

ISO 37002 - Whistleblowing management systems

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THE INTERNATIONAL STANDARD ON
WHISTLEBLOWING MANAGEMENT
SYSTEMS

ISO Technical Committee 309 - Governance of Organizations



What holds people back on reporting a wrongdoing?

“

I can be fired...

They will think I am a
traitor...

No one said anything...

They will do nothing
about it...

I don't know how to
report it...

”



© Photo: dilbert.com

Source: <https://www.diction.ch/groesserer-schutz-fuer-whistleblower/>

Whistleblowing

Case 1

- Whistleblower collected and documented allegations against the head of cardiac surgery for months and turned the documents over to the hospital management;
- He was temporarily banned, and his position was later terminated;
- The case is pending before the Administrative Court of the Canton of Zurich;
- The UZS claims that no terminations for whistleblowing would be issued at the hospital.

USZ / Heart clinic in Zurich



Source: Tamedia AG

Allegation's concern embellished reports, conflicts of interest and patient safety.

Whistleblowing

Case 2

- Whistleblower's worker posted a picture of a smoking area at Roche's construction site where dozens of construction workers met, showing it was impossible to maintain minimum required distances;
- Whistleblower was dismissed;
- Roche justified that only issued a site ban as it was forbidden to take photos on the construction site and to publish them without consent.

Roche Skyscraper in Basel



Source: SRF

Allegations concern the lack of appropriate COVID measures.

Whistleblowing

Case 3

- In 2009, whistleblower – and himself repentant cartel member – informed the cantonal civil engineering office about illegal price-fixing by building contractors in the Lower Engadin;
- According to the experts, the cantonal engineer at the time and the head of the road maintenance/district department did not take whistleblower warning seriously and thus violated their duty of care / due diligence duty.
- Whistleblower finally turned to the WEKO himself in 2012.

Construction cartel in Engadin



As a whistleblower, Adam Quadroni brought the illegal price agreements in the Lower Engadine to light.

Photo: Gian Ehrenzeller (Keystone)

Allegations concern illegal price-fixing by building contractors.

Whistleblowing

Case 4

- Whistleblowers reported irregularities by providing the magazine “Weltwoche” with documents on serious social welfare fraud cases;
- Charges were brought against the two women for breach of official secrecy / professional confidentiality. Both were summarily dismissed;
- Their conviction for violation of official secrecy was confirmed by the Federal Supreme Court. However, in 2010, they received the “prix courage” by the “Beobachter”.

<https://www.srf.ch/kultur/gesellschaft-religion/zivilcourage/heldinnen-oder-verraeterinnen-esther-wyler-und-margrit-zopfi>

<https://www.tagesanzeiger.ch/zuerich/stadt/whistleblowerinnen-stehen-erneut-vor-gericht/story/23886736>

