Whistle Blower Policy

1. Rationale

Bright Future is committed to adhere to the highest standards of ethical, moral and legal conduct of business operations. To maintain these standards, the organization encourages its employees who have concerns about suspected misconduct to come forward and express these concerns without fear of punishment or unfair treatment. This policy aims to provide an avenue for employees to raise concerns on any violations of legal or regulatory requirements, incorrect or misrepresentation of any financial statements and reports, etc.

The Whistle Blower policy intends to cover serious concerns that could have grave impact on the operations and performance of the business of the organization. The policy neither releases employees from their duty of confidentiality in the course of their work, nor is it a route for taking up a grievance about a personal situation.

2. Definitions

"Disciplinary Action" means any action that can be taken on the completion of /during the investigation proceedings including but not limited to a warning, imposition of fine, suspension from official duties or any such action as is deemed to be fit considering the gravity of the matter.

- "Employee" means every employee of the organization
- "Protected Disclosure" means a concern raised by a written communication/email made in good faith that discloses or demonstrates information that may evidence unethical or improper activity. Protected Disclosures should be factual and not speculative in nature.
- "Subject" means a person or group of persons against or in relation to whom a Protected Disclosure is made or evidence gathered during the course of an investigation under this Policy.
- "Whistle blower" is someone who makes a Protected Disclosure under this Policy.
- "Whistle Officer" means an officer who is nominated/ appointed to conduct a detailed investigation of the disclosure received from the whistle blower and recommend disciplinary action. Currently, the People-Head is nominated as Whistle Officer.
- "Whistle Committee" or "Committee" means a committee of persons who are nominated/appointed to conduct detailed investigation of the disclosure received from the whistle blower and recommend disciplinary action.
- The Committee, if appointed, should include Leadership Team and CEO
- "Organization" means, "Bright Future." including all center offices
- "Good Faith": An employee shall be deemed to be communicating in 'good faith' if there is a reasonable basis for communication of unethical and improper practices or any other alleged wrongful conduct. Good Faith shall be deemed lacking when the employee does not have personal knowledge on a factual basis for the communication or where the employee knew

or reasonably should have known 66 that the communication about the unethical and improper practices or alleged wrongful conduct is malicious, false or frivolous.

- "Policy or This Policy" means, "Whistle Blower Policy." 27.3 Scope Various stakeholders of the Organization are eligible to make Protected Disclosures under the Policy. These stakeholders may fall into any of the following broad categories:
- Employees of the organization
- Employees of other agencies deployed for the Organization's activities, whether working from any of the location
- Contractors, vendors, suppliers or agencies (or any of their employees) providing any material or service to the Organization
- Beneficiaries of our organization i.e. either students, parents or aspirants, interns, volunteers
- Any other person having an association with the Organization. A person belonging to any of the above-mentioned categories can avail of the channel provided by this Policy for raising an issue covered under this Policy. The Policy covers malpractices and events which have taken place/ suspected to take place involving:
- Abuse of authority
- Breach of contract
- Negligence causing substantial and specific danger to public health and safety
- Manipulation of data/records
- Financial irregularities, including fraud or suspected fraud or Misrepresentation of financial reports
- Any unlawful act whether Criminal/ Civil
- Pilferage of confidential/propriety information
- Deliberate violation of law/regulation
- Wastage / misappropriation of Organization funds/assets
- Bribery or corruption
- Sexual Harassment
- Retaliation
- Breach of IT Security and data privacy
- Social Media Misuse

3. <u>Guiding Principles</u>

To ensure that this Policy is adhered to and to assure that the concern will be acted upon seriously, the Organization will

- ensure that the Whistle blower and/or the person processing the Protected Disclosure is not victimized for doing so
- Treat victimization as a serious matter, including initiating disciplinary action on person/(s) indulging in victimization
- Ensure complete confidentiality
- Not attempt to conceal evidence of the Protected Disclosure
- Take disciplinary action, if any one destroys or conceals evidence of the Protected Disclosure made/to be made
- Provide an opportunity of being heard to the persons involved especially to the Subject
- Whistleblowers must put their names, email ID, contact number to allegations they wish to raise. In the absence of the same, the follow-up questions or proper investigation cannot be

carried out as the source of information cannot be identified nor authenticated. Disclosures expressed anonymously will ordinarily NOT be investigated.

