



WHISTLEBLOWING POLICY

1. Introduction

At the Soil Association we are committed to always behaving ethically, and having the highest standards of openness, honesty and accountability.

We recognise that there may sometimes be times when we, or our people, do not get things right. We encourage those working for us or volunteering with us who have serious concerns about any aspects of our work to come forward, speak up and express those concerns at the earliest opportunity. Sometimes this is called 'whistleblowing'.

We believe that by speaking up, our colleagues play a pivotal role in helping us maintain the highest standards of ethical behaviour and ensure the wellbeing of Soil Association, partner organisations and wider stakeholders.

The purpose of this policy is to:

- set out how you can raise a serious concern,
- set out how you can expect your concern to be dealt with,
- ensure that if you raise a concern in good faith you will be protected from victimisation and reprisals, and
- allow the Soil Association to take action against any employee who makes allegations in bad faith and/or publicly discloses information when it is unreasonable for them to do so.

2. Definition of whistleblowing and scope

Speaking up or 'whistleblowing' is the disclosure of activity that is deemed illegal, immoral, unsafe or fraudulent or some other legitimate wrongdoing at work. Officially this is called 'making a disclosure in the public interest'.

This whistleblowing policy is used to raise a concern about danger or illegality that affects others (e.g. customers, members of the public, or their employer). The person raising the issue is usually not directly, personally affected by the danger or illegality. Consequently, the person speaking up

rarely has a personal interest in the outcome of any investigation into their concern – they are simply trying to alert others.

This is very different from a complaint. When someone complains, they are saying that they have personally been poorly treated and in this case the Soil Association's Complaints procedure (for external parties) and Grievance procedure or Bullying and Harassment policy (for workers and employees) should be used. You can consult these in our internal [people system](#).

This policy covers the Soil Association Group (Soil Association Charity, Soil Association Certification and Soil Association Exchange).

3. Public interest disclosure act 1998

The Public Interest Disclosure Act 1998 provides certain protections for workers and employees who raise legitimate concerns that any of the following acts are being, have been, or are likely to be, committed:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above.

It is not necessary for you to have proof that any of the above are being, have been, or are likely to be committed – a reasonable belief is sufficient.

A worker or employee who makes a disclosure in accordance with the Act is protected from dismissal, detrimental treatment or victimisation from their employer. The legal protections afforded to whistleblowers under the Public Interest Disclosure Act 1998 apply to workers and employees. While volunteers and contractors are not covered by this legislation, at the Soil Association we want to promote an open and honest environment in which people can raise concerns and speak up. We will therefore, as far as possible, treat all individuals making a disclosure in the spirit of the Public Disclosure Act 1998.

4. Regulation of certification bodies

There are particular legal requirements imposed upon Soil Association Certification.

Soil Association Certification is accredited to a range of ISO and other standards, which set out requirements for certification bodies that ensure their integrity. Soil Association Certification is required to maintain impartiality and transparency in its certification decisions and treat its licensee information confidentially. Soil Association Certification impartiality policy is [available on our website](#).

Accreditation to these standards is a requirement and so any allegation that there has been a breach of these standards, whether raised as a whistleblowing concern or otherwise, will be taken very

seriously and will be brought to the attention of the Certification Scrutiny Committee whose purpose is to safeguard impartiality. Information on the committee is [available on our website](#).

5. Our commitment to those who speak up

We recognise that the decision to report a concern can be a difficult one to make. If you are acting in good faith, you should have nothing to fear because you will be doing your duty to the Soil Association and those for whom you are providing a service. Our speak up culture is an essential element of our commitment to ethical conduct and we are dedicated to provide a safe space for whistleblowers.

We will not tolerate any harassment or victimisation of you and will take appropriate action to protect you when you raise a concern in good faith.

Any investigation into allegations made under this policy will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

6. Confidentiality

Concerns can be raised confidentially, and individuals can ask that their name is not revealed without their consent. However, in some cases it may be impossible to take action on the concern without the individual publicly coming forward.

We will always adhere to our data protection policy.

