



Voluntary Action Network India

Whistle Blower Policy

Draft

INDEX

1.	INTRODUCTION	3
2.	DEFINITIONS	3-5
3.	REPORTING OF A WHISTLE BLOWER CONCERN/COMPLAINT	5
4.	ADMINISTRATION OF POLICY.....	6
5.	PROTECTION TO CO WORKERS/ STAKEHOLDERS	6-7
6.	GUIDELINES TO THE WHISTLE BLOWER	7
7.	CONFIDENTIALITY AND ANONYMITY	8
8.	RECORD KEEPING	8
9.	OTHER MATTERS.....	8

1. Introduction

Voluntary Action Network India (VANI) is the apex body of Voluntary Development Organizations. VANI has always been upfront with the issues and challenges of voluntary organizations and has been working towards building a stronger network of civil society organisations in the country. VANI, as the voice of the sector, works relentlessly towards playing a constructive role in social cohesion, economic empowerment and national building.

VANI acts as a catalyst for change through strengthening leadership, evidence-based research and documentation and outreach enhancement through membership engagement. Over the years, VANI has also worked with several policy making and government institutions to enhance partnerships and collaborations. Being a membership-based organisations, VANI strives for collectivisation of the sector through its membership engagement.

The purpose of the Whistle Blower Policy (“the Policy”) is to encourage Co Workers/ stakeholders to report matters without the risk of subsequent victimization, discrimination or disadvantage. The Policy applies to all Co Workers/ stakeholders working for the Organization and external stakeholders. This policy also provides a platform for our key external stakeholders like donor’s, Vendors and beneficiaries to raise concerns freely. The Whistle Blowing or reporting mechanism set out in the Policy, invites all Co Workers and external stakeholders to act responsibly to uphold the reputation of the Organization. The Policy aims to provide a mechanism to ensure that concerns are properly raised, appropriately investigated and addressed. The Organization recognizes this mechanism as an important enabling factor in administering good governance practices.

2. Definitions

2.1 Co Workers

A co-worker is every co-worker currently in the employment of the Organization. For the purpose of this policy, co- worker includes Board Members of the Organization.

2.2 External Stakeholders

An external stakeholder is any vendor, donor, service provider or beneficiary of the organization.

2.3 Retaliation/Victimization

Retaliation is any act, direct or indirect, recommended, threatened or taken against a Whistle Blower by any person because the Whistle Blower has made a disclosure pursuant to the Policy. Retaliation includes overt/covert acts of:

- discrimination
- reprisal
- harassment
- vengeance

2.4 Whistle Blower

A Whistle Blower means any co-worker or external stakeholder who raises a concern in accordance with this Policy.

2.5 Whistle Blowing 'Concern' or 'Complaint'

Whistle blowing (also referred to as 'complaint' or 'concern') can be described as attracting management's attention to information about potentially illegal and/or unacceptable practices in the organization by either a fellow co-worker or external stakeholders.

Co Workers/ stakeholders/external stakeholders can raise concerns/issues, if any, which they have on the following or possibilities/apprehensions of:

There are **four** main kinds of matters that can be reported:

- Suspected corruption incidents,
- General feedback or complaints in services or programmes,
- Human resources (HR) issues and sexual harassment issues
- Breach of Code of Conduct of the organisation

Complaints under the above areas mentioned can be shared thru CPP, POSH, Anti-Fraud & Anti-Corruption policies and only in case of complaint where the complainant wants to keep their identity protected, they can use this policy

To be considered under the Policy, the complainant (i.e. co-worker or external stakeholder making the complaint) is encouraged to provide the following information in his/her complaint: name, contact details, co-worker number, and department.

Authorized Officials:

Notwithstanding the foregoing, the officers authorized to receive whistleblowing complaints – which in the current situation are :

Names & Designation -

2.6 Authorized recipients of the whistleblower complaints

The above mentioned are two members of VANI Board namely:

- 1.
- 2.

currently who will have access to all whistleblower complaints and they will decide the further course of action. They will report status of all complaints and closures to the Chairman of VANI. These Board members will be performing this role in their capacity as individual's members of VANI Board and are the well-wishers of the organization.

3. Reporting of a Whistle Blower concern/complaint

3.1 The co-worker /external stakeholder may send a communication directly in writing through a letter to:

Address:

OR

Email to:

Additional modes of communication or access would be made available to Co Workers/ stakeholders in appropriate or exceptional situations.

3.2 Within a reasonable time of receipt of the concern by the authorized recipients of the complaint, an acknowledgment shall be sent to the sender of the concern (where a return address or email address is available).

