director will, if necessary, adjourn the hearing and ask supplementary questions of witnesses in private.
- 8.5.6 The complainant may if he/she wishes, be supported throughout the procedure and hearing by a colleague of his/her choice. The employee accused of harassment or discrimination will have the right to be accompanied at the hearing in accordance with the Company's disciplinary procedure.

- 8.5.7 If the offence is proved the severity of the penalty imposed on the harasser will be consistent with those detailed in the disciplinary procedure. Serious harassment or acts of discrimination or victimization may result in summary dismissal. Where a lesser penalty is appropriate, for example, a written warning, this may be coupled with action to ensure that the complainant is able to continue working without embarrassment or anxiety. After discussion with the complainant the Operations Director may transfer the harasser to a different work area, or arrange for an amendment of working practices to minimize contact between the two employees. If the complainant wishes, his/her own transfer will be arranged, subject to practical limitations. The result of the hearing will be confirmed in writing to both employees.
- 8.5.8 If the complainant is not satisfied about the way his/her complaint has been handled he/she may appeal to the Managing Director. The appeal should be made in writing within 5 working days of the first hearing. The decision of this second hearing will be sent in writing to both parties and will be final.
- 8.5.9 An employee who receives a warning or is dismissed for harassment or discrimination may appeal against the penalty in accordance with the appeals procedure in the Company's disciplinary procedure

9. Discipline

- 9.1 Any acts of discrimination or acts, which contravene this policy, will result in the disciplinary procedure being invoked against the individuals responsible or involved.
- 9.2 In severe cases, summary dismissal may be justified.
- 9.3 All members of staff are encouraged to use the procedure outlined in this Policy if they are harassed, discriminated or victimized. The Company takes all allegations seriously. However, if an allegation is made, which the Company (after investigation) believes has been made dishonestly or maliciously; the Company may invoke the disciplinary procedure against the complainant. In serious cases, such behaviour may constitute gross misconduct and result in summary dismissal.

Signed 
Jayalalida M
Director

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