



the dr&pw

Department:
Roads and Public Works
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

THE PLAN:

DR&PW WHISTLE BLOWING / PROTECTED DISCLOSURES GUIDELINES (Annexure E)

DR&PW WHISTLE BLOWING / PROTECTED DISCLOSURES GUIDELINES

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1. PURPOSE OF THESE GUIDELINES

- 1.1 The purpose of these Guidelines is to provide employees with a mechanism to raise concerns about fraud and corruption within the Northern Cape Department of Roads and Public Works (DR&PW). The Protected Disclosures Act, 2000 (Act No. 26 of 2000), provides protection to employees for disclosures made without malice and in good faith, in defined circumstances.
- 1.2 In terms of the Protected Disclosures Act, 2000, employees can blow the whistle on fraud and corruption in the working environment without the fear of suffering an occupational detriment as defined by the Act. The DR&PW encourages staff to raise matters of concern responsibly through the procedures laid down in this policy.

2. SCOPE OF THESE GUIDELINES

- 2.1 These Guidelines are designed to deal with concerns raised relating to fraud, corruption, misconduct, maladministration and malpractice within the DR&PW. It covers concerns such as:
 - 2.1.1 A criminal offence has been committed, is being committed or is likely to be committed.
 - 2.1.2 A person has failed, is failing or is likely to fail to comply with any legal obligation to which that person is subject.
 - 2.1.3 A miscarriage of justice has occurred or is likely to occur.
 - 2.1.4 A risk to the health and occupational safety of any individual.
 - 2.1.5 Environmental damage.
 - 2.1.6 Unfair discrimination as contemplated in the Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No. 4 of 2000).
 - 2.1.7 Attempts to suppress or conceal any information relating to any of the above.
- 2.2 These Guidelines do not apply to dissatisfactions of employees regarding an official act or omission by the DR&PW which adversely affects her/him in the employment relationship. Such dissatisfactions will be dealt with in terms of the Rules for dealing with the Grievances of Employees in the Public Service, published in Government Gazette No. 25209 on 25 July 2003 (Grievance Rules).

3. WHO CAN RAISE A CONCERN?

- 3.1 Any employee who has a reasonable belief that there is a failure to comply with statutory obligations / requirements relating to any of the protected matters referred to in paragraph 2.1 above may raise such a concern in terms of the procedure detailed in paragraph 7 below.
- 3.2 These Guidelines are expected to be used for more serious and sensitive issues such as fraud and corruption. Less serious concerns (e.g. not involving large amounts of money) should be reported to the immediate supervisor.
- 3.3 Concerns must be raised without malice, in good faith and not for personal gain and the individual must reasonably believe that the information disclosed, and any allegations contained in it, are substantially true.
- 3.4 The issues raised may relate to an employee, a former employee or a service provider/consultant.

4. CULTURE OF OPENNESS

- 4.1 The DR&PW commits itself to encouraging a culture that promotes openness. This will be done by:
 - 4.1.1 Involving employees, listening to their concerns and encouraging the appropriate use of this policy.
 - 4.1.2 Making these Guidelines available on the DR&PW's Intranet and Website.
 - 4.1.3 Educating/training/informing/explaining to employees in terms of what constitutes fraud, corruption, misconduct and malpractice and its effects on the DR&PW.
 - 4.1.4 Promoting awareness of standards of appropriate and accepted employee conduct and establishing a common understanding of what is acceptable and what is unacceptable behaviour.
 - 4.1.5 Encouraging unions to endorse and support these Guidelines.
 - 4.1.6 Having a Plan and a Strategy to prevent and manage fraud and corruption.
 - 4.1.7 Reporting regularly to the DR&PW's FPERC, as well as the IAC of the DR&PW on the number of fraud/corruption matters reported and the outcome of such cases.

5. ASSURANCES TO EMPLOYEES

- 5.1 The DR&PW will ensure that any employee, who makes a disclosure in terms of this policy, will not be penalised, victimised or be subjected to any occupational detriment for doing so.
- 5.2 If an employee raises a concern in good terms of these Guidelines, she/he will not be at risk of losing his/her job or suffering any form of retribution as a result.

