

# CHETNA VIKAS Whistleblowing Policy



## Table of Contents

1. INTRODUCTION.....	3
2. PURPOSE.....	3
3. SCOPE .....	4
4. DEFINITION.....	4
5. POLICY IMPLEMENTATION.....	5
6. VIOLATION OF THE POLICY .....	7
7. EXCEPTION & REVIEW OF THE POLICY.....	7

## 1. INTRODUCTION

CHETNA VIKAS or “The Organization” is committed to adhere to the highest standards of ethical, moral and legal conduct of operations. In order to maintain our high standards, CHETNA VIKAS encourages the reporting of actual or perceived wrongdoing, including on the part of a member of CHETNA VIKAS staff (including all CHETNA VIKAS Head Office and Field staff), all CHETNA VIKAS entities’ Boards members, consultants, interns, volunteers, visitors, implementing partners, contractors, donors, and vendors.

This Whistleblowing Policy (hereinafter ‘policy’ or ‘Whistleblowing Policy’) is designed to provide a means whereby actual or perceived wrongdoing can be reported in confidence and without fear of retribution. This policy has been developed to assist CHETNA VIKAS staff in making a disclosure should they encounter a suspected wrongdoing. It gives examples of possible wrongdoings which may arise and provides guidance to assist CHETNA VIKAS staff in deciding whether a matter should be raised through this policy or through another mechanism (such as employee grievance procedures which should be reported under CHETNA VIKAS Human Resources Policies).

The policy encourages that disclosures be made internally to the CHETNA VIKAS Complaints Response Director. The policy acknowledges that in certain circumstances it may be more appropriate to make a disclosure externally and the policy references externally managed hotline for this purpose. Details of various external agencies such as Donor Organizations or Regulatory Authorities to whom it is possible to make a disclosure are also provided.

CHETNA VIKAS is committed to the following core principles:

- Any matter of concern brought to our attention will be treated seriously.
- CHETNA VIKAS will make every effort to ensure the identity of a person raising a concern will remain confidential, unless they indicate otherwise.
- If a complainant chooses to have his or her identity known, CHETNA VIKAS will take every measure to ensure they are not subject to any form of harassment or victimisation.
- The complainant will be made aware of the focal point for their investigation.
- If a CHETNA VIKAS staff member raises a matter that is found to be malicious in intent, i.e. not founded on any reasonable concern and found to be entirely without foundation, they will be subject to disciplinary action.

## 2. PURPOSE

This Whistleblowing Policy is intended to encourage and enable genuine concerns about actual or perceived wrongdoing within CHETNA VIKAS or its Partners to be raised, including by staff members, board members, Partners, suppliers, contractors, volunteers, and communities.

Under this Whistleblowing Policy, a person can make a disclosure without fear of suffering penalty, threat, less favourable treatment, discrimination or disadvantage.

This Whistleblowing Policy has been developed in line with best practice and with reference to a number of sources including existing CHETNA VIKAS policies.

This Whistleblowing Policy does not seek to replace any other CHETNA VIKAS's policy, guideline, Code of Conduct, or any of the directions outlined in the Human Resources Manual. Members of CHETNA VIKAS are encouraged to consider carefully whether a concern should be raised through this policy or through another Policy. If a concern is raised under the Whistleblowing Policy that falls more appropriately within the terms of another policy, the complainant will be informed of this and that their concern has been referred to an alternative process under an appropriate policy.

A concern should be raised under the Whistleblowing Policy if the complainant considers it to be in the best interests of the public and/or CHETNA VIKAS that the matter be dealt with. Or, conversely, if they believe it will be to the detriment of the public and/or CHETNA VIKAS if the matter is not dealt with. If an issue of personal grievance is raised under the Whistleblowing Policy, it will be referred to and dealt with under the Grievance Procedure.

CHETNA VIKAS is committed to handling all concerns brought to our attention in a wholly confidential and professional manner.

### 3. SCOPE

This policy seeks to set out CHETNA VIKAS's whistleblowing processes and procedures and applies to all Members of CHETNA VIKAS.

"Members" are defined as:

- all board members and board committee members;
- all employees of CHETNA VIKAS (Head Office and Field);
- all interns and volunteers of CHETNA VIKAS;
- all consultants/contractors/suppliers of CHETNA VIKAS; and
- all CHETNA VIKAS's Partners (i.e. those entering into partnership agreements with CHETNA VIKAS)

### 4. DEFINITION

**Associate:** shall mean and include all employees/staff on rolls of Organization, volunteers, trustees, consultants, members of the Board and members of any of the committees of Organization;

**Complaint:** The written or electronic communication by the whistle blower in good faith given to the Grievance Redressal Committee to report a legitimate concern over any act/conduct by the respondent, which is, or is likely to cause organization financial, operational or reputational loss or damage and be detrimental to the work of the Organization;

Grievance Redressal Committee or GRC: shall refer to the committee constituted by Organization for the purposes of receiving complaints and grievances;

**Respondent:** Any associate against whom a complaint has been reported to Organization's Grievance Redressal Committee;

**Whistle Blower:** shall mean any Associate/employee or Board member who discloses or demonstrates evidence of an unethical activity or any conduct that may constitute breach of the Organization's Code of Conduct or Values.