4. Protection of Whistle Blower

If one raises a concern under this Policy, he/she will not be at risk of suffering any form of reprisal or retaliation. Retaliation includes discrimination, reprisal, harassment or vengeance in any manner. Organization's employee will not be at the risk of losing her/ his job or suffer loss in any other manner like transfer, demotion, refusal of promotion, or the like including any direct or indirect use of authority to obstruct the Whistle blower's right to continue to perform his/her duties/functions including making further Protected Disclosure, as a result of reporting under this Policy. The protection is available provided that:

A. The communication/ disclosure is made in good faith
B. The Whistle blower reasonably believes that information, and any allegations contained in it, are substantially true; and
C. The Whistle blower is not acting for personal gain Anyone who abuses the procedure (for example by maliciously raising a concern knowing it to be untrue) will be subject to disciplinary action, as will anyone who victimizes a colleague by raising a concern through this procedure.

If considered appropriate or necessary, suitable legal actions may also be taken against such individuals. However, no action will be taken against anyone who makes an allegation in good faith, reasonably believing it to be true, even if the allegation is not subsequently confirmed by the investigation.

The Organization will not tolerate harassment or victimization of anyone raising a genuine concern. As a matter of general deterrence, the Organization shall publicly inform employees of the penalty imposed and disciplinary action taken against any person for misconduct arising from retaliation. Any investigation into allegations of potential misconduct will not influence or be influenced by any disciplinary or redundancy procedures already taking place concerning an employee reporting a matter under this policy. Any other Employee assisting in the said investigation shall also be protected to the same extent as the Whistle blower.

5. Accountabilities of Whistle Blowers

- Bring to early attention of the Organization any improper practice they become aware of. Although they are not required to provide proof, they must have sufficient cause for concern. Delay in reporting may lead to loss of evidence and also financial loss for the Organization.
- Avoid anonymity when raising a concern.
- Follow the procedures prescribed in this policy for making a Disclosure.
- Co-operate with investigating authorities, maintaining full confidentiality.
- The intent of the policy is to bring genuine and serious issues to the fore and it is not intended for petty Disclosures. Employees are expected to avoid invoking their rights under this Policy to settle personal scores or to give vent to their malicious intentions. Malicious allegations by employees may attract disciplinary action.

A whistle blower has the right to protection from retaliation. But this does not extend to immunity for involvement in the matters that are the subject of the allegations and investigation.

Maintain confidentiality of the subject matter of the Disclosure and the identity of the persons involved in the alleged Malpractice. It may forewarn the Subject and important evidence is likely to be destroyed. 27.4.8 In exceptional cases, where the whistleblower is not satisfied with the outcome of the investigation carried out by the Whistle Officer, he/she can make a direct appeal to the CEO of the organization. If the complaint is against the whistle officer whistle blower can directly approach the CEO.

6. Accountabilities of Whistle Officer

a) Conduct the enquiry in a fair, unbiased manner

b) Ensure complete fact-finding

c) Maintain strict confidentiality, especially of the whistle blower's identity

d) Decide on the outcome of the investigation, whether an improper practice has been committed and if so by whom

e) Recommend an appropriate course of action- suggested disciplinary action, including dismissal, and preventive measures

f) Record deliberations and document the final report

7. Rights of a Subject

a) Subjects have the right to be heard and the Whistle Officer must give adequate time and opportunity for the subject to communicate his/her say on the matter

b) Subjects have the right to be informed of the outcome of the investigation and shall be so informed in writing after the completion of the inquiry/ investigation process.

c) Subjects have no right to ask for or be given information about the identity of the whistle blower.