- 5.3 This assurance is not extended to employees who maliciously raise matters they know to be untrue. An employee who does not act in good faith or who makes an allegation without having reasonable grounds for believing it to be substantially true, or who makes it in a manner and with a malicious or vexatious (intended to harass and not having a chance of succeeding in law), may be subject to disciplinary proceedings.
- 5.4 In view of the protection offered to an employee raising a *bona fide* concern, it is preferable that the individual puts his/her name to the disclosure. However, it is recognized that an employee may nonetheless wish to raise a concern in confidence under these Guidelines. If an employee requests protection of her/his identity, the DR&PW will not disclose it without his/her consent. However, the DR&PW expects the same level of confidentiality regarding the matter from the employee.
- 5.5 If the situation arises where we are not able to resolve the concern without revealing an employee's identity (for example where the employee's evidence is needed in court), the DR&PW will discuss the matter with the employee.
- 5.6 These Guidelines are, however, not appropriate for concerns raised anonymously.

6. HOW TO RAISE A CONCERN INTERNALLY

Raising a concern should be initiated and escalated in stages within the DR&PW. These stages are explained in the table below:

<u>STAGE 1</u>	If an employee(s) has a concern relating to fraud, corruption, maladministration, misconduct and malpractice, an employee(s) should raise it first with her/his/their manager/supervisor if they feel secure and have confidence in her/his/their immediate manager/supervisor. This may be done verbally or in writing.
<u>STAGE 2</u>	<p>If an employee(s) feels unable to raise the matter with her/his/their manager/supervisor, for whatever reason, the matter should be raised with either of the following:</p> <ul style="list-style-type: none"> ✚ The Chief Director (CD): Corporate and Management Services. ✚ The Chief Financial Officer (CFO). <p>Employee(s) must indicate if he/she/they wish to raise the matter in confidence so that appropriate arrangements can be made.</p>

STAGE 3	If these channels have been followed and the employee(s) still have concerns, or if he/she/they feel that the matter is so serious that it cannot be discussed with any of the above, the matter should be raised with the Head of Department (HOD).
STAGE 4	Should the employee(s) have exhausted these internal mechanisms or where he/she/they have substantial reason to believe that there would be a cover-up or that records or evidence will be destroyed or that the matter might not be handled properly, she/he/they may raise the matter in good faith with the Member of the provincial Executive Council (MEC) for Roads and Public Works.

7. HOW THE DR&PW WILL HANDLE THE MATTER

- 7.1 Once an employee(s) has informed the DR&PW of a concern, it will be assessed to determine the appropriate action to be taken. This may involve the following:
 - 7.1.1 An investigation by management.
 - 7.1.2 An investigation through the Disciplinary Code and Procedures for the Public Service.
 - 7.1.3 Reporting the matter to the South African Police Service (SAPS).
- 7.2 The matter raised will be acknowledged within seven (7) working days.
- 7.3 If the decision is made not to investigate the matter, reasons will be provided.
- 7.4 The DR&PW will provide the complainant with as much feedback as possible, without compromising the case and the privacy of another individual(s). If necessary, further information will be sought from an individual complainant/whistle blower.
- 7.5 An individual complainant may be assisted by a union representative or fellow employee during the process.

8. IF THE WHISTLE BLOWER(S) IS DISSATISFIED

- 8.1 If an employee(s) is not satisfied with the manner in which the DR&PW dealt with the concern raised, she/he/they may raise the concern with the Chairperson of the DR&PW's Internal Audit Committee (IAC).
- 8.2 While the DR&PW, by means of this policy, endeavors to provide a complainant(s)/whistle blower(s) with the reassurance he/she/they may need to raise such matters internally, the DR&PW recognises that there may be circumstances where a complainant(s)/whistle blower can only

properly report matters to outside bodies, such as regulators or the police. Provided that a complainant(s)/whistle blower(s) is acting in good faith, she/he/they can also contact:

- 🇿🇦 The Public Protector of South Africa; and/or
- 🇿🇦 The Auditor-General of South Africa.

8.3 Fraud and Corruption Reporting Details:



Report corruption

SAPS Anti-corruption hotline: 0800 43 43 73	Directorate of Priority Crime Investigation (Hawks): 012 846 4590 Fax: 086 546 1400 E-mail: CorruptionReports@saps.gov.za
Special Investigating Unit Whistle-blower Hotline: 0800 037 774 E-mail: siu@whistleblowing.co.za	Independent Police Investigative Directorate E-mail: complaints@ipid.gov.za
Public Protector hotline: 0800 11 20 40 E-mail: registration2@protekt.org	Anti-Corruption Hotline: 0800 701 701 E-mail: Integrity@publicservicecorruptionhotline.org.za

WHATSAPP SUPPORT
0800 123 456
EMERGENCY NUMBER
0800 020 888
s3cor@vital.co.za



**9. APPROVAL OF THE DR&PW WHISTLE BLOWING /
PROTECTED DISCLOSURES GUIDELINES**

These Guidelines are Approved / Not Approved

Comments:

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.....
.....
.....
.....