Social welfare system in Zurich



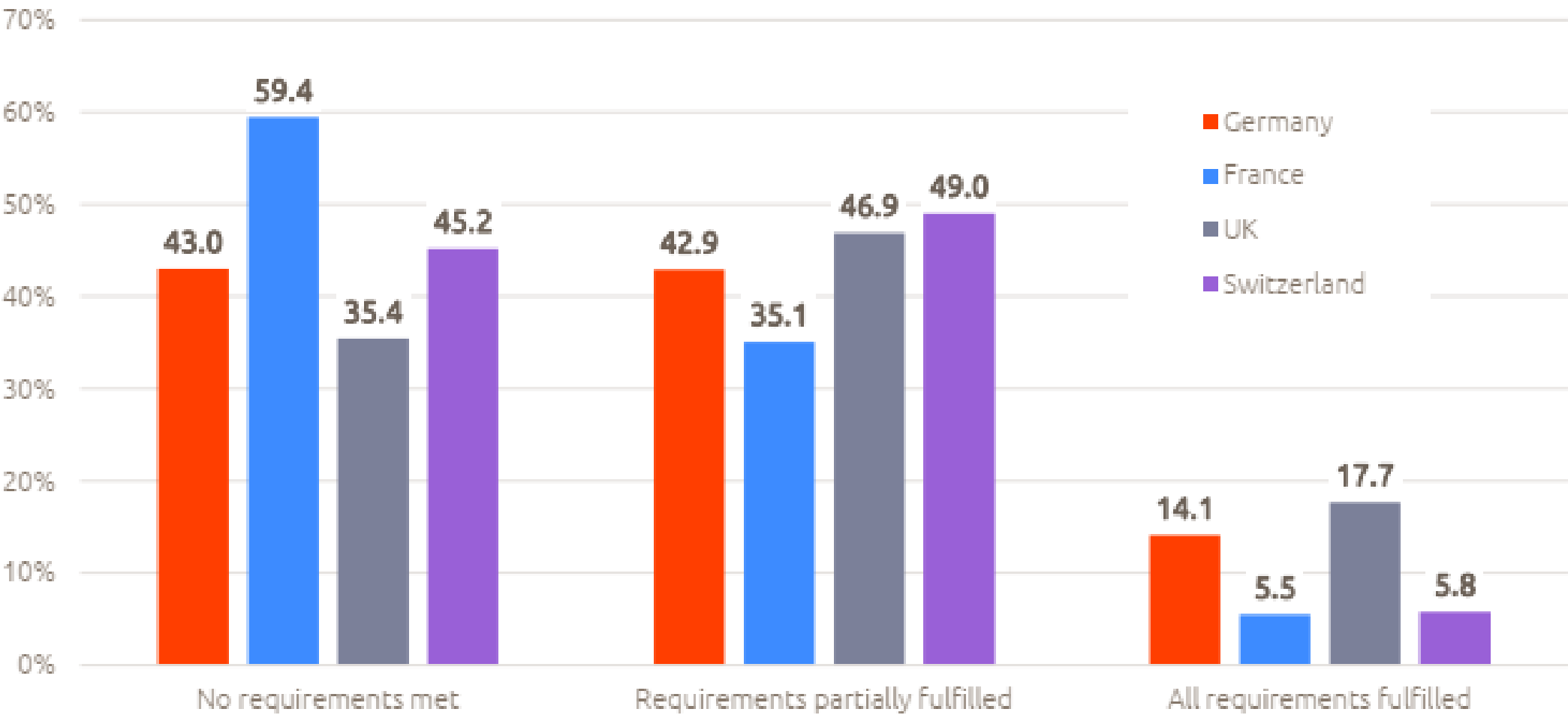
Honored for their courage: Esther Wyler (left) and Margrit Zopfi accept the Prix Courage on 10 September 2010.

Source: tagesanzeiger.ch

Allegations concern irregularities in the social welfare system of the city of Zurich.

» Only a minority of the companies surveyed are fully prepared for the introduction of the directive «

How prepared are companies for the introduction of the EU directive?



ISO 37002 – Whistleblowing Management system



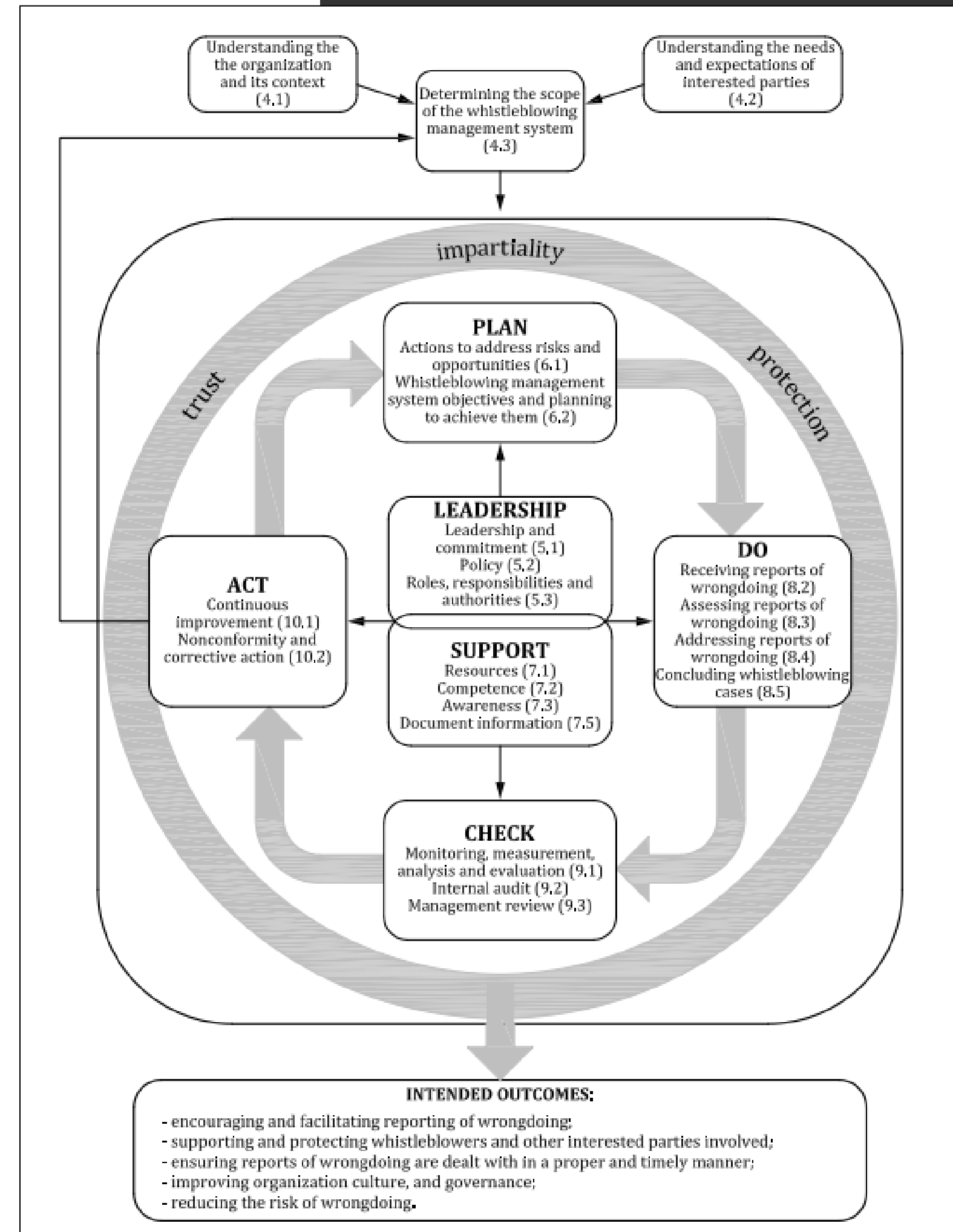
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1. ISO 37002 - Overview

