

CENTRAL KAROO DISTRICT MUNICIPALITY

WHISTLE BLOWING POLICY

1. Definitions

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

- 1.1 “**disclosure**” means any disclosure of information regarding any conduct of an employer, or an employee of that employer, made by any employee who has reason to believe that the information concerned shows or tends to show one or more of the following:
- (a) that a criminal offence has been committed, is being committed or is likely to be committed,
 - (b) that a person has failed, is failing or is likely to fail to comply with any legal obligation to which that person is subjected to,
 - (c) that a miscarriage of justice has occurred, is occurring is likely to occur,
 - (d) that the health or safety of an individual has been, is being or is likely to be endangered,
 - (e) that the environment has been, is being or is likely to be damaged,
 - (f) unfair discrimination as contemplated in the Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No, 4 of 2000) or
 - (g) that any matter referred to in paragraphs (a) to (f) of Protected Disclosures Act of 2000 has been or is likely to be deliberately concealed.

2. Legislative Mandate

- 2.1 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;
- 2.2 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;

3. Guiding Principles

- 3.1 By remaining silent about corruption, offences and other malpractices taking place in the workplace, an employee necessarily contributes to, and becomes part of, a culture of fostering such improprieties which will undermine his or her own career as well as be detrimental to the legitimate interests of the South African society in general.
- 3.2 That the Council, as the employer, has a responsibility to disclose and eradicate any criminal and other irregular conduct in the workplace;
- 3.3 That an employee has, likewise, a responsibility to disclose and eradicate any criminal and other irregular conduct in the workplace;

- 3.4 That the Council, as the employer, will take all possible and reasonable steps to create an environment in which every employee may, without fear, disclose information of criminal and other irregular conduct in the workplace and ensure that employees who disclose such information are protected from reprisals as a result of such a disclosure.
- 3.5 That no employee will be victimized or penalized on account of having made a disclosure in accordance with any one of the procedures provided for by the Act.
- 3.6 That 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 disclosed is true.
- 3.7 The Council, as employer has laid down procedures in terms of which disclosures must be made and which may include procedures for the making of disclosures to persons other than the Council.

1 st Reporting Line	-	Departmental Head
2 nd Reporting Line	-	Municipal Manager
3 rd Reporting Line	-	Mayor/Speaker
4 th Reporting Line	-	Provincial DPLG
5 th Reporting Line	-	Media

NATIONAL PUBLIC SERVICE ANTI-CORRUPTION HOTLINE
A confidential hotline where corruption can be reported
0800 701 701

SENTRAAAL KAROO DISTRIKSMUNISIPALITEIT

FLUITJIE BLAAS BELEID

1. Definisies:-

Vir die doel van hierdie beleid, tensy die konteks anders blyk, beteken –

1.1 "onthulling" enige bekendmaking van inligting oor enige optrede van 'n werkgewer, of 'n werknemer van die werkgewer, wat daarop dui:

- (a) dat 'n kriminele oortreding gepleeg is, gepleeg gaan word of waarskynlik gepleeg word,
- (b) dat 'n persoon nie van plan is om te voldoen aan enige wetlike verpligting waaraan daardie persoon onderworpe is,
- (c) dat 'n onreg plaasgevind het, besig is om plaas te vind of gaan plaasvind,
- (d) dat die gesondheid of veiligheid van 'n individu in gevaar gestel word of in gevaar gestel gaan word,
- (e) dat die omgewing beskadig word, of beskadig gaan word,
- (f) onbillike diskriminasie soos aangedui in die Wet op Bevordering van Gelykheid en die Voorkoming van Onbillike Diskriminasie, 2000 (Wet Nr., 4 van 2000) gepleeg word, of;
- (g) dat enige aangeleentheid soos genoem in paragrawe (a) tot (f) van die Wet op Beskermdes Bekendmakings van 2000 word huidiglik verswyg of moontlik doelbewus verswyg gaan word.

2. Wetgewende mandaat

- 2.1 Die Wet op Beskermdes Bekendmakings, 2000, bied prosedures asook beskerming aan werknemers wie inligting wil bekendmaak met betrekking tot 'n misdryf of 'n wanpraktyk in die werkplek deur sy of haar werkgewer of mede-werknemers;
- 2.2 Die Wet maak voorsiening vir die beskerming van 'n werknemer wat 'n onthulling maak in ooreenstemming met die prosedures van die Wet

3. Rigtinggewende beginsels

- 3.1 Deur stil te bly oor korrupsie, misdrywe en ander wanpraktyke wat in die werkplek plaasvind, maak 'n werknemer ook homself/haarself skuldig aan wanpraktyke en word deel van 'n kultuur wat sodanige onregmatighede bevorder. Daardeur sal die werknemer ook sy/haar eie loopbaan benadeel. Hierdie aksie benadeel ook die belange van die Suid-Afrikaanse samelewing in die algemeen.

- 3.2 Die Raad as werkgewer het 'n verantwoordelikheid om te openbaar en uit te roei enige kriminele en ander onreëlmatige gedrag in die werkplek;
- 3.3 Net so het die werknemer 'n verantwoordelikheid om te openbaar en uit te roei enige kriminele en ander onreëlmatige gedrag in die werkplek;
- 3.4 Die Raad sal as werkgewer, alle moontlike en redelike stappe neem om 'n omgewing te skep waar elke werknemer, sonder vrees, inligting van kriminele en ander onreëlmatige gedrag in die werkplek kan deurgee en sal verseker dat werknemers wat sodanige inligting openbaar, beskerm word teen enige weerwraak as gevolg van so 'n openbaring.
- 3.5 Geen werknemer sal geviktimizeer of benadeel word as gevolg van openbaarmaking in ooreenstemming met enige een van die prosedures soos voorgeskryf deur die Wet.
- 3.6 Geen werknemer sal onderwerp word aan enige dissiplinêre optrede, afdanking, skorsing, demovering, teistering of intimidasie of enige daad wat 'n beroepsnadeel tot gevolg het soos omskryf in die Wet as gevolg van 'n beskermde bekendmaking, mits sodanige openbaring gemaak word in goeie trou en die werknemer, wanneer hy sodanige openbaarmaking maak, redelikerwys van mening is dat die inligting wat bekend gemaak is waar is.
- 3.7 Die Raad as werkgewer het vasgestelde prosedures in terme waarvan openbaarmakings gemaak moet word en wat kan insluit die prosedures vir die maak van openbaarmakings aan ander persone as die Raad:-

- 1^{ste} Rapporteringslyn - Departementshoof**
2^{de} Rapporteringslyn - Munisipale Bestuurder
3^{de} Rapporteringslyn - Burgemeester / Speaker
4^{de} Rapporteringslyn - Provinsiale DPLG
5^{de} Rapporteringslyn - Media

NASIONALE PUBLIEKE DIENS ANTI-KORRUPSIE BLITSLYN
'n Vertroulike blitslyn waar korrupsie gerapporteer kan word.
0800 701 701

(Hierdie beleid is ook beskikbaar in Engels)

/GVZ