## 5. POLICY IMPLEMENTATION

### 5.1 Reporting

Any Director/Board member/Associate willing to disclose information may do so in any of the following manner-

- Through e-mail, or in writing, duly addressed to the GRC in sealed envelope specifically superscribed as "Disclosure under Whistle Blower Policy";
- Suitable proof of Whistle Blower's identity/contact numbers/address so that additional information, if any, can be obtained. In case identity cannot be ensured, the complaints will be treated as anonymous/pseudonymous complaints, and may not attract further action;
- Where disclosure is made by telephone, the Whistle Blower would be required to disclose his/her identity and furnish sufficient information for verifying his/her identity;
- The details in the complaint should be specific and verifiable.

### 5.2 Inquiry

- The inquiry/investigation shall be conducted by GRC in a fair manner and provide adequate opportunity for hearing to Whistle Blower as well as the Respondent and a written report of the findings should be prepared for submission;
- A time frame of maximum 30 days will be permitted to complete the investigation/enquiry. In case the same cannot be completed within stipulated period, interim report should be submitted by the GRC giving inter alia, the tentative date of completion;
- In case the disclosure made does not have any specific & verifiable information, the GRC will be authorized not to take any action. This would be suitably recorded;
- In case the allegations made in the disclosure are substantiated, appropriate departmental action will be taken against the Respondent;
- If found guilty, the Organization may take the following necessary action-
  - Censure or fine;
  - Warning (written or oral)/show cause notice;
  - Suspension without any payment for a period not exceeding 30 days;
  - Withholding of performance-linked increment;

- Demotion to a lower post and scale of pay;
  - Termination and dismissal from service
- Any Associate who knowingly and maliciously makes false allegations under this Policy shall be liable to disciplinary action, up to and including termination, in accordance with Organization HR Manual;
- The action taken against the Respondent as stated in the above paragraph will be in addition to any other action or prosecution which may be initiated against said Respondent under any statute or law in force

### **5.3 Protection to Whistle Blower**

Organization shall ensure the following in pursuance of this Policy:

- That no Associate involved in reporting or processing of a Complaint under this Policy faces discrimination, retaliation or harassment for discharging their duties;
- That disciplinary action shall be initiated against Associate(s) indulging in harassment of any Whistle Blower and other concerned Associate(s);
- That confidentiality shall be ensured during all investigations and proceedings under the Policy. Organization also affirms that the whistle blower shall be protected against unfair termination and any other unfair employment practices. Malicious complaints shall not be protected;
- That disciplinary action shall be taken if any one destroys or conceals evidence shared under any Complaint;
- Adequate opportunity shall be provided to all concerned associates for being heard, especially the Respondent(s);
- The Whistle Blower has the right to approach the GRC if there is a perceived threat or if s/he is facing harassment as a consequence of her/his Complaint. GRC will review the Complaint and take appropriate measures.

### **5.4 Untrue Allegations**

If someone makes a report in good faith, with a reasonable belief of wrongdoing, but the information or allegation is not confirmed by an investigation, no action will be taken against the complainant. They will be fully protected from any unfavourable treatment, penalisation or victimisation.

However, if an allegation is made in bad faith, disciplinary action may be taken.

### **5.5 Rights of the Respondent**

- Respondent(s) have the right to be heard and GRC ought to give reasonable time and opportunity to them to communicate their opinions and other facts known to them during proceedings under the Policy;
- Respondent(s) have the right to receive written communications by the GRC of the final outcomes of the investigations initiated as per this Policy.

### **5.6 Role of Grievance Redressal Committee**

GRC shall convene meetings as required to process Complaint(s) received under the Policy. Following shall be the core responsibilities of GRC:

- Conducting proceedings & inquiry in each Complaint in an unbiased manner;
- Provide adequate support to the whistle blower and other concerned associates to facilitate processing of Complaints and in related proceedings;
- Ensure confidentiality of all associates involved in the proceedings;
- Ensure protection of Whistle Blower against retaliation and harassment; and
- Ensure identity of the Whistle Blower remains protected from the Respondent(s).

#### **5.7 Record Retention and Access**

- All documentation pertaining to a Complaint including, but not restricted to the final investigation report, corrective action taken and evidence will be archived & maintained by the GRC for a period not less than 7 years from the date of disposal of the Complaint.
- All reports and records associated with Complaints under this Policy are considered confidential information and access will be restricted by Organization as deemed fit. All concerned records shall not be disclosed to the public except in cases as required under any legal obligations or judicial orders.

## **6. VIOLATION OF THE POLICY**

An Associate who violates any provisions of this Policy, regardless of whether financial loss to the Organization results or not, may receive appropriate disciplinary action up to, and including termination. This shall be in addition to other legal and remedial actions available to the Organization under the applicable law.

## **7. EXCEPTION & REVIEW OF THE POLICY**

**7.1** Any deviations from this Policy require approval from the Management Committee;

**7.2** The Organization reserves the right to modify and/or review the provisions of this Policy from time to time, in order to comply with applicable legal requirements or internal policies, to the extent necessary