Whistleblowing is the act of reporting suspected wrongdoing or risk of wrongdoing.

ISO 37002 provides guidance to organizations for establishing, implementing, maintaining and improving a whistleblowing management system.

The conceptual overview chart illustrates a recommended whistleblowing management system showing how the principles of trust, impartiality and protection overlay.





2. Whistleblower

A person who reports suspected or actual wrongdoing and has reasonable belief that the information is true at the time of reporting.

Reasonable belief is a belief held by an individual based on observation, experience or information known to that individual, which would also be held by a person in the same circumstances

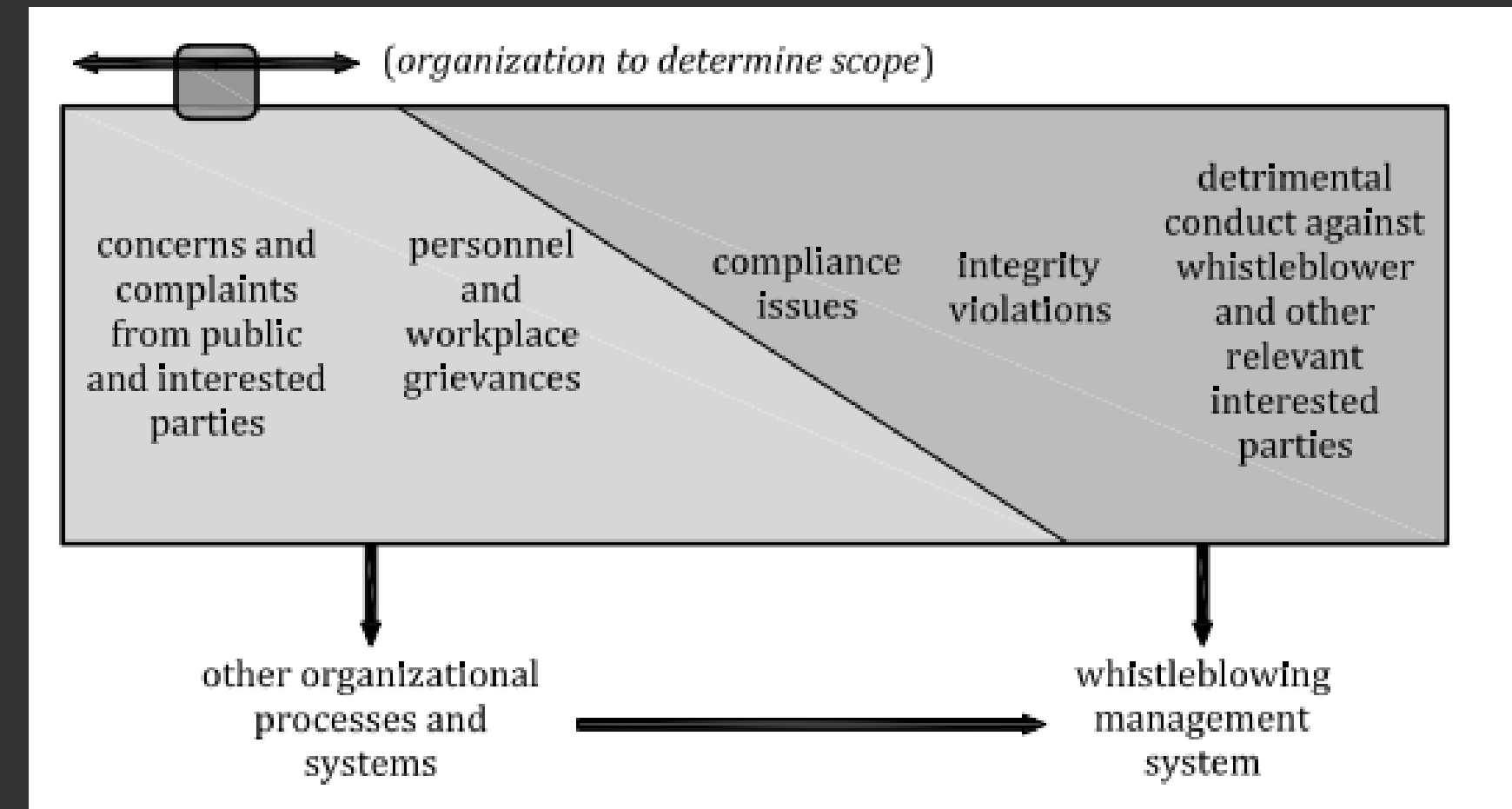
3. Wrongdoing

The types of wrongdoing that can be addressed through the whistleblowing management system, if reported, are important to its scope.

