



# International Cotton Advisory Committee

Approved version

**Whistleblower Policy**  
**Version approved at the 564<sup>th</sup> Meeting**  
**of the Standing Committee**

**16 April 2020**  
**Virtual Meeting on GoToMeeting**



## **ICAC WHISTLEBLOWER POLICY**

### **What is whistleblowing?**

Whistleblowing is the term used when an employee passes on information concerning wrongdoing. In this Policy note, we call that “making a disclosure” or “blowing the whistle”. The wrongdoing will typically (although not necessarily) be something they have witnessed at work.

To be covered by whistleblowing law, an employee who makes a disclosure must reasonably believe two things;

The first is that they are acting in the public interest. This means in particular that personal grievances and complaints are not usually covered by whistleblowing law.

The second thing that an employee must reasonably believe is that the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories:

- criminal offences (this may include, for example, types of financial impropriety such as fraud)
- failure to comply with an obligation set out in law
- miscarriages of justice
- endangering of someone’s health and safety
- damage to the environment
- covering up wrongdoing in the above categories

### **Purpose of a Whistleblowing Policy**

The purpose of ICAC’s Whistleblower Policy is to adopt, maintain and disclose a formal process to deal with complaints and prevent retaliation. The ICAC takes seriously and investigates employee complaints and corrects any problems or explains why corrections are not necessary.

The Whistleblower Policy of ICAC:

1. encourages staff to come forward with credible information on illegal practices or serious violations of adopted policies of the Organisation;
2. specifies that the Organisation will protect the Whistleblower from retaliation; and
3. identifies where such information can be reported.



## **Definition of a Whistleblower**

A whistleblower as defined by this policy is an employee of the International Cotton Advisory Committee or a member of the Standing Committee who reports an activity that he/she considers to be illegal or dishonest to one or more of the parties specified in this Policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate people designated below are charged with these responsibilities.

If an employee has knowledge of or a concern of any illegal or dishonest fraudulent activity, the employee is to contact the Executive Director and in cases where a complaint may involve the Executive Director, then both the Chair of the Standing Committee and the Chair of the Subcommittee on Budget. An employee does not need to provide evidence of any wrong doing but must make any disclosure in good faith.

## **What is not included in a Whistleblowing complaint?**

Sometimes an employee believes they are blowing the whistle when, in fact, their complaint is a personal grievance. Employees who make a disclosure under an organisation's whistleblowing policy should believe that they are acting in the public interest. This means, in particular, that personal grievances and complaints are not usually covered by whistleblowing law.

The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination of their contract. The Organisation prohibits retaliation by or on behalf of the Organisation against staff for making good faith complaints, reports or inquiries under this policy, or for participating in a review or investigation under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. The Organisation reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports or inquiries or who otherwise abuse this policy.

## **Whistleblowing Protections**

Whistleblower protections are provided in two important areas – confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, their identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. The ICAC will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact both the Chair of the Standing Committee and the Chair of the Subcommittee



on Budget immediately. In addition, those found to have taken reprisal actions or victimised the whistleblower will face disciplinary action, including the possibility of dismissal. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

The Organisation prohibits retaliation by or on behalf of the Organisation against staff for making good faith complaints, reports or inquiries under this policy, or for participating in a review or investigation under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. The Organisation reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports or inquiries or who otherwise abuse this policy. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination of their contract.

### **How to make a Disclosure?**

Complaints, reports or inquiries may be made under this policy on a confidential or anonymous basis. Whistleblowers are to describe in detail the specific facts demonstrating the basis for the complaints, reports or inquiries. They are to be directed in the first instance to the Executive Director, or if you suspect the Executive Director is committing fraud, write to or send an e-mail to both the Chair of the Standing Committee and Chair of the Sub Committee on Budget.

The ICAC will conduct a prompt, discreet, and objective review or investigation and may use outside, independent persons such as accountants or lawyers to assist them in the process. Staff must recognize that the Organisation may be unable to fully evaluate a vague or general complaint, report or inquiry that is made anonymously.

### **Dealing with Disclosures**

Once a disclosure has been made it is good practice to hold a meeting with the whistleblower to gather all the information needed to understand the situation and to explain any time frames to deal with the disclosure.

In some cases, a suitable conclusion may be reached through an initial conversation. In more serious cases there may be a need for a formal investigation. It is for the organisation to decide what the most appropriate action to take is. It is important to note that if an investigation concludes that the disclosure was untrue it does not automatically mean that it was raised maliciously by an employee.



When dealing with disclosures, it is good practice for those investigating to:

- Treat all disclosures made seriously and consistently.
- Provide support to the employee during what can be a difficult or anxious time with access to mentoring, advice and counselling.
- Reassure the whistleblower that their disclosure will not affect their position at work
- Document whether the whistleblower has requested confidentiality.
- Manage the expectations of the whistleblower in terms of what action and/or feedback they can expect as well clear timescales for providing updates.
- Produce a summary of the meeting for record keeping purposes and provide a copy to the whistleblower.
- Allow the whistleblower to be accompanied by a colleague or an external person at any meeting about the disclosure, if they wish to do so.
- Provide support services after a disclosure has been made such as mediation and dispute resolution, to help rebuild trust and relationships in the workplace. It will be useful to document any decisions or action taken following the making of a disclosure by an employee.

It is also good practice for organisations to:

- Record the number of whistleblowing disclosures they receive and their nature.
- Maintain records of the date and content of feedback provided to whistleblowers.
- Conduct regular surveys to ascertain the satisfaction of whistleblowers.

Date Approved: 16 April 2020  
Review Date: Every 3 years



---

## **WHISTLEBLOWER POLICY RECEIPT AND UNDERSTANDING FOR NEW HIRES**

The Standing Committee approves the following Policy and directs the Executive Director to ensure that it is given to and acknowledged by all employees. In addition, the Executive Director will ensure that whistleblower protection notification is posted in the workplace.

**Policy:** If any employee reasonably believes that some policy, practice, or activity of ICAC is in violation of law, a written complaint may be filed by that employee with the ICAC Executive Director or by writing or sending email to the Chair of Sub Committee on Budget. If both of those persons are implicated in the complaint, report or inquiry, then write to or send an email to the Chair of the Standing Committee.

It is the intent of ICAC to adhere to all laws and regulations that apply to the organisation, and the purpose of this Policy is to support the organisation's goal of legal compliance. The support of all employees is necessary to achieving compliance with various laws and regulations. An employee is protected from retaliation only if the employee brings the alleged unlawful activity, policy, or practice to the attention of the Executive Director/Chair of the Sub Committee on Budget/Chair of the Standing Committee and provides relevant individual(s) with a reasonable opportunity to investigate and address the alleged unlawful activity and make necessary corrections and put sanctions and safeguards in place. The protection described below is only available to employees that comply with this requirement.

ICAC will not retaliate against an employee who, in good faith, has made a protest or raised a complaint against some practice of ICAC, of an employee of ICAC, or of another individual or entity with whom ICAC has a business relationship, on the basis of a reasonable belief that the practice is in violation of law or a clear mandate of public policy.

ICAC will not retaliate against an employee who discloses or threatens to disclose to a superior or a public body any activity, policy, or practice of ICAC that the employee reasonably believes is in violation of a law, or a rule, or regulation mandated pursuant to law or is in violation of a clear mandate or public policy concerning health, safety, welfare, or protection of the environment.

My signature below indicates my receipt and understanding of this Policy. I also verify that I have been provided with an opportunity to ask questions about the Policy.

---

Employee Signature and Date