

Policy and management considerations for whistle blower protection

N Holtzhausen

School of Public Management and Administration
University of Pretoria

Mahatma Gandhi said that “A policy is a temporary creed liable to be changed, but while it holds good it has got to be pursued with apostolic zeal.”

ABSTRACT

The issue of whistle blower protection will always be a contentious point. The manner in which whistle blowers are protected remains a concern as those that disclose alleged wrongdoing are often ill informed on the manner in which these disclosures should be made. It is therefore essential that policies must contain the necessary procedures as well as all necessary information so that when a disclosure is made, the case can firstly successfully be investigated and secondly offer protection to the one making the disclosure. In this article a comprehensive literature review was done to determine what policies must contain to offer protection and the whistle blowing policy of the Gauteng Provincial Legislature was perused to determine if it contained the necessary elements as determined in the literature review. The article concludes with suggestions for the management of the whistle blowing process.

INTRODUCTION

In the current context of globalisation and the fluidity of cultural boundaries, administrations in all countries face a variety of issues, including issues concerned with the protection of employees who expose malpractice, misconduct and wrongdoing in the workplace, transparent administration and effective governance. Protected disclosures must become an integral part of the organisational culture where disclosures can be made without fear of occupational detriment and retaliation if alleged wrongdoing is disclosed through the appropriate channels. Managers should also know how to act when wrongdoing is disclosed.

It is imperative that a whistle blowing policy, containing proper guidelines on the procedures and management exist in public sector organisations.

Whistle blower protection in South Africa is in a constant state of uncertainty and concerns remain at policy and more specifically implementation level. The purpose of this article is to determine, through a comprehensive literature review, what effective whistle blowing policies must contain and what could aid in the implementation of such policies. The article will briefly describe the scope of the *Protected Disclosures Act*, 26 of 2000 in South Africa as measured against the body of international, continental and regional principles which constitute the “gold standard” for whistle blowing legislation, guidelines and policies to foster a deeply entrenched culture of disclosure. Lastly, the article also aims to answer the question that if policies are in place and implemented, how should the whistle blowing process be managed?

THE “GOLD STANDARD”

By making use of a structured content analysis utilising published material, Lewis and Vandekerckhove (2011) discerned 16 policy issues and developed a framework to provide guidelines on whistle blowing. These elements were either repeatedly identified in the normative literature as being important elements of a fair or efficient whistle blowing procedure/policy, or they featured as a variable in research on whistle blowing in a number of studies. Of the 16 issues that were identified, seven related to who can blow the whistle on what and how this should be done, four relate to possible conditions delimiting legitimate use of the procedure, and five relate to the organisational context needed to operate a whistle blowing procedure.

In the Lewis and Vandekerckhove study, five internationally recognised guidelines were identified and used about how to manage whistle blowing: the Council of Europe Resolution 1729 (COER 2010); Transparency International (TI) “Recommended Principles for Whistleblowing Legislation (TI, 2009); the British Standards Institute (BSI) “PAS 1998:2008 Whistleblowing arrangements Code of Practice (BSI 2008); ICC “Guidelines on Whistleblowing (ICC 2008); and the EU Article 29 Data Protection Working Party Opinion (EUWP 2006). It should be noted that the first two guidelines focus on the principles on which legislation could be based and the others describe what is considered to be good management practice. They selected the guidelines for two reasons: the first is that these are the most recent guidelines issued by reputable and/or international bodies; the second reason is that these are guidelines that can be relevant for public and private sector organisations seeking guidance on designing and implementing internal whistle blowing procedures. For the purpose of this article, only TI and the BSI guidelines are used as TI rated South Africa in terms of whistle blowing protection and the BSI guidelines were deemed best practice by Lewis and Vandekerckhove. Linked to the guidelines, a bird’s eye view of the South African *Protected Disclosures Act*, 26 of 2000 (PDA) are also provided according to the elements identified by Lewis and Vandekerckhove.

