

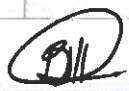






# Whistle Blowing Policy

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## 1. Introduction

SASSETA recognises the fact that –

- Criminal and other irregular conduct within SASSETA is detrimental to good, effective, accountable and transparent governance within SASSETA and can endanger the economic stability of SASSETA and have the potential to cause social damage;
- There is a need for procedures in terms of which employees may, without fear of reprisals, disclose information relating to suspected or alleged criminal or other irregular conduct affecting SASSETA;
- Every employer and employee has a responsibility to disclose criminal and any other irregular conduct in the workplace; and
- Every employer has a responsibility to take all necessary steps to ensure that employees who disclose such information are protected from any reprisals as a result of such disclosure.

### 1.1 Scope

The policy is designed to deal with the concerns raised in relation to issues pertaining to fraud, corruption, misconduct and malpractice, etc. within SASSETA. The policy will not apply to personal grievances, discipline and misconduct (they are dealt with separately under the existing HRM policies).

The policy covers all potential genuine concerns, including:

- Financial misconduct;
- Health and safety risks;
- Unfair discrimination;
- Corruption and misconduct, internally and externally;
- Attempts to suppress or conceal any of the above.

This policy applies to:

- The Accounting Authority and all governance structures within SASSETA;
- The Accounting Officer and all employees and representatives within SASSETA;
- External Stakeholders (suppliers, Service Providers, Banks and Employers registered with SASSETA).

## 1.2 Definitions and Terms

Term/Acronym	Definition
SASSETA	Safety and Security Sector Education and Training Authority.
Accounting Authority	The Board of SASSETA as appointed by the Minister of Higher Education, Science and Technology.
CEO	Chief Executive Officer of SASSETA.
Ethics	Standards of conduct, which indicate how a person should behave, based on moral duties and virtues arising from the principles of positive morality.
Fraud	<p>A false representation of a matter of fact, whether by words or conduct, by false or misleading allegations, by concealment of what should have been disclosed, etc. intended to result in financial or personal gain.</p> <p>Fraud includes, but is not limited to, the following:</p> <ul style="list-style-type: none"><li>• Any dishonest, or corrupt act;</li><li>• Theft or maladministration of SASSETA's resources;</li><li>• Making a profit from insider knowledge;</li><li>• Irregularly accepting/offering or requesting anything of material value from stakeholders.</li></ul>

## 1.4 Policy Statement

Fraud represents a significant potential risk to SASSETA's assets, service delivery efficiency and reputation. The SETA will not tolerate fraudulent or corrupt activities, whether internal or external to the Institution, and will vigorously pursue and prosecute any parties, by all legal means available, who engage in such practices or attempt to do so.

All alleged fraud, and other economic crimes shall be investigated and all perpetrators shall be punished through both SASSETA's disciplinary process, together with criminal and civil prosecution, based on the evidence obtained during the investigation process. SASSETA also takes a proactive stance in preventing incidences of fraud from occurring.

## 1.5 Policy Objectives

The objective of this policy is to limit SASSETA's exposure to fraud or corruption by encouraging an 'awareness' culture. The risk of wasted scarce resources is reduced when fraud or corruption is minimised and SASSETA's workplace is more stable and comfortable when suspicion of such behaviour is alleviated.

The policy is not intended to be used as a substitute for other established grievance policies and procedures. Moreover, SASSETA employees must be aware that it may amount to misconduct or be a punishable offence to use it as a vehicle for frivolous, vexatious or vendetta based complaints about particular staff members.

## **2. Legislation**

Section 51 (1) (a) of the Public Finance Management Act of 1999 stipulate that the Chief Executive Officer is responsible for ensuring that the SETA has and maintains effective, efficient and transparent system of financial and risk management and internal control.

The Protected Disclosures Act, 26 of 2000 makes provision for the protection of employees who make a disclosure that is protected in terms of this Act. Any disclosure made in good faith and substantially in accordance with any procedure prescribed by the employee's employer for reporting purposes is considered a protected disclosure under this Act. An employee making a protected disclosure is protected from victimization on the basis of the disclosure.

An employee or official, who suspects or reports suspected dishonest activity or such activity which he or she has witnessed, should be afforded the opportunity to remain anonymous should he or she so require.

## **3. The Policy**

### **3.1 Harassment or Victimisation**

SASSETA acknowledges the fact that the decision to report a concern can be a difficult one to make, not least because of fear of reprisal from those responsible for the irregularity. SASSETA will not tolerate any harassment or victimisation and will take action to protect employees when they raise a concern in good faith. This does not mean that if an employee is already the subject of disciplinary or other action, that action will be halted as a result of their whistle blowing.

### **3.2 Confidentiality**

SASSETA will take all necessary steps to protect an individual's identity when s/he raises a concern and does not want their identity to be disclosed. It must be appreciated, however,

that the investigation process may reveal the source of the information and a statement by the employee may be required as part of the evidence.

### **3.3 Anonymous Allegations**

SASSETA encourages employees to put their names to allegations. Concerns expressed anonymously are difficult to investigate; nevertheless, they will be followed up at the discretion of SASSETA. This discretion will be applied by taking into account the following:

- The seriousness of the issue raised;
- The credibility of the concern; and
- The likelihood of confirming the allegation.

### **3.4 Untrue Allegations**

All Managers should discourage employees or other parties from making allegations, which are false and made with malicious intentions. Where such malicious, vexatious, or false allegations are discovered, the person who made the allegations shall be subjected to firm disciplinary action, or other appropriate action in the case of external parties.

### **3.5 Reporting of Concerns**

For some minor issues (e.g. personal use of SASSETA equipment etc.), employees should normally raise their concerns with their immediate manager. In general, however, the whistle blowing procedure is expected to be used for potentially more serious and sensitive issues (e.g. fraud and corruption).

The first step will be for the employee to approach their immediate Manager unless he/she or Senior Management is the subject of the complaint, in which case the Chief Executive Officer should be informed. Should the complaint be found by the Manager to be substantiated, he/she will consult with the Chief Executive Officer on referring it to the appropriate body (e.g. the SAPS).

Concerns are better raised in writing. The background and history of the concern, giving names, dates and places where possible should be set out and the reason why the individual is particularly concerned about the particular situation.

Employees who are unable to put their concerns in writing can contact SASSETA's Hotline Facilities:

**Public Service Commission's national anti-corruption hotline: [0800 701 701](tel:0800701701)**

**DHET Fraud Hotline: [0800 872 222](tel:0800872222)**

#### **4. Policy Accountability**

The Chief Executive Officer is accountable for the overall policy implementation and reserves the right to intervene and take necessary steps when the policy is not adhered to. The Governance, Compliance and Risk Unit shall be responsible for its future amendments or reviews.

#### **5. Policy Implementation**

The policy shall upon approval, be communicated to all staff members.

#### **6. Policy Validity**

This policy will be reviewed every two years or as and when the need arises to reflect the current stance on fraud prevention.