ACCOUNTING OFFICER

02/11/20

DATE



the dr&pw

Department:
Roads and Public Works
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

INTERNAL MEMO

DATE:	27 OCTOBER 2020	REF. NO.	
TO:	THE DIRECTOR: STRATEGIC PLANNING		
FROM:	THE DEPUTY DIRECTOR: POLICY AND RESEARCH MANAGEMENT SERVICES		
SUBJECT:	SUBMISSION FOR APPROVAL OF THE PLAN: REVIEWED COMPILATION OF DEPARTMENTAL POLICIES ON FRAUD, CORRUPTION AND ETHICS MANAGEMENT, VERSION 3		

Dear Ms. Bekebeke

Please find attached the draft policies and submission documents that the Compilation of Policies on Fraud, Corruption and Ethics Management, called The Plan consist of, for your perusal and consideration, and which are hereby submitted for approval and / or adoption by the Acting Head of Department (HOD).

Regards

Mr. T. Ferreira
Manager: Policy and Research Management Services



the dr&pw

Department:
Roads and Public Works
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

INTERNAL MEMO

DATE:	27 OCTOBER 2020	REF. NO.	
TO:	THE HEAD OF DEPARTMENT (HOD)		
FROM:	THE DIRECTOR: STRATEGIC PLANNING MANAGEMENT		
COPY:	THE CHIEF DIRECTOR: CORPORATE AND MANAGEMENT SERVICES		
SUBJECT:	SUBMISSION FOR APPROVAL OF THE PLAN: REVIEWED COMPILATION OF DEPARTMENTAL POLICIES ON FRAUD, CORRUPTION AND ETHICS MANAGEMENT, VERSION 3		

Purpose

1. The purpose of this submission is to obtain approval from the Acting Head of Department (HOD) for the operationalization within the Department of the draft policies that the Compilation of Policies on Fraud, Corruption and Ethics Management, called The Plan, consist of, which have been reviewed.

Recommendations

1. The final drafts of the above mentioned policies have been circulated departmentally by the Communication and Marketing Unit.
2. It is therefore recommended that the Acting HOD approve these reviewed policies as Departmental policy.
3. Please see e-mail attached of the Evidence of Departmental Consultation.



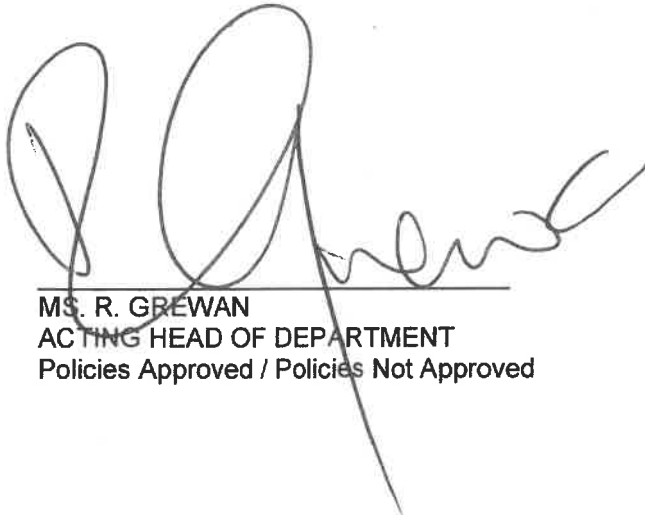
MS. B. BEKEBEKE
DIRECTOR: STRATEGIC PLANNING MANAGEMENT
Recommended / Not Recommended


DATE

**SUBMISSION FOR APPROVAL OF THE PLAN REVIEWED COMPILATION OF
DEPARTMENTAL POLICIES ON FRAUD, CORRUPTION
AND ETHICS MANAGEMENT, VERSION 3**

MS. A. MPOTSANG
CHIEF DIRECTOR: CORPORATE AND MANAGEMENT SERVICES
Recommended / Not Recommended

DATE



MS. R. GREWAN
ACTING HEAD OF DEPARTMENT
Policies Approved / Policies Not Approved

02/11/20

DATE



the dr&pw

Department:
Roads and Public Works
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