The acknowledgment shall confirm receipt of the concern and inform the sender that the concern would be inquired into, appropriately addressed and reported to the Chairperson and Management of VANI as appropriate.

In case the concern does not fall within the ambit of the Whistle Blower Policy, the sender shall be informed that the concern is being forwarded to the appropriate department/authority for further action, as may be deemed necessary.

4. Administration of Policy: Upon receipt of the concern or complaint shall immediately set in motion appropriate action to inquire into the matter.

4.1 Inquiry into the concerns received under this policy shall normally be completed within 90 days of receipt of the concern by authorized recipients. Concerns requiring additional time for inquiry shall be intimated to the Chairperson of VANI. Once the inquiry is completed, the report will be discussed with Chairperson and Chief Executive Officer. In case further enquiry has to be done the same will be done and appropriate legal action will be initiated by the Chairperson as per organizational HR policy.

4.2 The concern shall be deemed as closed upon conclusion of the inquiry and disciplinary action, or reporting as required by HR policy, after which the concern shall be reported as closed to the Chairperson by the authorized recipients.

4.3 The status of all concerns which are open shall be reported to the Chairperson by authorized recipients on a quarterly basis. Concerns which were closed during the preceding quarter shall also be informed to the Chairperson along with relevant details.

4.4 Authorized Recipients shall lay down operating guidelines for handling the disclosures, investigations, record retention, communication, process of reporting of actions taken etc. They will take required support from HR team as found necessary.

5. Protection to Co Workers/ External Stakeholders

Protection to Co Workers/ external stakeholders and prevention of the said co-worker or stakeholder against retaliation, victimization or harassment raising any concern under the Policy

Any co-worker who makes a disclosure or raises a concern under the Policy will be protected, if the co-worker or external stakeholder:

- Discloses the information in good faith
- Believes it to be substantially true
- Does not act maliciously nor makes false allegations and
- Does not seek any personal or financial gain from the Organization.

The Organization will not tolerate any attempt on the part of anyone to retaliate, apply any sanction or disadvantage or to discriminate against any person who has reported to the organization serious and genuine concern regarding an apparent wrongdoing by any other fellow co-worker or external stakeholder.

Any infractions of the Code of Conduct of the Organization by the complainant after raising the complaint may however invalidate the protection provided under this Policy.

Protection under the Policy shall be available to the co-worker who raises the concern under this Policy till such time that the complainant's employment subsists with the organization. A co-worker who wishes to raise a concern in respect of any disciplinary action or any act of retaliation as defined in this Policy against the concerned co-worker can do so within three months of such action or act of retaliation. After this time period has elapsed, the concern, if raised shall not be treated as a concern under this Policy. Notwithstanding the foregoing, the authorized recipients may direct, in his/her discretion, that such concern be considered under the Policy even if raised beyond the three months' period.

Any attempt on the part of any co-worker to misuse the Policy for personal advantage will be dealt with strictly by the Organization as per the defined dispute resolution machinery and for the external stakeholders who misuses the said Policy with a malice to harm the reputation of a co-worker or the Organization, the Organization may impose some financial penalty or take legal action as per law.

The foregoing is not intended to undermine protections afforded by this Policy in cases where the Authorized recipients are satisfied that the co-worker or external stakeholder has blown the whistle in good faith. Additionally, a co-worker or stakeholder not regarded as a whistle-blower under the Policy, including on account of such co-worker or stakeholder's acts or omissions, shall not be entitled to the protections under this Policy.

6. **Guidelines to the Whistle Blower**

- a) Whistle blowers are required to provide initial information relating to a reasonable belief that an unethical activity has occurred
- b) Whistle Blowers have a responsibility to be candid with the Investigators.

7. **Confidentiality and Anonymity**

Strict confidentiality shall be maintained with regard to the identity of the complainant, both during and post investigation. The identity of the complainant shall not be released unless required by law.

Upon disclosure of identity, protection as defined in Para 5 of the Policy will be provided to the co-worker/ stakeholder. Disclosure of identity would not have any impact on the co-worker's performance appraisal, assignment of work or other matters related to employment with the Organization if the whistle blower is from within the Organization.

8. **Record keeping**

Records pertaining to the complaint shall be maintained by the office of the Chief Executive Officer or HR deptt. Records shall be maintained as per the existing policy for 10 years.

9. **Other matters**

HR shall lay down an appropriate mechanism to communicate the policy periodically to the Co Workers/ stakeholders. For better understanding of the Policy by Co Workers/ stakeholders. Queries/clarifications under the policy would be handled by HR or the team members nominated for the purpose.