It is clear from the above that the PDA is silent on a number of issues. It is, therefore, important that policies address all issues that can contribute to the protection of those disclosing corruption. It should be noted that in addition to the policy, a code of conduct/



Table 1: Relevant elements relating whistle blowing policies and the management thereof

	CATEGORY	TI	BSI	PDA
1.	For who?	Broad	Broad, should not include members of public or consumers	Broad, public and private sector. Only include permanent employer-employee relationship
2.	About what?	Broad	Broad	Broad
3.	Several tiers to raise concerns?	Safe internal procedures, easy external (also to media)	External disclosures routes must be identified. This will encourage managers to take internally raised concerns seriously	Internal disclosure routes as well as to legal advisor or specified state bodies
4.	In-house or out-house?		Both are acceptable	In-house preferred, out-house as a last resort
5.	Report mode		Encourage verbal mode	
6.	Confidentiality/ anonymity	Both must be available	Encourage raising concerns openly, confidential must be available, advises against anonymous reports	Both
7.	Recording reports		Only those receiving whistle blower reports outside of hierarchical should log them centrally	
8.	Right/duty		Advises against making it a general requirement to blow the whistle	
9.	Protection & reprisals	Emphasise importance of adequate protection to whistle blowers	Emphasise the importance of adequate protection to whistle blowers	Protection against occupational detriment
10.	Good faith & malicious reports	Knowingly false reports subject to disciplinary action. Must have honest believe that information is true, regardless of motive.	Knowingly false reports subject to disciplinary action.	Disclosures made must be in good faith. Must have honest believe that information is true, regardless of motive
11.	Rewards	Use of rewards to encourage whistle blowing depends on the context	Advises against reward policy, rather rewards can be given upon discretion of the board	
12.	Involving trade unions / stake holders		Consult on arrangements with staff, managers, and any recognised union	
13.	Advice	A public body should be in place providing general public advice on matters relating to whistle blowing	Independent, confidential advice should be available for employees	
14.	Roles and responsibilities of key players	Independent body receives and handles complaints against retaliation	Every manager must be involved	State organisations, legal advisors etc. may receive disclosure
15.	Monitoring & review	Involve stakeholder	Involve staff, managers and unions	
16.	Training		Brief all managers on how to handle cases, additional training for those with specific roles	

Adapted from Lewis and Vandekerckhove (2011:12-13)

ethics must also be available to ensure that it is clear what the organisation considers as for example unethical, unauthorised or illegal behaviour.

The 2010 Global Integrity Report evaluates a variety of integrity indicators. One of these indicators is whistle blower protection which scored a 77% average in South Africa. This is primarily because there are specific whistle blowing frameworks in place as well as a variety of mechanisms to disclose wrongdoing. However, the problem lies with the practical implementation of these internal reporting mechanisms. The Open Democracy Advice Centre found in a recent study that only 18% of South Africans have blown the whistle, which is only two out of every ten South Africans (Martin 2010). That is why the whistle blowing process should include appropriate, workable and accessible channels within the organisation to report wrongdoing as well as alternative channels if there is any possibility that management may be implicated in the alleged wrongdoing (Barker and Dawood 2004). The Department of Public Service and Administration has issued Minimum Anti-Corruption Capacity for Departments and Organisational Components in the Public Service guidelines, which entail that all government departments create internal information systems to record claims, and ensure capacity to investigate them. An effective organisational culture of whistle blowing will have channels of communication in place for complaints and grievances to be aired (Dehn and Borrie 2001).

THE SOUTH AFRICAN SITUATION

The South African *Protected Disclosures Act, 26 of 2000* makes provision for procedures in terms of which employees in both the private and the public sector may disclose information regarding unlawful or irregular conduct by their employers or other employees of their employers. It provides for the protection of employees who make a disclosure that is protected in terms of the Act and provides for related matters. The objectives of the Act are threefold. It aims to provide for procedures in terms of which an employee can, in a responsible manner, disclose information regarding improprieties committed by his or her employer; it protects an employee, whether in the private or the public sector, from being subjected to occupational detriment on account of having made a protected disclosure; and it provides for certain remedies in connection with any occupational detriment suffered on account of having made a protected disclosure.

The preamble to the Act reflects its policy objectives and gives recognition to the fact that:

- The Bill of Rights in the *Constitution of the Republic of South Africa, 1996*, enshrines the rights of all people in the Republic and affirms the democratic values of human dignity, equality and freedom;
- section 8 of the Bill of Rights provides for the horizontal application of the rights in the Bill of Rights, taking into account the nature of the right and the nature of any duty imposed by the right;
- criminal and other irregular conduct in organs of state and private bodies are detrimental to good, effective, accountable and transparent governance in organs of state and open and good corporate governance in private bodies and can endanger the economic stability of the Republic and have the potential to cause social damage;

And bearing in mind that:



- neither the South African common law nor the South African statutory law makes provision for mechanisms or procedures in terms of which employees may, without fear of reprisals, disclose information relating to suspected or alleged criminal or other irregular conduct by their employers, whether in the private or the public sector;
- 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.