7. Anonymous allegations

Some individuals may decide to raise anonymous concerns, but we encourage individuals to put their name to allegations whenever possible.

Concerns expressed anonymously are much less powerful but will still be reviewed by the Soil Association. When reviewing anonymous allegations the Soil Association will take into account:

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

To submit an anonymous concern, please send your report to our official address at Spear House (Soil Association, Spear House, 51 Victoria Street, Bristol, BS1 6AD), clearly marked as "Confidential" for the attention of either the Group Head of People or the Chair of Trustees. It is imperative that the report is clearly identified as a whistleblowing report.

8. Untrue allegations

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, an employee makes an allegation maliciously or for personal gain, disciplinary action may be taken.

8. Procedure

8.1 How to raise your concern

We hope you will feel able to raise your concern with senior management at the Soil Association. However, we understand that in some circumstances you may feel unable to do so, in which case please use the methods below.

For any concern: contact the Soil Association Group Audit & Risk Committee, which consists of members of the charity's Board of Trustees and the Soil Association Certification Board.

Please email whistleblowing@soilassociation.org

If you use this email address, your email will automatically go to all board members of the Group Audit & Risk Committee, resulting in a swifter response.

For Certification: if you feel unable to raise your concern internally and it relates to work being carried out for which the ultimate beneficiary is Defra:

Please email Whistleblowing@Defra.gov.uk.

Concerns may be raised verbally or in writing, however it is good practice for the concern to be recorded in writing at an early stage to ensure that all details are correctly understood. A written concern should take the following format:

- the background and history of the concern (giving relevant dates);
- the reason why you are particularly concerned about the situation.

If you have a direct or personal interest in the matter, you should also tell us at this stage.

The earlier you express the concern the easier it is for us to take action.

Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for your concern.

It is important you make it known at the earliest opportunity that you are raising your concern under this Whistleblowing policy.

8.2 How the Soil Association will respond

The action we will take will depend on the nature of the concern. A preliminary review of the nature of your concern will identify if it falls more properly within other Soil Association policies and procedures (e.g. Complaints, Grievance or Bullying and Harassment) and you will be advised if this is the case.

Providing your concern falls under this Whistleblowing policy, the individual you have contacted will institute an investigation.

If urgent action is required, this may be taken immediately and before any formal investigation is concluded.

Within ten working days of a concern being received, you can expect to receive a written acknowledgement from us that we have received your concern and a plan of how we will approach the matter.

If you are asked to attend a meeting to discuss your concerns, you have the right to be accompanied. The purpose of this meeting is to gather as much information as possible from you regarding your concerns, including whether you have any supporting evidence or can identify any witnesses.

After this meeting, the investigating manager will commence a full investigation into the concerns raised. The investigation will aim to gather all relevant information including relevant documentary evidence or witness statements.

On conclusion of any investigation, subject to any legal constraints, you will be told the outcome of the investigation and what the Soil Association has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

If you are not satisfied with the explanation or outcome, you may raise the matter with the appropriate official within the organisation or regulatory body. Information on who this is and how to raise the matter with them will be provided when we communicate to you the explanation or outcome.

8.3 How the matter can be taken further

This policy is intended to provide you with a way to raise whistleblowing concerns within the Soil Association. We aim for it to provide a comprehensive process that you can have confidence in. But if you are still uncomfortable raising your concern within the Soil Association or do not feel that your concern has been satisfactorily resolved by the Soil Association you can seek further advice from:

- Public Concern at Work <http://www.pcaw.org.uk/>, a registered charity established to assist whistle-blowers
- Your trade union
- Any professional body you belong to
- The Charity Commission or Scottish Charity Regulator (OSCR)
- Fundraising Regulator or Scottish Fundraising Standards Panel
- External accreditors of Soil Association Certification, for example UKAS, IOAS and ASI

Date of issue: October 2008

Date of last update: April 2024

Date of next review: January 2026

Owner: People Team

Distribution: All Soil Association Group employees, Charity Trustees, SA Certification Board Members, SA Certification Scrutiny Committee members and Soil Exchange Board Members.