



## Anti-Fraud Policy

**ROSA Sansthan has zero tolerance for fraud and corruption**

- 1. Introduction:** ROSA is committed to the setting up, utmost standards for transparency and accountability in all its affair, ROSA strives in attaining its mission through compliance of high legal and ethical standards. ROSA does not tolerate any form of bribery, embezzlements or corruption, and will uphold all laws countering bribery, fraud and corruption in all forms.
- 2. Purpose:** The purpose of this policy is to set out the responsibilities of ROSA and those individuals acting on its behalf in observing and upholding ROSA's position on bribery and corruption. Every individual or group of individuals, associated to ROSA in any form, whether the staff members, the ad-hoc staff engaged in the program activities of the organization, the consultants, the contractors, the interns, the partner organizations and any other party with a financial or trustee-beneficiary relationship with ROSA are expected to share this commitment. The basic objective of this statement is setting out the policy of ROSA towards the prevention and identification of bribery and corruption and the certain procedures to be followed, if at all, any fraud is found or having an idea / impression of its existence.
- 3. Scope:** This policy applies to the Staffs, ad-hoc staffs, Advisers, Consultants, Suppliers, Partners and Individuals acting on behalf of the Society, irrespective of their location. Governing Body (GB) has been excluded from the scope, considering the fact that GB is not directly involved in any of ROSA's day-to-day business and/or routine functions. The Governing Body has vested powers and responsibilities to various functionaries and constituted committees to execute routine functions of the organization.
- 4. Statement:**

1. ROSA will not engage in bribery or any form of unethical inducement or payment including facilitation payments and "rewards." All the Staff, Ad-hoc staff, Advisers, Consultants, Suppliers, Partners and Individuals acting on behalf of the ROSA are required to avoid any activities that might lead to, or suggest, a conflict of interest with the activities ROSA.
2. ROSA expects its suppliers and partners to act with integrity and without thought or actions involving bribery and/or corruption and will, where appropriate, include clauses to this effect in relevant contracts.

**5. Prohibited Activities:**

1. It is prohibited, directly or indirectly, for any staff or individual acting on behalf of ROSA to offer, give, request or accept any bribe (i.e. gifts with mala-fide intentions, loan, payment, reward or advantage, either in cash or any other form of inducement), to or from any person or company in order to gain commercial, contractual or regulatory advantage for ROSA, or in order to gain any personal advantage for an individual or anyone connected with the individual in a way that is unethical.
2. This policy requires employees and individuals acting on behalf of ROSA:
  1. Not to offer, promise or make any bribe or unauthorized payment or inducement of any kind to anyone;
  2. Not to solicit business by offering, promising or making any bribe or unofficial payment to suppliers;
  3. Not to request or accept any kind of bribe or unusual payment or inducement that would not be authorized by ROSA in the ordinary course of business;
  4. To refuse any bribe or unusual payment and to do so in a manner that is not open to misunderstanding or giving rise to false expectation; and to report any such offers;

5. Not to make facilitation payments. These are payments used by businesses or individuals to secure or expedite the performance of a routine or necessary action to which the payer of the facilitation payment has a legal or other entitlement. ROSA will not tolerate or condone such payments being made;
6. To report any breaches of this policy's principles or standards or of any associated

**6. Criminal Offence (as defined in IPC)**

1. It is a criminal offence to:
  1. Offer a bribe;
  2. Accept a bribe;
  3. Fail to prevent a bribe (only applies to commercial organizations)
2. Staffs, ad-hoc staff, advisers, consultants, suppliers, partners and any individuals acting on behalf of ROSA should be made aware that if they are found guilty by a court of committing bribery, embezzlement or fraudulence an individual could face prosecution as per the norms of IPC (Indian Penal Code).

