

# 'WHISTLEBLOWING' POLICY

## Background

ASC is committed to conducting its business with honesty and integrity and, in turn, expects all employees to maintain high standards of conduct. However, it is understood that employees may, at one time or another, have concerns about what is happening within the organisation. Generally, these concerns can be easily resolved. However, some concerns may be about serious misconduct or malpractice.

## Purpose

The purpose of this policy is to ensure that all employees are confident that they can raise any matters of genuine concern, possible serious misconduct or malpractice at an early stage, and to provide assurance that any matters raised will be dealt with seriously, without fear of reprisal and, where possible, confidentially.

## Scope

### What is whistleblowing?

Whistleblowing is when an individual knows, or suspects, that some serious misconduct or malpractice may occur or has occurred within an organisation and reports this to their employer or the relevant external body accordingly.

It is not possible to give an exhaustive list of the activities that might constitute serious misconduct or malpractice but, broadly speaking, employees would be expected to report any of the following:

- Criminal offences.
- Failure to comply with legal obligations.
- Miscarriages of justice.
- Actions that endanger the health and safety of employees or the public.
- Actions which damage the environment or are considered unethical.
- Fraud, bribery or corruption.

Employees who make a disclosure under an organisation’s whistleblowing policy should believe that they are acting in the public interest.

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Classification:	EXTERNAL (PUBLIC)	Page 1 of 4			

### What is not whistleblowing?

Whistleblowing should be in relation to an act of serious misconduct or malpractice. It should not be used as a mechanism to report a minor issue or to deal with anything which is governed under another company procedure.

For example:

- o A grievance relating to personal circumstances, or a bullying/harassment issue, should be raised by the employee using the **ASC Grievance Procedure** in the **ASC Employee Handbook** (ASC-POD-001).
- o Complaints and appeals from stakeholders about *ASC's certification activities*, including standard setting, operation of its assurance programme and staff/governance conduct should be raised using the **ASC Complaints Procedure** (ASC-QMS-003).
- o Stakeholders wishing to complain or appeal about certificate holders, CABs, or ASI, or who wish to report logo misuse or disputes, should also follow the **ASC Complaints Procedure** (ASC-QMS-003).

ASC staff who do have concerns under this policy are encouraged to make use of this policy as a first course of action.

### Policy

#### Reporting concerns

If an employee knows or suspects an act of serious misconduct or malpractice within the ASC, the matter can be raised immediately, verbally or in writing, with their line manager. If an employee does not feel comfortable discussing such concerns with their line manager, they should speak to a member of the Executive Committee, or a Senior Management Team member, including the Director of People & Organisational Development.

Alternatively, employees can write to any of the above and address the correspondence to:

**27 Old Gloucester Street  
London  
WC1N 3AX  
UK**

If employees wish to raise a concern via email, there is a dedicated email address - [whistleblowing@asc-aqua.org](mailto:whistleblowing@asc-aqua.org). The email goes directly to:

- Chair of Trustees
- Director of People and Organisational Development
- Senior Director of Central Services

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In order to raise a concern, employees do not have to have evidence of the malpractice, but there must be a reasonable belief that the malpractice may, or has, occurred. Only in the case of concerns relating to Senior Management should employees contact the Chair directly ([chair@asc-aqua.org](mailto:chair@asc-aqua.org)).

All colleagues have the right to remain anonymous when reporting any concerns and can raise issues anonymously through ASC's Intranet instead. However, this may limit ASC's ability to investigate fully.

**Reporting to an external body**

The aim of this policy is to provide an internal mechanism for reporting, investigating, and remedying any potential serious workplace misconduct or malpractice. We therefore hope that it will not be necessary to alert relevant external, regulatory organisations. However, in very serious circumstances, we recognise that it may be deemed appropriate to do so.

A relevant external organisation is likely to be a regulatory body such as the Health and Safety Executive or the Charity Commission. The Government also suggests a number of prescribed bodies who it might be appropriate to raise a concern with, depending on its nature. These include HMRC, the Financial Conduct Authority and the Serious Fraud Squad. More information can be found here - <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies>

Further external support with whistleblowing can be found at Protect: [www.protect-advice.org.uk](http://www.protect-advice.org.uk)

**Contacting the media**

Using social media to highlight serious issues relating to ASC is not considered appropriate and neither this, nor any other news outlet, constitutes as a relevant regulatory body.

Employees should not whistle blow through any media with allegations about the organisation, except in extraordinary circumstances where neither the organisation nor the relevant regulatory body would be appropriate, or all other avenues have been exhausted.

**Investigation**

Once a manager has been informed of any potential or actual serious misconduct or malpractice, they will take prompt action to investigate the concerns raised, with the support of the Senior Management and the People and Organisational Development (POD) teams.

The individual who has made the disclosure will normally be informed within five working days that the investigation is taking place. Following investigation, the

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Classification:	EXTERNAL (PUBLIC)	Page 3 of 4			

appropriate action will be decided by the Senior Director of Central Services, the CEO, the Chair of the Board of Trustees and the Chair of the Audit and Risk Committee. It might not always be appropriate to give details of the action taken to the individual who raised the concerns.

**Confidentiality**

Every effort will be made by ASC to keep the identity of an individual who makes a disclosure under this policy confidential. In order not to jeopardise the investigation, anybody raising a concern will also be expected to keep the process confidential. This includes the fact that a concern has been raised, the nature of the disclosure and the identity of those involved.

It may, however, be necessary to disclose an individual’s identity as part of the process if, for instance, there are associated disciplinary or legal investigations or proceedings. If this is the case, ASC will make every effort to inform the individual ahead of their identity being disclosed. It may also be the case that an individual’s identity becomes apparent to third parties during the course of an investigation.

**Protection against detriment**

Any individual who makes a disclosure under this policy will be protected from suffering any detriment in relation to the allegations that are made, including victimisation by the organisation or by colleagues. If an employee believes that they have been subjected to a detriment within the workplace as a result of raising concerns, the Senior Management Team lead or the Director of People & Organisational Development should be immediately informed. If the matter is not remedied, the employee may raise a formal grievance under the **ASC Grievance Procedure**. Employees who victimise or retaliate against whistleblowers under this policy will be subject to disciplinary action.

If the individual does not follow the procedure set out, the protection against detriment may not apply.

**Appeal**

Where an employee has raised concerns and remains unhappy with the outcomes of an investigation or the response received, the employee may put their concerns in writing to the Director of People & Organisational Development or the Chair of the Board of Trustees ([chair@asc-aqua.org](mailto:chair@asc-aqua.org)). They will decide how to proceed, and the employee will be informed as soon as practicable.

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