And in order to:

- create a culture which will facilitate the disclosure of information by employees relating to criminal and other irregular conduct in the workplace in a responsible manner by providing comprehensive statutory guidelines for the disclosure of such information and protection against any reprisals as a result of such disclosures;
- promote the eradication of criminal and other irregular conduct in organs of state and private bodies”(PDA 2000:2).

According to the Open Democracy Advice Centre (2003:3), encouraging the disclosure of irregular conduct in a conscientious way is the *raison d’être* of the Act. The preamble acknowledges that such irregular conduct takes place in the public and private sector. The employee in the workplace is often the person who sees and reports such conduct, and uses remedies available in legislation to deal with employer/employee relationships (such as the Commission for Conciliation, Mediation and Arbitration, and the Labour Court).

Although legislative measures protect the whistle blower and an ethical code of conduct provides guidelines, it is important that the organisation set up a policy specifically for whistle blowing. The good faith disclosure of perceived wrongdoing, thus whistle blowing should be perceived as positive in the organisation as it will aid combating corruption. Questions relating to the design and implementation of internal whistle blowing policies/procedures have become urgent, as many governance codes globally prescribe whistle blowing policies/procedures as part of best practice. However, governance principles or regulations do not prescribe in detail how such internal whistle blowing provisions ought to be designed and implemented. Responding to the need for some guidance on this, a number of authoritative bodies have issued guidance on internal whistle blowing policies/procedures. In many states globally whistle blowing policies exist, but the problem lies with the actual implementation of these policies to ensure that those who disclose alleged wrongdoing, are protected (Lewis and Vandekerckhove 2011).

The National Development Plan-Vision 2030 (2011:404-405) calls for stronger anti-corruption efforts and specifically calls for a shift in attitudes towards corruption where for example citizens become more active in combating corruption with renewed efforts to protect whistle blowers. The National Planning Commission states that the PDA does not provide adequate protection and that the number of bodies to which a disclosure can be made is too narrow and the suggestion is made that disclosures should be made to not only the Public Protector and the Auditor General, but to other bodies as well. A pertinent call to provide greater security measures to those that blow the whistle is made.

The South African Public Service Commission has created a guide for public sector managers to promote accountability and provides guidelines to implement the PDA. This document contains particular suggestions on how to put a whistle blowing policy in place. It should be remembered that a policy of such a nature should be viewed as a way of complying with legislation, a mere aid to creating an environment where employees understand their responsibilities and management demonstrates its accountability as well as commitment towards the protection of whistle blowers. The policy must be actively implemented and employees must be aware of all the protected disclosure avenues available to them. Section 3 of the guide by the Public Service Commission lists ten points to consider when putting a whistle blowing policy in place. These are (Public Service Commission S.a:14):

- Consensus-based policy includes a consultative process where both managers and employees should understand that it is acceptable for them to make a disclosure and that they will be protected.
- Procedures and rules for reporting alleged wrongdoing must be in place and if not, a consultative process should be used to establish such rules and procedures. It should be noted that if employees feel that they may be victimised and/or suffer organisational detriment; a general disclosure to the broader public can be made provided that the relevant routes have been followed.
- If allegations are made, the organisation should respond to the alleged wrongdoing within a reasonable time-frame.
- In cases where a protected disclosure is made, care should be taken that the discloser is not victimised by any other person under the manager's control. This could mean that the identity of the whistle blower should stay confidential. (It must be stated that it is often difficult to investigate anonymous disclosures so it is imperative that the identity of the whistle blower be protected).
- Confidentiality clauses of the employment contract must be checked.
- It is advisable to appoint a senior public official in the organisation to whom disclosures can be made. This individual should have the necessary authority to deal with the issue at hand if the line manager is unable to do so.
- Success stories should be publicised and celebrated. This could also assist in destigmatising whistle blowers.
- Managers need to understand that employees have the right to make disclosures and should know how to deal with such disclosures.
- If there is a need for it, an independent advice centre can be used to provide training to help employees understand and utilise the legislation.
- A policy on whistle blowing should be introduced and promoted.

Section 3 of the guide also provides the following in terms of the establishment of a whistle blowing policy (Public Service Commission S.a:15-16):

- In order to *understand the issue* it is advisable to involve all employees to promote, display and ensure good practice. Wrongdoing should be explained to the employees as well as the effects and forms of serious wrongdoing. Employees' views on what is perceived as right and wrong should also be considered. A code of conduct should provide definitions on what the organisation consider as wrongdoing.