**THE PLAN: REVIEWED COMPILATION
OF DEPARTMENTAL POLICIES ON
FRAUD, CORRUPTION AND ETHICS
MANAGEMENT**

**SUBMISSION FOR APPROVAL
OCTOBER 2020**

**EVIDENCE OF CONSULTATION WITH
DEPARTMENTAL STAKEHOLDERS**

From: DRPW-Info
To: ABavasah; ABrand; AFembers; AKula; ALesotho; ALSishi; amaina@vodam...
Date: 8/20/2020 8:18 AM
Subject: ANTI-CORRUPTION, FRAUD & ETHICS - REVIEW OF THE PLAN POLICY
COMPILATION
Attachments: DR&PW DEPARTMENTAL POLICY - THE PLAN - 2020.docx

Good day Colleagues,

Kindly find attached the latest version of the DR&PW Policy Document, The Plan, which is a compilation of Policy Documents on Anti-Corruption, Fraud and Ethics measures, which is also under review.

The due date for inputs/feedback from staff members is Friday, 11 September 2020. Inputs can be sent to tferreira@ncpg.gov.za

Thank you

From: DRPW-Info
To: A AMokwadi; A Maina; A van Staden; ABavasah; ABrand; AFembers; AKu...
Date: 10/5/2020 9:24 AM
Subject: POLICY CONSULTATION: DR&PW ANTI-FRAUD, ANTI-CORRUPTION, ETHICS STRATEGY
Attachments: DR&PW ANTI-FRAUD, ANTI-CORRUPTION AND ETHICS STRATEGY - .docx

Good day Colleagues,

Kindly find attached Version of the Draft DR&PW Anti-Fraud, Anti-Corruption and Ethics Strategy.

Please note that the due date for feedback is Monday, 12 October 2020 and inputs can be sent to tferreira@ncpg.gov.za

Thanking you

T Ferreira - POLICY CONSULTATION: DR&PW Committee Terms of Reference

From: DRPW-Info

To: A AMokwadi; A Maina; A van Staden; ABavasah; ABrand; AFembers; AKula; ALesotho; ALSishi; AMasisi; AMiller; AMkhize; AMoeti; AMofokeng; AMPotsang; Andre Jooste; Andrew Pulen; APulen; ARudman; ASwanepoel; AvanHeerden; B BDamon; BaatileItumeleng; Babalwa Bekebeke; BBarends; BBobeje; BChotelo; BCloete; B Gaonakala; BGoba; BKapanda; BMazwi; BMeruti; BMontshiwa; BonoloMakoko; BosmanP; BPitso; Bradley Slingers; BSedisho; BSemau; BSlingsers; BValentine; C CvanRooi; C Robertson; CAbrahams; CAdams; CBailey; CChakela; CDenysschen; CFourie; ChanelFourie; ChantelleCloete; ChristinaF; CKakora; Clive Bailey; CMrwebi; CNdebele; CRabaji; CRobertson; CValentine; D DMokoena; D DMwembo; DBingwa; DBingwane; Denice Bingwane; DGaehete; DKowa; DMAqutyana; DMAqutyana; DMokgatlhe; DMonyamane; DPhirisi; DRPW-Info; DRPW-Switchboard; DSolo; DSwartz; DTsoai; DvdMerwe; EbenSwartboo; EBeukes; EBlauw; EBreytenbach; Ed Simon; EduPlessis; Edward Simon; EJobe; EJonkers; EKhatwane; ELecwedi; Ella Modise; EMichaels; ENodoba; EPino; EricksenA; ESimon; F Dooling; FMogoje; FPetoro; fufemakotong@gmail.com; FvanVuuren; GAppels; Garnett Keyser; GJacobs; Gladwyn Stuurman; G Moabi; GMolale; GNakana; GPietersen; GPino; GRiet; GSalimana; GSefotlho; GSwanepoel; GThupe; GTopkin; Harold Roberts; Henry De Wee; HvanderMerwe; I Bulane; I ICarolus; IIThopile; I MichaelsI; IFredericks; I Lottering; IMolore; IOliphant; IRammutla; Isaac Prins; J Esterhuyse; J JHanekom; JillianWilliams; JMarx; JMhlongo; JMhlongo; JMolale; JMoncho; JMphole; JSehume; JSeptember; JSibiya; JSpetember; JTawine; June Erasmus; K KMaarman; K KMatonkonyane; K Malgask; KAaron; KagishoModise; KatzS; KBeuzana; KBopape; KChomi; KDennis; Kenneth Markman; KEricksen; KHenyekane; KKgomo; KKross; KLawrence; KLeboko; KLeserwane; KMarkman; KMatthews; KNdaba; KPike; KPMogorosi; KRifles; KrugerS; KSegwai(...)

