

Aquaculture Stewardship Council Whistle-blower Policy

V1.0-20120927

The Aquaculture Stewardship Council (“the ASC”) wants to ensure that all its employees and all others within its governance structure can report suspected malpractices within the organisation without fear of being punished for formally raising the alleged malpractice. This Whistle-blower Policy (“Policy”) lays out the framework by which the ASC will deal with reports of suspected malpractices and how the person who raises the issues – the “Whistle-blower” – will be protected.

1. Applicability of the Policy

Anyone should act according to the Policy, and can call on the protection of the Policy (claiming Whistle-blower status), if:

- 1.1 They are themselves formally affiliated with the ASC through employment, Supervisory Board membership, or membership of either the Technical or Stakeholder Advisory Groups or a project-related (temporary) working group that has been formally constituted by the ASC.
- 1.2 They are acting in good faith and believe they have reasonable grounds to suspect someone formally affiliated with the ASC as defined above was involved in one or more of the following:
 - a. illegal conduct;
 - b. fiscal/financial misconduct;
 - c. a violation of ASC processes and procedures;
 - d. deliberate hiding, destruction or manipulation of information about the above.

2. Policy Procedure

- 2.1 The person within ASC that should be contacted directly to file a report of the suspected malpractice is the Ombudsman. He/she is entrusted the role by the ASC

Supervisory Board to deal with any such reports and guide the Whistle-blower in taking the right action as well as taking action and conducting investigations him/herself where he/she deems it appropriate. He/she will also ensure that the Whistle-blower is sufficiently protected throughout the process.

- 2.2 The Whistle-blower should *not* directly contact the Ombudsman, however, if:
- a. the suspected malpractice involves the Ombudsman him/herself;
 - b. the suspected malpractice involves an organization or person to whom the Ombudsman is closely affiliated.

In both cases the Whistle-blower should contact the Chairman of the Supervisory Board, who will deal with the matter in the same way as the Ombudsman would (outlined below – read “Chairman of the Supervisory Board” for “Ombudsman”).

- 2.3 Similarly, the Ombudsman may decline to take on the report, if he/she deems him/herself to be involved in the subject of investigation in a manner that would hinder his/her credibility or ability to act.
- 2.4 The Ombudsman will notify the Whistle-blower and acknowledge receipt of the reported suspected malpractice within one week. The confirmation of receipt must include a reference to the original report.
- 2.5 This report will be treated as confidential to the extent it still allows for an adequate investigation. The Whistle-blower may ask the Ombudsman not to disclose his/her identity in the conduct of his/her investigation, as well as withdraw that request at any moment. The request to withdraw the report does not preclude an investigation at the Ombudsman’s discretion.
- 2.6 The Whistle-blower him/herself should also treat his/her report as confidential and not seek any other involvement in this matter.
- 2.7 All reports will be investigated immediately after a report is received. Responsibility for this investigation lies with the Ombudsman. He/she will decide on the correct course of action and update the Whistle-blower weekly of his/her actions. During the entire investigation and afterwards the Ombudsman is responsible for ensuring that no punishment will fall on the Whistle-blower and his/her position within the ASC is protected.



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- 2.8 The right manner of investigation is left to the discretion of the Ombudsman but will in principal involve checking:
- a. Whether the report indeed triggers the Whistle-blower policy. If not, the Whistle-blower will lose that status and will have to work through the normal labour practices of the ASC.
 - b. With the person(s) directly involved (accused) if they are able to clarify/correct the situation. Only in exceptionally grave circumstances is the Ombudsman allowed to escalate the matter without involving the person(s) directly involved (accused).
- 2.9 If the persons directly involved (accused) are not able to clarify/correct the situation, the Ombudsman can decide to escalate the matter to the Executive Board (if they are not accused themselves) or to the Supervisory Board (if they are not accused themselves) and discuss the matter with them.
- 2.10 If the investigation concludes that this is necessary and appropriate, corrective action will be taken. Any allegations that prove to be without ground and made in bad faith, or knowing the allegations were false, will be viewed as a serious disciplinary offense.
- 2.11 If this procedure fails to generate a satisfactory outcome the Ombudsman must assess whether an external third party should be asked to mediate the situation (at the cost of ASC).

3. Protection under this Policy

- 3.1 If the Whistle-blower has reported a suspected malpractice in line with this Policy, he/she may not suffer from any acts of revenge by the ASC staff or Supervisory Board whatsoever as a result of that report.
- 3.2 Similarly, the Ombudsman may not suffer from any acts of revenge if he/she has acted according to this Policy in dealing with the report.

4. Appointment of an Ombudsman



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- 4.1 The Ombudsman will be appointed by the Supervisory Board, from their midst, on a consensus basis.
- 4.2 In principal the Ombudsman will exercise his/her function until he/she steps down. His/her functioning will be evaluated annually however, and if a majority of the Supervisory Board no longer supports his/her position they will have to evaluate whether another member is better suited to take on this role.

5. Date of Effectiveness and Publication

- 5.1 This Policy enters into effect on 27 September 2012.
- 5.2 This Policy will be published on the ASC website.
- 5.3 As soon as this Policy enters into effect the Ombudsman will start exercising his/her function.

6. Contact information ASC Ombudsman

- 6.1 ombudsman@asc-aqua.org