

APSCA MEMBER AUDITOR CLINIC ETHICS & COMPLIANCE SESSION

PROVIDED BY THE PROFESSIONAL CONDUCT TEAM



FREQUENTLY ASKED QUESTIONS

This document aims to answer frequently asked questions during the **Member Auditor Clinics in June 2024**.

Please note, for enhanced clarity and readability, minor grammatical adjustments have been made.

This document should be read in conjunction with the APSCA Code and Standards of Professional Conduct, the Disciplinary Framework and Procedures and all other APSCA policies.

GENERAL QUESTIONS

Q1: Can an ASCA conduct a social compliance audit for a Brand or Program that does not require CSCA on-site to supervise, per their program?

According to Section 4.1 of the APSCA Code and Standards of Professional Conduct, any audit that qualifies as a social compliance audit under APSCA's definition must have a CSCA physically present on-site to supervise the audit.

While an ASCA may lead the audit for training purposes, a CSCA must be present to oversee the process. This ensures adherence to APSCA's standards and maintains the integrity of the audit.

Q2: Who controls the hours of rest that an Auditor must have between audits? Are there any requirements for Member Firms?

APSCA's Code and Standards of Professional Conduct provides clear guidelines regarding Auditors' rest periods and working conditions:

- **Compliance with Labor Laws:** Member Firms must observe all labor laws, including those related to working hours, wages and benefits, providing at a minimum, one day off every seven days, with any overtime being voluntary (Section 1.1.3).
- **Reasonable Working Conditions:** Member Firms are required to provide employment conditions that allow Auditors to spend a reasonable part of their normal working hours writing and completing audit reports (Section 4.3.1).

These standards ensure that Auditors have adequate rest and appropriate working conditions, supporting their well-being and the quality of their work.

Q3: Can facilities report the misconduct of APSCA Auditors to APSCA directly?

Yes, facilities can report allegations of misconduct involving APSCA Auditors directly to APSCA. We currently receive reports from facilities and whistleblowers regarding such matters.

Q4: Is there guidance on how many consecutive times an Auditor can audit the same site?

APSCA encourages Member Firms to rotate Auditors regularly to prevent potential bias or conflicts that could compromise the integrity of a social compliance audit. Each audit must be approached with a fresh perspective and an open mind to ensure thorough and impartial evaluation.

SCENARIO QUESTIONS

Q5: If a site or facility has no place to eat nearby for the Auditor, what is best practice?

If an Auditor is visiting a site or facility with no nearby eating options, the best practice is as follows:

- **Bring Your Own Lunch:** Plan ahead and bring your own meal to ensure you have something to eat during the audit.
- **Compensate for Provided Meals:** If bringing your lunch is not possible and the facility offers you a meal, you must compensate the facility for the cost of the food. Ensure you obtain a receipt for this transaction to maintain transparency and accountability.

These practices help maintain professional integrity and avoid any potential conflicts of interest. For more information, please see section 2.2.2 of the APSCA Code.

Q6: In the case of a site that has 2 locations apart from each other, is it ok to take the transportation provided by the factory when traveling from one site to another?

Yes, it is acceptable to use factory-provided transportation when traveling between two locations of the same site. Ideally, try to plan ahead and use your own transportation. However, if there is a safety concern or if it is necessary, you may use the factory's transportation. Ensure you document this use and confirm it does not create any conflict of interest or compromise the integrity of the audit. If you are ever unsure about a conflict of interest, call your Member Firm management, and discuss the situation to ensure alignment with APSCA standards.

Q7: What should I do if someone on-site claims to know me, but I don't remember them, or they seem to be mistaken, should I report this?

Yes, you should report this situation. Document the encounter in your notes and inform your supervisor. Clearly state that you do not recognize the person and there is no conflict of interest. This helps protect your reputation and ensures transparency. Always document such interactions to safeguard against any potential issues in the future.

Q8: After two years, can I participate in a third-party social audit?

Yes, you may participate in a third-party social audit after two years. However, if you feel you are too familiar with the facility or have a relationship with its supervisor or manager, it is best to decline the audit to avoid any potential conflicts of interest. If you have no recollection of the individuals and can remain objective and impartial, then you may proceed with the audit.

Q9: How can I evidence a bribery issue, that is, how can I protect myself?

If you encounter a bribery issue or solicitation of a kickback, it is crucial to act promptly and protect yourself. Follow these steps:

- **Step one: Report Immediately** – Notify your Member Firm as soon as possible, whether during the audit or directly after. Your safety is the top priority.
- **Step two: Document Everything** – Collect and retain all relevant evidence of the bribery attempt. This includes:
 - Screenshots of text messages, WhatsApp, WeChat, and emails.
 - Photographs of any relevant documents or items.
 - Any physical evidence that demonstrates your refusal of the bribe.
- **Step three: Follow Up** – Always report the incident to your Member Firm and, when appropriate, to APSCA.

By meticulously documenting and reporting bribery attempts, you help maintain the integrity of the auditing process and protect yourself legally and professionally.

Q10: If we have provided a CTPAT consultancy, can we do social audits in that facility?

When conducting social audits for a facility where CTPAT consultancy has been provided, it is crucial to maintain the same level of insulation and independence as you would for any back-to-back audits. Adhere strictly to the standards and guidelines outlined in the APSCA Competency Framework and the specific audit program requirements. This ensures that audits are conducted impartially and with integrity, avoiding any potential conflicts of interest.

If you have any further questions, or feel your question was not answered in the Clinics, email ethics@theapsca.org for further support!