Date: 10/13/2020 2:55 PM

Subject: POLICY CONSULTATION: DR&PW Committee Terms of Reference

Attachments: ToR of the DR&PW FPERC - Ver 1 - 2020.docx

Good Day colleagues

Please find attached the Terms of Reference of the Departmental Fraud Prevention, Ethics and Risk management Committee (FPERC).

The due date for inputs is Wednesday, 21 October 2020 and feedback can be sent to Mr. Tom Ferreira, email address: tferreira@ncpg.gov.za

Thank You



DRPW-info@ncpg.gov.za
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Department of Roads and Public Works

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 Squarehillpark
 Kimberley
 8301

Tel: 053 839 2100
 Fax: 053 8392290

Trendsetters in infrastructure delivery to change the economic landscape of the province'

TFerreira - REMINDER: POLICY CONSULTATION: DR&PW Committee Terms of Reference

From: DRPW-Info

To: A AMokwadi; A Maina; A van Staden; ABavasah; ABrand; AFembers; AKula; ALesotho; ALSishi; AMasisi; AMiller; AMkhize; AMoeti; AMofokeng; AMPotsang; Andre Jooste; Andrew Pulen; APulen; ARudman; ASwanepoel; AvanHeerden; B BDamon; BaatileItumeleng; Babalwa Bekebeke; BBarends; BBoebeje; BChotelo; BCloete; BGAonakala; BGoba; BKapanda; BMazwi; BMeruti; BMontshiwa; BonoloMakoko; BosmanP; BPitso; Bradley Slingers; BSedisho; BSemau; BSlingers; BValentine; C CvanRooi; C Robertson; CAbrahams; CAdams; CBailey; CChakela; CDenysschen; CFourie; ChanelFourie; ChantelleCloete; ChristinaF; CKakora; Clive Bailey; CMrwebi; CNdebele; CRabaji; CRobertson; CValentine; D DMokoena; D DMwembo; DBingwa; DBingwane; Denice Bingwane; DGaehete; DKowa; DMAqutyana; DMAqutyana; DMokgatthe; DMonyamane; DPhirisi; DRPW-Info; DRPW-Switchboard; DSolo; DSwartz; DTsoai; DvdMerwe; EbenSwartbooi; EBeukes; EBlaauw; EBreytenbach; Ed Simon; EduPlessis; Edward Simon; EJobe; EJonkers; EKhatwane; ELecwedi; Ella Modise; EMichaels; ENodoba; EPino; EricksenA; ESimon; FDooring; FMogojee; FPetoro; fufemakatong@gmail.com; FvanVuuren; GAppels; Garnett Keyser; GJacobs; Gladwyn Stuurman; GMoabi; GMolale; GNakana; GPIetersen; GPino; GRiet; GSalimana; GSefotlho; GSwanepoel; GThupe; GTopkin; Harold Roberts; Henry De Wee; HvanderMerwe; IBulane; IC Carolus; ITIhopile; IMichaelsI; IFredericks; ILottering; IMolore; IOliphant; IRammutla; Isaac Prins; J Esterhuyse; J JHanekom; JillianWilliams; JMarx; JMhlongo; JMhlongo; JMolale; JMoncho; JMphole; JSehume; JSeptember; JSibiya; JSpetember; JTawine; June Erasmus; K KMaarman; K KMatonkonyane; K MalgasK; KAaron; KagishoModise; KatzS; KBeuzana; KBopape; KChomi; KDennis; Kenneth Markman; KERicksen; KHenyekane; KKgomo; KKross; KLawrence; KLeboko; KLeserwane; KMarkman; KMatthews; KNdaba; KPike; KPMogorosi; KRifles; KrugerS; KSegwai(...)

Date: 10/15/2020 8:00 AM

Subject: REMINDER: POLICY CONSULTATION: DR&PW Committee Terms of Reference

Good day Colleagues

Kindly be reminded that the due date for inputs regarding the Policy Consultation below is **21 October 2020**.

For clarity, kindly consult Mr. tom Ferreira, Manager for Policy and Research Management Services

Thank you



DRPW-info@ncppg.gov.za
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Trendsetters in infrastructure delivery to change the economic landscape of the province'

>>> DRPW-Info 10/13/2020 3:01 PM >>>

Good Day colleagues

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The due date for inputs is Wednesday, 21 October 2020 and feedback can be sent to Mr. Tom Ferreira, email address: tferreira@ncpg.gov.za

Thank You



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