- For *employees to see the policy in action* it is necessary for them to know what actions are unacceptable and to feel free to ask management beforehand rather than afterwards whether certain actions would be appropriate. Serious wrongdoing should be dealt with in a firm manner.
- *Openness to concerns* should be taken seriously as it is not easy to report a concern, especially if it is about perceived corruption. Managers should be open to such concerns before they turn into grievances, and should act upon such concerns. If an employee requests confidentiality, it should be respected, and employees need to know that they will be safe from reprisals. Employees should know that there are other routes besides line management available to them, such as a Director-General, the Public Service Commission, the office of the Auditor-General and the office of the Public Protector.
- In *dealing with concerns* it should be kept in mind that there are two sides to a story and that all allegations must be thoroughly investigated. If employees have concerns about their own careers and safety, this should be respected. Deterring and victimising employees for making a disclosure is a disciplinary offence. The whistle blower process is a serious matter, and abusing the system to make unfounded allegations with malicious intent would be a disciplinary matter. The discloser should be given feedback about the results of the investigation and any steps that might be taken.

Whistle blowing might be perceived as a deficiency in the organisational system that should be provided for in an accountable manner. Organisations should have a communication strategy in place to deal with whistle blowing in an effective and proactive manner, informing all stakeholders about whistle blowing (options, procedures, possible consequences, and possible responses). In order for internal whistle blowing to be effective, an internal system should exist within the organisation. This system should include the following (Barker and Dawood 2004:133–134):

- access to independent advice, which will include bodies not stipulated in the PDA;
- proper channels of communication to document and address wrongdoing in the organisation;
- a clear statement that unprofessional conduct is taken seriously and an indication of what is perceived as unprofessional conduct;
- penalties for making false allegations of wrongdoing as the requirement is that a disclosure must be made in good faith;
- a verifiable whistle blowing procedure;
- an internal committee to facilitate the whistle blowing process and to take account of good practice, or establish an anonymous hotline;
- guidelines to employees on raising concerns outside of the organisation if necessary;
- the use of itinerant organisational lawyers as a channel of communication;
- respect for the confidentiality of the discloser if the disclosure is made outside the line management structure to other parties, or providing alternate avenues; and
- management's commitment to the process of whistle blowing and to supporting whistle blowers.

An internal whistle blowing strategy will help to prevent employees from blowing the whistle externally. External disclosures are better avoided, since they could raise ethical as

well as legal issues in terms of confidentiality and might affect the relationships between the organisation, the media and the government. Most importantly, the PDA does not protect employees that blow the whistle outside the organisation. According to the National Development Plan-Vision 2030 (2011:405) the scope of whistle blower protection must be broadened to include more than the traditional employee-employer relationship. This will allow for public servants to also blow the whistle on clients as well as make provision for citizen whistle blowers. External whistle blowing will only be protected if, for example, all the internal channels have been exhausted. In addition, external disclosures could involve regulatory issues requiring intervention, and could lead to negative publicity, especially since anonymous disclosures are almost impossible to investigate (Dehn and Borrie 2001:6), especially if the anonymous disclosure was made through a hotline such as the National Anti-Corruption Hotline.

It is important to reduce the opportunities for irregular or criminal conduct to take place; one also needs to determine if the perceived act is in fact incorrect and if so, it must be reported by firstly making use of internal channels according to prescribed procedures or policies. If the desired effect is not achieved, for example, an approved report from an external auditor or occupational detriment is feared, then external whistle blowing will be the only alternative.

When a person notices an action which might be criminal or irregular, he or she needs to determine if the action is in fact incorrect. Once it has been determined that the action is irregular or criminal, the observer will have to decide whether or not to blow the whistle. If the decision is made to blow the whistle, then ideally the organisation will have internal structures (or even a person) by which the disclosure can be made. If all attempts have failed to disclose successfully internally, then only can external whistle blowing be considered (Holtzhausen 2007).

It is important to create an organisational culture that encourages whistle blowing so that corruption and any perceived wrongdoing can be exposed. Whistle blowers need to be seen as witnesses rather than as complainants. An effective organisational culture of whistle blowing will have channels of communication in place for complaints and grievances to be aired (Dehn and Borrie 2001:4). In order to create an organisational culture that encourages protected disclosures, necessary policies must be in place.