Not all reports made to the whistleblowing management system will be within its scope, and a single report can include information about multiple types of wrongdoing, some within scope and others outside of scope.

The organization should identify what other processes, existing or planned, will be used to resolve reported wrongdoing that is not within the scope of the whistleblowing management system (e.g. complaints, grievances) and how this will be coordinated.

Relationship between the whistleblowing management system and other organizational processes and systems



4. Leadership and Commitment

set objectives for an effective whistleblowing management system and monitor top management with respect to these;

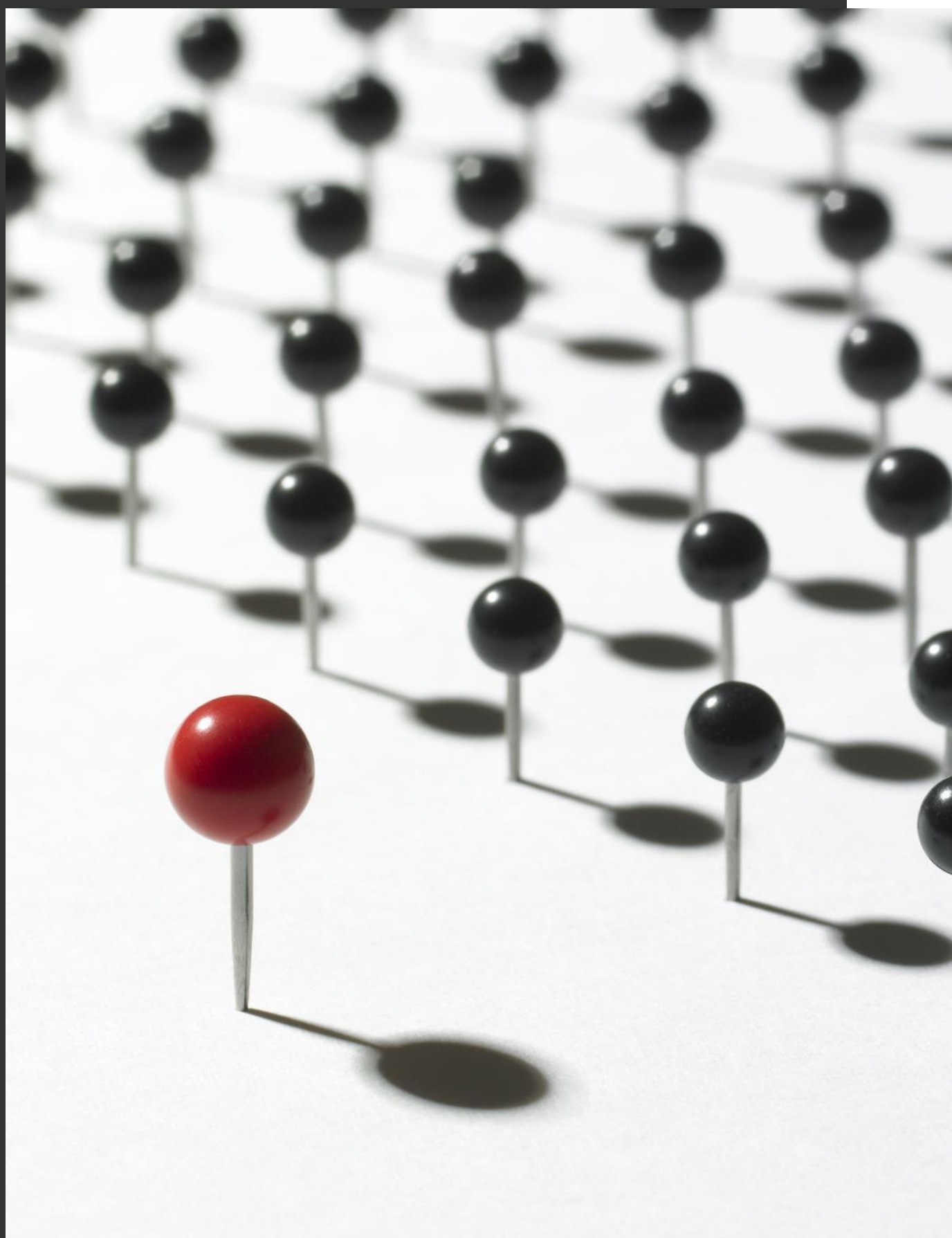
approve the organization's whistleblowing policy and communicate clear messages about its existence, importance and use;