8. Management Action on False Disclosure

An employee who knowingly makes false allegations of unethical & improper practices or alleged wrongful conduct shall be subject to disciplinary action, up to and including termination of employment, in accordance with Organization rules, policies and procedures. Further this policy may not be used as a defense by an employee against whom an adverse personnel action has been taken independent of any disclosure made by him and for legitimate reasons or cause under Organization rules and policies.

9. Access to reports and Documents

All reports and records associated with 'Disclosures' are considered confidential information and access will be restricted to the Whistle blower, and the Whistle Officer, CEO and Policy Process Owner. 'Disclosures' and any resulting investigations, reports or resulting actions will generally not be disclosed to the public except as required by any legal requirements or regulations or by any corporate policy in place at that time.

10. Reports

A quarterly status report on the total number of complaints received during the period, with summary of the findings and actions taken will be sent to CEO.

11. Powers

The organization is entitled to amend, suspend or rescind this policy at any time. Whilst, the Organization has made best efforts to define detailed procedures for implementation of this policy, there may be occasions when certain matters are not addressed or there may be ambiguity in the procedures. Such difficulties or ambiguities will be resolved in line with the broad intent of the policy. The organization may also establish further rules and procedures, from time to time, to give effect to the intent of this policy

12. Procedure for Reporting & Dealing with Disclosures

How should a Disclosure be made and to whom?

A. Disclosure can be made in any one of the following ways: a. Online, in writing or Send through Post addressed to the person concerned (mention the address or email)

Is there any specific format for submitting the Disclosure? While there is no specific format for submitting a Disclosure, the following details MUST be mentioned:

A. Name, address and contact details of the Whistle blower
B. Brief description of the Malpractice, giving the names of those alleged to have committed or about to commit a Malpractice. Specific details such as time and place of occurrence are also important.
C. In case of letters, the disclosure should be sealed in an envelope marked “Whistle Blower” and addressed to the Whistle Officer and CEO, depending on position of the person against whom disclosure is made.

What will happen after the Disclosure is submitted?

A. The Whistle Officer shall acknowledge receipt of the Disclosure as soon as practical (preferably within 07 days of receipt of a Disclosure), where the Whistle blower has provided his/her contact details.
B. The Whistle Officer will examine the allegations to determine whether the allegations (assuming them to be true only for the purpose of this determination) made in the Disclosure constitute a Malpractice. If the allegations do not constitute a Malpractice, the Whistle Officer will record this finding with reasons and communicate the same to the Whistle blower
C. If the allegations constitute a Malpractice, the Whistle Officer will proceed to investigate the Disclosure with the assistance of other representative (which will be chosen) of the organization / Department where the breach has occurred, as he/she deems necessary or as per the process defined under the relevant Policy.

Employees who violate this Policy or are found guilty based on the investigation carried out by the Whistle Officer are subject to disciplinary / corrective action which may include any of the following:

- Formal apology
- Counseling
- Written warning and a copy of it maintained in the employee’s file
- Change of work assignment / transfer with or without monetary impact
- Suspension or termination of services of the employee found guilty of the offence

In case the violation by the individual amounts to a specific offence under the law, the Organization shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority

(D) The CEO/Board of Directors of the Organization may, at his/her discretion, participate in the investigations of any Disclosure.

(E) The Whistle Committee / appropriate Committee (Whistle Officer and CEO) shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Whistle Officer as soon as practically possible and in any case, not later than 90 days from the date of receipt of the Disclosure.

What should I do if I face any retaliatory action or threats of retaliatory action as a result of making a Disclosure?

If you face any retaliatory action or threats of retaliatory action as a result of making a Disclosure, please inform the Whistle Officer in writing immediately. He/She will take cognizance of each and every such complaint/feedback received and investigate the same accordingly and may also recommend appropriate steps to protect you from exposure to such retaliatory action and ensure implementation of such steps for your protection.

13. Committee Members

Sr No	Committee Members	Name / Desingation	Contact No	Email ID
1	Whistle Officer	Santosh V K / Head People & People Support	7709175552	santosh@brightfutureindia.org
2	Appealing Authority	Kishor Palve/ CEO	9867718722	kishor@brightfutureindia.org