**7. Gifts and Hospitality:**

ROSA realizes that giving and receiving of gifts and hospitality without any mala-fide intentions, or in other words, where nothing is expected in return helps form positive relationships with third parties where it is proportionate and properly recorded. This does not constitute bribery and consequently such actions are not considered a breach of this policy.

**8. Raising a Concern:**

1. If an employee or an individual acting on behalf of ROSA is offered a bribe, or a bribe is solicited from them, they should not agree to it unless their immediate safety is in jeopardy. Should this be the case, the employee or individual should at first instance contact the Unit/Centre In-Charge as soon as they are able to do so. The employee or individual may be required to give a written account of the events to assist with any investigation. If

any Unit/Centre In-Charge is involved in such an act, the individual may contact Executive Officer for reporting the case and likewise if the concerned Executive Officer is involved in such an act, the individual may directly contact the Director of ROSA for reporting such case.

2. Employees or individuals acting on behalf of ROSA are encouraged to raise concerns about any instance of bribery or corruption at the earliest possible stage. The employee or individual raising a concern can do so in confidence and without fear of reprisals. All reports raised are taken seriously and, where appropriate, investigated. No employee or individual will be discriminated against in any way as a result of reporting a concern in good faith.
3. If any instance of bribery or corruption is identified; ROSA management will take the remedial steps immediately. ROSA has its own system of investigating its staff member for violation of service conduct **including financial irregularities, corruption, fraud or misappropriation**. If the charges are proved the delinquent may be awarded penalties depending on the gravity of misconduct.

These rules are based on the following principles: -

1. The right of ROSA to take appropriate disciplinary steps against any delinquent staff member, who acts in a manner conflicting with the code of conduct and prescribed rules / regulations.
  2. At the same time the rules also recognize the right of delinquent staff member to a fair hearing and applicable and just disciplinary action.
  3. The emphasis of disciplinary action is on prevention, justice and restoration.
9. **Review of this Policy:** In the interests of maintaining best practice, the contents of this Anti-Fraud Policy will be reviewed by the Audit and Executive Council every three years.

## 10. Reporting and Investigation:

### 1. An individual can report at three levels, as indicated below:

1. Centre in-charge at primary level.
2. Chief Functionary at secondary level, in case if the concerned Chief Functionary and/or Centre in-charge is/are involved in such an act.
3. Governing body

### 2. Investigation:

1. Governing body will form a committee to investigate.
2. Governing Body will have the discretion to form a committee to investigate, in such a case where any member(s) of the Governing body is involved in the act.

### Investigations conducted under this policy may have the following consequences:

- **Disciplinary Action;** The violation of the present policy, which constitutes in particular a violation of ROSA's Code of Conduct, may result in sanctions ranging from warning to termination of the employment contract for serious misconduct with no notice and no payment of compensation
- **Loss compensation:** Where ROSA has suffered losses, the total restitution of any undue profits or benefits obtained and the recovery of costs will be sought from the individual(s) or organization(s) responsible for the loss. In the event that the individual or organization is unable or unwilling to make good the damage, civil proceedings will be considered to recover the losses.
- **Criminal prosecution:** may refer fraud cases to relevant law enforcement authorities to initiate legal proceedings. The local context as well as the human rights consequences following the implementation of such lawsuits against those involved will be taken into account. In all cases, the final decision on whether or not to take legal action will be taken by the Audit and Governing body of ROSA.
- **Lessons learned and improvement of internal controls:** A fraud investigation can potentially point to supervisory errors and/or a loophole

and/or lack of control; all the measures to be taken to improve systems must be documented in the investigation report and implemented when the report is finalized.

**Existing Policy in the organization**

- Child protection Policy
- Communication Policy
- Conflict of interest policy
- Diversity & inclusion policy
- Ethical code & conflict of interest policy
- Fine and penalty of misconduct policy
- Inclusion policy
- HR policy
- Finance policy
- Whistle blowing
- Safeguarding Policy
- Risk management

**Implementation Date of the Policy**

**Approving Authority**