demonstrate that commitment by embracing the policy and the whistleblowing management system;

at planned intervals, receive and review information about the content and operation of the organization's whistleblowing management system;

ensure that adequate and appropriate resources needed for effective operation of the whistleblowing management system are allocated and assigned;

exercise adequate oversight of the implementation, integrity and improvement of the organization's whistleblowing management system



5. Top Management

Ensures the accessibility of the whistleblowing management system and **encourages its use**;

Ensures that the needed resources are **available, adequate, appropriate** and **deployed**;

Communicates the importance of **effectiveness and of conforming to** the organization's established whistleblowing management system **requirements**;

Communicates the **whistleblowing policy** internally and externally;

Commits to, promotes and practices a **speak-up/listen-up culture** within the organization;

ensures that **whistleblowers** and others involved **will not suffer** detriment by the organization in relation to whistleblowing;

receives and reviews **reports on the operation, and performance** of, the whistleblowing management system;

ensures an **impartial investigation of matters reported using the system**, regardless of the identity of the whistleblower, the subject of the report and the implications of the issues identified.



Top management should demonstrate leadership and commitment with respect to the whistleblowing management system

6. Whistleblowing management function

the design, implementation, operation and improvement of the whistleblowing management system;

HAVE THE RESPONSIBILITY
AND AUTHORITY FOR:

ensuring that the whistleblowing management system is designed and resourced to ensure comprehensive assessment of reports and the risks of detriment, impartial and timely investigations of reports and protection and support arrangements;

ensuring, to the maximum extent possible in the organization, that investigation and protection functions are delivered independently, while recognizing that each may be assigned to existing functions;