An overview of the whistle blowing policy of the Gauteng Provincial Legislature's policy on whistle blowing contains valuable elements, namely an explanation on the scope of the policy, who can raise a concern; a statement that there is a culture of openness; management commitment providing assurances to staff members in terms of safety; employee's confidence; the manner in which the disclosure will be handled; a brief, but comprehensive overview on how a disclosure should be made; and lastly aspects relating to communication. In the section on the routes available for disclosures, details are provided for the National Anti-Corruption Hotline, the Public Protector and the Auditor-General (Gauteng Provincial Legislature S.a:1-16). It is important that the process is managed in an effective and efficient manner.

Whistle blowing organisational culture

Managing whistle blowing is about breaking the culture of silence. The PDA has taken the first step in trying to break the silence; however, the culture of silence still exists, because



the PDA has too many loopholes for organisations to take it seriously. Hunt (1998:525-535) describes what could happen in the absence of proper whistle blowing mechanisms.

Whistle blowing leads to the disclosure of organisational wrongdoing. However, because the disclosure is unauthorised the organisation becomes defensive and attacks the credibility of the whistle blower. To manage whistle blowing, one needs to put in place mechanisms that can help transform unauthorised disclosures into authorised disclosures. These disclosures must be managed effectively to bring about an increase in authorised disclosures made in good faith in public sector organisations.

Hunt (1998:533) states that organisations that behave unethically have similar experiences in terms of their cultural patterns and states that different cultures prevail within unethical organisations such as a culture of hypocrisy (double standards and not practising what is preached). From this culture develops a culture of fear, where subordinates fear confronting their superiors because it could lead to intimidation. The culture of fear introduces a *laissez-faire* attitude, resulting in subordinate complacency, where there is a tendency not to follow proper procedures or protocols. The culture of fear then develops into a culture of corruption, in which employees practise secrecy and conspiracy, and try to serve their own interests at the expense of the citizen.

Every organisation needs to take the steps towards developing a whistle blowing culture. However, this is not a specific phenomenon, but rather a way of thinking about living and communicating within the organisation. Dehn (1999:5) discusses the components of a whistle blowing culture. It is important to understand the components of this culture, because corruption is rampant in the South African society. The aim of a whistle blowing culture is to address organisational wrongdoing. The essentials of a whistle blowing culture involve firstly having a strong and clear signal from the top of the organisation that management is against corruption and is committed to going about its business lawfully. Secondly, the existence of a whistle blowing culture will help to ensure that whistle blowing to a designated authority will be protected. Thirdly, this will encourage managers to be receptive to concerns about corruption and to deal with them properly. Lastly, the culture that develops will address the particular circumstances in which a broader disclosure may be justified.

Clear procedures have to be put in place with regard to authorised disclosure. The managers and public officials of the organisation have to understand and embrace what these procedures entail as part of their everyday work ethic. Once the organisation has established a whistle blowing culture, it becomes more difficult to act in a wrongful manner, because the culture is able to straighten out incorrect procedures whenever they may occur. This means that a policy must be established within the organisation that gives explicit information on the prevention of organisational wrongdoing (Bakman 2003:27). Lewis (2001:57) states that organisations with effective whistle blowing policies and procedures are less likely to be exposed to claims under the PDA.

A policy should be comprehensible as well as manageable for the organisation to undertake, because the whistle blowing culture should state who is responsible for what to whom (Dehn 2001:6). Policies create the broad outline of what a whistle blowing culture should entail. It then becomes important to develop the details in terms of the type of mechanisms that should be in place to affect the policy that has been created.

This is why the mechanisms that are put in place should be multi-faceted, and should enable the individual to see the organisation's point of view as well. A confidential reporting

system is one of the mechanisms that could help promote a culture of whistle blowing. Management should know that a confidential reporting system within the organisation can be effective, and can help prevent organisational wrongdoing. However, if it is not correctly implemented, and management does not have employee buy-in, the system will not become an effective mechanism that can promote organisational competence and skilful employees (Bakman 2003:29). This is why it might be conducive to ensure buy-in from employees if they are involved in the drafting of whistle blowing policies and procedures. In South Africa, buy-in from unions could assist in creating an acceptance of the proposed policies and procedures.

