



# ASEEMA CHARITABLE TRUST WHISTLE BLOWER POLICY

Aseema Charitable Trust

G3 Josephine Apartments, Ground Fl, Chimbai Road, Bandra West, Mumbai 400050



## WHISTLE BLOWER POLICY

<b>Ownership</b>	<b>Operations</b>
<b>Forum where approved</b>	<b>Board of Trustees</b>
<b>Date of Approval</b>	<b>October 2022</b>

### **BACKGROUND:**

Aseema Charitable Trust (Aseema/Organisation) is a Mumbai based non-governmental organization with a mission to equip children from marginalized communities with high quality, value based education enabling development of their limitless potential. In Mumbai, Aseema works in partnership with the Municipal Corporation of Greater Mumbai (MCGM) to create centres of excellence within the public education system. In each of these schools, Aseema supports the MCGM by providing teachers who are oriented to Aseema's child friendly approach, making the learning environment stimulating and safe and creating a culture that respects the child and promotes learning.

### **OBJECTIVE:**

Aseema Charitable Trust (Aseema) is committed to providing high quality and value based education to children from marginalized communities. We are committed to the highest levels of ethics and integrity. Aseema's Whistle-blower Policy is an important element in detecting corrupt, illegal or other undesirable conduct. Aseema strongly encourages you to speak up if you suspect or witness any matters of concern. Aseema will take all complaints/reports made under this Policy seriously.

### **PURPOSE:**

Aseema has drafted a Whistle Blower Policy applicable to Aseema schools and other Aseema work premises. This policy sets out how Aseema will support you so that you can safely express your concerns, know who to contact, how to make a complaint/report and the protections available to you.

We expect everyone who works for Aseema to comply with our Principles of Conduct, our policies and procedures, professional standards, laws and regulations. If you make a Whistle-blower Compliant/Report pursuant to this Policy, we have a responsibility to protect you, including not disclosing your identity (unless required or permitted by law) and making sure you are not subject to Detrimental Conduct.

### **SCOPE:**

This policy is applicable to all current and former Trustees, Advisors, employees, officers, contractors, suppliers (or their employees or subcontractors) and volunteers. It also applies to relatives, dependents or spouses of any of these people.

### **POLICY:**

A Whistle-blower is someone who discloses Reportable Conduct.

### **Reportable Issues**

Reportable issues are where there are reasonable grounds to suspect misconduct or an improper state of affairs; an offence or contravention under existing regulations/law or a danger to the public or financial system.

Serious misconduct includes wrong-doing, 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

Illegal conduct, fraud, money laundering, offering or accepting a bribe, financial irregularities, failure to comply with, or breach of, legal or regulatory requirements, and engaging in or threatening to engage in Detrimental Conduct.

Reportable Conduct excludes personal work-related grievances.

Employees can seek confidential information on the operation of this Policy and how a disclosure will be handled, without making a disclosure, by contacting the Operations Head.

## **When to make a whistle blower report**

Before making a Whistle-blower Report one should satisfy oneself that there are reasonable grounds to suspect Reportable Conduct. 'Reasonable grounds to suspect' is based on objective reasonableness of the reasons for the suspicion. In practice, a mere allegation with no supporting information is unlikely to reach that standard. However, a Whistle-blower does not need to prove their allegations. In addition, the disclosure can still qualify for protection even if the disclosure turns out to be incorrect.

## **Reporting Authority**

Any person (as defined above under applicability) believing they have evidence of serious misconduct on the part of any one associated with the organisation should bring the matter immediately to the attention of the Operations Head, who will then escalate the same to the Committee consisting of Head of HR, Finance and Resource Mobilisation. If the issue cannot be resolved at this level, it will be brought to the attention of the Chairperson, who may consult the Board of Trustees (if required). In case of wrongdoing on part of the Committee; any such instance will be placed before the Chairperson.

Before you make any such disclosure you should seek independent legal advice to understand the criteria for making such a disclosure.

One should provide as much detailed information as possible so that your report can be investigated. Some useful details include: date, time and location; names of person(s) involved, roles and their business group; your relationship with the person(s) involved; the general nature of your concern; how you became aware of the issue; possible witnesses; and other information that you need to support your report.

You can also choose to make your disclosure anonymously and if so, you will still be protected under the Whistle-blower Laws.

### **1. Process handling of reportable cases**

- Head Operations (who receives such report), will acknowledge receipt of the report within five working days.

- The Committee (as mentioned above) should properly investigate all the above reports
- Reported cases may also be passed to an external team for investigation where considered appropriate.
- 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.
- Upon investigation, Management should take the appropriate corrective action warranted by the outcome of the investigation.
- The Whistle Blower would also be notified of the outcome of an investigation whenever it is possible to do so.
- There may be occasions when external bodies such as donors and regulators will be notified of the outcome of an investigation.
- On an annual basis, issues raised through whistle blowing will be tracked and reported to the Board.

## **2. Investigation Process**

While the particular circumstances of each Whistle-blower Report may require different investigation steps, all investigations will:

- follow a fair process
- be conducted as quickly and efficiently as the circumstances permit
- determine whether there is enough evidence to substantiate the matters reported
- be independent of the person(s) concerned with the allegations.

The Committee will provide feedback to the whistle blower, as appropriate on the progress and expected timeframes of the investigation.

Fair treatment of the individuals mentioned in the Whistle-blower Report, will be ensured. The investigation process outlined in this Policy is also designed to allow fair treatment of any individuals mentioned in the disclosure and will ensure that:

- Disclosures are handled confidentially;
- Matters reported will be assessed and may be subject to an investigation;
- There will be a presumption of innocence until the outcome of the investigation is determined, and the purpose of the investigation is to

determine whether there is enough evidence to substantiate the matters reported.

Aseema will notify the whistle blower once an investigation has been completed but Aseema may not be able to disclose complete details or the outcome of the investigation (depending on the circumstances).

**REVIEW:**

The said policy will be reviewed on an annual basis or as and when required.