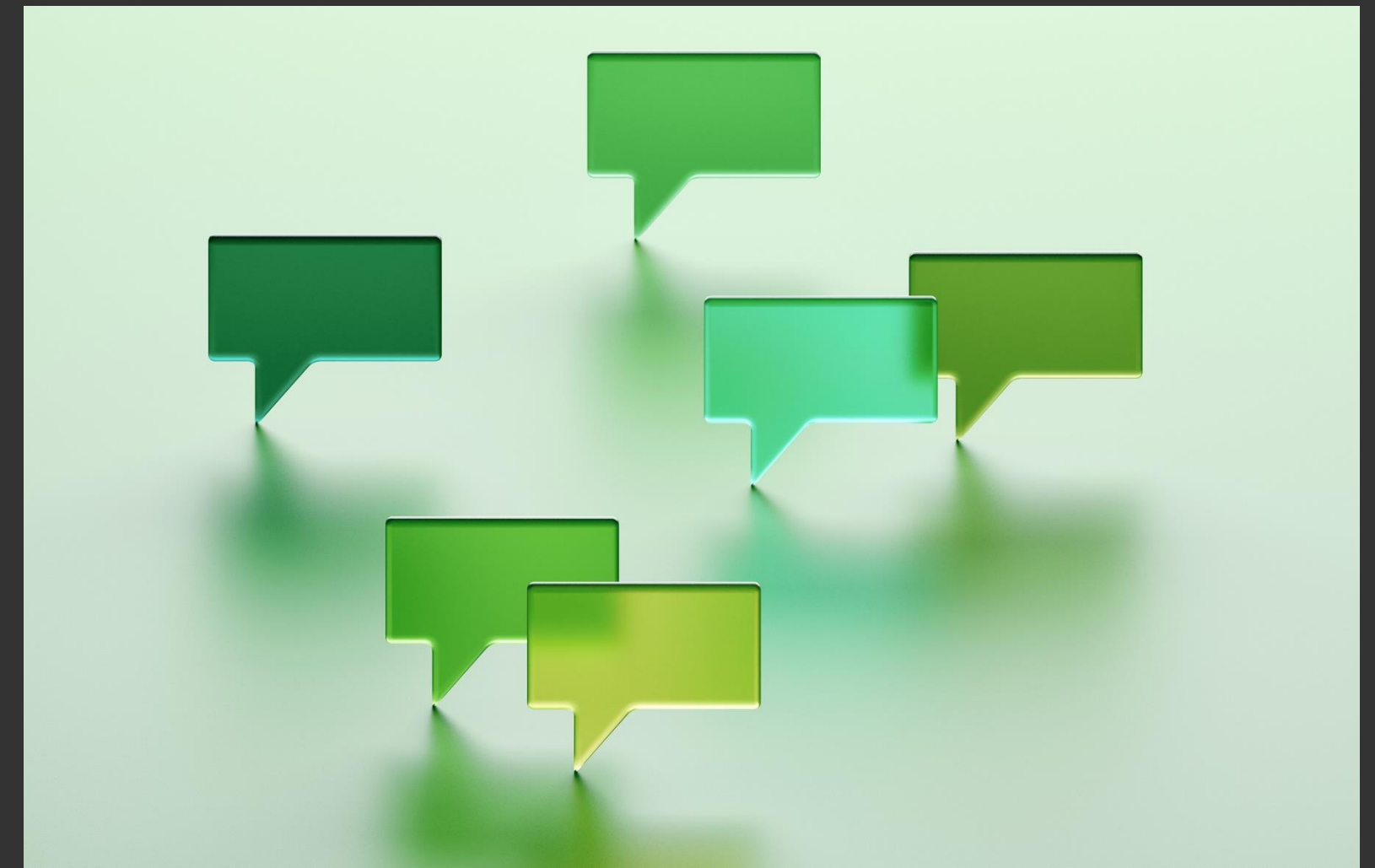
providing advice and guidance on the whistleblowing management system and issues relating to reporting wrongdoing;

reporting on a planned and ad hoc basis on the performance of the whistleblowing management system to the governing body, top management and other relevant functions, such as the compliance function, as appropriate.

7. Communication

When the policy is introduced or updated, the following actions should be taken.

- Personnel should be briefed on the key points/changes. The involvement of their managers:
 - helps ensure that managers have a clear role in the arrangements and their role is widely understood;
 - communicates the message from managers themselves that it is safe and acceptable for their personnel to report wrongdoing by those above them.
- A communication should be sent from the governing body or top management (e.g. personalized letter, a newsletter or a post on the intranet, etc.). This will give the initiative credibility across the organization and is an effective way to demonstrate leadership.



Organizations should consider to what extent other interested parties should receive this communication.

Procedures should include how to deal with breaches or attempts of confidentiality. This includes providing support and taking disciplinary measures.



Whistleblowers should be aware when confidential or anonymous reporting is allowed and that disclosing their identity during the investigation can be required to proceed further.

