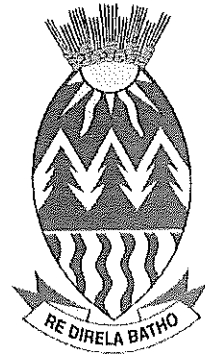


WHISTLE BLOWING POLICY



**THABA CHWEU
LOCAL MUNICIPALITY**

2024/2025

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1 Purpose

The purpose of this policy is to inform officials and the public of the whistle blowing guidelines and the disclosure of misconduct.

2 Objectives

The objectives of this policy are to:

- Promote zero tolerance on criminal and other irregular conduct within Thaba Chweu Local Municipality;
- Encourage the reporting of matters that may cause financial or non-financial loss to the Municipality or damage to the Municipality's reputation;
- Provide appropriate systems and a mechanism for reporting.
- To prevent corruption, offences and malpractice by informing officials of their rights and the measures to take, should this behaviour become apparent

3 Scope

This policy contains detailed procedures that need to be followed when Councillors, Municipal Staff Members, Service Providers and Members of the Public want to raise and report serious concerns within the Municipality on a confidential basis without fear of reprisals.

This Whistle Blowing Policy will help to break the cycle of silence and inaction in order to minimize fraud and corruption in the municipality.

4 Policy Definition

For the purpose of this policy unless the context otherwise indicates -

“disclosure” means any disclosure of information regarding any conduct of an employer, or an employee of that employer, who has reason to believe that the information concerned shows or tends to show one or more of the following:

- That a criminal offence has been committed, is being committed or is likely to be committed,
- That a person has failed, is failing or is likely to fail to comply with any legal obligation to which that person is subject to,
- That a miscarriage of justice has occurred, is occurring or is likely to occur,
- That the health or safety of an individual has been, is being or is likely to be endangered,
- That the environment has been, is being or is likely to be damaged,
- Unfair discrimination as contemplated in the Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No, 4 of 2000) or
- That any matter referred to in paragraphs (a) to (f) of the Protected Disclosures Act of 2000 has been or is likely to be deliberately concealed.

5 Legislative Framework

This document is established within the framework of the following legislation and policies:

The Protected Disclosures Act, 2000, provides procedures and offers protection to employees who may wish to disclose information relating to an offence or a malpractice in the workplace by his or her employer or fellow employees.

The Act provides for the protection of an employee who makes a disclosure in accordance with the procedures provided for by the Act, against any reprisals as a result of such a disclosure.

No employee will be subjected to any disciplinary action, dismissal, suspension, demotion, harassment or intimidation or any act constituting an occupational detriment as defined in the Act on the grounds of making a protected disclosure, provided such disclosure is made in good faith and the employee, when making such disclosure, reasonably believes that the information is true.

6 Reporting Procedure

6.1 Reports of possible fraud or corruption from any internal or external source can be submitted internally to:

6.1.1 Line management.

6.1.2 Directors.

6.1.3 Municipal Manager.

An alternate way of reporting possible fraud and corruption can be made by contacting the Municipality's Fraud Hotline (0800 701 701). Persons may remain anonymous when making reports via this Hotline.

6.2 Where a person has reported his/her concern through any of the channels described in sub-paragraph 6.2.1 above and has substantial reason to believe that there may be a cover-up or that evidence may be destroyed or that the matter might not be handled properly, that person may raise his/her concern in good faith with a Member of the Mayoral Committee of the Municipality.

6.3 Employees and members of the public not wishing to report a matter internally may make reports or Public Interest Disclosures to the following investigating authorities:

6.3.1 Special Investigating Unit (SIU).

6.3.2 Public Protector.

6.3.3 Auditor-General.

6.3.4. Audit Committee Chairperson.

6.3.5. Risk Management Committee Chairperson;

6.3.6. Any other relevant authority

7 Awareness

The Municipal Manager and Council recognize that the continuing success of the Whistle Blowing Policy, and its credibility, will depend largely on the effectiveness of staff in the organisation and the public at large. To be sustainable, continuous awareness campaigns must be rolled throughout Thaba Chweu Local Municipality

8 Policy Review

The Committee will annually review its Whistleblowing Policy to ensure that it remains relevant with the Committee's authority, objectives and responsibilities. All changes or amendments to the Policy will be discussed and approved by the Municipal Manager.

9 Policy Approval

The Whistleblowing Policy is endorsed by the Chairperson of the Committee and approved by the Municipal Manager.

Compiled by


Risk Management Unit:

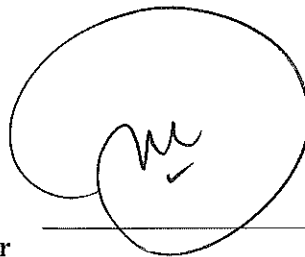
Date 06 May 2024

Recommended by


Chairperson: RMFPC

Date 14 May 2024

Approved by
Municipal Manager



Date 14 May 2024