

**AIRTO Whistleblowing Policy**  
**approved by AIRTO Board 18 July 2024**



**Definition**

Whistleblowing is the term applied to the act of the disclosure of information by an individual who knows, or suspects, that an organisation is responsible for or has participated in an act of wrongdoing. Individuals making qualifying disclosures are protected against dismissal or detriment by The Public Interest Disclosure Act 1998.

**Qualifying disclosures**

Certain disclosures are prescribed by law as “[qualifying disclosures](#)”. A “qualifying disclosure” means a disclosure of information that the discloser genuinely and reasonably believes is in the public interest and demonstrates a “relevant failure” has occurred via any of the following:

- committing a criminal offence;
- failing to comply with a legal obligation;
- a miscarriage of justice;
- endangering the health and safety of an individual;
- environmental damage;
- concealment any information relating to the above.

Alleged acts of failure covered by the above categories may have occurred in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened previously, is currently happening, or is likely to happen in the future.

**AIRTO’s Jurisdiction**

AIRTO is an organisation with many active participants who are not employees. These may include, but not be limited to the following categories, where AIRTO’s level of Jurisdiction and the most appropriate route for whistleblowing is indicated as follows:

<b>Participants</b>	<b>Detail</b>	<b>Appropriate Policy</b>
AIRTO’s core team of ‘staff’ e.g., Executive Director, Executive Administrator etc.	These roles are in fact employees of the Net Zero Technology Centre via a Management contract arrangement, and are bound by NZTCs policies.	NZTC’s Whistleblowing Policy
AIRTO’s non-executive Directors (either ‘Member Directors’ or ‘Appointed Directors’)	AIRTO’s non-executive Directors (either ‘Member Directors’ or ‘Appointed Directors’)	AIRTO’s Whistleblowing Policy (if pertaining to AIRTO related activities) Or Member Organisation’s Whistleblowing Policy (if pertaining to member organisation related activities, i.e., not AIRTO related activities)
AIRTO Interest Group Chairs (or other key roles) occupied by consultants of AIRTO	For example, the National Laboratories	AIRTO’s Whistleblowing Policy (if pertaining to AIRTO related activities)

	Lead or the Government Affairs Lead	
AIRTO member organisations - companies operating independently of AIRTO in the sphere of innovation and R&D	AIRTO member organisations - companies operating independently of AIRTO in the sphere of innovation and R&D	Whistleblowing policies operated by individual member companies.

When deciding how to report alleged wrongdoing, a complainant must first decide whether the matter should fall under AIRTO's Whistleblowing Policy, or whether another policy has jurisdiction. AIRTO will consider any qualifying disclosures very seriously, and in a case where an allegation is raised which does not fall under its jurisdiction, may choose to report the matter by proxy via a corresponding member organisation's policy in addition to encouraging the complainant to do so directly. It should be noted that AIRTO does not have jurisdiction to handle matters of staff grievance relating to individual AIRTO member organisations; including but not limited to individuals' matters of concern, problems or complaints that employees may make against employers pertaining to pay, demotion etc. In such instances, alternative local policies and processes should be followed by the concerned individuals.

### **Protection against detrimental treatment**

Individuals alleging wrongdoing under this policy will be protected, as far as AIRTO's jurisdiction reaches, against detrimental treatment, up to and including severance or requests for non-participation in AIRTO, because they have made a disclosure.

Bullying, harassment, or any other detrimental treatment to a complainant who has made a qualifying disclosure is unacceptable, and action will be taken to deal with any such bullying or harassment of complainants.

### **The procedure**

#### **1. Making a disclosure:**

In the first instance complainants should report any concerns to AIRTO's Executive Director, or where this may not be appropriate reports should be made to the AIRTO Chair. All concerns reported will be treated in the utmost confidence. AIRTO has a form (Appendix 1) which should be used to make a report. Qualifying disclosures reported verbally, may be followed by a request to confirm a written record of the verbal report.

#### **2. Decision on jurisdiction:**

Assuming that a disclosed allegation does not relate to AIRTO's Executive Director or Chair, those two individuals are responsible for deciding and confirming whether AIRTO has jurisdiction. This will normally be confirmed within 7 days of receipt of an allegation.

Where the allegation relates to AIRTO's Executive Director or Chair, the complaint should be directed in the first instance to AIRTO's President, who will be responsible for deciding and confirming whether AIRTO has jurisdiction, and will follow this process after convening two other Directors on the AIRTO Board for the investigation to be conducted.

Where the allegation relates to a company operating independently of AIRTO (e.g., a member organisation), AIRTO will refer the matter on under the Whistleblowing Policy which is operated by the member company in question and will encourage the complainant to do the same.

Where the disclosed allegation relates to AIRTO's Executive Director or other member of AIRTO's core team of 'staff', the decision on jurisdiction will be made by

AIRTO's Chair, with the default position being to refer the matter to be handled under NZTC's Whistleblowing Policy.

### **3. Investigation:**

In instances of disclosure, where it is confirmed that AIRTO has jurisdiction, an investigation will be conducted. Initially a quorum of three AIRTO Directors will be convened to agree on the appropriate steps to be taken for investigation, including whether to take legal counsel. Typically, this will involve meeting(s) with relevant individuals to gather as much information as possible from the whistleblower regarding their concerns, supporting evidence and identification of any witnesses. On conclusion of the investigation, the Directors will agree on actions to be taken and appropriate next steps.

### **4. Actions:**

AIRTO commits to take action as agreed by the convened quorum of three AIRTO Directors following completion of their investigation. Actions may include, but not be limited to the following. If:

- No evidence of wrongdoing found, no action will be required;
- Evidence of wrongdoing found, AIRTO action will be required (to be specified);
- Evidence of wrongdoing found, but AIRTO does not have jurisdiction regarding the actions required, a referral to a third party will be necessary, which may involve appropriate authorities in UK (to be specified). E.g., police in the case of suspected criminal activity
- AIRTO subsequently will advise the whistleblower in writing what action has been deemed necessary. If the complainant is not satisfied with the explanation or outcome, they may raise the matter with an appropriate official organisation or regulatory body.

### **5. Lessons to be learnt:**

On conclusion, AIRTO's Board will consider as a matter of routine what lessons have been learned from each case of Whistleblowing handled, and it will identify what, if any, actions are deemed appropriate to avoid any future such situations arising e.g., changes to policies or procedures, training/retraining etc.