8. Confidentiality

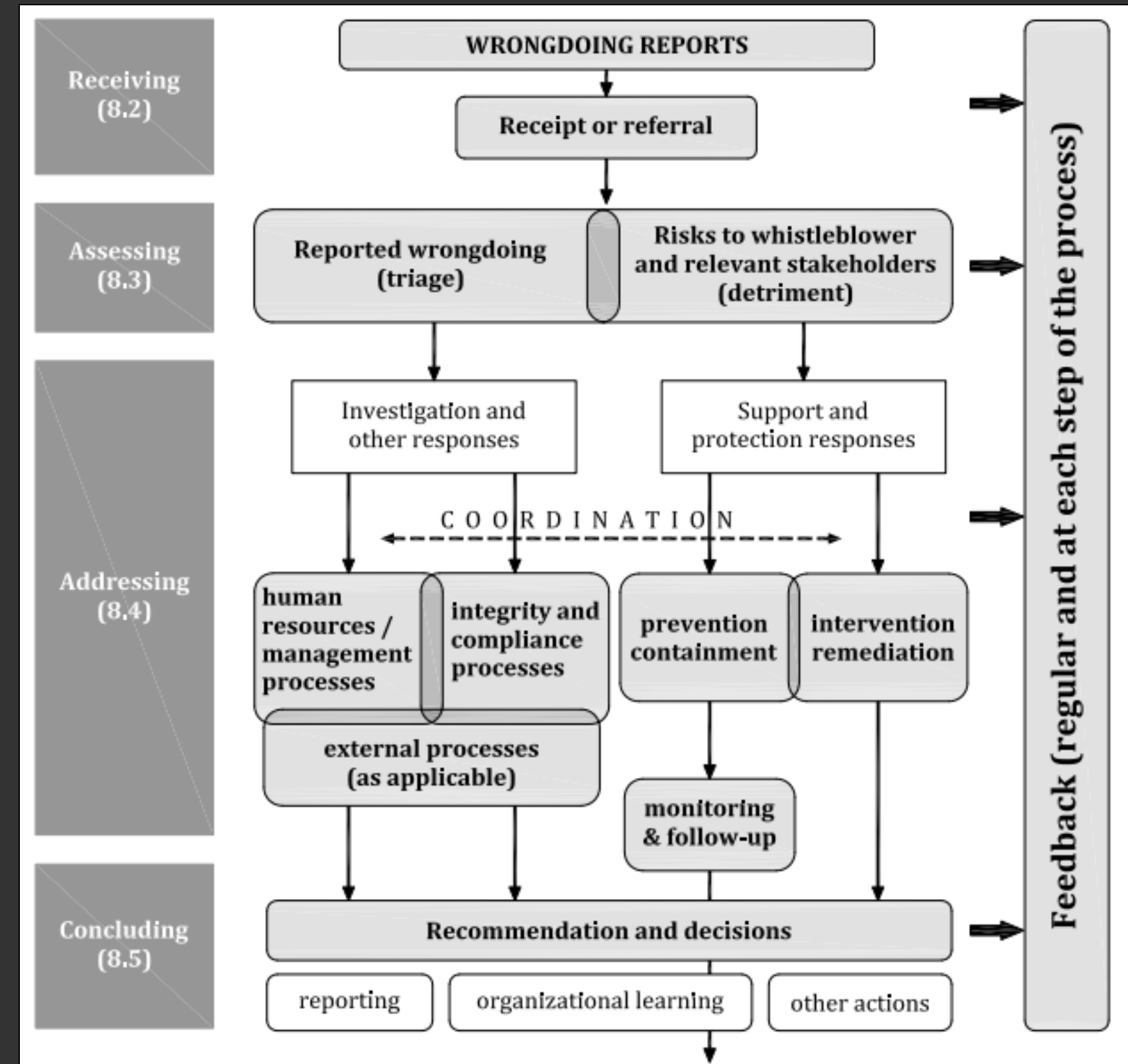
Processes should be put in place to ensure that all interested parties including the whistleblower and any subjects of the report are afforded confidentiality.

The identity of the whistleblower and relevant interested parties should not be disclosed to anyone beyond a need-to-know basis without their consent.

Where it is likely that a whistleblower's identity is or needs to be revealed by law, the whistleblower should be notified beforehand, and potentially additional steps should be taken to protect them from detriment.

9. Operational steps

Organizations should ensure that **each step of the whistleblowing process** is started without undue delay and is completed within a reasonable time frame.



10. Addressing reports of wrongdoing



In the interest of both the perception and reality of impartiality, consideration should be given as appropriate to employing outside investigators at arms' length from the organization

Organizations should **identify, implement, communicate** and maintain a process that **ensures investigations are conducted impartially** by suitably qualified personnel.

They should be **fair and impartial to the business unit concerned**, the whistleblower and **the subject of the report**.

Due process should be observed in any **investigation arising out of a whistleblower report**. For example, the investigation should be conducted **without bias** and the subject of the report of wrongdoing should be given **the right to respond** as required and given the **option to be assisted**.

