

# **HR POLICY NO. 3**

## **WHISTLE-BLOWING POLICY**

### **1. Introduction**

The Whistle Blowing Policy of Oxfam India aims to reinforce the organization's commitment to its values, attitudes and behaviors. The purpose of this policy is to provide an effective procedure for people to raise their concerns when they believe that abuse, serious malpractice or professional misconduct has taken place, which will impact any actual or potential violation of the Code of Conduct & Behavior at Work policy.

### **2. Policy**

2.1 This policy applies to all staff of Oxfam India and those of Partner organizations, as well as Vendors and Vendor organizations who are in a relationship with Oxfam India. The policy covers the responsibility to report all wrongful acts committed by staff of Oxfam India, partners and members of the governing body only to the Ombudsperson, xxxx who is officially appointed to receive complaints, initiate the investigation. The Ombudsperson will also keep track of all reported cases and report the same to the Board.

2.2 Serious misconduct includes wrongdoing, corruption, bribery or theft. This may include, but is not limited to:

- (i) Financial and procedural malpractice including those relating to mismanagement; misappropriation of funds; actual or suspected fraud or abuse of authority.
- (ii) Falsification of organizational records for personal gain or gain for others on the part of Staff, partners and members of the Governing Body.
- (iii) Miscarriage of justice
- (iv) Attempting to cover up any of the above
- (v) Being aware of a misconduct or misuse and not reporting it

### **3. Reporting Responsibility**

It is obligatory for all of Oxfam India staff to report wrongful acts or suspected wrongful acts in accordance with this Whistle-Blowing policy. Staff of Partner organizations are also required to report such acts committed by Oxfam India staff or their own staff in the execution of their Partnership agreements.

### **4. Levels at which the concerns will be raised**

Any member of the staff or partners believing they have suspicion or evidence of serious misconduct on the part of anyone associated with the organization, should in the first instance bring the matter to the attention of the appointed Ombudsperson. The Ombudsperson will be responsible for ensuring that the case is dealt with.

### **5. Procedure for Reporting**

The Whistle Blower's role is that of a reporting party with reliable information through Protected Disclosure. Protected Disclosure means any communication made in good faith that discloses or demonstrates information that may evidence unethical or improper activity. The Whistle Blower(s) is/are not required or expected to act as investigators or fact finders, nor would they determine the appropriate corrective or remedial action that may be warranted in a given case.

## **6. Confidentiality**

6.1 The Whistle Blower will be accorded protection from victimization, or any other hostile behavior. But any person coming forward with such a concern/allegation will follow due procedure and give ample reason to show that these concerns have been raised in good faith. The identity of the person who raises concerns will be kept confidential as far as possible. However, this protection will be accorded to those individuals who make such disclosure with honest intention, and without malicious intent or spite.

6.2 The confidentiality of the reports will be kept to the extent possible, consistent with the need to conduct an adequate investigation. However, in certain cases, this may not be possible, particularly in instances warranting police investigation or when a disciplinary hearing is held, where individuals will need to make a statement.

## **7. Handling of Reported Cases by the Ombudsperson**

7.1 The Ombudsperson who receives such report will acknowledge receipt of the report within **five** working days.

7.2 All reports should be properly investigated by the Ombudsperson through an external team for investigation as appropriate.

7.3 All concerns raised will be investigated carefully and thoroughly. Any person accused of alleged misconduct will have the right to present their account of events in all fairness at the earliest opportunity.

7.4 Upon completion of the investigation, the Management should take the appropriate corrective action as warranted by the outcome of the investigation and recommended by the Ombudsperson.

7.5 The Whistleblower would also be notified of the outcome of the investigation whenever it is possible to do so.

7.6 There may be occasions when external bodies such as donors and regulators may also be notified of the outcome of an investigation.

7.7 On an annual basis, issues raised through whistle-blowing will be tracked and reported to the Board by the Ombudsperson.

## **8. Protection**

8.1 No unfair treatment will be meted out to a Whistle Blower by virtue of his/her having reported a Protected Disclosure under this Policy. Oxfam India condemns any kind of discrimination, harassment, victimization or any other unfair employment practice being adopted against Whistle Blowers. Thus, if the Whistle Blower is required to give evidence in criminal, or disciplinary proceedings, Oxfam India will arrange for the Whistle Blower to receive advice about the procedure, etc.

8.2 The identity of the Whistle Blower shall be kept confidential to the extent possible and permitted under law.

8.3 Any other employee indirectly assisting in the said investigation shall also be protected to the same extent as the Whistle Blower.

## **9. False Allegations**

Any allegations not made in 'good faith' or found to be false or malicious, will be treated as a disciplinary offence and will be investigated in accordance with extant procedures.

## **10. Prevention of Reporting**

If some person tries to prevent an individual from making a confidential report or victimizes that person for raising their concerns, Oxfam India will take this to be a serious disciplinary misdemeanor and this instance will be investigated in accordance with Disciplinary Policy.

## **11. Anonymous Reporting**

Anonymous reporting is not to be encouraged, but this is likely to occur from time to time. In all such cases, while not taking formal cognizance of such reporting, Management may choose to ascertain all the verifiable facts mentioned in such reporting. If facts verified are found to sustain the allegation, formal proceedings may be initiated.

## **12. Notification**

12.1 All Managers, are required to notify and communicate the existence and contents of this policy to the employees of their department and to all new employees respectively.

12.2 The onus of making the Partners aware of their responsibilities vests with Director (Programmes and Advocacy) who will ensure that programme staff make Partners aware of their responsibility and make them understand that they may report any wrongful conduct of Oxfam India staff in the execution of a Partnership agreement.

## **13. Retention of Documents**

All Protected Disclosures in writing or documented along with the results of the investigation relating thereto, shall be retained by Oxfam India for a minimum period of 7 years.