An agenda for management action

It is clear from the above that internal reporting mechanisms are favoured above external reporting mechanisms as internal reporting allows the organisation to address issues before harm comes to the image of the organisation. It is also a requirement of the South African PDA that all internal channels must be exhausted before external channels (such as the media) can be utilised. Brown (2008:331-332) identifies a holistic whistle blowing management system. The dimensions of this identified internal whistle blowing management system are:

Dimension and sub-dimensions

Organisational commitment

- Management commitment to the principle of whistle blowing and statements of the organisation's support for the reporting of alleged wrongdoing through appropriate channels.
- Understanding of the benefits and importance to the organisation of having a whistle blowing mechanism.
- Commitment that a credible investigation process will follow the receipt of a whistle blowing report and that any confirmed wrongdoing will be corrected.
- Commitment to protect and respect internal witnesses.
- Positive organisational engagement on whistle blowing issues with external agencies, staff associations, unions and other government organisations.

Reporting pathways

- Clear internal pathways setting out how, to whom and about whom whistle blowing reports may be made, including guidance on the most appropriate pathways for different types of reports.
- Clear and understood relationships between internal and external reporting (and when external reporting can be done).
- Clear advice to employees on who may invoke the whistle blowing mechanism (employees, contractors, citizens etc.).
- Clear advice to employees on the types of concerns about which it is appropriate to use the whistle blowing mechanism, including levels of proof required (for



example, certainty versus suspicion regarding the truth of concerns and the good faith requirement).

- Organisational capacity for differentiating, where appropriate, between employment-related grievances and public interest disclosures.
- Mechanisms for ensuring responses to whistle blowing are undertaken with the appropriate informality/formality, as the case requires.
- Commitment that anonymous reports will be acted on.

Management obligation to employees

- Realistic assurance of the confidentiality of reports.
- Assessment of the risk of retaliation against internal witnesses.
- Procedures and resources for responding to retaliation risks against internal witnesses.
- Commitment that staff who report wrongdoing will not suffer any disciplinary or similar action as a result (including occupational detriment).
- Mechanisms to ensure positive action by the organisation to protect internal witnesses, including restitution/compensation when protective action becomes unsuccessful or impossible.
- Continuous monitoring of the welfare of whistle blowers.
- Clear procedures for the protection of the rights of people against whom allegations have been made.
- Appropriate sanctions against false or malicious allegations.

Organisational support for internal witnesses

- Systems and/or services for providing active management and support of internal witnesses.
- Procedures and resources for the investigation of reprisal action against internal witnesses, including action against any people found responsible.
- Provision of information, advice and feedback to internal witnesses on actions being taken in response to disclosure.
- Exit strategies for finalising whistle blowing cases.
- Regular evaluation of the effectiveness of the programme.

Institutional arrangements

- Clear understanding of the whistle blowing-related roles and responsibilities of key players—internal and external to the organisation.
- Effective sharing of responsibility for the support and management of whistle blowers between line managers, top management and external agencies.
- Effective separation of investigation and support functions.
- Proactive (not reactive) operation of the whistle blower support programme.
- Embedding of policies and procedures in existing management systems and governance arrangements, including mechanisms for recording, tracking and reporting all whistle blowing reports.

Skills and resources

- Financial resources dedicated to the whistle blower programme.

- Investigation competencies and training.
- Retaliation investigation competencies and training.
- Support, counselling and management competencies and training.

Promulgation of procedures

- Multiple strategies for ensuring staff awareness of the whistle blowing programme.
- Clear information about legislative protection.
- Easy-to-comprehend procedures, including relationship with other procedures.
- High levels of employee awareness and comprehension of and confidence in procedures.

It is essential to ensure that the whistle blowing policy is easy to understand, providing guidance on procedures, legal obligations as well as linkages to other procedures. There must be an awareness and understanding among staff of the whistle blowing procedures and the policy, including the responsibility to report alleged wrongdoing (Roberts, Brown and Olsen 2011:13).

CONCLUSION

Whistle blowing policy need to be communicated to all employees so that they can be aware of the channels (internal and external) available to them that can be utilised to blow the whistle. It would be advisable to appoint a senior public official that can handle the disclosures. Employees should also know that the disclosure should be made in good faith and should refer to illegal, criminal or any other irregular conduct. Once a disclosure has been made, the matter should be investigated and the whistle blower should also receive feedback. Protected disclosures must become part of the organisational culture. For this to become a reality, employees need to know that they will be protected from occupational detriment and retaliation if they disclose wrongdoing through the appropriate channels. Managers should also know how to act when wrongdoing is disclosed. It is imperative that a whistle blowing policy be implemented.

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