

B.12. WHISTLE-BLOWING ON UNETHICAL PRACTICES

1. Objective

Dakshin adheres to the laws of the land and in so doing shall not condone or assist in any activities that promote bribery, corruption, fraud or any other illegal activities. The present policy's objective is to ensure that Dakshin staff and senior management have the requisite guidance and support to prevent, identify and report bribery, corruption, fraud and other unethical activities. This is done through this policy, which encourages staff (including consultants and resource persons) to act as 'whistle-blowers' – to call attention to or to alert the necessary authorities of such practices, without fear of personal or professional retribution.

2. Scope

The policy is restricted to persons having 'contracts of service' with Dakshin (including trustees, staff, adjunct fellows, research affiliates and consultants) as well as persons employed through third party hiring agencies. The following actions (of omission or commission) shall constitute grounds for whistle-blowing:

- a. Matters constituting criminal acts (by law) such as bribery, financial fraud and other legally-defined corrupt practices such as theft, improper use of assets, etc.
- b. Matters that could result in Dakshin facing serious punitive legal action such as non-compliance of FCRA, Income Tax laws and other laws governing such entities.
- c. Discriminatory actions in terms of caste, gender, race, sexual orientation or religion.
- d. Malicious and unfounded actions that negatively affect Dakshin's mission, reputation and goodwill or that of its partners, communities and supporters.
- e. Serious violations of Dakshin's existing policies, especially in relation to the protection of children, prevention of sexual harassment and financial accountability.
- f. Willful actions that could seriously endanger the health, safety and wellbeing of beneficiaries and staff.
- g. Any other serious unethical practice.

Exceptions: Matters that fall out of the scope of this policy, and which will be dealt through the provisions of other policies are:

- a. Matters pertaining to individual grievances pertaining to staff hiring, appraisal, performance, conduct or other professional conflicts and disagreements;
- b. Matters covered under the provisions of the POSH policy;
- c. Interpersonal problems among staff or between staff and persons outside Dakshin (of an interpersonal nature) with no bearing on Dakshin or its mission.
- d. Matters which are not centrally connected with Dakshin, its staff, overall mission and operations.

3. Complaint mechanism for whistle-blowing

- a. A member of the Governing Board would be appointed by the Board of Trustees and announced as the 'Competent Authority on Whistle-blowing' (CAW) to receive complaints from whistle-blowers. The tenure of such person shall be determined by the BoT as necessary.
- b. The HR Dept shall ensure that the name and address of the CAW shall be announced internally within Dakshin and on its website, including changes to such appointees. Such information shall also be provided in any orientation messages, trainings and in the contracts provided by Dakshin to new staff (including consultants) and in renewed contracts.
- c. Complaints should be sent to the CAW in writing, in a sealed envelope bearing the title 'Complaint under Dakshin's whistle-blower policy'.

4. Investigation and dispensing of complaints

- a. Upon receipt of complaints, the CAW shall appoint a 3-member Investigation Committee to investigate the claims of the complaint, comprising persons within and outside Dakshin.
- b. The Investigation Committee shall submit its report within 60 days from the date of its activation on the said matter.
- c. If the report of the Investigation Committee concludes that an unethical or illegal act has been carried out, necessary disciplinary action shall be undertaken at once in the following manner:
 - The CAW shall consult with other members of the Governing Board and direct the BoT and the Director to undertake specific disciplinary actions.
 - The CAW shall direct the BoT and the Director to intimate the necessary legal authorities of such acts and initiate legal action, or shall do so personally.
 - The CAW shall direct the BoT and the Director to undertake preventive measures with respect to similar actions.

5. Prevention and prohibition of victimisation of whistle-blowers.

- a. The CAW shall take necessary actions, as deemed fit, to protect the whistle-blower from retributive actions of a personal or professional nature by members of Dakshin.
- b. While genuine whistle-blowers will be given all forms of protection by the CAW and through its direction, by Dakshin's BoT and SMC, strict disciplinary action may be taken in case the CAW determines that whistle-blowers were not genuine, malicious and merely abused the provisions of this policy.