11. Indicators of evaluation

Organizations may consider how they **can monitor and measure** their whistleblowing management system **performance** by reference to **several quantitative and qualitative indicators**.



AND

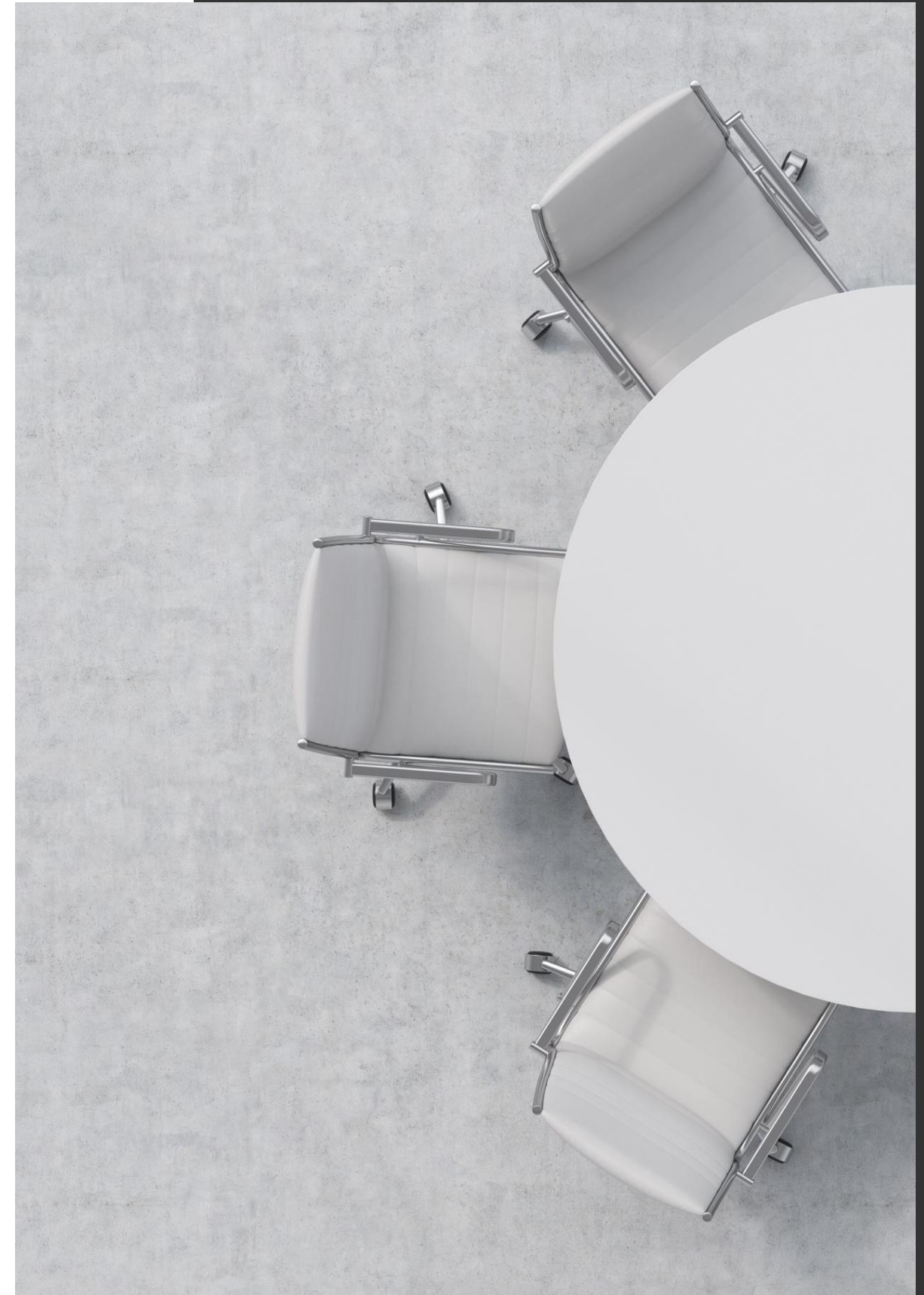
Internal Audits

The organization should conduct internal audits at planned intervals to provide information on whether the whistleblowing management system:

- conforms to:
 - the organization's own requirements for its whistleblowing management system;
 - the recommendations of ISO 37002;
- is effectively implemented and maintained.

12. Management Review

Top management should review the organization's whistleblowing management system and report its findings to the governing body, at planned intervals, to ensure its continuing suitability, adequacy and effectiveness.



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[ISO 37000:2021 Governance of organizations - Guidance](#)

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